

EVALUATION OF THE COUNCIL OF EUROPE PROGRAMME “BUILDING TRUST IN PUBLIC INSTITUTIONS”



Final report
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Disclaimer

The evaluation was managed by a senior evaluator under the supervision of the Head of Evaluation and the Director of Internal Oversight and implemented by MDF Training & Consultancy. The views expressed in this report are those of the evaluation team members from MDF Training & Consultancy.

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Abbreviations

BTPI	Building Trust in Public Institutions
CA	Contribution Analysis
CCJE	Consultative Council of European Judges
CCPE	Consultative Council of European Prosecutors
CDCJ	European Committee on Legal Co-operation
CEP	Confederation of European Probation
CEPEJ	European Commission for the Efficiency of Justice
CJEU	Court of Justice of the European Union
COM-B	Capacity, Opportunity, Motivation - Behaviour Model
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CSO	Civil Society Organisations
DIO	Directorate of Internal Oversight
DPB	Directorate of Programme and Budget
DPC	Directorate of Programme Co-ordination
EB	Extra-budgetary resources.
EC	European Commission
ENCJ	European Network of Councils for the Judiciary
ERG	Evaluation Reference Group
EU	European Union
GRECO	Group of States against Corruption
HQ	Headquarters
HJC	High Judicial Council
HPC	High Prosecutorial Council
KII	Key Informant Interview
M&E	Monitoring and Evaluation
MS	Member states
MSC	Most Significant Change
NPM	National Preventive Mechanism
OB	Ordinary Budget
ODHIR	Office for Democratic Institutions and Human Rights (OSCE)
OSCE	Organisation for Security and Co-operation in Europe
PC-CP	Council for Penological Co-operation
RoL	Rule of Law
SOP	Standard Operating Procedure
The Convention	European Convention for Human Rights
The Court	European Court of Human Rights
ToC	Theory of Change
ToR	Terms of Reference

Executive summary

Introduction of purpose and scope of the evaluation

a. This evaluation was commissioned by the Directorate of Internal Oversight with the purpose to assess the extent to which the work under the programme “Building Trust in Public Institutions” (BTPI), through its three sub-programmes, contributed to improvements in constitutional democracy, independence and efficiency of justice, and the protection of rights of persons deprived of their liberty towards achieving greater trust in public institutions. The results of the evaluation are meant to inform decision making by the relevant Council of Europe staff to retain (and improve where necessary) programme performance.

b. The evaluation covers all three sub-programmes (Democracy through law, Independence and Efficiency of justice, and Prison, Police and Deprivation of liberty) over the period 2020 – 2024. This includes the operations of the various structures and the co-operation projects completed under the BTPI programme during this period. The evaluation examined relevance, efficiency, effectiveness (particularly the effects in member states in terms of progress towards intermediate outcome level using Most Significant Change and Contribution Analysis) and impact (literature study). The evaluation used a mix of data collection methods, including desk-study and literature review, (online) interviews with key members of the various structures, Council of Europe staff and a variety of stakeholders in 10 member states, and validation workshops. The evaluation was carried out between October 2024 and June 2025.

Key findings and conclusions

c. Overall, the evaluation concluded that the programme is a technically credible and reputable initiative that responds to the reform needs of Council of Europe member states in the areas of rule of law, justice and human rights, with increasing attention to gender equality and marginalized groups. The programme’s demand-driven approach ensures alignment with country-specific reform priorities within the framework of a valid Theory of Change (ToC), which is focused on targeted state actors.

d. The evaluation found over 200 examples of change at the member state level, mostly from individual project reports and interviews with the majority of stories relating to countries with co-operation projects. This harvest of “most significant change” stories covers all three sub-programmes and ranges from constitutional and legislative reforms to new regulatory frameworks and improved practice around detention safeguards and probation systems or adopted judicial codes, access to justice and case management improvements. Broader judicial reform stories show a strong link to aspirations for accession to the European Union (EU), while changes described within EU member states are often more specifically related to a particular (corrective) measure. Gender equality and human rights are often, but not across the board, deliberately considered in the design and implementation of interventions, the effects of which are visible in multiple cases illustrating change in the way and extent the legal / human rights of women and vulnerable groups are being respected and protected.

e. The rich harvest of change stories demonstrates the programme’s meaningful contribution to legal and policy changes, especially where political will, institutional capacity, and country-level

engagement align. BTPI's structures and projects fostered wide-spread improvements in policies and legislation to create more democratic institutional frameworks in line with European standards. However, the politicisation of reforms and resistance to change among those directly affected hindered the actual implementation of improved institutional frameworks. This means that evidence of progress towards improved democratic institutional performance remains uneven, which constrains deeper impact and public trust but also underlines the continued relevance of the programme.

f. The evaluation found that the BTPI programme played a significant role in contributing to changes identified in the 14 cases in 10 member states. This significance is amplified when different parts of the Council of Europe's programme are applied to a specific reform situation, and when synergized with the like-minded efforts of independent national institutions, development partners and CSOs.

g. The literature study on impact largely confirms the causal link between democratic functioning of institutions and people enjoying their rights. The causalities from democratic functioning of institutions and people enjoying their rights towards trust in public institutions is less clearly evidenced in literature. When causalities appear less strong, literature points to gaps between legal reform and implementation caused by authoritarian tendencies and politicisation of legal reforms, lack of resources, commitment and capacities, and cultural resistance to change. These causes are mirrored by the findings of the contribution cases.

h. Financially, the BTPI programme operates under strict budgetary discipline and demonstrates a high absorption rate, demonstrating full use of available financial resources. Financial reporting is experienced as heavy, which in combination with budgetary pressures from member states, results in institutionalized cost-awareness and a continuous push to mobilise extra-budgetary (EB) resources. The programme increasingly relies on extra-budgetary funding, which now makes up the majority of its resources, but this makes the budget less predictable, increases transaction costs and makes funding more subject to political considerations of donor countries. The complex nature of its outcomes, furthermore, makes capturing and costing of outcomes, and with that demonstrating the programme's efficiency, difficult.

Lessons learned and recommendations

i. In response to its findings and conclusions, the evaluation extracts key lessons illustrating "best practices" that deserve continuation and become common practice. In addition, the evaluation formulates four recommendations concerning the BTPI programme's conceptual design, management and operations.

j. **Best practices and lessons learned** that contribute to the success of the programme include: 1) high-quality technical assistance being combined with deliberate inclusive process facilitation, soft diplomacy and practical logistical support, with active involvement of the Council of Europe external offices; 2) organic efforts of programme staff reaching out to colleagues to seek co-operation and coherence among the Council of Europe's three sub-programmes and triangle of interventions; 3) active alignment of efforts with external like-minded (state and non-state) entities, and; 4) systematic efforts to stimulate learning and adaptation, grounded in the active exchange of good practices both internally and across member states.

k. The evaluation formulates the following **recommendations** directed at the management of the Building Trust in Public Institutions programme.

Recommendation 1: Expand the programme's ToC to reflect pathways of change through non-state actors and clarify the causality from improved institutional capacity and frameworks to improved institutional performance. Enriching the ToC in this way will increase its usefulness as programming framework, demanding that future interventions consider additional pathways and the causality towards improved institutional performance in more depth.

Recommendation 2: Introduce a more systematic complex-aware [project/programme] monitoring and reporting approach to better capture the programme's effect at member state level, with particular attention for change in countries without co-operation projects. This would help fill the current information gap about outcome level results enabling a better demonstration of the value of the programme at member state level. Moreover, it would allow for 1) better steering of progress beyond improved institutional frameworks towards actual and visible change in democratic performance of public institutions, 2) strengthened institutional memory and learning from country-level results, and 3) better communication of meaningful results in support of resource mobilisation.

Recommendation 3: Ensure that considerations of behaviour change processes and mechanisms are incorporated into the design and implementation of Council of Europe work and strengthen the capacity of programme staff to advocate and support targeted institutions in their change management challenges.

Recommendation 4: Enhance the visibility of the Building Trust in Public Institutions programme beyond those directly involved, to strengthen the programme's accountability for results and help in mobilizing allies to reinforce or scale-up the results of the programme.

1. Introduction

1.1. Purpose and scope of the evaluation

1. The purpose of the evaluation is to assess the extent to which the work under the programme Building Trust in Public Institutions (BTPI), through its three sub-programmes, contributed to improvements in constitutional democracy, independence and efficiency of justice, and the protection of rights of persons deprived of their liberty towards achieving greater trust in public institutions.

2. The results of the evaluation are meant to inform decision making by the relevant Council of Europe staff to retain (and improve where necessary) programme relevance, efficiency, effectiveness and impact on the trust in institutions.

3. The evaluation covers the three sub-programmes under the BTPI programme as illustrated in the Programme and Budget document 2024-2027. The evaluation captures results from 2020 till the end of 2024 and analyses these in line with the subsequent results frameworks since 2020. The Theory of Change (ToC) as reflected in the Programme and Budget 2024 – 2027 is used as main frame of reference for assessing relevance and formulating recommendations related to the programme's future. The evaluation covers all three sub-programmes, including related structures, under the BTPI programme:

- Democracy through law – the work of the Venice Commission
- Independence and efficiency of justice
- Prison, Police and Deprivation of liberty

4. The interventions covered by the evaluation include the operations of the various structures as well as the co-operation projects completed under the BTPI programme during the period 2020-2024 and for which final reports were available (see Appendix A for the break-down per sub-programme).

5. Moreover, the Council of Europe's three main change mechanisms (standard setting, monitoring and co-operation) are considered to reflect on the coherence of efforts and interrelations of results of the programme in all its structures and mandates.

6. The evaluation looks at relevance, efficiency, effectiveness and impact criteria, complementing earlier evaluations by specifically focusing on the effects of the main outputs of the programme on targeted institutions at member state level (i.e. intermediate outcome level). At impact level, a thorough review of academic literature supports the identification of mechanisms that drive trust in public institutions and the specific factors that positively or negatively influence this process to be compared with the work and conceptualisation of change of the Council of Europe.

1.2. Structure of the report

7. This evaluation report first provides a short factual description of the BTPI programme being the subject of the evaluation (chapter 2). Subsequently, chapter 3 presents the methodological approach and work plan, which is an updated summary of the earlier inception report. Chapter 4

presents the evaluation findings, structured according to the evaluation criteria that were used. The effectiveness section first describes the inventory of Most Significant Changes (MSC) at member state level, followed by a synthesis of the 14 change cases in which the evaluation examined the significance of the BTPI programme’s contribution. Ultimately, in chapters 5 and 6 the overall conclusions and recommendations are presented.

2. Description of the BTPI programme

2.1. Background and rationale behind the BTPI programme

8. The main objective of the BTPI programme is to support member states’ “legal and institutional structures to bring or keep the balance between powers, the rule of law and fundamental rights in line with European standards and fight against democratic backsliding”.¹ In doing so, the BTPI programme supports member states in addressing systemic weaknesses in the judiciary, law enforcement, and detention systems, with the aim to ensure that individuals enjoy their fundamental rights, as enshrined in the European Convention on Human Rights (the Convention).

9. The BTPI programme is directed by the outcomes of the 4th Summit of Heads and State and Government of the Council of Europe, held in May 2023, in Reykjavík. During this summit, the Council of Europe member states adopted the Reykjavík Declaration² which reaffirmed the Council of Europe’s role and commitment to secure and strengthen the principles of democracy, rule of law and human rights, enshrined in its Statute and the European Convention on Human Rights, namely, to address democratic backsliding and other evolving human rights challenges trust and democracy in public institutions³.

10. In this framework, the BTPI for the period 2024-2027 aims at supporting efforts to build genuine democratic institutions, transparent in their functioning, independent and impartial⁴, which ensure that all individuals are treated equally before the law and that their rights and freedoms can be enjoyed in practice⁵. The Council of Europe’s interventions under this programme focus on three areas:

- constitutional and legislative reforms through the work of the Venice Commission;
- independent and efficient justice systems, through advice and support to policy makers and justice professionals and by developing standards and tools for use at national and local levels in the field of independence, accountability, efficiency, and quality of judicial reforms, and cyber-justice, supporting the most effective methodologies for judicial data collection, processing and analysis, strengthening legal co-operation, and contributing to the implementation of sound judicial reforms in the countries;

1. Terms of Reference of the evaluation of the Council of Europe Programme “Building Trust in Public Institutions”, Directorate of Internal Oversight, Evaluation division, September 2024.

2. Reykjavik Declaration, United around our values. Reykjavik Summit, 4th Summit of Heads of State and Government of the European Council of Europe 16-17 May 2023.

3. Reykjavik Declaration, 4th Summit of Heads of State and Government of the Council of Europe, 16-17 May, p.8 and Council of Europe Programme and Budget, 2024-2027, p. 8.

4. Council of Europe Programme and Budget 2024-2027, p.9.

5. Council of Europe Programme and Budget 2024-2027, p.23 and p.100.

- protection of the rights of persons deprived of their liberty, notably through the European Committee for the Prevention of Torture (CPT) and by providing targeted assistance to law enforcement agencies and prison and probation services.

