

EVALUATION OF THE PROJECT: HORIZONTAL FACILITY II “HELP IN THE WESTERN BALKANS”

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COUNCIL OF EUROPE



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List of acronyms

CoE	Council of Europe
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DG1	Directorate General of Human Rights and Rule of Law
EU	European Union
HELP	Human Rights Education for Legal Professionals
ToR	Terms of Reference

1 Executive Summary

Introduction

This is the Evaluation report of the regional action “Human Rights Education for Legal Professionals (HELP) in the Western Balkans” implemented within the framework of the EU/CoE Joint Programme “Horizontal Facility for the Western Balkans and Turkey – Phase II.” The company Camille Massey Unlimited was contracted by the Directorate General of Human Rights and Rule of Law (DG1) under the Framework Contract 2021/FC/01 and conducted the evaluation.

The HELP in the Western Balkans action (EU-JP/2412) was implemented over 37 months, from December 2019 to end of December 2022. It has a total budget of EUR 893,000 and is part of the joint European Union (EU) and CoE programme “Horizontal Facility for the Western Balkans and Turkey 2019-2022”.

The “HELP in the Western Balkans” action is implementing **tutored e-learning courses** and contributing to the HELP network for National Training institutions. Its objective is to **contribute to a more efficient and effective application of human rights standards** by:

- **Enhancing the capacity of legal professionals** for an effective and coherent application of European standards for the protection of fundamental human rights in their daily work;
- **Strengthening the capacity of** national training institutions for judges and prosecutors, bar Associations and universities to provide high quality training in the field.

The **intention** of the HELP in the Western Balkans and the HELP Programme in general is that ***National Training Institutions for judges and prosecutors and Bar Associations fully integrate the courses on European standards in their national initial/continuous training programmes.***

In a nutshell, the HELP in the Western Balkans has achieved the following key outputs:

- Implemented 140 tutored HELP courses adapted to the national legal context and translated into local languages,
- Implemented 4 regional tutored e-learning courses,
- Implemented e-learning tutored courses on 28 different topics,
- Enrolled 5108 legal professionals, reaching the overall course completion rate of 76%,
- 63% of the enrolled participants were women with a success rate of 77% .
- Increased the number of users of the e-learning HELP platform from the Western Balkans region by 125% (the rate of increase likely to be also attributable to the COVID-19 pandemic),
- Increased the number of available online self-learning courses by 82%.

Key findings

Relevance

HELP in the Western Balkans aimed to address fundamental rights issues at the heart of the EU accession process, alongside the practical implementation of the European Convention on Human Rights (ECHR). Overall, the course topics were in line with the beneficiaries' needs for better application of the ECHR, as well as the perceived needs of their justice reform agendas. However, there is a gap to be addressed by all key project stakeholders in communicating the relevance of HELP courses in the context of EU accession to legal practitioners in the region. The adaptability and flexibility of the HELP methodology to the needs

of beneficiaries and legal practitioners is highly appreciated. This became even more evident to stakeholders during the pandemic. The course topics and content are also highly relevant to the needs of legal professionals.

Effectiveness

Overall, stakeholders are fully satisfied with the results of the project. Most of the participants report that their knowledge has increased, and there are indications that many are using this knowledge, the new skills they've acquired, and the new attitudes they have adopted in practicing law. The possibilities for implementing human rights standards in the context of incomplete judicial reform are limited, but the pace of these reform processes is beyond the influence of HELP's activities, although it does contribute to these reforms.

Participants appreciate the balance between theory and practice of HELP's tutorials, legal information and case studies. Satisfaction was highest with the tutors and lowest with the opportunities for debate, discussion, interaction and networking, which is understandable for an online training course.

However, legal practitioners identified gaps in the capacity of national training institutions, bar associations and ministries of justice to facilitate the uniform application of the skills acquired through the HELP courses. Practitioners would like their local institutions to do a better job of follow-up on HELP courses to ensure that legal practice is standardized on the basis of what's been learned.

The key factor that will help or hinder the achievement of this goal is the extent to which HELP courses and the HELP methodology are integrated by national training institutions. There is considerable variation from country to country in the approach to and use of HELP courses by training institutions, bar associations, law faculties and other stakeholders. This suggests that there is a varying degree of pro-activity on the part of the institutions to take advantage of HELP.

Another obstacle is that the general training culture in the justice sector is still face-to-face and ex-cathedra, so that legal professionals who are not comfortable in an e-learning environment and/or do not have sufficient digital skills are not yet reached by HELP. The legal professionals interviewed noted that additional efforts by national training institutions and bar associations are needed to address this issue.

The gender balance in HELP courses mirrors the overall gender balance in the legal profession in the Western Balkans. The proportion of women varies depending on who is organizing the HELP courses and on the topics covered. Courses on women's and children's rights have a higher proportion of women than overall. Gender has been mainstreamed in the project design and HELP has provided specific HELP-taught courses on women's rights issues in the WB Action. However, the uptake of these courses by beneficiaries is uneven.

Efficiency

During the COVID-19 pandemic, when the HELP WB intervention was primarily implemented, the HELP methodology was the most cost-effective and appropriate training. The HELP methodology is the most cost-effective way to fulfil the HELP mandate, and its cost-effectiveness increases when implemented in large numbers. To address the educational context in the region, some potential refinements were identified by stakeholders.

Although knowledge of HELP courses and awareness of the benefits of the HELP methodology and e-learning among legal practitioners has increased during the COVID-19 pandemic, it is still insufficient and uneven across the region.

The project has been well managed in a spirit of cooperation and participation. Overall, the centrally available resources seem to be just sufficient for the maintenance of the HELP platform, but not for the modernization, updating and expansion of the e-learning tools of the HELP platform. Co-operation with other Council of Europe projects was extensive. It focused on providing more HELP courses on a wider range of topics. Many other Council of Europe projects used the HELP methodology as a readily available e-learning tool during the COVID-19 pandemic.

The distribution of participants by target groups benefiting from HELP underlines the extent to which HELP in the Western Balkans is driven by the needs of national training institutions and bar associations. Not all beneficiaries train a balanced number of different legal professionals; in particular, lawyers are less likely to be trained by HELP than judges and prosecutors. The proactive use of HELP by the Bar Association in North Macedonia has meant that lawyers in North Macedonia have benefited the most from HELP compared to all other target groups.

Two-thirds of respondents indicated that they do not have enough time to attend HELP courses, despite the high level of satisfaction with HELP courses. The training material is extensive and, although of high quality, requires time that many professionals do not have. This is particularly true for judges, who are often involved in a major judicial reform process.

Sustainability

HELP courses are integrated into annual training programs to varying degrees. Each beneficiary has its own specific context and challenges that affect its ability to integrate HELP training and, more importantly, the prospects for continued use and updating of the training materials developed.

Recommendations

- Develop, jointly with Focal points and Info points, communication on the benefits of HELP courses in terms of EU accession and e-learning and disseminate this information among legal professionals.
- Update, refine and adapt existing HELP tutored courses in the region. Benefit from the expertise of local HELP tutors.
- Focus on enabling a fuller integration of HELP into annual programmes of national training institutions.
- Augment HELPs effectiveness by:
 - o Addressing the wider context of compulsory training for lawyers in the region.
 - o Continuing to promote HELP as a cost effective and proven tool to advance the digitalisation of judicial education in the region.
 - o Continuing to link HELP in its new format with Council of Europe offices and other relevant regional facilities supporting the judicial and justice reform processes in the region.

- Encourage and advocate for follow-up discussions and activities with HELP alumni aiming on the effective and coherent application of European standards for the protection of fundamental and human rights in their daily work by domestic actors.
- Strengthen the ability of the new HELP in the WB to learn and improve by:
 - o Reviving the practice of assessing longer-term effects and use of skills obtained through HELP courses.
 - o Upgrading the analytical capability of the HELP platform for issues cutting across several courses.
 - o Optimising the planning and resources for future evaluations.

2 Introduction

This is the Evaluation report of the regional action “Human Rights Education for Legal Professionals (HELP) in the Western Balkans” implemented within the framework of the EU/CoE Joint Programme “Horizontal Facility for the Western Balkans and Turkey – Phase II”, prepared by Serani Siegel for Camille Massey Unlimited, with the inputs from Professor Kanstantsin Dzehtsiarou, and Dr. Merita Poni. The quality of the evaluation methodology and this report was ensured by Camille Massey.

The evaluation was commissioned by the Directorate General of Human Rights and Rule of Law (DG1) under the Framework Contract 2021/FC/01 “for the provision of consultancy services on evaluation/evaluation-related assignments”.

CONTEXT AND BACKGROUND OF THE COUNCIL OF EUROPE ACTION: “HELP IN THE WESTERN BALKANS”

The Council of Europe operates around a “dynamic triangle” of action, including:

- Standard setting: activities aimed at the preparation and adoption of norms (legally binding or not) such as Conventions, protocols, recommendations, conclusions, guidelines or policy recommendations;
- Monitoring: activities aimed at assessing compliance by States with Council of Europe’s standards, through various monitoring mechanisms, in particular specialised monitoring bodies as foreseen by the respective Conventions or Council of Europe institutions;
- Cooperation: projects aiming to support the member States in their efforts to implement the standards, considering the monitoring results.

Within this triangle, the HELP programme is directly connected to CoE objective of **making ECHR a reality at national level** and is part of the cooperation activities.

OBJECT OF EVALUATION

The HELP in the Western Balkans action (EU-JP/2412) was implemented over 37 months, from December 2019 to end of December 2022. It has a total budget of EUR 893,000. The action is the third phase of an ongoing action, building on the results of Phase I (April 2016 to September 2017, Western Balkans and Turkey) and Phase II (December 2017 to November 2019, Western Balkans).

As part of the joint European Union (EU) and CoE programme “Horizontal Facility for the Western Balkans and Turkey 2019-2022”, it aims to contribute to the Beneficiaries’ ability to meet their reform agenda on human rights, rule of law and democracy and to comply with European standards.

The HELP in the Western Balkans action is part of the European Programme for Human Rights Education for Legal Professionals (HELP) which supports the 47 member States of the Council of Europe (CoE) in implementing the European Convention on Human Rights (ECHR) as well as fundamental human rights standards at the national level and was initiated in 2004. It has evolved to the main CoE platform for training legal professional on human rights issues and includes also relevant EU topics. It consists of:

- the **HELP network of 47 National training institutions** for legal professionals
- **A wide catalogue of self-learning online courses** accessible for free (English and other languages) to any legal professional or other interested person
- **E-learning courses with a tutor**, which are tailored to the national legal context and translated.

The “HELP in the Western Balkans” action is implementing **tutored e-learning courses** and contributing to the HELP network for National Training institutions and its objectives are to **contribute to a more efficient and effective application of human rights standards** by:

- **Enhancing the capacity of legal professionals** for an effective and coherent application of European standards for the protection of fundamental human rights in their daily work;
- **Strengthening the capacity of** national training institutions for judges and prosecutors, Bar Associations and universities to provide high quality training in the field.

The action “HELP in the Western Balkans” in cooperation with key domestic actors, develops and implements a variety of tutored e-learning courses for legal and other (justice) professionals Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, North Macedonia and Serbia, focusing on all key topics and articles of the European Convention of Human Rights. In a nutshell, the HELP in the Western Balkans has achieved the following key outputs:

- Implemented 140 tutored HELP courses adapted to the national legal context and translated into local languages
- Implemented 4 regional tutored e-learning courses
- 5108 legal professionals were enrolled, and the overall course completion rate was 76%.
- 59% of the enrolled participants were women and their success rate was 77%
- Increased the number of users of the e-learning HELP platform from the Western Balkans region by 125% - this was certainly also due to the COVID-19 pandemic
- Increased the number of available online self-learning courses by 82%
- Implemented e-learning tutored courses on 28 different topics (see a full list in annex 6.5)

The **intention** of the HELP in the Western Balkans action and the HELP Programme in general is that **National Training Institutions for judges and prosecutors and Bar Associations fully integrate the courses on European standards in their national initial/continuous training programmes**. This aims to ensure ownership over the national versions of the courses and sustainability of the initiative.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

PURPOSE AND AIMS OF THE OF THE EVALUATION

This is an end-of-project evaluation commissioned by the CoE in the framework of for the Western Balkans and Türkiye- phase II. Its purposes, as outlined in the Terms of Reference (ToRs), include:

- Assessing the potential impact, defined in the ToRs as the results and changes attributable to the action as intended by the project document. This definition corresponds to the OECD/DAC criterion of “effectiveness”, rather than “impact”, which imply long-term, indirect and higher effect, according to the OECD/DAC criteria¹.
- Identifying lessons from the implementation of the action for possible HELP continuation in the Western Balkans and other countries.