11. The BTPI is the third largest programme of the Council of Europe with 40.5 million Euros resources allocated for 2024.⁶ The programme budget comprises budgetary and extra-budgetary resources (22.2 million Euros). An overview of the total annual resources per sub-programme from 2020 to 2024 can be found in Appendix B.⁷ The BTPI programme is implemented by the Directorate General Human Rights and Rule of Law. It has 74 staff members funded under the ordinary budget (28 staff under the Venice Commission sub-programme, 17 staff under the Independence and Efficiency of Justice sub-programme and 29 staff under the Prisons-Police-Deprivation of Liberty sub-programme, not including temporary staff).⁸

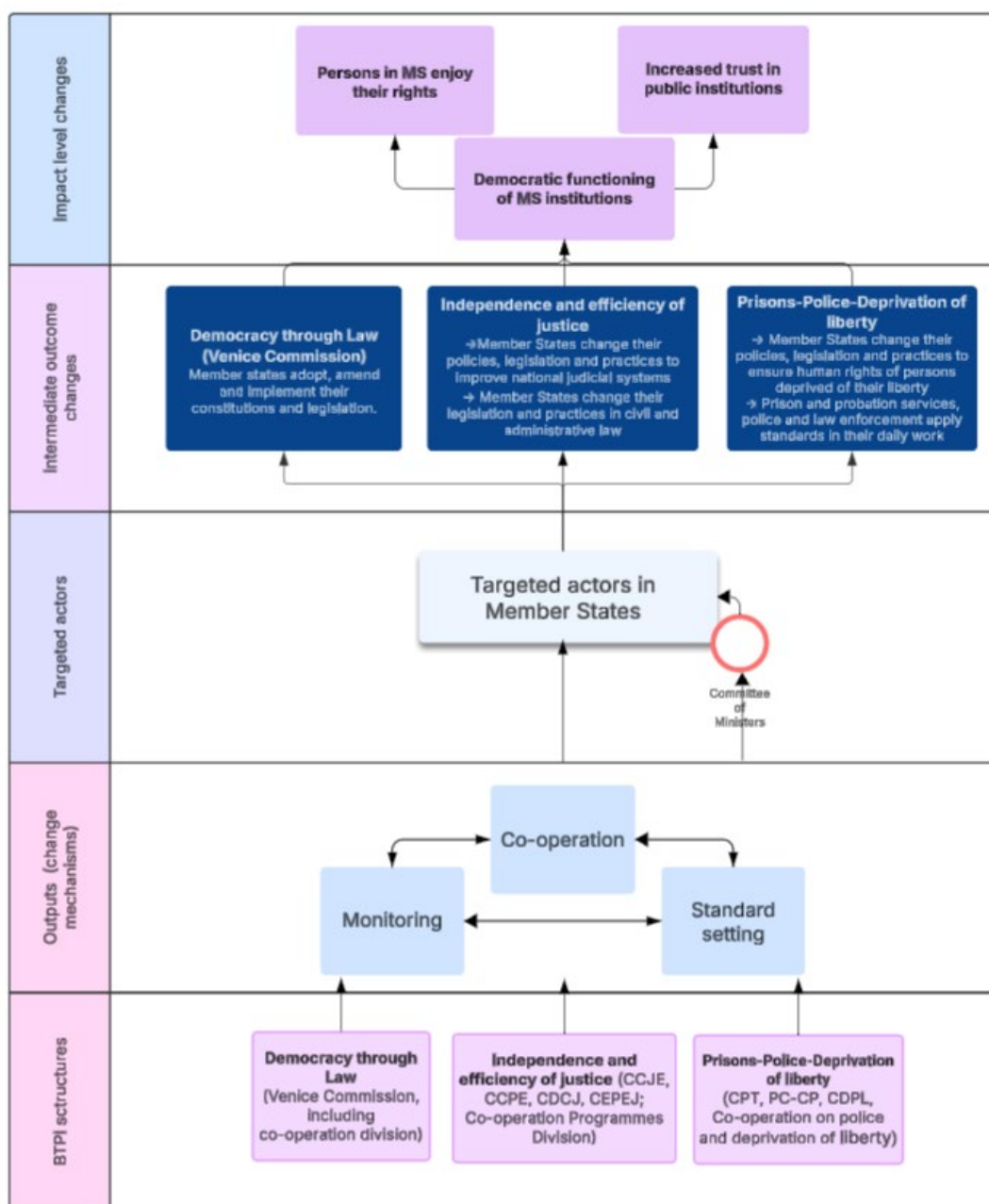
6. Council of Europe Programme and Budget 2024-2027, CM (2024)1, 19 December 2023.

7. Budget 2020 and 2021 from the Council of Europe Programme and Budget 2020-2021; Budget 2022 and 2023 from the Programme and Budget 2022 – 2025, and budget 2024 from the Programme and budget 2024 – 2027. These budgets include the total of budgetary and extra budgetary resources as listed in the Programme and Budget documents referred above. However, only secured resources (and not unsecured) are mentioned in extra budgetary resources related to Budgets from 2020 to 2023.

8. The number of staff members provided is referred in the ToR p. 8 and in Council of Europe, Programme and Budget 2024-2027. Temporary staff and staff recruited on extra budgetary resources are not identified in these documents.

2.2. BTPI Programme Theory of Change

Figure 1: Visualisation Theory of Change of the BTPI programme. Generated by the Evaluation Team based on the BTPI Programme ToC in the Programme and Budget Document 2024-2027. Committee of Ministers is illustrated as key decisional entity for some outputs.



12. Figure 1 presents a visualisation of the BTPI programme's ToC as described in the Council of Europe Programme and Budget 2024 – 2027. The programme's three sub-programmes operate through an integrated model of standard-setting, monitoring, and co-operation (strategic triangle) meant to collectively drive the desired changes. The logic of change of the programme is that this multi-disciplinary approach produces tangible outputs that translate into national-level reforms and, ultimately, long-term societal impact, including increased levels of trust in public institutions.

The three sub-programmes under BTPI and their respective structures apply the approach in distinct ways, reflecting their specific mandates and operational models.⁹

13. The main outputs are distributed across the three parts of the strategic triangle. Under the standard-setting work, the Council of Europe develops legal instruments, recommendations, and guidelines, alongside practical tools, reports and studies. For example, it provides standards on the status and careers of judges and prosecutors and on judicial and administrative proceedings in thematic areas, European Commission for the Efficiency of Justice (CEPEJ) studies and reports, guidelines on prison and probation issues, and collects penal statistics (SPACE I and II). These standards provide a basis for member states to improve institutional practices and decision-making. Monitoring visits and reports by the CPT identify gaps in member states in relation to the treatment of persons deprived of their liberty and propose measures to strengthen their protection. The co-operation activities complement these efforts by strengthening institutional capacities through (institutional) capacity building, legal and technical expert assistance and support, bulletins on constitutional case-law, knowledge sharing and networking etc.

14. At immediate outcomes level, member states have knowledge, awareness and access to the standards, tools and guidance provided by the different structures to implement reforms and to monitoring reports on the existing gaps to use this to identify measures for improvement. Specifically, member states are expected to rely on European standards and guidance to improve laws, regulations, institutional practices, and the functioning of judicial, administrative, prison, and probation systems. For example, they are expected to take specific actions based on the standards prepared by the European Committee on Legal Co-operation (CDCJ) aiming to improve their legal frameworks and practice in various areas such as child-friendly justice, migration and nationality matters; and based on CPT recommendations to enhance conditions for persons deprived of their liberty, to improve the efficiency and quality of public justice using guidance on effective exercise of the profession of judge and prosecutor and CEPEJ methods and tools, and to identify actions to improve their constitution and legislation based on the recommendations contained notably in the opinions and follow-up opinions of the Venice Commission. Operational, medical, and management staff in prisons and probation services, as well as law enforcement officers, are expected to enhance their capacity and knowledge to perform their duties in line with European standards and best practices including the European Court of Human Rights (the Court), and CPT recommendations.

15. These immediate changes are expected to lead to a more systemic improvement at intermediate outcome level, whereby member states are expected to change their practices according to the updated knowledge, awareness and access to standards, tools and guidance. In practice, this means aligning their constitutions, policies, and practices with Council of Europe standards to prevent justice system dysfunctions. Moreover, national policies, legislation and practices are adapted to ensure the human rights of persons deprived of liberty are respected and protected by prison and probation services, the police and other law enforcement bodies. These structural changes are expected to reduce weaknesses in public institutions and to create a foundation for increased trust.

16. The programme's contribution to long-term impact is twofold. First, member states fulfil their obligations under the rule of law and human rights frameworks, demonstrating their

9. See [Council of Europe Programme and Budget 2024-2027](#), CM(2024)1, p.100.

commitment to democratic governance. Second, citizens experience enhanced protections of their rights, including fair trial guarantees and humane treatment in detention. These improvements would in turn foster trust in public institutions, reinforcing democratic stability.

Sub-programmes Theories of Change

17. While the BTPI programme in its current form is outlined in the Programme and Budget Document 2024-2027, its sub-programmes and related structures have been operational for a long time, e.g. the Venice Commission exists since 1990, while the CDCJ has existed for over 60 years.

18. The iteration of the BTPI programme outlined in Programme and Budget Document 2024-2027 has entailed a reorganisation of the secretariat. The main changes related to the BTPI programme have been the following:

- the co-operation on prisons and police has been placed under the same sub-programme as the CPT.
- the Independence and Efficiency of Justice and Legal Co-operation (without the Committee of Legal Advisers on Public International Law) have been placed under the same sub-programme.

19. The reorganisation is meant to enable synergies, bring about better communication among teams, efficiency and a more consistent approach of the different structures.

20. The presentation of outputs and outcomes in the latest ToC has also been somewhat rearranged following the reorganisation, but the nature of the activities implemented by the structures is unchanged (compared to previous Programme and Budget documents 2020-2021 and 2022-2025). For the Venice Commission, the ToC remained the same. For the Independence and Efficiency of Justice sub-programme, specific attention is given in the most recent iteration (2024-2027) to changes in legislation and practice in civil and administrative law in the framework of public and private law, in line with the previous Legal Co-operation sub-programme outcomes (2020-2021, 2022-2025). Similarly, for the "Prisons, Police and Deprivation of Liberty" sub-programme, the respective immediate and intermediate outcomes of CPT and Prisons and Police sub-programmes have been merged, without any changes in content.

3. Methodological approach and process

3.1. Evaluation process, criteria, methods and risks

21. The evaluation was conducted by an external evaluation team between October 2024 and June 2025 in close consultation with the Evaluation Reference Group (ERG), which provided guidance and support regarding the objectives and scope of the evaluation, including case selection and validation of findings. At the same time, the Directorate of Internal Oversight (DIO) provided methodological oversight and guidance throughout the evaluation process.

22. The evaluation assesses BTPI programme performance according to the following evaluation criteria:

- **Relevance**, which means looking at the relevance of the BTPI's goals in responding to the needs of member states with specific attention (as relevant) for the rights of marginalised /

disadvantaged groups, and the way these goals have been logically and clearly operationalised / taken shape within the work of the Council of Europe.

- **Efficiency**, whereby the evaluation looks at the use of budgetary allocations over time and at signs that demonstrate cost-conscious programme design and management.
- **Effectiveness**, whereby the focus is primarily on mapping and understanding the effects of BTPI programme outputs on the intended target audiences, particularly looking at change at member State level (intermediate outcome levels).
- **Impact**, whereby the evaluation aims to collect evidence that illustrates progress in the level of trust in public institutions.

23. For each criterion, a specific methodological approach was developed. Relevance and efficiency are assessed based on comparative analysis of how programmatic intentions played out in practice. For effectiveness, in line with the Terms of Reference (ToR), the Most Significant Change (MSC) method was used to ensure a broad coverage of BTPI results at member state level. This was followed by more in-depth case studies to assess BTPI programme contributions to 14 change cases that were selected based on a set of criteria¹⁰ in consultation with the ERG. Impact has been assessed based on a literature review, comparing documented knowledge about assumed causalities in the BTPI ToC with the actual interventions taking place under the BTPI programme.

24. Based on these methodological choices, a detailed evaluation matrix was developed. This matrix (see Appendix C) reflects in what way, using which data collection methods and sources, the respective evaluation questions under each criterion have been answered. For each criterion multiple data collection methods were used to mitigate the response bias in the evaluation.¹¹ Overall, 91 interviews (42 F; 49 M) were conducted with Council of Europe staff, members of Council of Europe structures and key informants in member states corresponding to the 14 contribution cases. In addition, survey responses were collected from 38 Council of Europe staff. For the desk study, 208 internal and external documents, including 65 academic articles were reviewed (see Appendix D for overview of methods, Appendix E for data collection tools, Appendix F for the list of consulted documents and Appendix G for the complete list of informants). Potential methodological risks included research and selection bias, which were mitigated as planned by using uniform data collection tools, joint analysis of findings, and sampling based on clear criteria in consultation with the ERG.

Methodological limitations and adaptations

25. One particular limitation that emerged during the evaluation related to the use of the MSC method for assessing effectiveness of the BTPI programme. In line with the MSC method, significant changes at member state level were identified during an initial inventory of programme results. These MSC stories, subsequently, formed the population from which cases for a systemic contribution assessment were selected. This approach meant that cases of “absent change” where the Council of Europe intervened to avoid unwanted “change” that would contribute to democratic backsliding, were not identified and selected.

10. Criteria included: diversity in sub-programme and domains of change, perceived representativeness and learning potential, countries from different regions without recent drastic change in political situation and in which data collection would be practically feasible.

11. See Appendix H for overview of methodological and operation risks as identified during the inception.

26. The evaluation acknowledges that having insight in programme results in terms of "absent change" and being able to cover more cases in non-co-operation countries would have added to the completeness of its findings. Nevertheless, the evaluation provides an extensive overview of change that did happen and systematic insight in the Council of Europe's contribution based on 14 change cases, which forms a solid bases for assessing programme effectiveness.

27. While the stakeholder interviews and the survey explicitly requested respondents to identify the most significant changes, the changes extracted from the document review by the evaluation team were not always explicitly reported as most significant – rather, the overview included changes at intermediate outcome-level (changed legislation or changed practices in the member states). While some of these stories were triangulated in other documents (both internal and external), interviews and survey, others may be subject to framing bias (when based on internal reporting or reporting to donors for accountability purposes).

28. The stories of change are anchored in a specific moment within the 2020-2024 evaluation period. The analysis does not track whether these gains were subsequently consolidated, reversed or discontinued (for example, in response to electoral or policy shifts).

29. On efficiency, the evaluation presents findings on the evolution of budgetary allocations and actual expenditure, the extent of resource utilization, and staff perspectives on systems and practices to ensure efficiency, including key challenges and concerns. Efficiency in terms of input/output-ratio was difficult to assess, given the various structures and results being delivered that are not easily aggregated. Therefore, using such ratios was considered overly simplistic and not suitable to provide credible evidence. A more detailed assessment of activities in relation to costs was not feasible given the available evaluation resources and the data that could be collected within them.

30. The evaluation is carried out in line with its ToR as developed in September 2024. To fit the time and resources of the evaluation, the assessment of impact (on citizens in member states) is based on a literature study that examines the causality from improved democratic performance of national institutions to citizens enjoying their rights and having trust in public institutions is confirmed in existing literature.

31. An adaptation to the ToR, as agreed with the ERG, has been the replacement of field visits to three or four member states by 14 case studies that were examined through remote data collection. This allowed for a broader coverage of case studies in 10 member states, increasing the representatives of findings. A detailed overview of the evaluation work plan and time-schedule can be found in Appendix I.

4. Findings

4.1. Relevance

32. This section responds to the questions to what extent BTPI interventions (i.e. the efforts of structures and the design of co-operation projects) are aligned to 1) the needs of member states to

have better performing institutions, 2) the needs of vulnerable / marginalized groups to have their rights protected / respected, and 3) the overall design / ToC of the BTPI programme.

4.1.1. *Alignment with needs of member states*

33. The Council of Europe enjoys broad recognition and legitimacy among its member states, underpinned by the high quality and neutrality of its technical expertise, which makes its outputs largely uncontested. The Council of Europe and particularly the BTPI structures are recognised as an authority on issues of human rights, constitutionality, rule of law and independence and efficiency of justice. Apart from recognition by member states, the outputs of the programme (including Venice Commission opinions, CPT reports, CEPEJ data, GRECO recommendations, and the opinions of CCJE and CCPE) are used strategically by the EU (Rule of Law reports, EU Eurostatistics based on CEPEJ reports) as well as by national CSOs in their advocacy efforts for protecting human rights and demanding government accountability.

34. Stakeholders have described the uniqueness and comparative advantage of the Council of Europe as a multilateral institution that, through its mechanisms of the strategic triangle,¹² is particularly well placed to bring about reforms that are evidence-based, tailored to needs, and respectful of human rights standards. The relevance of the BTPI structures is argued to be particularly relevant in the current political climate whereby rule of law and democracy are increasingly under pressure. In this context, Council of Europe representatives stressed that preventing democratic backsliding is arguably as important as consolidating democratic practices.

35. While the legitimacy and uniqueness of the BTPI structures are largely recognised by professionals, respondents commented on the limited visibility and public understanding of the Council of Europe's work beyond expert circles. In response, they suggested that improving communication about the role and achievements of the structures as a way to build broader public awareness and support, thereby helping to secure the institution's continued relevance.

36. The alignment with the member states needs is illustrated by the high demand for BTPI outputs.¹³ Notably, it was stressed that the Council of Europe legal approach ensures non-politicisation, increasing member states' openness to request technical assistance. However, resource constraints limit the Council of Europe's capacity to respond to all requests.

37. Various mechanisms are in place to enable member states to shape BTPI outputs and request assistance based on their needs. This makes the BTPI outputs largely demand-driven and ensures they are relevant to member states' needs. Some BTPI structures are exclusively request-driven (e.g., Venice Commission) while others are deciding on priorities based on monitoring and evaluation findings or strategic priorities. The work of the steering committees is agreed by all states, with direct channels for member states to engage in agenda setting.¹⁴ Co-operation projects further

12. Standard setting, Monitoring and Co-operation.

13. Outputs frequently referred to for their significant added value to national actors included the (follow-up) opinions of the Venice Commission, the CEPEJ tools constantly enriched through applications, the CPT standards and the tailored technical co-operation projects answering member states' needs by directly supporting the alignment of national legislation and systems with Council of Europe standards and good practices.

14. For example, the CCJE and the CCPE use a bottom-up approach that allows any member to flag relevant issues. Such issues are discussed and priority topics for further work are identified by the respective Working Groups, and subsequently discussed and agreed in the respective plenaries. CEPEJ works on issues collectively recognised by members as relevant, brought forward to the Committee of Ministers. The Council for Penological Co-operation (PC-CP) gathers structured

reinforce this alignment by basing project priorities on member states' needs as reflected in the findings from monitoring reports with their feedback and inputs for adaptation to emerging needs or capacities / resources.

38. Notably, the demand for BTPI outputs and technical support is closely tied to political will and the members' relationship with the Council of Europe. Even when the relevance and quality of the support are largely acknowledged, uptake and implementation depend on national-level commitment. For example, in cases where CPT recommendations have remained unimplemented for years, concerns arise about whether the perceived relevance of the BTPI structures' work effectively translates into concrete action. Nonetheless, respondents argued that, even in the absence of results, continued efforts by structures are still highly relevant and necessary.

39. In addition to the more tangible BTPI outputs, collaborative spaces where member states representatives come together (e.g., intergovernmental committees, working groups, task forces) are regarded as particularly useful. For example, the ad-hoc committees (CCJE, CCPE) provide unique platforms for professionals to come together, exchange, learn from the diversity of judicial systems across member states and find solutions to shared challenges.

40. The relevance of the strategic triangle has been largely affirmed in providing standards, tools and targeted technical assistance adapted to member states' needs. Co-operation projects offering tailor-made and high-quality technical support address expertise and capacity gaps in member states, reported as essential catalysts for advancing reforms. However, their reliance on extra-budgetary funding means that realisation of such projects depends on the alignment between member state needs, donor interest and/or Council of Europe's response capacity. In this context, respondents suggested that close collaboration between the Directorate of Programme Co-ordination and the relevant Council of Europe entities designing and implementing co-operation projects remains crucial, as it enhances the strategic coherence between Council of Europe institutional efforts.

41. Finally, BTPI structures show effective learning and adaptation mechanisms for improving outputs based on sharing of good practices within BTPI structures and among member states. Implementation insights and lessons learned (through member state contributions) inform the continuous refinement of BTPI outputs and tools. This iterative process enhances the tools' quality and relevance over time, strengthening their credibility and practical utility. As a result, several BTPI outputs - such as the evolving CEPEJ tools, the expanding Venice Commission CODICES database, the European Prison Rules, and the work of thematic groups (e.g. the work in digitalisation of justice and use of artificial intelligence systems under CEPEJ's European Cyberjustice Network) - are viewed by member state stakeholders as state-of-the-art technical guidance. This means they are not only seen as reference Council of Europe resources, but also as practical instruments shaped by real-life applications and responsive to emerging member states' challenges.

4.1.2. Alignment with the needs of vulnerable or marginalised groups to have their rights protected and respected

42. Examples of the integration of gender equality and a human rights approach are widespread, though the extent to which the specific needs of vulnerable groups are addressed

feedback through engagement with State Institutions during summits or exchanges with professional networks such as EuroPris and the International Corrections and Prisons Association.

varies across structures, depending on their respective mandates. Some structures focus directly on vulnerable groups, while others address systemic reforms that indirectly benefit these groups. For example, the Venice Commission focuses on the rule of law and democracy, as well as fundamental rights and notably the rights of vulnerable groups (see for example recent opinions regarding minority rights and minority languages jointly with the Directorate General of Democracy and Human Dignity (DGII), and opinions with regard to Ombudsman institutions or violence against women). Similarly, CEPEJ collects gender disaggregated data but is not identifying the needs of disadvantaged groups unless explicitly requested by member states. Comparatively, the Prisons, Police and Deprivation of Liberty sub-programme has a stronger focus on the needs of marginalised groups, particularly in prisons where vulnerability is often heightened.

43. Some BTPI structures pay particular attention to gender considerations in their internal ways of working. For example, the CPT, CDCJ, CCJE and CCPE ensure gender-balanced representation in the composition of their working groups.

44. Illustrative of a gender responsive approach,¹⁵ several BTPI structures allocate resources and build capacity to address the needs of vulnerable groups. This includes systematically reflecting on how opinions and outputs promote gender equality (CCJE), ensuring all standards elaborated by the structures are oriented to deal with protecting the rights of vulnerable groups and to ensuring gender equality, applying gender mainstreaming tools in legislation (CCJE/CCPE), or establishing committees or thematic studies to explore gender issues. Efforts to adopt an intersectional lens have been mentioned to consider overlapping vulnerabilities and promote inclusive, rehabilitative, and rights-based interventions (particularly in prison settings). For example, the CPT has increased visits to women's prisons to assess conditions, while co-operation projects support the use of trauma-informed approaches for victims of gender-based and intimate partner violence.

4.1.3. Overall design and Theory of Change of the BTPI programme

45. The findings confirm the relevance of the ToC and particularly of the strategic triangle, with evidence showing that monitoring efforts (i.e. Council of Europe standards compliance) feed into co-operation projects therefore validating the causal link towards intermediate outcomes.

46. The findings draw attention to the influence of BTPI structures on actors not captured in the current Theory of Change (i.e. the EU and CSOs in member states). Similarly, the synergies with the Court illustrating the interconnectedness of its work with BTPI are not explicitly covered (for example co-operation projects focused on implementation of The Court's judgements, rulings of the Court referring to CCJE and CCPE opinions, CPT recommendations, etc.) Recognising these actors and effects may enrich the strategic thinking and approaches employed by the BTPI to achieve results, while also supporting a better understanding and measurement/monitoring of its broader influence as potential leverage points (e.g. visibility, recognition as credible evidence source for the EU, etc.).

47. The internal coherence of programmatic documents and clarity of mandates is broadly assessed positively. In general, mandates are clearly defined, supported by action plans, annual priorities, and performance indicators. Some bodies, such as CEPEJ operate with greater autonomy

15. A gender-responsive approach refers to the systematic consideration of gender norms, roles, and relations in the design, implementation, monitoring, and evaluation of policies, programmes, and projects, with the aim of promoting gender equality and addressing gender-based disparities.

in setting and approving their workplans or work solely upon request by member states or Council of Europe organs (e.g. Venice Commission), while others follow more centralised processes. Challenges reported included the programmatic set-up of the Independence and Efficiency of Justice sub-programme that includes CEPEJ, CCJE, CCPE, CDCJ (overseen by the Head of Department on Human Rights, Justice and Legal Co-operation Standard-setting activities) and the Co-operation Programmes Division (overseen by the Head of Department for the Implementation of Human Rights, Justice and Legal Co-operation Standards of the Council of Europe). While these structures are supported by different departments, the design, monitoring and reporting of results is centralised, thus requiring additional coordination efforts to ensure the clarity of roles and responsibilities.

4.2. Effectiveness

4.2.1. Introduction

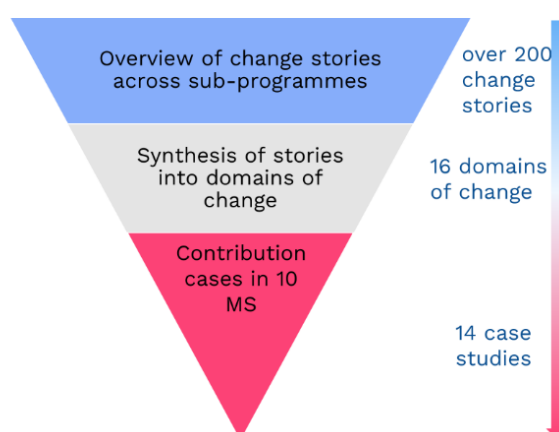
48. This section provides a synthesis of findings about the effects of the BTPI programme on targeted institutions in member states. The section first presents findings related to (significant) effects / change at member states level at intermediate outcome level (sections 4.2.2 and 4.2.3). These effects are beyond the control but influenced by the BTPI programme and reflect changes in the constitution, policies, procedures, or legislation of member states, but also changes related to members states fulfilling their obligations to the Council of Europe and signs of changed behaviour / practices by targeted institutions that illustrate improved “functioning” of public institutions. Second, the 4.2.4 section presents findings related to the significance of the BTPI programme in contributing to the selected changes.

49. Findings are based on a data collection process covering the full range of BTPI programme interventions in the 2020 – 2024 period. The resulting inventory of MSC stories was clustered in 16 domains of change (presented in 4.2.3). These domains were used as basis for selecting 14 “change-cases”, which were then examined in further depth to establish the significance of the BTPI programme in realising the change in those cases (see Figure 2 below).

Figure 2: data collection flow for effectiveness assessment.

Mapping and understanding of BTPI effectiveness

- Extensive desk-study, survey and interviews to collect evidence related to the effects of the BTPI programme at Member State level (intermediate outcomes).
- Findings in the shape of individual stories of change in the member states were clustered to identify domains of change, which provided an overview of results at BTPI (sub-) programme level.
- 14 cases were selected (whereby two cases were combined) covering the three sub-programmes. Various domains of change and 10 Member States to examine the CoE contribution to the substantiated changes at MS level.



4.2.2. *Overview of Most Significant Change stories*

50. **Across all data sources, over 200 MSC stories were identified**, providing extensive evidence of results at the intermediate outcome level. These stories were drawn from document review (programme and sub-programme reporting,¹⁶ external evaluations, and co-operation project narrative reports), stakeholder interviews, and a survey with Council of Europe staff. Notably, more than 75% of the MSC stories came from the document review. The reviewed project narrative reports offered large evidence on results, with approximately 75% of projects reporting achieved intermediate outcomes.¹⁷ Survey responses and interviews added further insights, including outcome-level changes in non-co-operation countries. About 80% of the MSC stories generated through the survey referred to country-specific effects, while the remaining 20% highlighted broader systemic or regional changes, sometimes outside the BTPI ToC. Nearly half of the survey stories were also found in the desk review, suggesting reasonable consistency across data sources.

51. **Despite the large number of MSC stories found, this harvest of changes is non-exhaustive**, as many changes at the member state level - particularly in countries without co-operation projects - remain unreported unless actively solicited from member state's representatives or national key stakeholders. The evaluation gathered such stories through primary data collection within limited scope, noting that the breadth and depth of changes is likely to extend considerably beyond those captured.

52. Notably, the documented change stories are specific to the time and context they were reported (within the 2020–2024 evaluation scope) meaning that they may exclude any later rollbacks or cessations of those changes.

Observations related to the MSC harvest for the BTPI programme

53. The MSC analysis across the three sub-programmes reveals a rich picture of reforms including legislative and practical changes driven by a mix of political will, technical support and compliance with EU and Council of Europe standards. The type and scale of changes varies across domains of change and the member states, but some broader observations can be made.

54. Across the three sub-programmes, reforms are more accurately reported in non-EU member states, often involving broader, structural changes. This is apparent in the reference to specific countries across multiple domains of change across the 3 sub-programmes implementing both legislative and practice changes. The MSC stories range from constitutional and legislative reforms to new regulatory frameworks and improved practice around detention safeguards and probation systems or adopted judicial codes, access to justice and case management improvements. This suggests a strong link to EU accession aspirations, the support of Council of Europe through its different BTPI structures, Court's judgements, Council of Europe Action Plans and respective co-operation projects.

55. In contrast, EU member states more often implement corrective or targeted reforms of narrower scope, focused on changes in practice (e.g., court efficiency measures, police oversight

16. The progress reports reflect a DPB selection of outcome-level results shared by the various BTPI structures, who each collect these outcome stories in their own way. It is not clear what selection criteria are used so there is a risk of selection bias, limiting the evaluation team's understanding of the breadth of changes that are known/ somewhat documented.

17. Most stories relate to Ukraine, Georgia, Moldova, Albania, Armenia, Bosnia and Herzegovina, North Macedonia, Serbia, Montenegro, Türkiye, and Kosovo* – countries with sustained technical assistance through co-operation projects.

mechanisms, digital tools). Such changes often seem to be adopted independently, based on strategic use of BTPI outputs (CEPEJ tools, Venice Commission case-law database, CCPE/ CCJE opinions, etc.) - rather than to demonstrate compliance. Since the EU member states often implement such changes on their own, without externally financed co-operation projects with a reporting requirement, the visibility of changes in these countries is sometimes limited. Nevertheless, there are instances in which EU member states request technical support to carry out structural reforms or the Venice Commission is asked to provide opinions or the Parliamentary Assembly of the Council of Europe requests the Venice Commission to provide opinions.

56. Since a significant number of MSC refer to changes in legislation, it is worth noting that there is often limited evidence on the extent to which the legislation adopted with BTPI support (i.e., following the recommendations of the Venice Commission, or under Council of Europe co-operation programmes) is implemented or operationalised in practice to lead to the desired outcomes in member states. The technical support is based on requests from member states reflecting political will, and on monitoring findings of the Council of Europe. Given that political will is often based on international and / or internal pressure (EU accession, European Commission Rule of Law reports, public or political debates), the monitoring mechanisms' findings and recommendations provide additional leverage to the Council of Europe to address identified gaps and implement intended reforms through the co-operation mechanism.