The evaluation is user-focused, which means that its purpose is defined in view of its usefulness to the main users, namely the HELP Programme Secretariat, Horizontal Facility II and DG NEAR. Other evaluation audiences include the CoE project team, the EU Horizontal Facility as the donor as well as the Beneficiaries’ Judicial Academies, Bar Associations, and other legal professional bodies.

The evaluation responds to the need to inform the preparation for a possible HELP continuation. This evaluation is, therefore, project-centred, and mostly **formative**: it derives lessons learned, good practices and recommendations for decision making.

Evaluation questions	Sub-questions
Relevance	
To what extent is the HELP programme relevant?	Sub-question 1a: To what extent does the selection of course topics reflect the needs of Beneficiaries?
Effectiveness	
To what extent is the HELP programme effective?	Sub-Question 2.a: To what extent has the project achieved its expected results?
	Sub-Question 2.b: What have been reasons for achievement and lack thereof?
	Sub-Question 2.c: To what extent has gender been mainstreamed in project design and implementation?
Efficiency	
How efficient is the HELP-programme?	Sub-question 3.a: To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?
Sustainability	
How sustainable is the HELP-programme?	Sub-question 4a: To what extent can it be expected that the Beneficiaries’ Judicial Academies, Bar Associations and other legal professional bodies will continue to use and further update the developed training materials?

¹ <https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

The scope of the evaluation covered the HELP in the Western Balkans Action from December 2019 to end of December 2022 in the following Beneficiaries: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia.

EVALUATION METHODOLOGY

The evaluation uses a mixed-methods approach: it combines **qualitative** data collection methods (document review, interviews and Group Discussions) and **quantitative** data collection methods (survey) to answer the evaluation questions.

It draws on the following data:

- **Interviews** with 12 Focal points in national judicial training institutions and Info Points of Bar Associations. The Bar Association information points from Montenegro and Kosovo were not available for the interviews.
- **Group Discussions** with 14 national tutors across the region.
- **Interviews and Group Discussions** with 26 legal professionals (3 candidates, 7 judges and a judicial assistant, 14 lawyers-at-law).
- **An online survey** on national tutored HELP courses, regional courses and the HELP TOT courses. The survey was filled out by 172 legal professionals from the region.

CHALLENGES, LIMITATIONS, AND REMEDIES

This evaluation had a budget of EUR 15 000 and a duration of four months. The evaluation approach was designed accordingly. The evaluation was conducted remotely and mainly in English. Some group discussions were held in local languages and the survey was translated into Albanian and Serbian by Council of Europe staff.

The implementation of the evaluation faced some challenges, including:

Qualitative interviews

- The informants were slow to respond to the requests for interview and focus groups, sometimes with no response at all. Since the data collection was a cascading process, with every next step depending on finalizing of the previous ones, the data collection phase was extended by more than one month, and it was not possible to follow up with non-responsive stakeholders beyond the cut-off date of 20 December – thus slightly reducing the final number of informants and no qualitative interview data from prosecutors could be collected. However, this has not affected the reliability or coverage of the evaluation.
- The response rate to interview requests by legal practitioners was lower than expected. Out of 344 contacts provided, only some 26 responded, out of which eight – to inform that they were not available. To encourage informants who may have felt hampered by language barriers, and thus remedy this shortfall partially, experts were included in the team to conduct interviews in native languages – in Albanian and in Serbian.
- Due to low rate of response to the Focus Group participation requests with tutors and legal practitioners, their number was reduced from the initially planned 13 to 7 taking place.

Survey and quantitative data

- The survey was mainly disseminated through the Focal Points and Info points². 172 responses were received, out of which 129 were fully completed. This number of responses was lower than expected³. As the number of respondents from some Beneficiaries is low, the analysis of responses by Beneficiary provides only indicative trends.⁴
- As the HELP platform cannot technically provide aggregated data by topic, country, or a region, the HELP team in Belgrade provided manually a list of all courses conducted including essential information (country, name, partner, number of participants, gender) for the evaluation. Being established manually implied that data had to be streamlined by the evaluation team to be able to use it and that some data is still incomplete (mainly related to the proportion of gender).
- It was not feasible to manually download, compile and analyse training exit questionnaires from each single course within the timeframe and within the budget of the evaluation. Furthermore, a sample of tutor reports revealed, that the information provided in them is also not complete.

The above has led to a recommendation for future evaluations of HELP projects, as HELP is an essential tool of the Council of Europe and responds to the continuing need for legal training in fundamental rights.

3 Findings

3.1 Relevance

Evaluation Question 1: To what extent does the selection of course topics reflect the needs of Beneficiaries?

Finding 1: Overall, the course topics are meeting the needs of Beneficiaries in terms of better application of the ECHR and were perceived to meeting the needs of their justice reform agendas. Although HELP integrates EU standards, some interviewees missed it in the courses: this suggests a mismatch between the perceived content in relation to the EU standards and the actual content of the model HELP courses, suggesting gaps in communicating the benefits of the HELP courses in terms of EU integration.

The HELP in the Western Balkan action intended to address not only the practical implementation of the European Convention on Human Rights, but also fundamental rights issues that are at the heart of the accession process to the EU. According to the project proposal document, a preliminary needs assessment in this regard was made based on the 2018 EC Enlargement package for each Beneficiary and 6-9 priority

² HELP has established a network of 7 Focal points in local judicial training institutions and 7 Info Points in bar associations in each beneficiary. They coordinate the work of HELP within their institution, meet regularly and jointly work with the regional HELP team to ensure HELP meets the training needs of local legal professionals.

³ As the Focal points disseminated the survey to their participants, the evaluation team cannot establish a response rate, however the overall number of HELP enrolled legal professionals in the region is 5108. However, the HELP platform analysis function cannot establish how many unique individuals this represents, because it is not clear how many of them completed more than one course. Furthermore, if not strongly encouraged, participants of courses from a longer time ago only a small number will usually respond.

⁴ 6 responses from Kosovo, 2 from Montenegro, 15 from Bosnia and Herzegovina; only 11 respondents who are not judges, prosecutors or lawyers).

EU integration topics by Beneficiary were identified in addition to the Council of Europe needs assessment on ECHR topics (see more in annex 6.6).

Annual planning and **selecting the HELP course topics is done by training institutions and bar associations** individually in each Beneficiary. Since 2019, 28 course topics were made available.

The most common courses were:

- *Child Friendly Justice*: 14 courses, out of which eight in North Macedonia, and four in Albania and one each in Bosnia and Herzegovina and Serbia.
- *Introductory course to the ECHR*: 13 courses - Bosnia and Herzegovina (5), North Macedonia (4), and Serbia (3).
- *Combatting trafficking in Human Beings*: 14 courses - North Macedonia (6), and Bosnia and Herzegovina, Serbia (4 each).
- *Violence against women*: 9 courses: Kosovo (5), Montenegro and North Macedonia (2 each)

All training institutions' Focal Points and bar associations' Info points agreed that course topics are highly relevant and tailored to their justice and judicial reform agendas as far as their perspective and position within these reforms allows to assess this question. Some focal points have noted the following:

- HELP courses are most relevant if the course topics resonate with the EU accession priorities.
- HELP courses are useful for building awareness on new topics closely related to the ECHR.
- HELP courses are useful as a means to implement continuous education of practitioners, which is becoming a more pressing legal requirement for all legal practitioners as judicial reforms progress.

Quotes:

"All topics and programmes organized with the CoE should support (the country) on the path to EU accession."

"HELP courses are very relevant, since we are rushing towards EU integration, which has a lot of requirements. This is what makes HELP courses very relevant, it provides another opportunity to prepare candidates and facilitate work towards integration."

- *National Focal Points and Info Points*

In some countries, especially in North Macedonia, HELP courses have become a significant component of the judicial reform process. Overall, there is no common approach towards how HELP tutored e-learning courses should/could fit into judicial and justice reform processes.

Most HELP model courses contain the EU framework and CJEU case-law aside⁵ from the CoE and ECtHR, and thus are relevant in the context of EU accession.

There was a considerable number of legal professionals interviewed, who stated that their main priority is EU integration, noting at the same time, that HELP courses should also support this without realising

⁵ There were not sufficient resources available to the evaluation to analyze nationally tailored courses or model/blueprint courses in this regard.

that many CoE blueprint HELP courses were tailored towards this. This was also mentioned by several tutors and Focal points who are fully responsible to tailor the e-learning courses to the national contexts.

This difference between the project design in relation to EU integration and the project participants perceived focus on ECHR points towards:

- the adaptations done by local tutors based on Focal Points and Info Points priorities
- the messaging about the usefulness of HELP courses regarding EU integration by the HELP team and National Focal points and Info points.
- differences in choices made by partners on course topics and needs of legal practitioners

When analysing the **choices made by National training institutions and bar associations on course topics** per Beneficiary the following picture emerges (see a full analysis in annex 6.6):

Table 1: Topics of HELP courses selected by Beneficiaries

Beneficiary	Number of overall topics selected	Number of EC enlargement topics selected by partners	Observations/remarks
Albania	7	3	Focus on ECHR topics. Accession negotiation opened in 2020.
Bosnia and Herzegovina	18	3	Focus on ECHR topics. ECHR directly applicable. Since December 2022 EU candidate status.
Kosovo	5	4	ECHR directly applicable. Focus on VAWDV.
Montenegro	10	1	Focus on ECHR topics. Chapter 23 opened in 2013.
North Macedonia	22	4	Focus on ECHR topics. Accession negotiations opened in 2020.
Serbia	13	1	Focus on ECHR topics. Chapter 23 opened in 2016.
Regional courses	4	2	NA

These choices can also be interpreted as a need for a clearer messaging generally and to some Focal Points and Info points about the double benefits of HELP regarding ECHR and EU integration. On the other hand, some Beneficiaries might have had sufficient other offers to meet their training needs in this regard.

It is important to note here, that HELP tutors are completely in charge of the course adaptations, once selected by the National Training Institutions to implement a course, they have the freedom to make the adaptation to fully reflect the EU accession objectives in the adaptation materials as well. So, ultimately it is the responsibility and choice of the National Training institutions to identify this priority and is not reliant on HELP action.

Overall, the evidence shows a discrepancy between the perceived usefulness of HELP courses in regard to EU accession and the design of the action pointing towards a gap in messaging about HELP course benefits in terms of EU integration.

Finding 2: The adaptability and flexibility of the HELP methodology to needs of Beneficiaries and legal professionals is highly appreciated and became apparent to most stakeholders during the pandemic. The course topics and content are highly relevant to the needs of legal professionals.

HELP is seen by Focal Points and Info Points as a very flexible tool which is easily adaptable to their needs as National Training institutions and Bar associations. This became most apparent during the COVID -19 Pandemic, when tutored e-learning HELP courses remained the only educational tool available in the region.

There are discernible differences in national and professional approaches towards the format of the courses: *some Focal points consider HELP as a basic course*, because of its e-learning format. However, *some legal professionals consider in-person workshops as more suitable for advanced training*.

Surveyed legal professionals assessed on average the relevance of the HELP courses' topics at 4.3 out of 5. Gender differences are visible - male respondents were a bit more positive, averaging 4.5 stars. Although the Beneficiary samples were small, some characteristics can be deduced: Legal professionals from Serbia gave the lowest rating for the relevance with 3.7 stars. Albania and Bosnia and Herzegovina gave highest ratings: 4.6 and 4.7 stars on average, respectively.

Table 2: Relevance of topics addressed in HELP courses

How would you assess the relevance of the topics addressed in the HELP training (s) you attended?						
Number of stars rating by respondents	1	2	3	4	5	Weighted Average
	3%	3%	11%	27%	55%	4,2 stars

The rating for the relevance of case studies, practical exercises or illustrative examples used during HELP courses is high with an overall average of 4.4-stars.

The respondents were particularly appreciative of the HELP methodology offering considerable flexibility for self-paced learning, which became particularly relevant during the pandemic-induced lockdowns and remote work.

Quotes:

“In my course there were only lawyers at law (...) It was very difficult [for them] to control [their] timetable, as everybody is very busy. [with HELP] Each participant can choose flexibly when to do what. Flexible access for very busy people produces good results.”

- Tutor

Many interviewed HELP participants and Focal points wish for more courses on **ethics for judges, prosecutors and lawyers; judicial reasoning** and **European Integration**.

The HELP in the Western Balkans project team has assessed the longer-term use of the new skills of HELP-trained legal professionals (based on the Kirkpatrick model) once during the project period in 2021. In a nutshell, the analysis showed that the HELP courses taught were highly relevant (72%) to the role/practice

of the legal professionals, and that what the legal professionals learned in the HELP course was used daily by 23%, weekly by 16% and monthly by 25%, so that a total of 64% reported using what they learned on a regular basis. The main reason given by 18% for NOT using the skills gained through HELP was a lack of opportunity in the workplace. 77% reported that the HELP course had led to a change in their work practice. Although this practice of long-term assessment of skills use and change in work practice was not repeated by the HELP project team during the lifetime of HELP in the Western Balkans, its findings support the findings of this evaluation.

3.2 Effectiveness

Evaluation Question 2.a: To what extent has the project achieved its expected results?

Finding 3: Overall, stakeholders are fully satisfied with the project's results. The satisfaction is strongest with tutors. Most appreciated are the balance between theory and practice, the legal information and case studies offered. Least appreciated: opportunities for debate, discussion, interaction and networking.

Focal Points and Info Points said HELP provides tailor-made responses to their needs and are fully satisfied by the offer.

Quotes:

“Everything we do with HELP is an added value for our institutions in terms of content, facilitation, etc.”

“CoE is one of the main partners of Human Rights development, probably the best and most reliable partner.”

“The unique quality of the HELP programme is the possibility to choose the proper methodology. Of course you have a certain structure, but as partners in the HELP programme, we have the right to change the method to fit with the needs of users and beneficiaries.”

- Focal Points

SATISFACTION WITH THE QUALITY OF TUTORS AND TRAINING MATERIAL

Survey respondents are overall satisfied with the quality of the tutors, rating them with 4.4 stars on average. Practitioner judges are the most judgmental, averaging 4 stars, while the candidate judges most complimentary, averaging 4.9 stars. The lawyers give 4.5 stars on average.

Table 3: survey quality of tutors

How would you assess the quality of the trainers and facilitators?						
Number of stars rating by respondents	1	2	3	4	5	Weighted Average
	3%	2%	7%	27%	61%	4,4 stars

Respondents from Serbia are slightly less positive about their tutors, with an average of 4 stars, to be surpassed only slightly by respondents from North Macedonia with 4.2 stars. Albania with Bosnia and Herzegovina give their tutors the highest, 4.7-star rating.

The crucial role of tutors was mentioned by the Focal Points as it falls to them to adapt each course to the specific domestic context and legislation. Participants also pointed out the tutors' critical role in navigating the course platform, the course materials and initiating discussions.

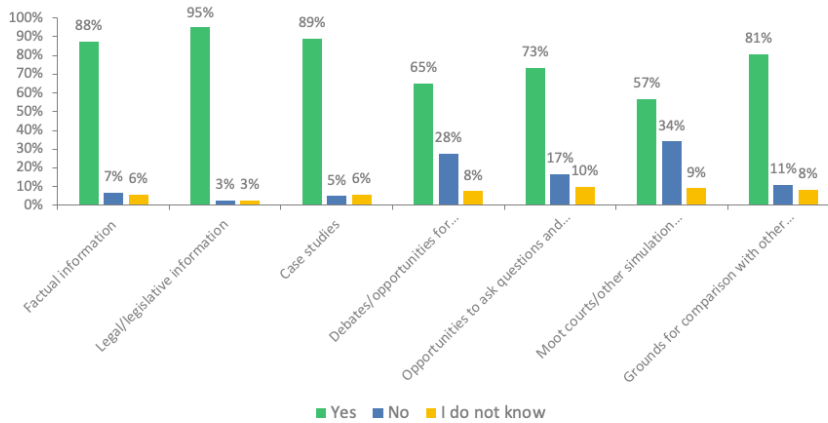
Good practice: Tutors encourage participants to complete assignments

A good practice has been established in Montenegro, where the tutors open a Viber group for each course and ensure that all participants can complete their course work. Consequently, the course completion rates are very high there.

88% of survey respondents responded that the HELP trainings are well balanced between theory and practice. A large majority found that the trainings provided them with sufficient legal and legislative information (95%), case studies (89%), factual information (88%), grounds for comparison with other countries or good practices (81 %) and opportunities to ask questions and discuss with facilitators and experts (73%). A more modest majority thought they had sufficient debates, opportunities for discussion among participants (65%) and moot courts or other simulation exercises (57%).

Figure 1: Tools and information provided

Q18: Would you say the trainings or events have provided you with enough



Answered: 120 Skipped: 52

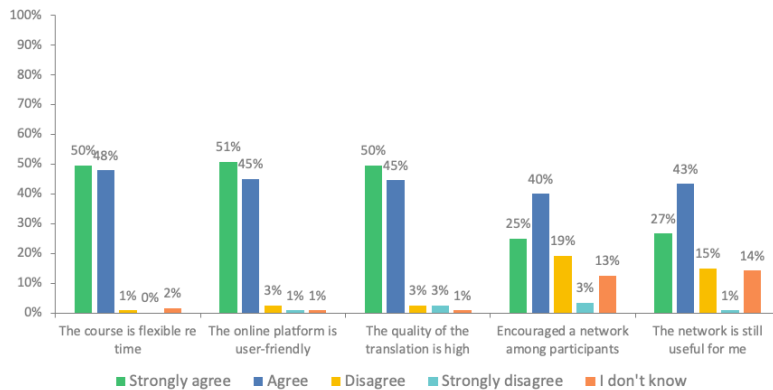
Again, respondents from Serbia were the least positive and it seems they would have liked to have interactive exercises (e.g., moot courts) more often.

Overall, flexibility of the course exercises and their self-paced character causes the highest degree of satisfaction among respondents. They also appreciate the user-friendly character of the HELP platform. The respondents are less enthusiastic about the

opportunities for or usefulness of networking among the participants – which is understandable for an online platform.

Figure 2: Flexibility, HELP Platform, Networking

Q21: How do you agree to the following statements?



Answered: 120 Skipped: 52

This overall assessment was fully shared in interviews with participants and tutors.

Quotes:

“HELP is a real professional school for us. It surpassed my expectations.”

“HELP is a practical support, the content is very relevant, very well packed, and ends with the testing of knowledge telling what the right and wrong answers were.”

“HELP describes itself by the name. It is a treasure for legal professionals, a real school of practice. HELP is a living platform, while laws are silent and rigid.”

“HELP is “a must-do course” for all legal professionals. It provides practical skills to legal professionals and is a way to grow professionally; “

- HELP course participants from Albania, Bosnia and Herzegovina, Kosovo, North Macedonia and Serbia

Finding 4: Most participants report increased knowledge, and there are indications that some are applying this knowledge, the know-how gained, and new attitudes, in their judicial practice. The opportunities for implementing Human Rights standards in the context of incomplete judicial reform are limited, but the pace of these reform processes is beyond the influence of HELP’s activities, although it does contribute to these reforms.

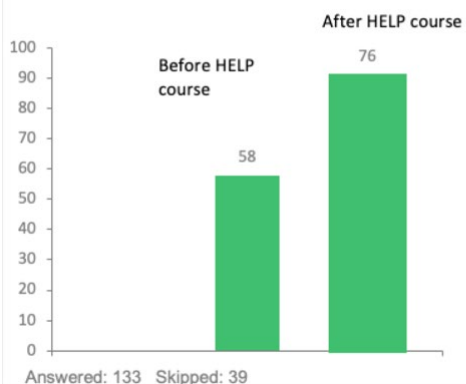
HELP course participants are aware of the necessity of a paradigm shift from a bureaucratic judicial system and mechanical application of law, to a person-centred (in particular victim-centred) approach. Many have gained the relevant skills and possibly changed their own attitudes; some apply the skills when possible. This finding reflects the current stage of the reform process, where the implementation of Human Rights standards is not yet a common practice.

INCREASE IN THE LEVEL OF UNDERSTANDING

The survey and the interviews with participants and tutors provide a comprehensive and coherent picture: on average, they report an increase in their level of understanding about the topic by an average of 18 points. Interviews with participants and tutors support this assessment.

Figure 3: Increase in level of understanding

Q3 and 4: Increase in level of understanding about the specific HELP course



There are some discernible differences between the Beneficiaries: North Macedonia respondents note higher-than-average 25 points increase, while the respondents from BiH lower than average - 14 points increase. The candidate judges report their level of understanding growing by 26 points on average. Other legal professional groups show no significant deviation from the average or from each other.

An average increase of 17 points was recorded for the level of general understanding about the ECHR and the European Court case law (Q.11 and Q.12). The respondents rated their initial level of

their general understanding higher on average (66 points) than their initial level of understanding of the specific tutored course topic in their own country (58 points).

CHANGES IN SKILLS AND ATTITUDES TOWARDS A MORE VICTIM-CENTRED AND HUMAN RIGHTS BASED JUSTICE

In interviews, especially lawyers could give examples of how they have improved their skills, attitudes and practice based on what they learned in tutored HELP courses. The interviewed judges were less specific, but the survey shows that they also gained new skills.

Quotes:

“HELP helped me organize the legal concepts around children rights and see the complexity of issue and transversality of human rights.”

“It enabled me to compare and complement my own values with the European values as doing justice imply values.”

“The training has prepared me to work jointly with other professionals such as psychologists and judges and prosecutors to better protect children rights in the court.”

“It shifted my working paradigm from legal bureaucracy to victim centred service.”

“It improved my professional skills and human approach to the legal practice which increased self-confidence.”

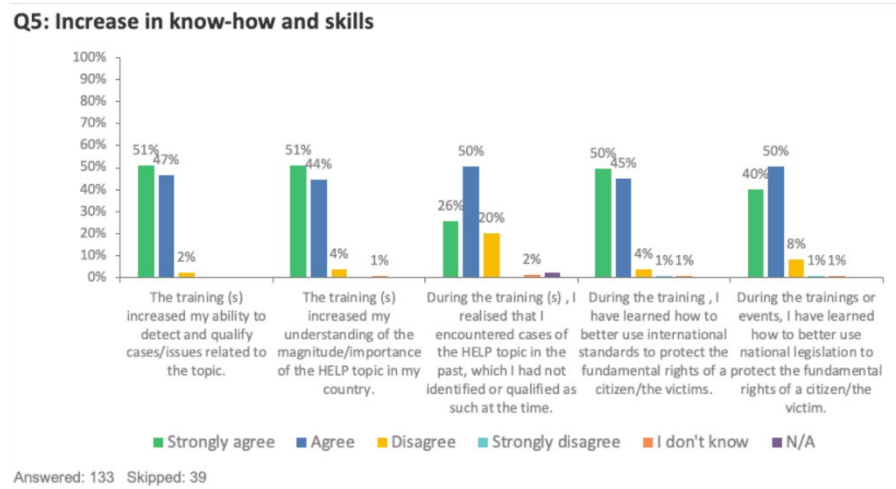
“I refer to ECtHR when I write a lawsuit.”