57. A significant share of MSC stories (particularly under the Prisons, Police, and Deprivation of Liberty and Independence and Efficiency sub-programmes) were explicitly linked to co-operation projects, demonstrating their role as catalysts of technical and operational change. These projects supported both legislative or policy reforms (e.g., judicial roadmaps) and practice improvements (e.g., access to legal aid, case management tools).

58. While the document review provided numerous examples of country-specific most significant changes, the interviews provided notable accounts of changes or trends across the Council of Europe member states. These range from member states' commitment to legal reforms reflected in increased requests for assistance, political engagement and exchange between member States to the growing influence of BTPI structures on EU processes, increased consideration of gender issues, artificial intelligence and digitalisation or observed shifts towards rights-based approaches (for example a shift towards justice as a public service or a shift from punitive to rehabilitative justice through probation systems and rehabilitation measures).

4.2.3. Domains of change with examples of Most Significant Change identified for the three sub-programmes

59. To provide an overview of the MSC story harvest by sub-programme, the domains of change with illustrative examples of change stories are presented below (while the overview of all summarised individual changes can be found in Appendix J).

60. Under the **Democracy through Law (Venice Commission) sub-programme**, four domains of change were identified: 1) constitutional and legislative reform, 2) rule of law, fundamental rights and public accountability, 3) electoral reforms and 4) judicial and prosecutorial reforms.

1. Constitutional and legislative reform. This domain captured constitutional and legal amendments designed to ensure the balance of power by reinforcing institutional checks (Malta, Peru), improving the selection of constitutional court judges (Ukraine, Moldova) and well as constitutional amendments to enhance

judicial independence through guarantees and legal safeguards (Serbia, Netherlands). Changes also linked to the strengthened co-operation among Constitutional Courts in Central Asia, improving access to European practices in constitutional justice.

2. Rule of law, fundamental rights and public accountability. This domain covered legislative reforms aimed at strengthening legal safeguards, enhancing institutional accountability, and aligning national laws with international human rights standards. Examples include the introduction of anti-corruption measures such as asset declaration sanctions (Ukraine, Kosovo¹⁸) reforms of intelligence and oversight bodies to ensure legal clarity and limit mandates (Moldova), and improvements to human rights institutions through revised ombuds laws and constitutional status (Andorra, Kazakhstan). Other reforms targeted the freedom of religion or belief (Uzbekistan) or the rule of law implications of amnesties and transitional justice measures (Spain).

3. Electoral reforms. Changes in this domain focused on improving electoral frameworks and ensuring greater fairness and representation in democratic processes. This included the revision of electoral codes and legal frameworks governing elections and referenda (Ukraine, Serbia), or new sanctions for electoral violations (Kyrgyzstan).

4. Judicial and prosecutorial reforms. This domain included structural reforms to judicial governance and integrity systems. Significant changes included the creation or restructuring of judicial councils and advisory bodies to oversee appointments and ethics (Cyprus, Ukraine, Albania), constitutional and legislative amendments strengthening judicial independence and integrity (Serbia, Moldova), and implementation of Venice Commission recommendations on judicial frameworks and accountability (Montenegro, Albania).

61. Under the **Independence and Efficiency of Justice sub-programme**, six domains of change were identified: 1) access to justice, 2) efficiency of justice, 3) legislative and procedural reforms of justice systems – judicial governance, 4) data quality improvement; 5) information and communication technology, 5) judicial system budget, 6) number and performance of justice professionals

1. Access to justice. This domain captures legislative and practical efforts to improve access to justice, particularly for vulnerable groups. Armenia amended its Law on Mediation and created a cohort of 125 certified mediators in line with Council of Europe guidance, while in Georgia, reforms included legal amendments to strengthen free legal aid and enable children to file court complaints. Practice-level changes in North Macedonia enhanced legal aid access through awareness campaigns and streamlined court procedures. Several countries, such as Latvia and Montenegro expanded alternative dispute resolution services, institutionalizing mediation in line with Council of Europe standards. Multi-country CEPEJ reports also confirm broader practice-level improvements.

2. Efficiency of justice: reduced disposition time and increased clearance rates. This domain includes legislative and practical measures to reduce case backlog and improve court performance. Legislative reforms in Bosnia and Herzegovina introduced remedies for excessive trial length while several countries, including Greece, France, and Malta, replaced national backlog reduction programmes with CEPEJ methodologies. In Albania and Malta, CEPEJ supported the development of an integrated case management system, while Latvia introduced case weighting and improved court time management. Ukraine reopened proceedings based on the Court's rulings while Serbia and Kosovo* enhanced judicial performance evaluation in line with Council of Europe standards.

3. Legislative and procedural reforms of justice systems – judicial governance. This domain covers reforms to strengthen judicial governance, accountability, and alignment with Council of Europe standards. Legislative changes in Armenia, Ukraine, Serbia, Montenegro, and Moldova introduced revised judicial codes,

18. All references to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

ethics frameworks, and strategies for integrity and gender equality. Judicial self-governing bodies in Armenia and Ukraine improved their functions, inter alia, through monitoring of their annual reports. In Armenia, an appellate system within the Supreme Judicial Council was established for disciplinary matters to enhance judicial independence and accountability. Practice-level reforms across Türkiye, Albania, Slovak Republic, Kosovo*, and others included judicial map revisions, improved selection and oversight mechanisms, and updated procedures to address undue influence. Armenia and Ukraine adopted strategies to improve the execution of the Court's judgments and bring national frameworks in line with European standards.

4. Data quality improvements. This domain captures efforts to strengthen the collection, quality, and use of justice sector data. In several countries, including Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia, and Kosovo*, institutions enhanced their capacity to collect and analyse data using CEPEJ indicators. Kosovo* integrated these tools into court dashboards to monitor performance. In Azerbaijan, over 60% of courts adopted CEPEJ methodologies, supported by IT tools and enforcement monitoring systems. Türkiye improved legal access through a case-law centre and database for administrative court decisions.

5. Information and communication technology – online services, tools, e-platforms and information systems. This domain focuses on the use of digital tools and platforms to enhance justice sector performance and transparency. In Kosovo*, digitalisation efforts included online services and integration of a Case Management Information System to reduce delays and enable performance tracking. Moldova launched an automated system and introduced JUSTAT to publish judicial statistics. Albania developed an online communication platform for the Tirana District Court in line with CEPEJ standards. Spain and Malta implemented new digital justice strategies, with Malta adopting a comprehensive Digital Justice Strategy. Multi-country CEPEJ reports confirm broader uptake of such practices.

Other domains included the **Judicial system budget** (the CEPEJ report mentions most significant budget increase in Azerbaijan, Cyprus and Georgia reported to baseline) and the **number and performance of justice professionals** has increased as reported by CDCJ and CEPEJ Evaluation report, with most significant improvements in Austria, Bosnia and Herzegovina and Türkiye).

62. Under the **Prisons, Police and Deprivation of Liberty sub-programme**, five domains of change were identified: 1) decent treatment and conditions of detention, safeguards against ill-treatment and protection of vulnerable groups, 2) prison system reforms, 3) healthcare, social care and mental health, 4) rehabilitation and probation system reforms; 5) oversight of Council of Europe standards, monitoring mechanisms and exchange of good practices.

1. Decent treatment and conditions of detention, safeguards against ill-treatment and protection of vulnerable groups. This domain reflects legislative, policy, and practice reforms aimed at strengthening protections against ill-treatment and enhancing detention conditions, particularly for vulnerable groups. Legal and policy changes were adopted in countries such as Armenia, Georgia, Austria, Albania, and Serbia. These included for example procedural safeguards like mandatory recording of police interviews, new laws on the Police Guard and enforcement proceedings (Armenia) and legal provisions for children in custody (Austria). Practice improvements were implemented across Bosnia and Herzegovina, Estonia, Serbia, Azerbaijan, Moldova, Romania, Portugal, and others. Notable examples include enhanced transparency of investigations (Georgia, Portugal), new facilities for women and children (Azerbaijan, Moldova), and improved conditions in prisons (Albania). In Serbia, improvements include health care and behaviour interventions for detainees, alongside the appointment of specialised prosecutors for police misconduct. Several countries reported improved conditions in custody, notably a measurable reduction in ill-treatment in high-security prisons in Romania.

2. Prison system reforms. This domain covers legal and operational reforms addressing overcrowding, inter-prisoner violence, informal prison hierarchy, and radicalisation. Legislative changes in Ukraine, Albania, Bosnia and Herzegovina, North Macedonia, and Slovenia included dual inspection mechanisms and risk-based

prisoner management. In terms of changes in practice, Albania revised practices on suicide prevention, while several countries introduced targeted measures to counter radicalisation: Bosnia and Herzegovina adopted tools for screening and rehabilitation, Slovenia implemented a Council of Europe-aligned assessment system, North Macedonia introduced Standard Operating Procedures (SOP) for post-release support, and Serbia piloted Confederation of European Probation (CEP) tools and strengthened staff capacity.

3. Healthcare, social care and mental health. This domain reflects reforms enhancing healthcare access, quality, and oversight in detention settings, with a strong emphasis on mental health. Legislative and policy changes were introduced in North Macedonia, Georgia, Romania, Azerbaijan, Armenia, and Moldova, including updated national frameworks and new standards for prison healthcare delivery. North Macedonia adopted SOPs for prison healthcare and introduced hazard pay to retain medical staff. Georgia established prison mental health standards and implemented suicide prevention programmes and addiction treatment protocols. Armenia advanced healthcare provision through telemedicine, counselling services, and updated infection control regulations, alongside suicide prevention and improved forensic psychiatric care. Romania and Albania improved mental health service delivery, including removing punitive measures for self-harm and formalising referral and treatment practices. Moldova amended government standards to ensure medical examinations upon detainee admission.

4. Rehabilitation and probation system reforms. This domain includes legislative and practical reforms to strengthen reintegration and non-custodial measures. Legal changes in Albania, Armenia, Greece, and North Macedonia introduced digital probation systems, community service, and frameworks for deferred sentencing and psychological support. In terms of changes in practices, Albania, Armenia, Bosnia and Herzegovina, Georgia, and North Macedonia implemented prisoner employment schemes, tailored rehabilitation tools—particularly for violent extremist prisoners—and enhanced staff capacities.

5. Oversight of Council of Europe standards, monitoring mechanisms and exchange of good practices. This domain reflects legislative and practical reforms to strengthen detention oversight and align monitoring with Council of Europe standards. Türkiye, Germany, Armenia, and Georgia introduced legal changes enhancing institutional accountability, including expanded mandates for monitoring bodies and improved complaints mechanisms. In terms of changes in practice, the UK advanced policy dialogue on systemic detention issues, North Macedonia increased abuse case referrals through its External Oversight Mechanism, and Georgia enhanced juvenile monitoring and police accountability through institutional reforms.

Reported effects on gender equality or the human rights situation of vulnerable groups

63. Explicit references to gender equality and human Rights were found in 28 MSC stories across 12 countries, illustrating multiple cases where gender equality and human rights have been deliberately considered in the design and implementation of BTPI interventions. These cases not only relate to the frameworks but also the practical realities of reform and capacity-building initiatives. This integration is evident in several key areas: 1) interventions often embed an explicit assessment of gender impact and human rights compliance from the outset, for instance while supporting a judicial reform strategy, 2) legal and policy frameworks have been revised to include gender-sensitive language and considerations, ensuring that statutes and procedures reflect the needs and realities of all individuals, particularly women and vulnerable groups.

64. The intended effects of this varied from making legislative amendments more gender sensitive, to increasing the proportion of women judges and women in managerial positions or to empower under-represented groups and enhanced the overall professionalism and inclusiveness of the judiciary.

65. At the operational level, interventions have addressed the specific needs of vulnerable populations, including women, children, and transgender persons. For instance, therapeutic programmes in prisons were designed to cater specifically to women and young inmates, ensuring access to psychological support and a rehabilitative rather than punitive environment. The CPT advocated for a gender-specific approach in prisons, pushing for activities and support that move beyond traditional gender stereotypes and respond to the actual needs of women prisoners, including the prevention of self-harm.

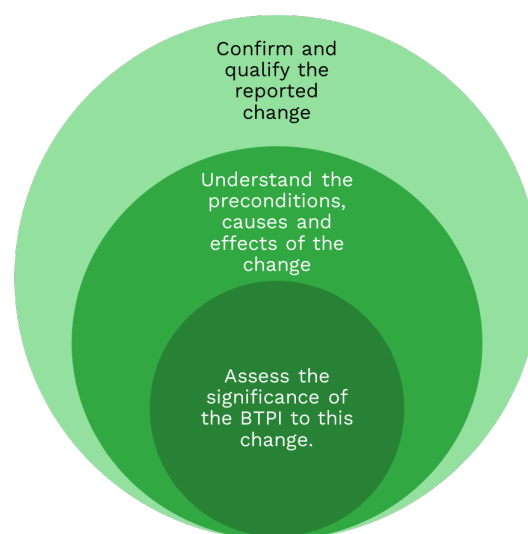
66. Human rights considerations have also guided the reform of policing and custodial practices. For instance, operational procedures were harmonised with international human rights standards, and human rights training was institutionalised for law enforcement personnel. Such training, coupled with policy changes and the adoption of monitoring tools, could reflect a sustained commitment to a rights-based approach across multiple levels of the criminal justice system.

67. BTPI interventions that integrated gender and human rights-based approaches into their design and implementation have served as catalysts for measurable progress, showing increase in women’s representation in the judiciary, the establishment of safer and more rehabilitative correctional environments, and the greater inclusion of vulnerable and minority populations in justice processes. The gender and human rights lens has also been crucial in shifting public institutions from punitive to rehabilitative models, as seen in the prohibition of punishment for self-harm in some prisons and the adoption of new suicide prevention practices. Moreover, the mainstreaming and embedding of gender and human rights into training, policy, and daily practice, have in most cases analysed, fostered a culture of accountability, transparency, and empowerment within institutions. These approaches have also led to transformative changes within some interventions, ensuring that reforms are not only effective and compliant with international norms, but also truly responsive to the needs of diverse populations, thereby laying the groundwork for sustainable and system-wide changes that address root inequalities and protect the dignity of all individuals.

4.2.4. BTPI programme contribution to effects in member states

68. Following the inventory and clustering of MSC stories, the evaluation examined the significance of the BTPI programme in contributing to 14 change-cases in 10 member states related to the various sub-programmes (see Appendix K for an overview of cases and Appendix L for the detailed cases). In doing so, two cases were combined as they related to the combined efforts of the Venice Commission and various co-operation projects in Serbia. For each case, relevant background documentation was reviewed, and interviews were held with at least four different stakeholders to 1) **substantiate and qualify** the change, 2) **understand the various factors contributing to the change**, and 3) assess

Figure 3: steps in contribution analysis of change cases.