- *Lawyers from Albania and North Macedonia*

85% of respondents have registered increased levels of confidence in being able to react to the topic covered by the HELP course after the training (Q.6). Lawyers grew confident more often: 93% reported feeling more confident on topic, after having attended the course.

When asked more in detail about their increase in know-how and skills around 95% of survey respondents agree, or strongly agree, that the training has increased their ability to detect and qualify related cases, that it increased their understanding of the magnitude of this topic in their own country..

Figure 4: Increase in skills

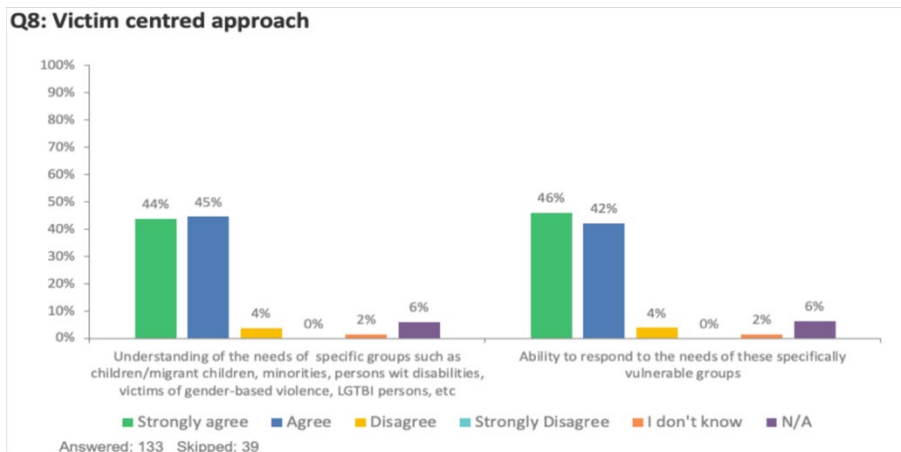


They also say that during the training they have learned how to better use international standards to protect the rights of citizens. A slightly smaller majority stated that they realized that they had encountered cases in the past which they had not qualified as a relevant case at that time. When looking at different legal professions, judges

assented at higher-than-average levels to these effects of the courses on their skills

Like in the interviews, a majority of 80-90% of respondents agree or strongly agree (Q.8) that their own understanding of the needs of specific groups such as children, migrants, minorities, persons with disabilities, etc. has increased. Their ability to respond to these needs of these specific vulnerable groups has reportedly increased to the same extent as well. The small percentage of respondents who disagree are mainly from Bosnia and Herzegovina and Serbia and/or are lawyers or judges. Prosecutors agree or strongly agree to these statements to the rate of 100%.

Figure 5: Victim centred approach: understanding and skills



Their ability to respond to these needs of these specific vulnerable groups has reportedly increased to the same extent as well. The small percentage of respondents who disagree are mainly from Bosnia and Herzegovina and Serbia and/or are lawyers or judges. Prosecutors agree or strongly agree to these statements to the rate of 100%.

Finding 5: HELP trained legal practitioners identified gaps in the standardised application of European standards in current legal practice. Legal practitioners would like training institutions, bar associations and ministries of justice to do a better job of following up on the HELP courses taught, so as to ensure that legal practice is standardised on the basis of what has been learnt.

In all countries interviewees pointed to the insufficient numbers and inferior quality of translations of the European Human Rights Court cases made available to them by their Ministries of Justice. Many legal professionals interviewed emphasised that colleagues do not speak English or French and thus their ability to use HUDOC⁶ is limited. However, many key cases are translated into local languages and are directly available in HUDOC and can be indicated by tutors to participants.

Interviewed participants were very appreciative of the HELP courses they attended, however several lawyers across countries mentioned that European Human Rights standards are still not an integral part of the legal practice.

Quotes:

“In my experience judges are quite sceptical towards Human Rights issues. 60% of judges are very sceptical, they try to work according the known and used paths, no one wants to go to the difficulties.”

“I am not satisfied with the education in Human Rights by judges and prosecutors. I don’t think that they don’t know, I think they don’t want to practice it. It’s their behaviour. They do know, but they don’t like to do it. In our legislation we have accepted all international norms on paper, but it’s not implemented.”

“One of the problems I see is that knowledge that we gain in the courses is difficult to implement in front of our courts. Once, I tried to bring knowledge from a HELP course in front of judge, but the judge didn’t want to hear it.”

- Lawyers/Attorneys at Law from BiH, Serbia, North Macedonia and Albania

When asked about the ways in which HELP could support a better application of HR standards into their work, **all interviewed participants see the main responsibility by their own institutions to unify the current practice** and mentioned the need for follow up actions by their own training institutions and ministries on the application and implementation of the skills and knowledge acquired through HELP courses in the form of roundtables with all types of legal professionals after each tutored HELP course.

Quotes:

“...more physical meetings to talk about HELP after each course to exchange experiences with all (judges, prosecutors, lawyers) and discuss how to unify the practice and approximate it to the European standards.”

“My suggestion to improving would be include mandatory online meetings at the end of each module in addition to written communication about the most difficult cases. To learn from each other. Organised by mentors/tutors/training academy.”

“The Bar Association should organize roundtables like this one we are having today, in order for us to be able to reflect on the impact of the training in our legal practice. It can strengthen our skills and unify the practice.”

⁶ <https://www.echr.coe.int/Pages/home.aspx?p=home&c=> HUDOC is the online registry of decisions of ECTHR.

Interviewees also identified the following gaps hindering unified practices:

- Lack of mandatory training for lawyers in most Beneficiaries
- ECHR is not a sufficient part of law faculty curricula
- There are many more legal practitioners who need training on the ECHR and on issues relevant to EU accession.
- HELP is not systematically included in initial or continuous training (wide variations between Beneficiaries, see below).

Evaluation Question 2.b: What have been reasons for achievement and lack thereof?

Finding 6: The extent to which HELP courses and the HELP methodology (e-learning and adult education) are integrated by national training institutions is the key factor that both supports and hinders the achievement of the project results. The approach to and use of HELP courses by training institutions and bar associations, law faculties and other stakeholders varies considerably between Beneficiaries and also depends on the different governing continuous training of legal practitioners. Ultimately, the extent of the use and integration of HELP depends on how proactive national training institutions and bar associations have been in making use of HELP within their various training rules.

When looking at the **use** of HELP course by country and type of institutions, one notes a large imbalance over the last years and across the different partner institutions and countries.

Table 4: Number of courses implemented by main partner training institution and by country.

Country	Bar Associations	Judicial Training inst.	Law Faculties	Open Calls	Other Inst.	Total
Albania	5	4	1		1	11
Bosnia and Herzegovina*	0	22	2		3	27
Kosovo	2	5	2		1	10
Montenegro	1	6	3		2	12
North Macedonia	38 plus 3**	13			2	56
Regional	1	1		2		4
Serbia	3	13	6		2	24
Total	50	64	14	2	11	144

* The Judicial Training Institutions include lawyers in their HELP trainings

** organised jointly with the NM Judicial Training Institution

The Bar Association of North Macedonia has requested the largest number of courses since 2020 - 41 courses for lawyers, followed by the Bosnia and Herzegovina Judicial training institutions with 22 HELP courses for all types of legal professionals, and 13 courses each by the Serbian and Northern Macedonia judicial training institutions for judges and prosecutors. It was used least by bar associations in Montenegro, Kosovo, Serbia, and Albania. Also, judicial training institutions in Albania, Kosovo and Montenegro are using HELP to a lower extent than in three other countries.

Following reasons could be discerned for this imbalance:

- Different approaches to the size of groups for each course (high number in North Macedonia, lower numbers in the other countries).

- Different use of HELP for different target groups. For example, North Macedonia and Serbia use HELP systematically for candidates training. Serbia used is more than other beneficiaries for training of students in law faculties than other Beneficiaries and North Macedonia used it extensively to train lawyers at law.
- Different rules on continuous training (mandatory or not, number of days) of legal professionals
- In Albania and North Macedonia, the HELP certificate for child-friendly justice is acknowledged by the MoJ, however this is not yet fully implemented in Albania.
- The training institution in Kosovo expressed concerns about integrating HELP into mandatory initial training
- In Serbia, there is one national bar association and are numerous local bar associations with competing agendas, which impedes rollout.

The HELP action in the Western Balkans team has recently revived cooperation with the national Bar Association and its training institution in Serbia which helped to address some of these imbalances.

Finding 7: The general education culture in the region in the justice sector is still in person and ex-cathedra, so according to interviewees, colleagues who are not comfortable in an e-learning environment and/or do not have sufficient digital skills are not reached by HELP, despite the practice of a face-to-face launch event to address this challenge. The legal practitioners interviewed identified the need for additional efforts by national training institutions and bar associations to address this issue.

The general educational culture, especially in legal profession tends to gravitate towards in-person and ex cathedra teaching, described as the most common and accepted mode of adult teaching in the region.

The HELP methodology is novel in this context, and as such is appreciated by users who are open to this experience and have sufficient computer literacy. Yet, many legal professionals, especially, but not exclusively of the older generation, do not have sufficient digital skills and are not reached through HELP.

Quotes:

“I have discovered that the approach to education was completely different but found myself in a very interesting circle of learning.”

-Judges

HELPS response to this challenge before COVID-19 was an in person launch event before all other modules are delivered online. The tutors emphasised the importance of an in-person kick-off meeting for the participants to ensure their engagement. Several reports from tutors point towards low participation in forums and live online discussions by participants due to various external factors, such as high workload and competing priorities discouraging participants from investing more time into the courses. Some of the focus group participants asked for more active tutor facilitation of the online discussions, or even the inclusion of the participation element in the grading grid, to bump the courses higher in participants’ priorities and incentivize personal involvement.

Often, tutors have solved these challenges with additional communication efforts from their side, however there are still some participants who stayed inactive during an entire course⁷.

In the context of the increasing digitalisation of judicial training, some national training institutions are upgrading their e-learning facilities and policies, but this takes time and the legal practitioners interviewed strongly emphasised that the benefits of e-learning need to be better promoted by national training institutions to legal practitioners who have not yet participated in HELP-taught courses. This is also relevant in the context of the general move towards the digitalisation of justice and legal education. Another factor is that in most Beneficiaries, HELP courses are not an obligatory part of continuous training. This is discussed below under sustainability.

Evaluation Question 2.c: To what extent has gender been mainstreamed in project design and implementation?

Finding 8: The gender balance in the HELP courses reflects the gender balance in legal profession in the Western Balkans region. There are differences in the proportion of women participating based on the organising partner and based on the HELP course topics. The proportion of women in courses on women's and children's rights is higher than the overall gender balance. Gender was mainstreamed in the design of the project and the HELP in the WB action has provided specific tutored HELP courses on women's rights issues, but the uptake of these courses by Beneficiaries is uneven.

The number of women participating in HELP courses in the Western Balkans is impressive: 63% are women, with a success rate of 76%. Gender data were available for 130 out of 144 courses⁸, due to the limited analytical capabilities of the HELP platform (see more under Efficiency) and the uneven quality and completeness of tutor reports. The proportion of female participants is balanced across all Beneficiaries, ranging from 60% in Kosovo to 68% in Montenegro. Regional HELP courses have the highest proportion of female participants at 69%.

When comparing the available information on the gender balance in the judiciary in the relevant Beneficiaries it becomes clear that women represent most professional judges and prosecutors in all Western Balkans countries and especially in Serbia and Bosnia Herzegovina.⁹ However, in some Beneficiaries, the distribution of women in the mid- level management or higher-level decision-making positions within the justice system is not as equally balanced as in others, as statistics show below. Gender is best balanced for court presidents across all instances and for most the supreme courts, but heads of prosecution offices are in the majority men.

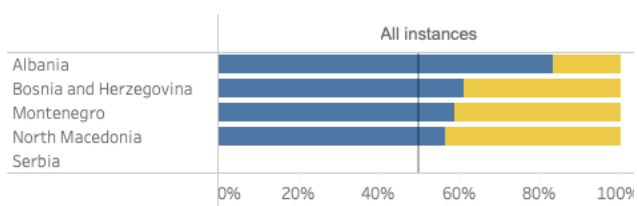
Figure 6: Distribution of Heads of prosecution offices and Court presidents by gender (2020)

⁷ According to the HELP team in Strasbourg this is generally the case in all HELP launches, the WB action is following the general trends of approx. 20-25% not completing courses, out of which small numbers never log in after the launch event.

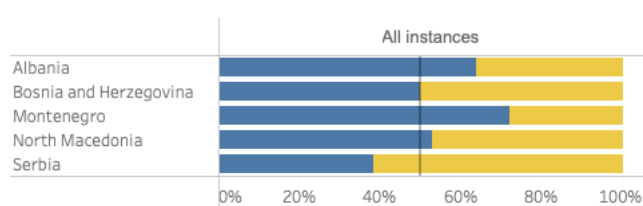
⁸ For 130 courses the proportion of women participating in HELP courses was available and for 128 courses including the female success rate. The highest number of incomplete gender data was found in Serbia.

⁹ See at the CEPEJ Database: <https://public.tableau.com/app/profile/cepei/viz/GenderEqualityEN/GenderEquality>

Heads of prosecution offices by gender



Court presidents by gender



Data taken from CEPEJ- Blue= male/Yellow=female

The HELP data also shows that the proportion of women enrolled in HELP courses organised by bar associations (61%) is lower than in courses organised by national judicial training institutions (65%) and is highest in courses organised by law faculties (76%).

The proportion of women is lowest in courses organised for other professionals (e.g. prison staff) and candidate judges and prosecutors. However, female candidates have the highest success rate of all target groups at 89%.

An analysis of the data by HELP course topic indicates that the lowest proportion of female participants is in courses on the prevention of radicalisation and the prohibition of ill-treatment (37% and 36%), which is linked to the fact, that some of these courses were offered to prison and probation staff who are male in majority.

There are several courses where the percentage of female participants is below the overall percentage of 63%:

Course topic	% of female participants
Ethics for judges, prosecutors and lawyers	56
International cooperation in criminal matters	56
Key human rights principles in biomedicine	56
CPT standards	54
Pharmaceutical crimes and the MEDICRIME Convention	53
Admissibility criteria in applications submitted to ECtHR	53
Radicalisation prevention	37
Prohibition of ill-treatment	36

There are several courses where the percentage of female participants is higher than the overall percentage of 63%:

Course topic	% of female participants
Access to justice for women	77
Freedom of expression	77
Combating trafficking in human beings	74
Data protection and privacy rights	69
Refugee and migrant children	69
Fight against racism, xenophobia, transphobia	69
Asylum and the ECHR	68
Transitional Justice	67
Violence against women and domestic violence	66

This indicates a trend that women's and children's rights issues are more often chosen by women than by men.

As envisaged in the project proposal, gender mainstreaming was achieved as planned: two HELP course topics deal specifically with women's rights: violence against women (application of the Istanbul Convention) and access to justice for women. An analysis of the extent to which these topics were selected by the national training institutions shows that **only 3 courses on access to justice for women** were implemented (one in Kosovo and two in North Macedonia). **In total, 9 courses on violence against women were held in 3 of the 6 Beneficiaries (Kosovo, Montenegro and North Macedonia), making it one of the most frequently held courses overall.** This might also be linked to the fact, that domestic violence was high on the agenda during the lockdowns due to the COVID-19 pandemic. Many of the lawyers interviewed stressed that, in their experience, judges and prosecutors were still struggling with the new legislation and the application of a victim-centred approach.

3.3 Efficiency

Evaluation Question 3.a: To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?

Finding 9: The HELP methodology was the most appropriate training tool during the COVID-19 pandemic, when the HELP WB action was mainly implemented. The HELP methodology increases its cost-effectiveness when implemented in large numbers and is the most efficient way of working to achieve the HELP mandate at a remarkably low cost per participant. Some potential refinements were identified by stakeholders to address the educational context in the region.

HELP provides blueprints of **124 courses**¹⁰, which can be adapted to different contexts and legislation. The number of domestically adapted HELP courses for the Western Balkans is high. Since 2019 the project has made available 28 different course topics and has conducted 144 HELP courses including four regional courses. National judicial training institutions together with the HELP project team develop annual course programme adapted to their different needs. The adaptation of the existing blueprints is done by local tutors, who add based on the needs and priorities of the National Training Institutions and Bar Associations, relevant domestic legislation and information and they also double check the translation of the modules.

The HELP in the Western Balkans action was implemented between December 2019 and December 2022 with a budget of EUR 893.000. The costs per participant in the WB action are reduced since the HELP platform already exists and is maintained through other budgetary means. Additionally, HELP in WB stands out among CoE projects, in that it has a project manager in the field, at the hub office. This project therefore does not pay for the supervisor position at the headquarters, which reduces project costs for the donors – but increases the supervision workload of CoE core staff in headquarters, a contribution of the CoE to the project.

Table 5: Cost per course and enrolled participant

¹⁰ 3rd Annual Report HELP in the WB action.

Unit	Number	Cost per unit (EURO)
Tutored HELP courses	144	6201
Enrolled participants	5108	175
HELP WB Budget	-	893.000

When analysing the cost per participant in the HELP WB action it is much lower than in previous HELP calculation¹¹. This is certainly due to the higher number of courses during the COVID-19 pandemic than before, and shows that the cost-effectiveness of HELP WB courses increases with the number of courses delivered. Another factor that could have contributed to this was that one Beneficiary has conducted the same three courses between 11 and 14 times. This analysis shows that HELP's e-learning approach is the most cost-effective way of working to achieve HELP's objective: to support legal professionals in better applying European human rights standards in their daily practice. This finding must also be seen in the context of the general move towards a more digitalised justice system and the training of legal professionals in Europe.

Most interviewed Focal points and CoE staff could not identify **any alternative methods** to deliver HELP courses in the Western Balkans and agreed that it works well as it is delivered currently. There were a few exceptions who suggested that for example HELP could:

- There is a desire among some national training institutions to offer more interactive simulations and mock court exercises to address the interplay between judges, prosecutors and lawyers as a way of promoting a more unified legal practice. This could be achieved when national training institutions take the lead for the few offline modules.
- Focus more on supporting training institutions with shaping their policies to be better able to integrate e-learning methodologies and the reform of initial and continuous training within their mandates.
- Focus more on the older generation of legal professionals as the younger ones are more open to include a Human Rights approach into their legal practice.

All these suggestions point to a closer integration of HELP into the initial and continuous education of legal professionals. They are also consistent with the finding that the current HELP methodology is more attractive to younger professionals, who are more comfortable in an e-learning environment, and the perceived need to address this.

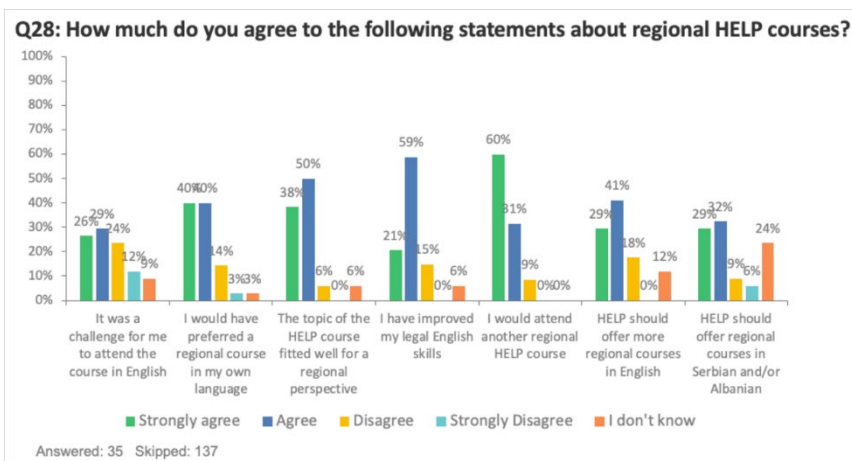
Some CoE staff and National Focal points emphasised the need for more regional courses to encourage cross-country cooperation and learning from each other. As many WB Beneficiaries share a legal tradition, there are common issues and questions to solve that arise from similar legislation. So far, four regional courses were conducted.

The feedback from survey respondents who have attended a **regional course** is overall very positive, however the need for English language skills to be able to discuss and participate was seen as a challenge and 80% of the respondents would have preferred a regional course in their own language. This needs to be balanced with the logistical and financial challenge of ensuring translation into all 6 local languages, which points to the possibility of offering regional courses based on the two main relevant languages.

¹¹ The Training of Judges and Legal Practitioners - Ensuring the Full Application of EU Law, WORKSHOP, 12 April 2017, Compilation: Three Briefings and One In-Depth Analysis: [https://www.europarl.europa.eu/RegData/etudes/IDAN/2017/583134/IPOL_IDA\(2017\)583134_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2017/583134/IPOL_IDA(2017)583134_EN.pdf)

Many participants did note that the opportunity to practice English in a professional environment had a positive side-effect, since they can better use HUDOC. Most note though, that since legal English was not part of their legal education, achieving proper fluency requires personal time and effort.

Figure 7: perception of challenges of regional HELP courses



During the COVID-19 pandemic, HELP in the Western Balkans continued to be operational. HELP was the only tool that was ready, adapted to online format and could continue implementation of CoE activities.

While HELP online courses were launched and completed as planned, national training institutions requested the

implementation of additional courses to quickly respond to the training needs. Although the HELP team never grew during the COVID-19 pandemic, budgets became available for activities that were not possible to be implemented in the past. The number of specific domestic tailored courses has consequently doubled, and outdated courses were updated. HELP has proved to be very flexible and responsive to needs, resources and interests of participants especially during the COVID-19 pandemic.

Finding 10: During COVID-19, legal practitioners increased their e-learning skills, awareness of the existence of HELP courses and understanding of the HELP methodology. However, these are uneven across the region and insufficient to reap the full benefits of HELP e-learning.

The COVID-19 pandemic made HELP a lot more known. As one of the participants noted, it became the “Netflix of the Council of Europe.” As its format can be easily adapted and transferred, HELP was being requested from different entities of the Council of Europe, as the departments saw the need to move to digital education. They used HELP to make the CoE standards available in an easy, practical, and tested digital format.

Many participants and CoE staff mentioned that HELP was not very well known in 2019. This can also be seen by the lower number of HELP platform users in 2019 with around 3100 users from the Western Balkans countries on 1 December 2019. The pandemic forced a move to digital training, which is reflected in statistics: between December 2019 and December 2021 around 3500 new users had joined the HELP platform from the Western Balkan countries. In August 2022 the HELP platform had some 7400 users from the WB, an increase of 135%.¹²

¹² 2412 – HFII: HF 40 - HELP IN THE WESTERN BALKANS: BI-MONTHLY REPORT JUNE - AUGUST 2022 (01/06/2022 – 31/08/2022)

However, most participants in the interviews mentioned that HELP is still not well known, especially in BiH and Serbia. All interviewees across the region stressed the need for their national training institutions and bar associations to raise awareness of the benefits of HELP courses. Another factor is that, in most Beneficiaries, HELP courses are not a compulsory part of continuous training.

Quotes:

“There is a need for more information and roundtables about HELP courses and what one can learn in it. The Moodle concept needs to be better explained. That it is flexible and that judges can learn when they have time. Judges are not familiar with that kind of training. We need more judges trained with HELP.”

- Judge from Serbia

Finding 11: Overall, the TOTs were seen as giving a good mix of instructions for working with the platform and concerning the substance of the course. Tutors would have appreciated more time during the TOT courses to complete their tasks.

The interviewed tutors emphasised that learning about the platform was very useful. Some suggested to open the materials of the HELP courses before TOTs.