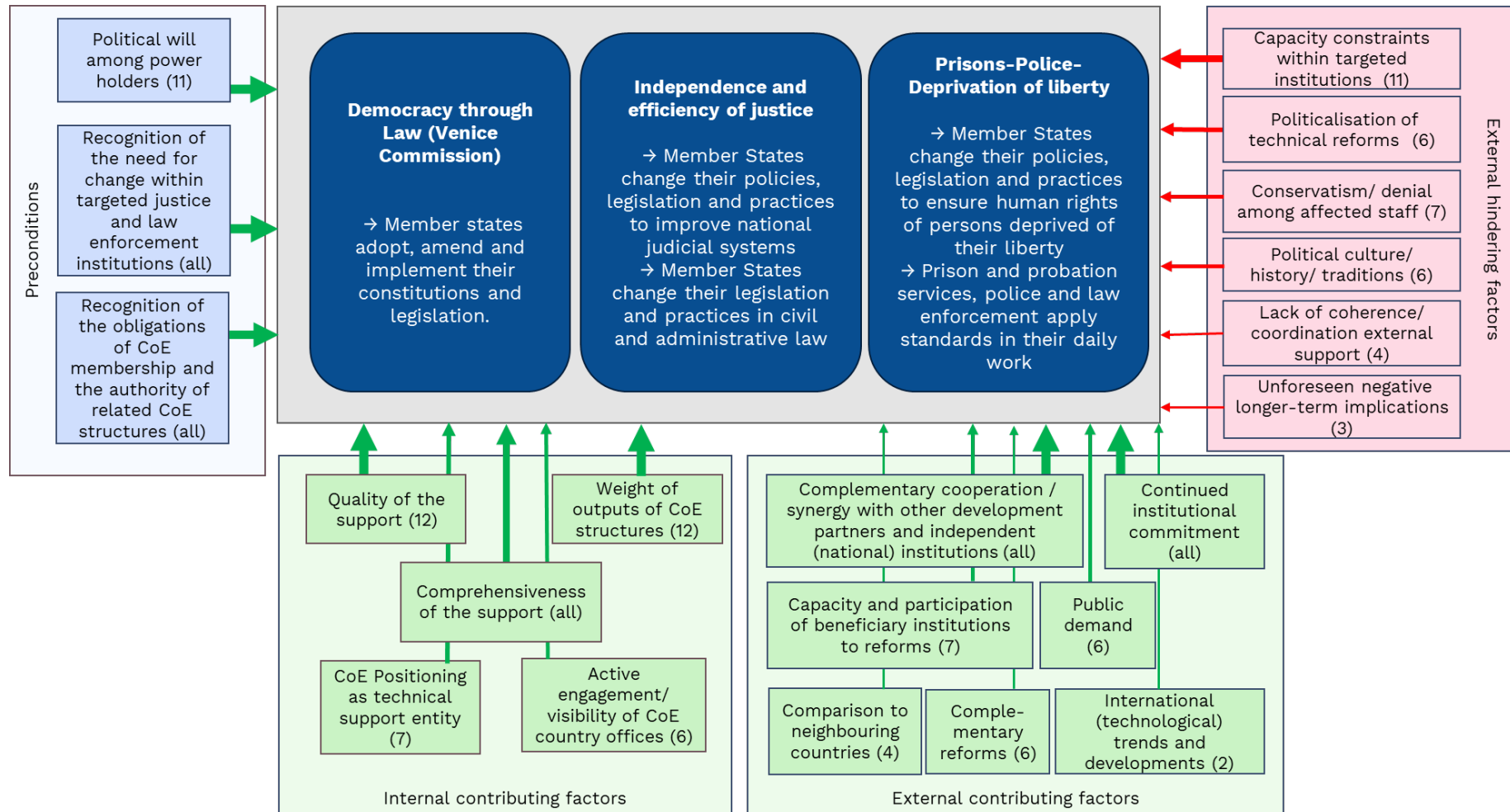
the **significance of the BTPI programme contribution** to this change. Figure 4 on the next page, presents a synthesis of contributing factors from the cases that are further explained below.

Confirmation and qualification of change

69. In all cases the selected change was confirmed and referred to as positive, as the changes often meant that important preconditions for more systemic change (improved democratic performance of institutions) were put in place.

70. Perceptions on the significance of the change varied. Some non-governmental respondents described changes as a useful step in the right direction, but still as "paper" change that needs to be put in practice. Others, mostly staff from within the judicial system, experienced the change as more meaningful, illustrating a shift towards actual new institutional practices. To illustrate this, they referred to new procedures being used, specific efforts to use CEPEJ data to pursue institutional improvement, or new methods used by law enforcement agencies or staff working in places of detention.

Figure 4: Synthesis of preconditions, contributing and hindering factors from case studies.¹⁹



19. The arrow thickness illustrate the factors' relative significance and frequency and are colour coded to reflect enabling (green) or hindering (red) factors. The numbers next to each factor represent the number of cases in which a factor was mentioned.

Preconditions for change

71. When asked about factors that explain a specific change case, reference was often made to factors that were in place before the related BTPI structure or co-operation project got involved. The evaluation qualifies these factors as preconditions to distinguish them from factors that occurred during the BTPI intervention.

72. Across the various sub-programmes three (categories of) preconditions were mentioned in the majority of cases. This concerned:

- a. Political will among power holders
- b. Recognition of the need for change within targeted justice and law enforcement institutions
- c. Recognition of the obligations of Council of Europe membership and the authority of related Council of Europe structures

73. **Political will** (mentioned in 11 cases by 28 varied informants) refers to governments in power displaying an active interest in Council of Europe support in pursuit of a particular institutional improvement. In EU candidate states, the commitments towards EU accession was often the first and by far the most frequently mentioned reason that explained this political interest. A second reason that was mentioned concerned public opinion and pressure that influenced political interests and triggered governments in power to seek or accept Council of Europe support. Linked to these responses were references to the timing of BTPI interventions, whereby in several cases respondents referred to earlier attempts that failed or to current conditions being more or less conducive for a similar change process (Serbia). This confirmed findings from the earlier MSC inventory related to the importance of timing in countries like Ukraine and Georgia.

74. **Recognition of the need for change** (mentioned in all cases by 27 informants, primarily judicial staff and external experts), especially among the leadership of targeted institutions, could either be triggered by EU regulations, public (accountability) demands and/or professional concerns. Active interest and support from the leadership in institutions that are directly affected by the BTPI interventions (e.g. High judicial Councils and High Prosecutor Councils) was mentioned in several cases (Albania, Republic of Moldova, Montenegro) as crucial precondition, as they allocated time and resources to engage, and committed to taking the results of Council of Europe interventions further.

75. **Council of Europe membership obligations and authority of related Council of Europe structures** (mentioned in all cases by 24 varied informants) was in the majority of cases mentioned as a key explanatory factor (e.g. Albania, Malta, Republic of Moldova, Romania, Serbia). Respondents indicated that similar, largely technical, support if provided by non-Council of Europe entities would have had different effects. The long standing reputation of the Venice Commission, CEPEJ or the CPT makes that support channelled through these structures carries, reportedly, substantially more weight. This makes that the outputs of these structures are treated more seriously by the local authorities, get more press coverage, and are described as prominent advocacy tool by civil society respondents. Moreover, the obligations that follow from being Council of Europe member states were mentioned in several cases as a simple but important explanatory factor for spending time and resources on collecting CEPEJ data and accommodating CPT visits.

Contributing factors

76. Contributing factors are explanatory factors that respondents refer to as "helpful" in realising the change-case at hand. Those factors can be internal (within Council of Europe's control) or external (beyond Council of Europe's control).

77. Most frequently mentioned **internal contributing factors** include:

- a. The quality of the support
- b. The comprehensiveness of the support
- c. Weight of the outputs of Council of Europe structures / projects
- d. The positioning of the Council of Europe as technical support entity
- e. The active engagement / visibility of Council of Europe country offices

78. Under **quality of support** (mentioned in 12 cases by 38 varied informants) respondents referred to different aspects. First, they commended the quality of the technical experts being mobilized, who were described as experienced peers with a good reputation / track record and a strong network, adopting a respectful / diplomatic or constructive approach in providing credible hands-on support that helped building trust and making actual progress. Through its various international structures and committees, the Council of Europe has access to a unique pool and network of technical experts comprehensively covering the various areas of expertise related to the democratic functioning of institutions. Second, respondents referred to the accuracy and completeness of the design of Council of Europe support, for instance. in the case of Serbia where constitutional reforms were adequately followed up by amendments in multiple laws and by-laws. The fact that this is not always the case, was described in two cases whereby the implications of the vetting reform on the availability judges were not fully anticipated.

79. The **comprehensiveness of support** (mentioned in all cases by 25 varied informants) relates to how in several cases the provision of technical expertise was complemented by other types of support that can be described as deliberately framed process facilitation. In those cases (e.g. Serbia and Montenegro), respondents referred to the composition of working groups, deliberately operating with European standards as minimal conditions, while promoting inclusiveness. In other cases (e.g. Montenegro, Netherlands), reference was made to the adoption of a diplomatic / constructive approach to enhance the impact of technical advice. Moreover, the provision of logistical support – organising venues / facilitating participation – was referred to in many cases as completing the package.

80. The **weight of outputs** of Council of Europe structures and projects (mentioned in 12 cases by 34 varied informants) follows the earlier mentioned precondition of success related to the long-standing reputation and authority of Council of Europe structures. Outputs of these structures, be it in the shape of opinions, recommendations or reports, are seen to be produced through careful, thoroughly tested and credible processes. This makes that when structures make a formal contribution to a particular change process in a member state, these contributions meet known quality criteria and carry the necessary weight to be taken seriously by national stakeholders within and beyond the government and judiciary (e.g. Venice Commission in Serbia, CEPEJ in Kosovo*, CPT in Portugal).

81. The **positioning of the Council of Europe support as technical support entity** (mentioned in 7 cases by 10 varied informants) was in several cases (e.g. Serbia, Montenegro,

Armenia) mentioned as important contributing factor. By presenting itself primarily as technical partner, supporting member states towards agreed European standards, rather than pursuing a particular political agenda, the Council of Europe is described as accepted and respected by a broad spectrum of national stakeholders. This, reportedly, makes the work under the BTPI programme more easily accepted and effective than other technical assistance programmes of the EU or bilateral donors.

82. Finally, the **active engagement / visibility of the Council of Europe country offices** (mentioned in 6 cases by 8 varied informants) was mentioned as important contributing factor (e.g. Serbia, Armenia, Montenegro). Regular, active presence and visibility of knowledgeable and dedicated Council of Europe country office staff in relevant events or working group meetings, was experienced as reassuring that the Council of Europe takes these change processes seriously. This was described as important, as it makes national stakeholders feel more obliged / motivated to stay active and engaged in making progress to intended improvements. It may be obvious, that this factor only applies to a limited number of member states where the Council of Europe has an established office.

83. Most prominent **external contributing factors** include:

- a. Continued political will and institutional commitment
- b. Complementary co-operation / synergy with other development partners and independent (national) institutions
- c. Capacity of beneficiary institution
- d. Public demand / pressure
- e. Complementary reforms
- f. International (technological) trends and developments
- g. Comparison to neighbouring countries

84. **Continued political will and institutional commitment** (mentioned in all cases by 28 informants, primarily judicial staff and external experts). Political will and commitment were already mentioned as preconditions for change but were also found to be time-sensitive. While having political will and commitment at the start of the BTPI programme intervention is important, it cannot be assumed to stay in place throughout the period of programme engagement. The continuation of active interest and engagement of prominent political actors and institutional leaders was mentioned as one of the key factors in the majority of cases,²⁰ covering all three sub-programmes.

85. **Complementary co-operation / synergy with others** (mentioned in all cases by 31 varied informants) is mentioned as important contributing factor in the majority of cases, but varies per case. In some cases,²¹ co-operation with other development partners (EU, Norway and US) in vetting reform and digitalisation of CEPEJ data was referred to, while in other cases²² reference was made to the World Bank and the Organisation for Security and Co-operation in Europe (OSCE). Co-operation and complementarity with National Ombudsman and National Preventive Mechanisms were mentioned in several prison related cases,²³ while the complementary role of CSOs was emphasized

20. including Albania, Malta, Netherlands, Portugal, Romania, Serbia.

21. Albania, Kosovo*, Republic of Moldova.

22. Malta and Serbia

23. Netherlands, Portugal and Romania.

in other cases.²⁴ Complementarities depend on the mandate / capacity of the organisations involved, whereby development partners were said to add resources to scale-up or replicate earlier results. The complementarity of independent national institutions and CSOs lies more in the like-mindedness of their advocacy efforts, adding pressure to institutional reform processes.

86. **Capacity in terms of active and competent co-operation of beneficiary institutions** (mentioned in 7 cases by 12 informants, particularly external experts) was highlighted as important factor that facilitates the implementation, and by that the effect, of BTPI programme interventions. These references, mostly in Prisons, Police and Deprivation of Liberty sub-programme cases, referred to pro-active engagement and the availability of well-qualified and motivated counterpart staff.

87. **Public demand / pressure** (mentioned in 6 cases by varied informants) was referred to in several cases²⁵ where issues were addressed that had gotten substantial public attention. In such cases, public protests, media campaigns and academic studies, were seen as helpful in keeping the issue high on the agenda of the concerned public institutions and by that the ultimate change that was achieved or still to be implemented.

88. **Complementary reforms** (mentioned in 6 cases by 8 informants, particularly government staff) concerned cases²⁶ where informants made references to other recent legislative or regulatory reforms, outside the realm of the BTPI programme efforts, which enabled or justified the change realised through the BTPI programme.

89. **International technological trends / developments** (mentioned in 2 cases by 4 primarily judicial informants) were referred to as important contributing factor in a few specific cases²⁷ related to digitalisation. In such cases, respondents were convinced that their country could not have ignored technological trends and that progress would also take place without Council of Europe but most likely at a slower pace and / or smaller scale.

90. A final external contributing factor related to the power of **comparison with the performance of other, mostly neighbouring, countries** (mentioned in 4 cases by varied respondents). These cases included references to international exchange activities or reports, like the CEPEJ evaluations or CPT reports, in which the performance of the judicial / prison system in different member states is presented. Being exposed to performance and progress in other countries was said to be an important factor to motivate political actors and targeted institutions to be supportive of and help BTPI programme interventions.

Challenges / hindering factors

91. BTPI programme interventions also encounter hindrances or opposition that aim to slow down or dilute the intended effects. Most frequently mentioned hindering factors include:

- a. Political culture / history / traditions without clear separation of powers
- b. Politicalisation of technical reforms due to differing interests
- c. Conservatism / denial among affected staff
- d. Capacity constraints within targeted institutions

24. Armenia and Serbia.

25. Among others Albania, Netherlands and Serbia.

26. e.g. Armenia, Republic of Moldova, Netherlands and Portugal.

27. Kosovo* and Malta

- e. Unforeseen negative longer-term implications
- f. Incoherent/unco-ordinated external support

92. Respondents referred in different ways to the **complexity of changing established political culture** (mentioned in 6 cases by 9 varied informants) in contexts where independence of justice and the separation of powers does not have a long and strong tradition or are currently being challenged by political actors. In several cases²⁸ where new laws or procedures are formally adopted, respondents observed that these are not systematically implemented and sometimes even actively undermined by political or law enforcement agencies as not fitting national political traditions / culture. Especially, external experts and CSO representatives pointed out that having a new legislative / regulatory framework in place is not enough, as real change follows from the genuine implementation of such frameworks, which in those cases was felt to remain pending.

93. A related hindering factor is **politicalisation of reforms** when contradicting interests of particular powerholders (mentioned in 6 cases by 15 mostly judicial informants). Progress in policies and legislation towards an independent judiciary and humane law-enforcement system was, reportedly, obstructed by those in power when these were felt to contradict their own (political) interests.²⁹ At the same time, respondents in various cases pointed out that such "violations" are challenged by the political opposition and civil society, referring to formally adopted reforms in their advocacy effort. This illustrates the importance of having reforms formalized, even if only on paper for the time being, to equip and legitimize this opposition.

94. Another hindering factor refers to **conservatism / resistance against change** (mentioned in 7 cases by 10 varied respondents) among those directly affected by judicial reforms (i.e. judges, prosecutors, police, prison staff). Judicial reforms often require a change in practices and procedures, disturbing the status quo of people's behaviour. This results in a natural tendency to resist change, whereby respondents referred to particular courts or prisons with senior staff perceiving changes as not applicable or threatening.³⁰ Such resistance is mostly described as person dependent and not applying across the board but slowing down the full-scale implementation of formal reforms.

95. A further constraint, particularly related to reforms that require substantial resources or skills to be implemented, concerns **capacity constraints of targeted institutions** (mentioned in 11 cases by 20 varied informants). In some cases, financial constraints are mentioned (e.g. related to sustaining an IT infrastructure for the digitalisation of CEPEJ data or improving the physical infrastructure of detention centres), while in other cases constraints relate to the number and competencies of human resources (e.g. to monitor or improve conditions in detention places or to analyse CEPEJ data to identify priorities for improvement).

96. There were two further challenges or inhibiting factors that emerged in the course of the data collection, but given they were stated by fewer respondents the strength of evidence is less than for the other inhibiting factor already presented; as such, they are presented here as areas for consideration and reflection. References to **incoherent or uncoordinated external support** (mentioned in 4 cases by 5, mostly judicial, informants) concerned cases where a donor withdrew, creating gaps in support, and where multiple donors provided support, creating concerns about

28. Albania, Armenia, Republic of Moldova, Netherlands and Serbia.

29. E.g. Albania, Republic of Moldova, Montenegro and Serbia.

30. E.g. in Romania and Serbia.

absorption capacity.³¹ Besides, reference was made to EU officials publicly recognising progress in judicial reform, while others claimed that this recognition was premature and risks slowing down progress towards real change. A final specific hindering factor concerns the **emergence of undesired implications** (mentioned in 3 cases by 3 informants). This factor came up in case where the introduction of new vetting procedures, reportedly, resulted in a shortage of judges that affected the efficiency of the judiciary system.³² In other words, the effort to improve the quality and independence of judges had undesired implications on the efficiency of the justice system. This concerned only a few specific cases, but this hindering factor is important as it is close to the Council of Europe's sphere of control.

4.2.5. Overall observations about the significance of the BTPI programme contribution

97. Looking at the overall findings from the contribution cases, the evaluation observes that the BTPI programme is widely seen as offering a unique and significant contribution to institutional reform. The significance of this contribution is amplified and, in some cases, even seen as crucial when different parts of the Council of Europe strategic triangle (standard setting, monitoring, and co-operation) are coherently applied to a specific situation and/or when synergized with the like-minded efforts of other donors, independent national institutes and civil society.

98. In assessing the BTPI programme contribution, a distinct difference emerges between the significance of BTPI contributions to: a) the creation of an improved institutional framework that directs and guides the operations of public institutions, and b) the change in actual practices and performance of public institutions. The significance of the BTPI programme in particular gets confirmed when it concerns changes related to the creation of stronger institutional frameworks. When it concerns the contribution towards improved democratic functioning of institutions (i.e. the actual application of new policies or reformed laws) the BTPI programme contribution becomes less significant, as other factors, mostly outside the Council of Europe's control, come into play.

99. In identifying the explanatory factors behind the change cases, three important preconditions³³ (political will, recognition of need by targeted public institutions, and the reputation / authority of the Council of Europe structures) are referred to as setting the stage for the success of the BTPI programme. Ambitions for EU accession is a key underlying factor in EU candidate states.

100. Explanatory factors that emerge during BTPI engagement can be contributing or hindering. Strongest internal contributing factors towards observed change at member state level relate to the quality and comprehensiveness of the Council of Europe support, covering both technical and process dimensions. This becomes particularly strong when various elements of the triangle (standard setting, monitoring and co-operation) are applied to a specific situation.

101. The most important external contributing factors to success relate to the continuation of political will and institutional commitment. The ability of the BTPI programme to actively engage in institutional reform process is time sensitive. Changes in the political landscape can have a major impact on the success of the BTPI programme. However, also in a less conducive political contexts, earlier accomplishments in improving institutional frameworks (legislation) demonstrate their

31. E.g. Kosovo*, Moldova and Serbia.

32. E.g. Albania and Republic of Moldova.

33. i.e. factors in place before BTPI engagement.

worth as they provide tools for continuous promotion of positive changes by the Council of Europe and like-minded actors.

102. Politicalisation of institutional reforms, in particular in a context without a strong tradition of judicial independence / separation of powers, pose the strongest threat (hindering factor) to the success of the BTPI programme. This risk is most obvious in the process from institutional reform to improved functioning of public institutions, where the influence of the Council of Europe diminishes. Besides, capacity constraints within the targeted institutions, including absence of dedicated change management among those directly affected by reforms, represents another risk factor that affects the success of the BTPI programme at member state level.

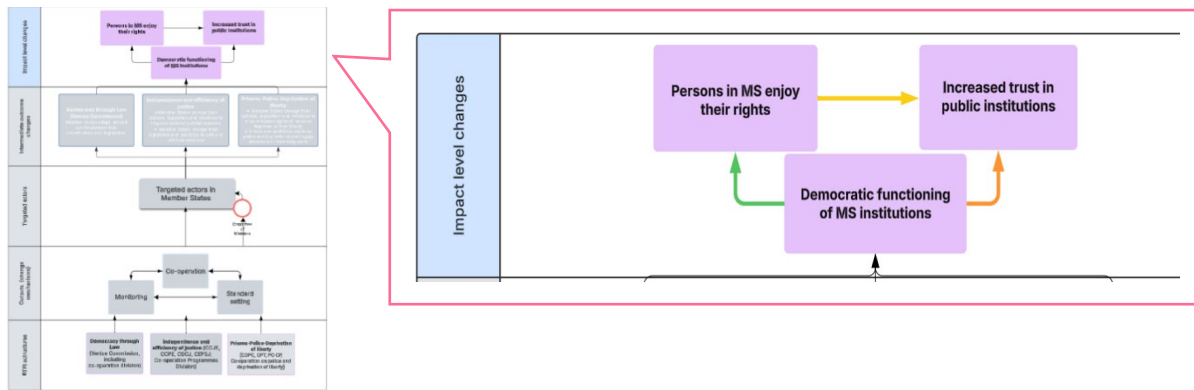
103. Even though most factors are mentioned by a variety of stakeholders, there are differences in the nature of responses among stakeholders. Those directly involved / exposed to change (i.e. staff of targeted institutions and experts) are more appreciative of the early signs of change (e.g. different ways in collecting and using CEPEJ data or selection of judges / prosecutors) than those that are less directly involved (e.g. government staff that is not exposed to what happens within judicial institutions or civil society representatives, who focus more on signs of improvements in the democratic functioning of institutions).

4.3. Impact

104. The evaluation assessed the intended impact outlined in the ToC of the BTPI programme based on secondary data, analysing existing academic literature covering the period 2020-2024. In doing so, the evaluation appraised whether the literature confirmed the actual impact or the likelihood of the impact of the BTPI programme. As illustrated in Figure 5 below, the evaluation examined the causalities between three levels of impact anticipated by the BTPI programme: 1) member states ensuring democratic functioning of institutions based on the rule of law and respect for human rights leads to people enjoying these rights, 2) people enjoying their rights leads to increased trust in public institutions and 3) the direct causality from democratic functioning of institutions in member states to increased public trust in public institutions.

105. The evaluation describes a causality as confirmed if evidence acknowledging the impact level change could be found in a large part of the reviewed literature. A causality is described as disputed when little evidence of confirmation of the intended impact could be found or when literature contradicts or keeps silent on a particular causality. The evaluation learned that causalities could not be fully confirmed or disputed as evidence varied depending on the area of change. This section, therefore, reflects which causalities within which change areas could be confirmed or not.

Figure 5: Assumed causalities at the impact level of the ToC³⁴.



106. The literature review concentrated on documents related to the thematic priorities covered by the three sub-programmes³⁵ and the role and influence of the Council of Europe structures on changes documented at country or regional level. The evaluation consulted 65 relevant academic articles³⁶: 35 related to Democracy through Law, 13 to Independence and Efficiency of Justice and 17 to Prisons-Police and Deprivation of Liberty (Appendix F). Findings on the different impact-level changes also refer to the contribution of other Council of Europe bodies (external to the BTPI programme) and organisations pursuing the same impact. These institutions are the Court, the Group of States against Corruption (GRECO), Committee of Ministers of the Council of Europe, Parliamentary Assembly of the Council of Europe, EU/European Commission (EC), OSCE/ the Office for Democratic Institutions and Human Rights (ODHIR), national ombudsmen and National Preventive Mechanisms.

Overall, findings from the literature demonstrate that:

107. The causality evidencing the first level of impact: from democratic functioning of institutions to people enjoying their rights is confirmed (presented with positive and explicit arguments) in a majority of articles (42), namely concerning the protection of individuals’ rights and freedoms, their access to justice and to fair trial (including those of the most vulnerable groups). However, this causality is less verified in 19 articles, where improvements will potentially occur or changes still need to be implemented in areas of judicial governance and administration and in the independence of prison oversight mechanisms. In the remaining 4 articles, the causality is not confirmed or there is no evidence relating to this causality.

108. The causality evidencing the second level of impact: from people enjoying their rights to increased trust in public institutions also takes place, but with more variations per area of change. 19 articles present evidence confirming this causality in relation to the prevention of torture and ill-treatment, the improvement of conditions of detention, the perception of judicial independence, institutional accountability, and the reinforcement of Rule of Law through constitutional and legislative reforms. In 21 articles, this causality is disputed (with mixed positive and negative arguments or hypothetically presented) as regards the implementation and outcomes of judicial reforms, integrity of the judicial systems, the credibility and legitimacy of public institutions, the

34. The arrows are colour coded: green when the causality is largely confirmed, then yellow when there are more variations in the evidence and lower scores, and orange when the causality is slightly less confirmed than for the other two.

35. It should be noted that existing literature does not cover the full range of Council of Europe activities, due to limited research in some sector areas.

36. Academic articles from 50 peer-reviewed journals, 10 books and 5 are working papers.

transparency of prisons monitoring bodies and the adequacy of support to persons with mental disorders or disability in psychiatric or home care facilities. The causality is hardly confirmed (issues are scarcely considered or denied by member states) in relation to the prevention of political influence (namely the issue of oligarchisation), the corruption in the judicial system, and the protection of freedoms of expression and assembly. However, these last topics are only addressed in 6 articles selected. Moreover, 25 articles do not explicitly address this causality or are reporting under the next category.

109. The evaluation observed a direct causality evidencing the third level of impact: from the democratic functioning of public institutions to increased trust of people in their institutions in less than half of the available documentation. This direct causality is largely confirmed (positively substantiating) in 16 articles, in the fields of judicial independence, constitutional standardisation, electoral reforms, checks and balance, legal certainty, and compliance with EU and Council of Europe standards. The causality is moderately established and less evidenced in 13 articles, in relation to the quality and efficiency of judicial services, the use of exceptional powers during the pandemic, the influence of the judicial councils and the effective implementation of constitutional and legislative reforms by member states.

110. Moreover, in 22 articles, the causality between the democratic functioning of the institutions to both improvement in people's rights and increased trust in public institutions is hypothetical, expected or potentially assumed based on the reforms or changes undertaken.

111. The analysis of these findings is illustrated under 3 main components:

I. Description of change areas where assumed causalities get confirmed or disputed

112. As a majority of the literature validates the causality from "democratic functioning institutions" to "people enjoying their rights" or cover the causalities at several impact levels, the evaluation decided to synthesise findings on thematic domains of change in two sections: 1) thematic domains where the causality from "people enjoying their rights" to "trust in public institutions" is largely confirmed (positively and clearly evidenced) and 2) thematic domains where the same causality is disputed (outlining mixed results or less firmly substantiated). Findings under each thematic domain are briefly summarised below and presented in more details with references to the literature in Appendix M.

Domains of change where the causality from people enjoying their rights to trust in public institutions is largely confirmed.

Independence and accountability in the Judiciary

113. Academic analysis indicates that BTPI institutions and other Council of Europe entities have played a crucial role in promoting judicial independence and, in turn, public trust in democratic systems. Nordic countries³⁷ exemplify how strong, transparent and independent judicial practices foster high levels of public confidence. Conversely in countries where judicial independence is

37. For instance, Finland, Denmark, Austria, Luxembourg, the Netherlands, Germany, and Sweden are perceived as having the most independent judiciaries

compromised,³⁸ trust in institutions tends to decline, often due to political interference or lack of accountability. BTPI structures have also influenced the creation and reform of judicial councils, advocated for merit-based appointments of judges and ensured transparent disciplinary processes.³⁹ Similarly, their efforts have encouraged reforms that align judicial governance with European standards⁴⁰ and strengthened public confidence by boosting impartiality and clarity of judicial systems across Europe.⁴¹

Prohibition of discrimination and equality of citizens

114. Scholarly works underline the vital role of the Venice Commission in building public trust and promoting equality in Europe by supporting democratic and human right standards. The promotion of inclusive practices and constitutional reforms, has supported the protection of vulnerable groups ensuring their access to justice and strengthening gender representation in elections. Its recommendations have championed equality of citizens, non-discrimination and minority rights.⁴² During the COVID-19 pandemic, the Venice Commission worked to safeguard democratic norms, cautioning governments against misusing emergency powers. Its influence has led to significant legislative and constitutional improvements in member states, reinforcing governance frameworks and protecting citizens' rights.⁴³

Legal certainty, efficiency, quality and transparency of public and justice services

115. Research studies underlined the important role of BTPI structures in building public trust by helping countries bring their judicial systems in line with European standards. Through their recommendations, they have promoted efficiency, quality, and transparency in judicial services. Notably, CEPEJ encouraged ethical use of artificial intelligence in legal processes, boosting fairness and accuracy. It also supported the use of court user surveys to improve service quality.⁴⁴ These actions have made justice more accessible and predictable, increasing public confidence in legal institutions.