Quotes:

“If one needs to act as a tutor, one needs to know the system, technically, I mean. Although I must admit the system is a bit old-fashioned.”

“The Moodle platform is not something that you could jump into without any prior training or working on it. You need to make mistakes so you learn from them and then you can intuitively understand. It is very essential and very needed. I wouldn't recommend changing anything.

-Tutors

Many tutors also highlighted that the time allocated for TOT was not sufficient to cover all topics. Others pointed out that a lot of knowledge comes with experience.

Quotes:

“The TOT was short, so during that time the program was quite intensive, and the participants didn't have enough time to go through everything.”

“A TOT cannot cover everything. In the end, I co-tutored my last course with one of my professors and even though she was tutoring courses on HELP for many years now, she was not aware of some features. So you cannot cover everything. And you cannot learn everything [through TOT], it takes time to go through, to learn how the platform works. But they [TOTs] are very, very useful and instructive.”

- Tutors

At the same time, the tutors appreciate that they were encouraged to familiarise themselves with the content of the modules. Most opined that the TOTs were a good combination of dealing both with the platform and the substance.

Quotes:

“We had two days of training for that course. And we had plenty of things which were explained to us. And the most important part...and the most exciting part in the course was navigation on the platform [...] We had good mentors on that.”

- Tutor

All tutors appreciated the opportunity to exchange with their colleagues as a side effect of this evaluation. This was also reflected in the survey - all respondents expressed readiness to participate in a regular exchange between HELP tutors.

Although only eight tutors responded to the survey, their responses support the findings from the Focus Group Discussions.

Finding 12: The project was managed well, in the spirit of cooperation and participation. The HELP platform does not allow automatic extraction of aggregated data across multiple courses, which limits the ability of the HELP team to observe patterns and learn lessons beyond a single course. Overall, the centrally available resources seem just sufficient for maintaining the HELP platform, but not enough to modernize, update and expand the e-learning tools of the HELP platform.

All interviewees agreed that the action was managed well and appreciated the cooperative and participative spirit of the HELP team in Belgrade and Strasbourg. Some tutors complained that when technical issues would emerge, IT support from the HELP platform was not always immediately available. This should be seen in the light of the increased number of courses managed by the HELP secretariat without extra staff during the pandemic.

Some tutors highlighted that there was a significant time gap between the TOT and the actual start of their mentoring assignments, and that some knowledge may have faded. This is related to the fact, that ToT participants are selected by National Training institutions and Bar Associations to be added to their pool of HELP tutors and to be called upon when needed.

The HELP platform is financed by the Council of Europe’s core budget and is also used for some internal CoE training, although it is less widely used by other departments.

The evaluation found that the platform is tailored to provide data and information for single courses, however, it is not possible to automatically extract aggregated data for several courses, for example, all courses in the Western Balkans. This limits the analytical ability of the HELP team to observe patterns and learn lessons beyond a single course. It could only be done by extracting, manually sorting, and analyzing the data outside the HELP platform adding an additional workload to the HELP project team.

This might be also the reason why a longer-term evaluation of use of skills learned through HELP by the project team was not repeated within the current action’s lifetime. Additionally, the HELP platform does not currently offer the possibility to disseminate this kind of surveys and an additional effort by National Focal points and Info Points is necessary to reach past participants for this purpose.

Overall, the centrally available resources are just enough for maintaining the HELP platform in its current state, but insufficient for modernizing, updating and expanding the e-learning tools.

Finding 13: Cooperation with other Council of Europe projects was extensive and enabled more HELP courses to be offered on a wide range of topics, as HELP was the only readily available e-learning tool during the COVID-19 pandemic.

HELP is easily adaptable and scalable. During the pandemic, a wide array of CoE departments requested and used HELP to make the CoE standards available in an easy, practical, tested digital format. As a result, a third of HELP courses (50) in the Western Balkans were developed and delivered in co-operation with other departments and projects of the CoE. Most cooperation took place on/with:

Table 6: Number of courses delivered with other CoE projects

Topic	Project name	Nr
Preventing and combating trafficking in human beings		8
	HF Preventing and combating trafficking in human beings in Bosnia and Herzegovina	2
	HF Preventing and combating trafficking in human beings in North Macedonia	3
	HF Preventing and combating trafficking in human beings in Serbia	3
HF II Regional - Enhancing penitentiary capacities in addressing radicalization in prisons		7
VC Reinforcing the fight against violence against women and domestic violence (Phase III & II), Kosovo		6
SOUTH-EAST EUROPE Horizontal Facility: Freedom of Expression and Freedom of the Media (JUFREX 2)		6
HF Promotion of diversity and equality in North Macedonia		4
HF Supporting enhanced access to higher quality Free Legal Aid services in North Macedonia		4
HF Strengthening effective legal remedies to human rights violations in Serbia		4
HFII - Improved procedural safeguards in judicial proceedings in Montenegro		3
Total		50

The evaluation also looked for further synergies with other CoE projects beyond the delivery of HELP courses. According to CoE staff, wider synergies were achieved at a strategic level by optimising resources with other relevant CoE projects and activities in the region. The evaluators found that an example where wider synergies could be expected beyond the wide cooperation on delivering new HELP courses was the CoE's Judicial Training Institutes for Quality and Sustainability project, as all HELP training institutions for judges and prosecutors were partners in both interventions. The project carried out several activities that could have created synergies for the integration of the HELP e-learning methodology, but only one interviewee (a National Focal Point) mentioned to have used this one of these projects result in relation to its HELP efforts. A positive potential could be to promote with the NFPs the larger picture and the synergies envisaged in the digitalisation of judicial training with other relevant Council of Europe projects, in order to encourage them to be more proactive in better integrating the HELP methodology.

Finding 14: The distribution of participants by target group benefiting from HELP underlines how much HELP in WB is driven by the national training institutions and bar associations. Not all Beneficiaries train a balanced number of the different legal professions, in particular lawyers are trained less with HELP than judges and prosecutors.

The proactive use of HELP by the North Macedonian Bar Association has led to lawyers in North Macedonia benefiting more from HELP than any other target group.

It is difficult to establish the exact distribution of participants by target groups of HELP in WB, as the received data includes several mixed groups. Still, the even cursory analysis underlines how much HELP is driven by the needs of the national training institutions and bar associations.

Table 7: Distribution of target groups

Beneficiary	Candidates	Judges & Prosecutors	Justice professionals (mixed)	Lawyer s	Mixed justice proff& other	Other	Law students	trainee lawyers	Total
Albania	40	81		128		25	23		297
Bosnia and Herzegovina	20	243	138			64	43		508
Kosovo		14	147		33	23	53		270
Montenegro		275		26		60	96		457
North Macedonia	382	156	67	1707	39	46		116	2513
Regional		23	241	29	143				436
Serbia	101	247		73		51	155		627
Total	543	1039	593	1963	215	269	370	116	5108

The *lawyers/attorneys from North Macedonia* represent the single largest enrolled group. This is due to the Bar Association using HELP courses strategically and is currently introducing mandatory training for lawyers at law. Out of all enrolled participants, lawyers from North Macedonia have a share of 33% of enrolled participants. In BiH and Kosovo there are no specific courses for lawyers. If one discards the North Macedonia data, many more judges and prosecutors are trained in the other Beneficiaries than lawyers with around 5% enrolled participants. Considering their importance in changing the actual legal practice, this might need some wider action by CoE to promote (mandatory) continuous training for lawyers more widely across the region.

Judges and prosecutors are the second largest target group benefitting from HELP with a share of 20% (and possibly more as their exact number cannot be established in the mixed groups).

Candidates (including trainee lawyers from North Macedonia) represent 13% of the enrolled participants. The numbers vary a lot across countries and again North Macedonia is using HELP most in this regard (more than half of the candidates are trained in North Macedonia).

In five out of six Beneficiaries *law students* (7% of enrolled participants) were also benefitting from a total of 14 HELP courses, on a variety of topics, one of them being an Introduction to the ECHR and the success rates of law students are very high. The evaluation team could not establish how well the training needs of students in specialized and tutored HELP courses was assessed. The South East European Law School Network is only an observer in the Steering Committee; thus, they do not shape the HELP WB action. Still, it seems important to embed the HELP courses on the European Human Rights framework into the education of law faculties in the region.

Other professionals, namely prison and probation staff, have also benefited from HELP courses across the region. One course each was organised for labour inspectors and lawyers, as well as for Police Inspectors and the law enforcement unions.

Finding 15: Despite the high level of satisfaction with the HELP courses, two thirds of respondents said that they did not have enough time to attend the HELP courses. The training material is very rich, and although it is of high quality, it takes time to digest, which many professionals don't have. This is particularly true for judges, who are often involved in a major judicial reform process.

Despite the high overall satisfaction with the HELP courses, 68% of survey respondents stated that the completion of the course required more time than they had available. The respondents from North Macedonia were the least affected (59%) since their expectations also seem to have been managed better than others. The respondents from Bosnia and Herzegovina found it the hardest to dedicate sufficient time to HELP courses (87%).

Lesson Learned:

Better communication of HELP courses and their benefits in terms of justice reform priorities and reducing competing priorities

As the attention of legal practitioners and their hierarchy is captured by the EU integration process and ongoing judicial reforms, time investments that do not directly serve this purpose are not always prioritised.

Rather than introducing more incentives to attend and complete HELP courses, as suggested by interviewees, another way forward could be to better inform potential participants about the benefits of HELP courses in relation to justice reform priorities.

Therefore, HELP and national training institutions and bar associations missed an opportunity to make the benefits of HELP courses more visible in relation to EU accession priorities or other justice reform priorities.

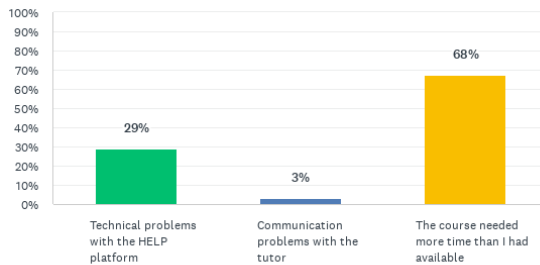
An additional way of approaching this is that the Council of Europe could work on the legal requirements for time spent on training; it could work on the CEPEJ indicators on human resources and efficiency of the judiciary, which in the long run would reduce the workload and free up time/mind space for training.

This may have increased the time commitment. However, as the HELP WB action was implemented during the COVID-19 pandemic, the focus of the HELP team was on meeting the highly increased remote training needs of legal professionals during the COVID-19-pandemic together with other Council of Europe departments, which is fully justified.

Respondents from Montenegro and Kosovo reported the highest number of technical problems with the HELP platform (49% jointly), and those from North Macedonia follow, with 38%. Male respondents had more technical problems with the platform (33%) than women (25%). In Albania, 8% of respondents had communication problems with the tutors.

Figure 8: Technical problems

Q22 Which were the main technical problems that you have encountered?



When looking at the different categories of legal professionals, the judges seem to feel the time pressure most acutely - 79% say they did not have sufficient time. One of the reasons, is likely the deep justice reform in the region, which disproportionately engages judges.

The fact, that the courses take more personal time than available was mentioned in several interviews

with participants and tutors. Some tutors blamed the high number of materials in the modules for a high number of dropouts. But others highlighted the convenience of the HELP courses in terms of selection of the materials and time-management.

Quotes:

“Twelve of them (participants) never registered on the platform. Another reason for drop out is the load of material and the length of the course. I think the course was too long, almost three months, because there were six modules and two weeks between and there was a vacation or holiday time in summer.”

- Tutors from Serbia, Bosnia and Herzegovina and North Macedonia

“The material is already selected by others, you don’t need to lose your time by navigating to websites, for those who have daily work and are busy, it is useful to have selected materials presented to people in a certain frame that they can navigate in.”

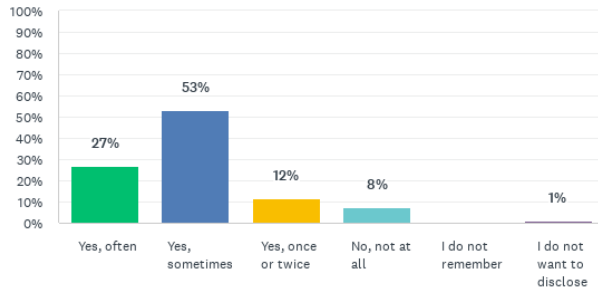
- Tutors from Albania and Kosovo

The review of one blueprint HELP course material (Ethics, English version, see annex 6.8.) by the evaluation team, confirmed the richness and quality of the provided teaching materials. Yet, their sheer volume raised doubts about the feasibility for using all these sources in the timeframe foreseen for a specific module. This review also found that the materials required for the completion of the module are often not signposted.

This might explain why the majority of participants uses course materials after they have completed the training sometimes (53%) and one third often (27%) and some interviewees reported to use it as a regular working tool. Judges are reverting to the materials more often than all other legal professionals: 44% often and 41% sometimes. Male respondents have significantly less often reverted to materials and 18% stated that they never reverted to it.

Figure 9: Use of material

Q19 Since the training, have you reverted to the materials distributed to you?



This all points to a need to strike a balance between the quality and richness of the teaching materials, and the availability of the personal time of the course participants. This is also linked to the regional context of EU accession and the ongoing justice reforms which all create competing priorities for

legal professionals.

The overall completion rate of the HELP courses is high, with 75%. However, there are large variations between individual courses and countries. These variations are certainly due to several individual factors. Yet, it may still be advisable to review the courses with lower completion rates to see whether the amount of required materials affects its completion rate.

3.4 Sustainability

Evaluation Question 4a: To what extent can it be expected that the Beneficiaries' Judicial Academies, Bar Associations, and other legal professional bodies will continue to use and further update the developed training materials?

Finding 16: The degree to which HELP courses are integrated into annual training programmes varies. Each Beneficiary has its own specific context and challenges that affect its ability to integrate HELP training and, in particular, its prospects for continuing to use and update the training materials developed. There are good practices to be shared within the HELP network on the strategic use of tutored HELP courses in terms of integration, but not in terms of further development of course materials.

As described under the effectiveness chapter, the proactiveness of the national training institutions to use and integrate HELP courses and its methodology into education policies and programmes was a core internal assumption of the project. According to document review and interviews with Focal points, HELP courses are integrated into the annual training programmes to a varying extent and degree. **It is important to differentiate between institutions which include a HELP programme specifically into the annual programme and those who integrate it as part of mandatory training (usually the initial training).**

Country	Part of the initial programme / candidates	Number of HELP courses included in annual training programme	Number of all HELP courses conducted
Albania	no	1	11
Bosnia and Herzegovina	yes	18	27
Kosovo	no	0	10

Montenegro	no	4	12
North Macedonia	yes, compulsory	8	56
Serbia	yes, compulsory	9	24
Total		40	140

Each domestic training actor operates in its specific context and faces distinctive challenges, which influence their ability to integrate HELP trainings, and the prospects for its continued use and further update of the developed training materials.

In Albania, the training institution is currently focussed on educating candidates as the current reform of the vetting process has removed a high number of judges and prosecutors. The training institution has to double the number of magistrates. Five days of continuous training for in-service judges is mandatory. Analysing the data on the HELP courses conducted in Albania reveals that the training institution uses HELP mainly for continuous training. There might be an opportunity to enlarge the cooperation on basic courses for candidates as the training institution has upgraded one of its course rooms to be able to hold HELP courses with a larger number of participants.

In Bosnia and Herzegovina, most HELP courses have been integrated into the annual programmes of the entity level judicial training institutions as an integral part of both continuous and initial training, and most conducted courses are related to continuous training. The Introduction to ECHR course is part of the initial training. The training institutions plan HELP courses annually, jointly with the HELP in the WB action and include them into their annual programme. Lawyers are usually invited to participate in most courses.

In Kosovo, none of the HELP courses were integrated into the training Institution programme. This was explained by problems with making it mandatory due to alleged methodological divergencies from other, regular courses. The institution is aware that they need to tackle continuous training, which would require clearer procedures. In the past, HELP supported the institution in shifting to a Moodle platform, but the capacity gaps remain the usage, delivery, and updating of the existing courses and in developing the new ones. Additionally, the concept of a tutor/mentor as opposed to a teacher or professor is still new, and not yet integrated into policy. These are issues that HELP or the CoE could address.

In Montenegro, the training institution also develops the annual programme of HELP courses jointly with the CoE HELP in the WB action team. Topics are chosen based on needs assessment by the JTC. HELP courses are integrated into continuous training, not in the initial training. Montenegro has only around 300 judges and 200 prosecutors, but there are a lot of advisors to courts and prosecutor offices (including trainees and interns), who are also being trained by the training institution. The candidates are always informed and can participate if they choose. The training institution has also started to regularly invite lawyers to attend HELP trainings through the Bar Association. The data shows, that Montenegro is using HELP also for law students from law faculties.

As already mentioned above, both the judicial training institution and the bar association in **North Macedonia** use HELP as a strategic tool in their education programmes. The interviews and the data clearly show that the training academy uses two courses as compulsory parts of their initial programme (Introductions to ECHR and Anti-discrimination) and trains the highest number of candidates in these courses throughout the Western Balkan countries. The data also shows that the non-mandatory courses offered to candidates include mainly new and current issues. All courses offered as part of the continuous training are part of the domestic annual programme.

In **Serbia**, one HELP course for candidates is compulsory and two other courses for candidates are included in the domestic annual program. The training Academy has integrated a minimum of 6 modules of HELP courses to be obligatory as part of the initial training for candidate judges and prosecutors. Two HELP courses were part of the domestic annual programme in the continuous trainings. HELP is also used for students from the law faculty and is according to the data provided integrated into the annual program. There is a clear expectation towards the HELP in the WB action to take responsibility for updating in the future existing courses.

In the region, **continuous training of the lawyers is seldom prescribed by law**. Mandatory training for lawyers exists only in Kosovo, and should be soon started in North Macedonia, with the adoption of a new law. The capacities of bar associations to conduct trainings vary significantly across the region.

Bar Associations: Lawyers mandatory/non mandatory continuous trainings	
Albania	no, except for child justice
Bosnia and Herzegovina	no, except for child justice
Kosovo	yes
Montenegro	no
North Macedonia	no, in practice yes (new law on continuous training to be adopted)
Serbia	no

Overall, bar associations use HELP courses rarely compared to judicial training institutions, with North Macedonia being the only exception.

Albania: The bar association is required by law to draft special curricula and organize training activities for lawyers who are part of the legal aid list. According to the Juvenile Justice Code and the law of legal profession, the bar association is also in charge of providing training for lawyers on juvenile justice. The bar association decided to use HELP courses after the coordination with the Ministry of Justice failed. They also created a mini training on how to use HELP online courses for lawyers in training. Overall, five HELP courses were conducted for lawyers.

Bosnia and Herzegovina: The bar associations are organized at the entity levels. Trainings are not mandatory, except for working with minors. Both interviewees spoke about difficulties in attracting lawyers to attend HELP courses due to low interest and insufficient time. The bar associations have a good cooperation with each other and with the judicial training centers. The data shows that neither have organized HELP trainings in the past. One Info point mentioned that it is also difficult to find lawyers as HELP tutors.

It was not possible to conduct an interview with the HELP Info points from **Kosovo** and **Montenegro** due to their schedules. An analysis of their websites show that the Montenegrin Bar Association is actively involved in two projects to provide training/a legal clinic for law students. HELP also provided two courses for a legal clinic in Montenegro in spring 2022. The Bar Association in Kosovo has a training centre which organizes mandatory training for lawyers (AVLO) and other specialized training and has its own ToT and Quality system. It also cooperates closely with the Judicial Training Institution. The bar association has organized two HELP courses in 2022.

Good practices:

Strategic use of HELP to progress the justice reform in North Macedonia and in Bosnia and Herzegovina

North Macedonia is using HELP as a strategic tool in its overall justice reform process. It is being used systematically in the Justice Academy, but also by the Bar Association. The continuous education for lawyers at law is part of the judicial reform strategy 2017-2022. A new law on this is expected to be adopted soon. According to the Bar Association 1.200 lawyers have successfully completed the courses with an average success rate of around 80%. The Bar Association has also run an additional HELP TOT, to expand the capacity of the Bar to hold more courses.

The training academy has integrated HELP courses as a compulsory course into the initial training. It has implemented 16 HELP courses with 600 justice professionals successfully completed. Target groups were mainly judges and prosecutors, but also included court advisers, prosecutorial staff, NGO members and institutions. However, the focus is on the candidate judges and prosecutors to ensure that the new generations are well trained in the ECHR.

“The main goal of the courses is to upgrade knowledge and skills of legal professionals in order to implement European standards”

- Focal Points in North Macedonia

In Bosnia and Herzegovina nearly every HELP course is part of the annual training programme (18 out of 22 HELP courses since 2019). Courses are mainly used in continuous training and the planning is done jointly with the HELP in the WB action project team.

Albania: According to the Juvenile Justice Code and the law of legal profession, the bar association is in charge of providing training for lawyers on juvenile justice. The bar association decided to use HELP courses after the coordination with the Ministry of Justice failed. They also created a mini training on how to use HELP online courses for lawyers in training.

Finding 17: Tutors are the most important element in adapting the existing HELP curriculum to the local context. Their expertise has not yet been fully tapped: they could contribute to further updating the course materials. As not all of them are affiliated to or part of national training institutions, this expertise needs to be documented in order to be available in the future.

A large majority of survey respondents stated that they re-entered the HELP course after completing the course. There are no significant differences depending on gender, but judges have re-entered the HELP course more often than other legal professionals with 71%. Also, 72%/73% of survey respondents from North Macedonia/Bosnia and Herzegovina have re-entered the course after completion, but only 52% of respondents from Serbia. Unfortunately, it is not possible to complement this picture with statistics from the HELP Platform itself as it is not possible to extract overview data across several HELP courses. The interviews with 13 HELP tutors show that their ownership of the tutored HELP courses is high. Several HELP tutors are also Focal and Info Points for HELP in the WB or affiliated to or part of the national training institutions¹³.

¹³ The list of certified HELP tutors available does not include their affiliation to training institutions, so this assessment is based on the tutors interviewed.

The tutors are the most crucial element to tailor the existing HELP blueprint to the local context, legislation and target group and therefore actively adding new ECtHR judgements. However, often the lack of translation of the judgments of the European Court of Human Rights in the local languages was a problem. Some tutors opined that they might be involved more and asked to develop the modules by providing relevant examples based on the experiences of their countries.

Quotes:

“It's very important is to take concrete cases from the jurisprudence of the European Court of Human Rights, which preferably are the cases of our country, and to look at how these are solved, where the problems were, what the judgment says and what should be done, etc.”

“Maybe the tutor can help to make the modules more local, for example, I could make an input regarding the situation in in [my country], some constitutional court cases or some legislation, how can we change them, how to push them and to be more active.”

- *Tutors*

4 Conclusions:

The Council of Europe HELP in the Western Balkans action was implemented during the COVID-19 pandemic between December 2019 and December 2022. It was the only readily available tool to train legal professionals online while all face-to-face education ceased for nearly two years. The inability to conduct some planned project activities across other Council of Europe departments due to the pandemic created savings, which the HELP team used to quadruple the number of courses, adapt them to the domestic context, and translate them into local languages. The HELP methodology of self-paced learning through an online platform, with a local tutor adapting the HELP blueprint to the domestic legal context, has made HELP in the Western Balkans highly relevant.