Prevention of ill-treatment and improved conditions of detention

116. The literature underscores the pivotal role played by the CPT and the Court in pushing for better human rights protection in prisons and care facilities across Europe. Through regular monitoring and recommendations, they have spurred reforms that improve conditions and ensure more humane treatment, especially for vulnerable groups.⁴⁵ Their work has highlighted the need for gender-sensitive practices and alternatives to coercive measures.⁴⁶ In some countries, challenges persist, like inequality in healthcare and harmful prison cultures,⁴⁷ but their actions have generally fostered more trust in institutions. By joining forces, these bodies have shown growing commitment

38. This was observed in three countries

39. E.g. Ireland, Serbia

40. E.g. Serbia, Romania

41. E.g. Ireland and Albania

42. E.g. in Montenegro, Romania

43. Such as Montenegro and Romania

44. In Italy, Ukraine and Uzbekistan.

45. E.g. in Italy, Czech Republic, UK, Romania, Azerbaijan, Norway, Scotland.

46. E.g. in Bulgaria, Czech Republic, UK, Austria, Belgium.

47. This was informed for 4 countries.

to hold both states and non-state actors accountable for abuses, improving oversight mechanisms across Europe.

Domains of change where the causality between people enjoying their rights and trust in public institutions is disputed.

Credibility and legitimacy of public institutions and constitutional courts' decisions

117. The literature considered that the Venice Commission's guidance has led to meaningful reforms, addressing challenges such as electoral processes and checks and balances,⁴⁸ including by supporting the functionality of Constitutional Courts⁴⁹ and the independence of Ombudsman institutions.⁵⁰ However, the impact of its advice often depends on the willingness of member states to act, resulting in uneven compliance with its recommendations.⁵¹ Despite this, the Venice Commission remains an influential and impartial voice encouraging positive change across diverse political systems.

Judicial governance and politicisation of the judicial system

118. Efforts of BTPI structures, alongside the European Union, to reform the judiciary across Europe have aimed to balance independence, transparency, and protection from political influence, but successes vary widely. In some countries,⁵² reforms meant to ensure accountability have instead undermined trust by increasing politicisation and controversial appointments. Judicial councils, intended to safeguard impartiality, sometimes struggle with internal issues and doubts about fair promotions. BTPI structures have responded by encouraging councils that blend judicial and lay members to promote diverse, unbiased oversight. However, persistent political interference reveals how fragile true judicial independence remains, and the judiciary continues to be a contested arena for political interests.

Role of oversight bodies in prisons

119. Research studies underline the critical role of oversight bodies in protecting human rights within European prisons. However, their effectiveness varies widely. In some countries,⁵³ ineffective monitoring has eroded trust in these institutions, while in others,⁵⁴ strong oversight enhances perceptions of dignity and rights. Revised European Prison Rules have improved transparency and access for inspectors. Yet, challenges remain—especially when prison authorities fail to co-operate, limiting the real impact of these mechanisms. Overall, independent monitoring is crucial, though its success depends on consistent enforcement and institutional support by prison authorities.

48. For instance in Moldova.

49. For instance in Albania

50. In Romania.

51. This was observed in three countries.

52. Two countries are cited in this case.

53. One country is specifically analysed.

54. Norway and Scotland.

Politics influence, oligarchisation and corruption

120. Some articles illustrate that efforts to reform governance and uphold the rule of law across Europe have fallen short due to entrenched political influence and corruption, which undermine public trust. While European institutions push for democratic values and judicial independence, actual progress is uneven. In some countries, transparency initiatives have been unable to overcome longstanding corruption.⁵⁵ Attempts to reduce oligarchic power, such as "foreign agent" laws, sometimes end up restricting civil society instead.⁵⁶ As a result, many people remain sceptical of their judiciary, particularly where corruption and political interference are still perceived as widespread.⁵⁷

II. Observations on main factors that explain the confirmed or disputed causalities.

121. The table below provides an overview of the key factors that explain the confirmed or disputed causalities and their effects on changing (or not) people enjoyment of their rights and people's trust in public institutions.

Table 1: Factors that confirm and dispute causality of impact

Factors that confirm causality of impact	Factors that dispute causality of impact
Comprehensive and consistent application of rule of law, democratic and human rights standards ➤ Commitment of institutions to uphold human rights and build people's confidence in public institutions	Political or authoritarian influence: ➤ disputes over the impact on political stability, legal/judicial transparency and legitimacy of public institutions
Respect for balance of powers among state institutions ➤ Enhancement of individuals' rights and trust in accountability measures	Limited implementation of the legal / judicial reforms or Council of Europe recommendations ➤ contention over the effectiveness of judicial impartiality/integrity and of the constitutional and legal reforms impacting credibility of institutions
Quality of guidance and standards developed by Council of Europe structures and other organisations ➤ Improvement of policies and practices guaranteeing legal certainty, institutional transparency and protection of fundamental freedoms, affecting people's increased public trust in using institutional services.	Undermining of media and civil society: ➤ loss of social legitimacy, lack of diversity in opinions and democratic backsliding reducing people's trust in their public institutions

III. Assessment of the extent to which the BTPI programme seems to rightly (or not) contribute to the desired impact of people enjoying their rights and to having trust in public institutions.

122. The literature findings highlight the significant contribution of the BTPI structures associated with judicial independence, judicial integrity, institutional transparency, democratic accountability

55. One country has been identified as an example.

56. This was observed in two countries in particular.

57. This is discussed in a case of one country.

and advancement of human rights in detention settings and care facilities. It is evidenced that countries that strengthened and modernised their legal frameworks in line with BTPI structures recommendations and guidance - whether through constitutional amendments, digital innovation, enhancement of prison conditions or abolition of discriminatory practices - demonstrate higher levels of public confidence in their judicial systems and public institutions.

123. BTPI structures alongside the Court's case law, have in general been instrumental in promoting legal and judicial reforms that enhanced the rule of law and access to justice, in line with European standards, and provided valuable frameworks for navigating challenges related to checks and balance and raising the quality of judicial services, namely in countries aiming for EU accession or grappling with democratic backsliding. In a large majority of articles, BTPI structures are recognised as a driving force towards the formalisation of the constitutional order, the legal framework surrounding the Judiciary (lawful appointment of judges, introduction of disciplinary systems, professionalisation of court management, judicial governance, recognition of judges' rights), democracy and protection of fundamental rights.

124. The intersection of legal / constitutional support and oversight, proactive monitoring, best practices and commitment to transparency has overall catalysed significant progress in strengthening the rule of law, safeguarding democratic principles and protecting fundamental rights across Europe - from addressing gender equality and minority rights to advocating for legal reforms and maintaining institutional oversight.

125. However, the impact of BTPI structures' guidance hinges on the political will of some member states who demonstrate uneven implementation of recommendations, persistent systemic issues and gaps between policy and practice. Institutional constraints of the BTPI structures are demonstrated in the cases where legal and judicial reforms require careful calibration to align with each nation's unique social, political, and institutional context. The literature (along with the contribution case studies) underscores the importance of acknowledging local political realities and genuine political will when advancing European and international standards—ensuring that reforms truly foster public trust and reinforce the rule of law.

126. Additionally, despite well-intentioned efforts of the BTPI structures to strengthen the rule of law and enhance accountability of public institutions, the persistence of corruption (embezzlement of public funds, lack of impunity, corruption in the justice system), politicisation (e.g. oligarchic influence, political pressure on judges and prosecutors, emergency measures restricting fundamental rights), and violations of the rights of expression and assembly (restricted rights of association and demonstration, legal restrictions on foreign funded NGOs, control of mass media) continue to undermine public trust, as identified in one third of the articles. The literature notes that bridging this divide requires sustained efforts not only to refine standards but also ensure their consistent application across all jurisdictions.

127. The collaborative efforts of institutions like the Court, CPT, and Council of Europe member states have proven essential in fostering trust in the judicial system, institutional accountability, and transparency, as well as in safeguarding the fundamental rights of all individuals, particularly those in vulnerable circumstances. However, the protection of persons deprived of liberty from ill-treatment and violation of their rights remain uneven across jurisdictions. While advancements in

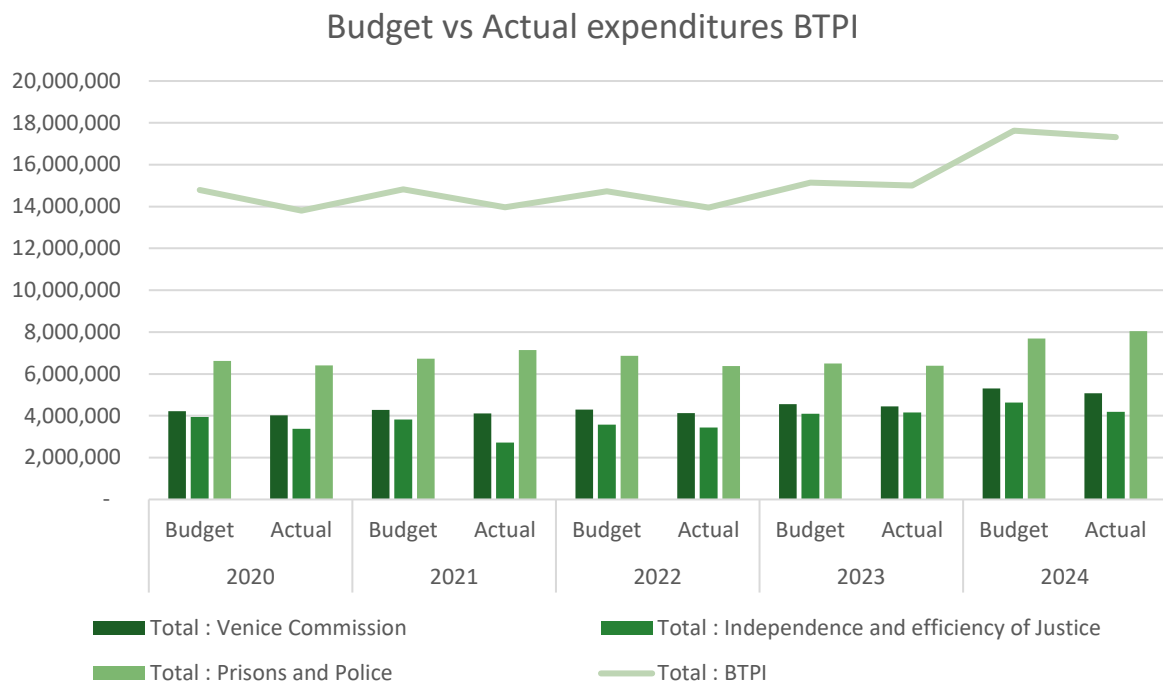
legal standards are evident, the divide between policy and practice remains yet to be covered, especially in situations of political instability.

4.4. Efficiency

128. This section provides insight in (trends in) the efficiency with which the Council of Europe has implemented the BTPI programme that contributed to the earlier described effects of the programme. To do so, the evaluation first presents its findings about how budgetary allocations and actual spending has evolved over time, including the extent to which available resources have been used. Second, findings are presented about how Council of Europe staff describe their systems and practices to ensure the efficient use of resources, including what they see as key challenges and concerns in this.

4.4.1. Budget allocation and depletion

Figure 6: budget versus actual expenditures BTPI programme.



129. The Figure 6 above shows⁵⁸ a relatively stable budgetary allocation from 2020 to 2023 of around Euro 15 million per year, and a significant increase in 2024 to Euro 17.6 million following the Reykjavik Summit. Actual expenditures demonstrate a similar stable trend around Euro 14 million from 2020 – 2022, followed by an increase to Euro 15 million in 2023 and Euro 17.3 million in 2024. This illustrates an overall depletion rate of 96%, showing a gradual increase from around 94% in the first three years to close to 100% in the last two years. Even though the depletion rates vary somewhat per sub-programme, overall, there appears to be little variance between budget and

58. Based on figures provided by Directorate of Programme and Budget (DPB).

expenditures. This illustrates predictability of costs and relatively strong budget discipline, which signifies the financial maturity of the BTPI programme.

130. When looking at the extent to which planned outputs are actually delivered over time, the evaluation observes that this happens to a large extent. The various structures set clear "delivery" targets for themselves in terms of the number of opinions, visits or reports, and no significant deviation has been found in that. This explains that not only the budget is largely depleted but also used to deliver the intended outputs.

4.4.2. *Signs and perceptions of cost-consciousness*

131. When looking at signs of cost-consciousness, the evaluation recognises that the current budgetary and financial management framework includes robust procedures to regulate expenditure, prevent overspending, and monitor significant variances through six-monthly reviews and exception reporting. These mechanisms support accountability, yet challenges remain in demonstrating value of outcomes in light of their costs. Outcomes are often difficult to quantify, unpredictable in effort and timing, and often not directly linked to recent activities, even more so where BTPI efforts relate to the prevention of undesirable change.

132. Annual progress reports include references to outcomes, which the Directorate of Programme and Budget (DPB) selects out of outcome "stories" shared by the thematic departments. In the absence of a universal systematic approach to capture progress towards outcomes, these progress reports offer a somewhat anecdotal and only partial picture of the real value being produced by the BTPI programme.

133. Financial reporting is widely perceived as burdensome, adding to the strain felt under constant budgetary pressure from member states and high inflation rates - particularly for interpretation services that are an unavoidable and essential cost item. This pressure has instilled a strong culture of cost-consciousness and a continuous drive to mobilise EB resources that make up around 55% of the total BTPI programme budget in 2024 and 2025.⁵⁹ Respondents recognise and accept this as part of the programme's reality but also observe that these EB resources are subject to political considerations, which makes them difficult to predict, unfit for making long-term commitments and favouring certain member states over others. Moreover, managing and reporting on the use of EB resources – especially in case of earmarking requiring project-specific reporting – is understood as essential to account for the use of public funds but also takes substantial time from thematic departments at the expense of time for programme implementation.

134. A four-year action plan per country provides a transparent funding framework. Since the Reykjavík Summit, part of the ordinary budget (OB) is allocated to support implementation of these action plans, which reduces the proportion of indirect costs and enhances overall efficiency. Using OB resources for action plan implementation at the country level is also perceived as changing the funding dynamics as all member states now contribute to change at member states level. This is said to foster a broader sense of ownership among member states over the "joint" results of the Council of Europe. The absorption capacity of countries is monitored in collaboration with country offices to ensure efficient use of funds.

59. Council of Europe Programme and Budget 2024 – 2027.

135. Finally, continued cost-consciousness and efforts to make optimal use of available resources are felt by the respondents to be insufficient to respond to the many demands from member states for BTPI programme support. Various respondents made references to understaffing and high dependence on EB resources, for example, in relation to CEPEJ where co-operation programmes aim at better implementing the tools that CEPEJ produced under the ordinary budget. The sentiment that "extraordinary demands are to be addressed by ordinary resources" seems to exist among many BTPI programme staff.

5. Conclusions

5.1. Conclusions per evaluation criteria

Relevance

136. **The BTPI programme remains highly relevant:** the Council of Europe's integrated strategic triangle supplies credible, non-politicised technical expertise that member states, the EU and civil society actively use, widening its normative influence. However, the programme's achievements are not always sufficiently visible, which could weaken its sustained relevance and demand. A demand-driven approach ensures co-operation projects provide tailored and need-based support aligned with national reform agendas. Nevertheless, resource reliance on extra-budgetary funds and uneven political will limit consistent responsiveness. BTPI outputs embed human rights considerations and gender sensitive or responsive approaches. Evidence broadly validates the ToC and shows the strategic triangle's elements reinforce one another, though the ToC underexplores non-state actor pathways and the causal chain from legal adoption to implementation.

Effectiveness in realising change in Council of Europe member states

137. The evidence gathered through the MSC harvest demonstrates a broad and diverse range of intermediate-level changes at the member state level across the three sub-programmes of the BTPI programme. The **many and varied MSC stories confirm the programme's effectiveness in realising legislative, policy, and operational reforms aligned with the Council of Europe's priorities.** The strongest and most comprehensive reforms are observed in non-EU countries, often supported by co-operation projects and linked to EU accession incentives and responses to Council of Europe monitoring efforts. Within EU member states BTPI effectiveness is less strongly evidenced or relates to rather specific changes. The **large number of MSC stories linked to co-operation efforts suggest a catalytic role of direct technical assistance in facilitating change,** especially where political will, institutional capacity and county-level engagement align.

138. Gender equality and human rights are often, but not across the board, deliberately considered in the design and implementation of interventions under the BTPI programme. The effects of this are demonstrated in multiple cases, including increases in women's representation in the judiciary, the establishment of safer gender-sensitive correctional environments and the greater inclusion of vulnerable and minority populations in justice processes.

Significance of the BTPI programme's contribution to change at member state level

139. **The contribution of the BTPI programme to institutional change at member state level – intermediate outcome level - is significant** as a reinforcing and legitimizing force for democratic and justice sector reforms. This **significance is amplified when different parts of the Council of Europe strategic triangle are applied to a specific situation**, and when synergized with the like-minded efforts of other development partners, independent national institutions and CSOs. Its contribution is valued, particularly in creating credible technical foundations for institutional reform, yet dependent on pre-existing political, institutional, and contextual factors. BTPI contribution to the improved functioning of institutions is less obvious, as the level of progress towards improved institution performance is perceived differently due to differences in exposure and expectations. Early signs of progress are demonstrated by new procedures / practices being introduced, illustrating initial changes in mindset and behaviour among staff in targeted institutions. However, signs of more advanced progress that reflect the spirit of reforms (e.g. an independently operating justice system) remain less evident.

140. The most **critical conditional factors for success of BTPI programme interventions include political will, internal recognition of the need for reform and the respect for / compliance with Council of Europe structures that follows from Council of Europe membership**. Where such conditions are met, the credibility, technical quality and comprehensiveness of support can be decisive in stimulating and enabling real institutional reform, especially in countries with a Council of Europe field office offering informed and sensitive diplomatic support. The strongest risks faced by the BTPI programme include politicisation of reforms, resistance to change of those affected, capacity shortfalls, and entrenched political cultures. These factors, largely outside BTPI's control, may limit the depth, slow down the scale and/or affect the sustainability of BTPI's contribution.

Impact

141. The multifaceted interventions of the BTPI structures have demonstrably shaped the evolution of legal frameworks and the daily functioning of justice systems throughout member states. The evidence reveals that, **where the recommendations of the BTPI structures are fully embraced and consistently implemented, there is a tangible impact in the enjoyment of human rights and a notable increase in public confidence. Yet the impact of the BTPI structures is not uniform**. The programme's success is deeply intertwined with the prevailing political will and the broader socio-political environment in each country. In contexts where political interference, corruption, or institutional inertia persist, the transformative potential of BTPI interventions is often blunted; reforms may stall, trust may stagnate, and the divide between policy and lived reality remains pronounced. While structural improvements and legal amendments are crucial, their efficacy depends on sustained commitment, diligent implementation, and the resilience of democratic norms even in challenging climates.

Efficiency and cost-consciousness

142. The BTPI programme makes full use of its available resources **with its structures largely delivering according to own targets**, fitting the well-established and experienced Council of Europe structures. Input-output trends and recent developments of using OB resources for action plan implementation suggest improving efficiency. The robust financial managements system supports accountability and curbs overspending but is experienced as heavy and time-consuming.

This combined with budgetary pressures from member states, results in institutionalized cost-awareness and a continuous push to mobilise EB resources, which nowadays make up the bigger part of the programme's budget. At the same time, this makes the budget less predictable, increases transaction costs related to administration and reporting, and makes funding more conditional to the political consideration of donors.

143. Despite the budgetary increases since the Reykjavík Summit, **demands for support are still exceeding current response capacity** and pressure on fundraising to retain responsiveness remains. Being able to demonstrate a concrete contribution to meaningful outcomes at the country level may help with this, including by better capturing the many, often undocumented, outcomes that were found during the evaluation. This is primarily a monitoring and reporting challenge, in which affects proper communication of the true added value of the BTPI programme, since the non-linear and unpredictable pace of progress towards outcomes is not easily and comprehensively captured by current monitoring & evaluation practices, especially when it relates to efforts that aim to prevent negative change.

144. Given the lack of efficiency metrics used in the monitoring and reporting practices of the Organisation, it is **difficult for the BTPI programme to succinctly /adequately show its efficiency** and demonstrate the full value of what is being achieved at member state level.

5.2. Overall conclusion

145. The BTPI programme is a technically credible and reputable intervention that responds to the reform needs of Council of Europe member states, particularly in the areas of human rights, rule of law, and justice. It has contributed meaningfully to legal and policy changes, especially where political will, institutional capacity, and country-level engagement align. Its influence is most visible in contexts with active co-operation projects and EU accession incentives. BTPI's structures serve as a normative and technical reference point, fostering wide-spread improvements in policies and legislation to create more democratic institutional frameworks in line with European standards. However, the politicisation of reforms and resistance to change mean that progress in democratic institutional performance remains uneven, which constrains deeper impact and public trust. This underlines the continued relevance of the BTPI programme, as progress in building trusting in public institutions is rarely a linear or straightforward process. Financially, the programme operates under strong budgetary discipline and demonstrates a high absorption rate, though increasingly relies on extra-budgetary funding. Despite improving efficiency in selected areas, it remains difficult to capture and communicate the full value of BTPI's work, particularly for preventive efforts.

146. Overall, the programme's contribution is significant and appreciated, but its sustained effectiveness depends on favourable political contexts, strategic coherence, and strengthened systems to evidence results at outcome and impact levels.

6. Lessons learned and recommendations

147. From its findings and conclusions, the evaluation first extracted a number of lessons learned illustrating "best practices" that deserve continuation and become common practice. Second, the evaluation formulates four recommendations concerning the BTPI programme's conceptual design,

management and operations. While some recommendations may be relevant for other parts of the Organisation or even the Organisation as a whole, the evaluation suggests that BTPI Programme management should address them within its own sphere of influence. By doing so, it can adopt state-of-the-art management practices that not only enhance the Programme itself but also provide a model for other sectors, potentially evolving into an organisation-wide approach to planning, implementation, and the assessment and communication of results.

6.1. Lessons learned

148. The contribution cases revealed the importance of Council of Europe protecting its reputation as technical support entity. At the same time, the strongest successes of the BTPI programme were explained by **high-quality technical assistance being combined with deliberate inclusive process facilitation, soft diplomacy and practical logistical support, with active involvement of the Council of Europe country offices**. It appears that the results of Council of Europe support benefit from going beyond providing technical advice by 1) having experts drafting and soliciting / processing comments on legal texts, 2) encouraging the inclusion of relevant diverse stakeholders in working groups and 3) taking care of logistical arrangements. These support modalities, combined with a country office that is visibly present to promote and protect agreed European standards in the process, contributes to results being technically sound, broadly understood and accepted, and delivered at pace.

149. The evaluation found that the coherent application of the Council of Europe strategic triangle (standard setting, monitoring and co-operation) in support of specific reform processes amplifies the significance of the BTPI contribution and with that the chance of successful reforms. Even though the BTPI structures operate relatively independently, various examples of coherence among structures and co-operation projects were encountered. These were triggered by organic efforts of BTPI programme staff reaching out to colleagues to seek co-operation and coherence. These **organic practices have the advantage of being light and practical co-ordination efforts and deserve to be encouraged, especially in the design of co-operation projects, to ensure opportunities for coherence** are grasped independent of the individuals being involved.

150. Another best practice that contributes to the success of the BTPI programme concerns the **active alignment / coherence with external like-minded entities** like independent national monitoring entities, CSOs and / or development partners. Several contribution cases demonstrated that the concerted efforts of like-minded entities can be mutually reinforcing as each actor has its own spaces, channels and / or opportunities to advocate and contribute towards a desired reform.

151. BTPI structures demonstrate that **systematic learning and adaptation, grounded in the active exchange of good practices both internally and across member states, are critical for continuously improving outputs and tools**. An iterative process - drawing on implementation experiences and member state contributions - enhances the technical quality, credibility, and practical relevance of these instruments over time as evidenced by evolving outputs such as the CEPEJ tools, the Venice Commission case-law database, and the European Prison Rules.

6.2. Recommendations

Recommendation 1: Expand the programme's Theory of Change to reflect pathways of change through non-state actors and clarify the causality from improved institutional capacity and frameworks to improved institutional performance.

152. The evaluation confirms the validity of the existing ToC, which is, however, limited to pathways of change / causalities through targeted state actors. The inventory of MSC stories and contribution cases revealed the use of BTPI outputs by other actors (independent national monitoring entities, development partners, CSOs) to influence change at member state level.

153. Another finding concerns the apparent complexity of realising the causality from intermediate outcomes (member states changing their constitutions, policies and legislation) to impact on targeted institutions (ensured democratic functioning of public institutions). This causality assumes that once member states adopt reforms of their institutional frameworks, this will lead to the intended use of these revised frameworks by the relevant public institutions. This means they will display actual behavioural change in terms of increased compliance and performance in line with agreed standards. The evaluation findings demonstrate that this assumption does not automatically hold but depends on successfully addressing challenges caused by varying political interests and natural resistance against change among affected staff.

154. Enriching the ToC by adding these (indirect) pathways makes the ToC more complete and increases the usefulness of the ToC as framework for programming. Moreover, the inclusion of explicit assumptions underlying the causality from outcome to impact makes that these are considered more seriously in programme design and management. This adds to the strength and usefulness of the ToC as programming framework.

Recommendation 2: Introduce a more systematic complex-aware programme monitoring and reporting approach to better capture the programme's effect at member state level, with particular attention for change in non-co-operation countries.

155. The inventory of MSC stories demonstrates that the actual results of the BTPI programme at intermediate outcome level are much richer than what is being captured and documented in by the BTPI's structures and the Council of Europe's annual progress reports. These reports merely reflect a DPB selection of outcome-level results shared by the various thematic / programme departments, who each collect these outcome stories in their own way. The absence of an organisation-wide and complex-aware Monitoring and Evaluation (M&E) system makes that the BTPI outcomes are underreported and, therefore, not easily nor fully appreciated.

156. The introduction of a suitable complex-aware M&E system based on Outcome Harvesting⁶⁰ principles, specifically designed to capture results that emerge in unpredictable and non-linear ways, would help fill this information gap and do justice to the success of the BTPI programme at member state level. Moreover, having access to more systematic insight in BTPI outcomes at the member state level would 1) allow for better steering of progress beyond improved institutional frameworks towards actual and visible change in democratic performance of public institutions, 2)

60. This could be applied using a sample of varied member states. For more details on the methodology see: <https://www.betterevaluation.org/methods-approaches/approaches/outcome-harvesting>.

strengthen institutional memory and learning from country-level results, and 3) better communication of meaningful results in support of resource mobilisation.

Recommendation 3: Ensure that considerations of behaviour change processes and mechanisms are incorporated into the design and implementation of Council of Europe work and strengthen the capacity of programme staff to advocate and support targeted institutions in their change management challenges.

157. The evaluation concludes that BTPI programme effectiveness is particularly strong in establishing improved institutional frameworks. Programme effectiveness is less evident in realizing improved institutional performance as this depends on successfully influencing staff behaviour in targeted institutions.

158. This requires increased attention and ability to stimulate and enable behavioural change of staff of targeted institutions. Of course, the leadership of targeted institutions carries the responsibility for this. Nevertheless, Council of Europe staff can advocate / support this by adding external expertise or by introducing relevant tools and approaches to address and manage behavioural change. They can then refer to these in their programmatic discussions and include deliberate change management support in the design of co-operation projects as relevant.⁶¹

159. Successfully advocating / supporting the integration of change management practices, particularly aimed at influencing behavioural change, will help taking the ambitions of the BTPI programme to the next level by increasing its impact on institutional behaviour.

Recommendation 4: Enhance visibility of BTPI programme beyond those directly involved.

160. The evaluation collected many stories of change at member state level (intermediary outcomes) from a wide variety of sources, demonstrating the wide-spread success of the BTPI programme. Most stories come from completion reports of individual projects and interviews. The Council of Europe's annual progress report only provides selected examples, while the websites of individual structures primarily present outputs (# of opinions, visits), leaving more outcome-level change "hidden" in technical reports. At the same time, respondents representing various structures comment on the limited visibility of their efforts and results, known only to those directly involved.

161. This does not do justice to the real effects / value of the BTPI programme, especially in non-co-operation countries. Moreover, it makes that the programme's high ambitions for change at member states level remain dependent on the drive of the relatively few people that make up the inner circle of the BTPI programme.

162. More deliberate efforts directed at increasing the visibility of the BTPI programme makes its (technical) ambitions broader and better known and understood. This strengthens the programme's accountability for results and the general trust in the added value of the BTPI programme, and helps in mobilizing allies to amplify or scale-up BTPI results.

61. An example of a relevant tool is the COM-B framework <https://social-change.co.uk/files/02.09.19>.

Appendices

Link to the volume II – Appendices: <https://rm.coe.int/dio-eva-2025-04-btpi-finalreport-appendices-en/488028ea2b>

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.