Since the project partners participated actively, the course topics courses made available for legal professionals and selected by Beneficiaries were highly relevant and met their needs well in terms of a better application of Human Rights standards and the ongoing judicial reform agendas. More than 5000 legal professionals have been educated to apply ECHR human rights standards and fundamental rights, and the evaluation has found indications that some apply this knowledge in their legal practice. The trained legal professionals are aware of the necessity of a paradigm shift towards a human rights-based and people-centered (especially victim-centered) approach and have reported to have gained the necessary skills to apply this in their work. Interviewees have reported to have changed their own attitudes and behaviors after a HELP course. They also stressed that there are limited opportunities to implement European human rights standards in their work, and they identified the need for follow-up discussions on the standardized and unified application of human rights standards transferred through HELP in practice. The responsibility for these follow-up discussions and activities sits clearly with the national training institutions, bar associations and Ministries of Justice. Facilitating these discussions is one of the preconditions for an effective and coherent application of European standards for the protection of fundamental human rights in the daily work of legal professionals.

Though the number of women in the HELP courses is impressive, with 63% overall, this largely reflects the gender balance in the Western Balkans region in the justice sector, which is predominately female. Gender has been mainstreamed in the design of the project and the Action has provided two specific HELP tutored courses on women's rights issues. Unfortunately, the take-up of these courses by Beneficiaries is uneven. In this regional, generally conducive context, there is an opportunity for all stakeholders to ensure women's human rights are more evenly addressed.

Though HELP became a flagship e-learning tool for legal professionals during COVID-19, awareness is still insufficient and uneven. The judiciary is digitalizing, but the learning culture is still face-to-face: National Training Institutions and Bar Associations need to better address this dichotomy. The capacity of training institutions will be key to proactively use HELP and further update and develop HELP material in the region. The law faculties are also an underused vehicle for HELP.

The HELP methodology increases its cost-effectiveness when implemented in large numbers. It is the most efficient way of working to achieve the HELP mandate with a remarkably low cost per participant. Therefore, the HELP methodology and possible local refinements provide an ideal tool to contribute to the long-term change towards digitalization.

The evaluation identified a great variation in proactiveness to use and integrate of HELP courses by national training institutions, bar associations and universities. The main reasons for these variations are:

differing capacities and openness to absorb an e-learning tool; differences in laws and rules mainly for continuous training for judges and prosecutors and missing mandatory legal education for lawyers at law in most Western Balkan countries; different approaches towards HELP as a tool for supporting judicial and justice reforms; and the absence of universities and law faculties from the regular HELP network of Focal Points in the Western Balkans.

Not all Beneficiaries trained a balanced number of the different legal professional groups, in particular lawyers are less trained with HELP than judges and prosecutors. As training of all three main legal professional groups is essential towards a coherent application of Human and fundamental rights, the Council of Europe could address the wider context of the varying regulations on compulsory training for lawyers and continuous training of judges and prosecutors and thus augmenting HELPs impact.

The evaluation identified several factors, which reduced the potential impact of HELP in the region: mismatch between what possible participants assume about HELP course content in relation to justice reform agendas and/or EU accessions; uneven and not sufficient regulations on continuous training for judges, prosecutors and in particular for lawyers; and the benefits of e-learning needs to be better promoted by national training institutions to legal practitioners who have not yet participated in HELP-taught courses. This is also relevant in the framework of the general move towards the digitalisation of Justice and legal education. Overall, the HELP in the WB action needs to consolidate what was achieved and deepen the support for national training actors to ensure its sustainability and augment its impact.

Therefore, the conclusion is that most of the partners are not fully able and proactive to use and further update the developed training materials. The key focus of HELP in the Western Balkans in the future is to focus on assisting the domestic actors to fully integrate HELP courses.

These conclusions lead to the following recommendations to DG1 and the HELP in the Western Balkans project team, in cooperation with the national training institutions and bar associations:

- 1) Focus on enabling a fuller integration of HELP into annual programmes of national training institutions. There are successful and good practices on the strategic use and integration of HELP to share within the HELP Western Balkans HELP Focal Points and Info Points.
- 2) Update, refine and adapt existing HELP tutored courses in the region. Benefit from the expertise of local HELP tutors to document their expertise on tailoring and updating courses.
- 3) Develop jointly with Focal points and Info points communication on the benefits of HELP courses in terms of EU accession and e-learning and disseminate this among legal professionals
- 4) Augment HELPs effectiveness and impact by:
 - addressing the wider context of compulsory training for lawyers in the region
 - Continue to promote HELP as a cost effective and proven tool to advance the digitalisation of judicial education in the region
 - Continue to link HELP in its new format with Council of Europe offices and other relevant regional facilities supporting the judicial and justice reform processes in the region.
- 5) Encourage and advocate for follow-up discussions organised by local institutions with HELP alumni aiming on the effective and coherent application of European standards for the protection of fundamental and human rights in their daily work.
- 6) Strengthen the ability of the new HELP in the WB to learn and improve by:
 - Reviving the practice of assessing longer-term effects and use of skills obtained through HELP courses

- Upgrading the analytical capability of the HELP platform for issues cutting across several courses
- Optimising the planning and resources for future evaluation

5 Recommendations

Nb	Priority	Recommendations	Addressees	Timeline	Benefit	Related Findings
1.	high	Focus enabling a fuller integration of HELP into local judicial training. This includes facilitating expertise on ways on how to integrate the HELP adult learning methodology and how to further update training materials and is closely linked to recommendations 2 and 3.	DG1, HELP team, national training institutions & bar associations	Continuous	After the very relevant response to the COVID-19 pandemic, focusing on strengthening the capacities of national training institutions will consolidate the success and ensure sustainability of the action.	6,7,15,16,17
<p>Points to consider:</p> <ul style="list-style-type: none"> • Asses in detail the capacities, challenges and opportunities for each local partner on the processes of integrating HELP e-learning, updating HELP modules and integrating HELP trained tutors in these processes • Facilitate more peer learning among the partners to exchange on these topics and successes of the proactive and strategic use of HELP within the region • Jointly explore if refinements of the current mix of in -person and online sessions are necessary to use HELP to reach legal professionals who have not yet been convinced to take an e-learning course • Explore if and how to include more systematically universities/law faculties in the HELP in the Western Balkan action 						
2.	high	Develop jointly with Focal points and Info points communication on the benefits of HELP courses in terms of EU accession, ongoing justice reforms and e-learning and disseminate this among legal professionals	DG1, HELP team, Focal Points and Info points	Continuous	Better communicating the HELP benefits will ensure that the relevance of HELP in the Western Balkans region remains high.	1,2, 10,15
<p>Points to consider:</p> <p>Summarize for example in a leaflet:</p> <ul style="list-style-type: none"> • The current context of digitalization of the Judiciary and judicial training in Europe 						

<ul style="list-style-type: none"> the benefit of self-paced learning and the interaction with a tutor, fitting well into the busy schedules of legal professionals in the systems that are undergoing significant justice reforms. The double benefit of HELP in terms of ECHR and EU accessions Consider expanding the audience of this communication to Ministries of Justice Consider to use the support of a communications expert to ensure the messaging is well tailored to the target audiences 						
3.	medium	Update, refine and adapt existing HELP tutored courses in the region Benefit from the expertise of local HELP tutors to consolidate and refine the existing locally adapted HELP courses.	HELP team	Continuous	Using the capacities of local tutors will ensure the relevance and innovation of HELP courses.	1, 7, 9, 10, 15,17
<p>Points to consider:</p> <ul style="list-style-type: none"> Hold regular meetings with local tutors with the goal to exchange on good practices and to refine existing HELP courses More systematically signpost what material is mandatory and what is for additional reading. Explore the feasibility of shorter more summarized courses for judges Establish a checklist/guidance for adaptations needed based on type of legal professional Systematically review courses with low success rates for amount of material included Explore the possibility to develop a general blueprint on how to deliver a few modules of HELP courses in person (blended courses possibly conducted by national training institutions) Explore if National Training institutions wish to enhance already implemented courses in terms of EU accession 						
4.	high	Continue to link with the wider context in the region like the move towards digitalisation, governing rules of compulsory continuous training and ongoing judicial reforms.	DG1, HELP team, relevant other CoE departments	Continuous	By focussing on the wider context in terms of compulsory training for lawyers, the cost-effectiveness of HELP and its proven approach to e-learning for legal professional will positively influence the impact of HELP.	2,4,5,6,8,9,13,14
<p>Points to consider:</p>						

<ul style="list-style-type: none"> • Address the wider context of compulsory training for lawyers in the region • Continue to promote HELP as a cost effective and proven tool to advance the digitalisation of judicial education in the region • Continue to link HELP in its new format with Council of Europe offices and other relevant regional facilities supporting the judicial and justice reform processes in the region. 						
5.	high	Encourage and advocate for follow-up discussions and activities with HELP alumni aiming on the effective and coherent application of European standards for the protection of fundamental human rights in their daily work.	HELP team by encouraging and assisting National training Institutions and ministries of justice	Continuous	Facilitating after HELP follow-up activities to discuss the coherent application in daily work will ensure sustainability and contribute to the overall goal of a better implementation of ECHR standards in the region.	4, 5
<p>Points to consider:</p> <ul style="list-style-type: none"> • Consider offering HELP courses to Ministries of Justice staff to raise awareness about the opportunities HELP offers to standardise legal practice and reducing the number of Court cases with ECTHR. 						
6.	medium	Revive the practice of assessing longer-term effects and use of skills obtained through HELP courses	HELP team	Continuous	A continuation of the practice of assessing longer-term effects of the HELP trainings would be useful for future accountability and to further promote the benefits of HELP.	4,12
<p>Points to consider:</p> <ul style="list-style-type: none"> • Use the existing longer-term assessment and questionnaire and update it if necessary based on relevant CoE publications such as the 'Assessment of the existing systems/mechanisms for evaluation and impact of human rights training Recommended methodologies and tools' https://rm.coe.int/methodology-for-evaluation-of-hr-training-eng-/1680a2732f • Take into consideration National training institutions existing efforts to assess the impact of their trainings 						
7.	high	Strengthen the analytical capability of the HELP platform for issues cutting across several courses.	DG1	2023	Improved analysis capabilities of the HELP platform will enhance the ability of the HELP team to	8,12

					identify issues that are common to several HELP courses and to reduce the workload currently necessary to keep track of its progress.	
<p>Points to consider:</p> <ul style="list-style-type: none"> • Analysis needs to be possible across courses for the following: <ul style="list-style-type: none"> ○ User accessing the course materials for ongoing and closed courses ○ Data on gender of enrolled and successful participants ○ Each question of the exit training questionnaire • Using the platform for regular questionnaires to assess longer term- effects and use of skills obtained through HELP courses (see recommendation above) 						
8.	high	Optimise the planning for future evaluations	DG1	End of new HELP format	Improved planning ensures maintaining methodologically sound and useful evaluations.	Introduction - Challenges, limitations, and remedies
<p>Points to consider:</p> <ul style="list-style-type: none"> • The budget set aside for evaluations should be 1% of the overall project budget • If resources are lower and/or a limited timeframe sufficient consideration should be given to prior preparation: <ul style="list-style-type: none"> ○ preparation by the commissioning CoE project encompasses substantive and logistical support, survey translation, interpretation, communication management with beneficiaries and survey/focus group participants. ○ national training institutions could be more closely included in the evaluation to serve as contact points to participants and owner of evaluation recommendations 						

6 Annexes

- 6.1 TOR of the evaluation**
- 6.2 Bibliography and list of documents reviewed**
- 6.3 List of interviewees**
- 6.4 Questionnaires (semi-structured interviews and Focus Group Discussions) with details on reliability and validity**
- 6.5 Evaluation Matrix**
- 6.6 Overview of course topics delivered under the HELP in the Western Balkans action**
- 6.7 Analysis of course topics selected per Beneficiary (all and in relation to EC enlargement package)**
- 6.8 Analysis of participation of female participants**
- 6.9 Review of the Ethics for judges, prosecutors and lawyers HELP course by one of the evaluation experts (English version)**
- 6.10 Online survey results with details on reliability and validity (PDF)**

6.1 Terms of Reference of the evaluation

Introduction

This document sets out the terms of reference for an evaluation of the Horizontal Facility II HELP in the Western Balkans action. The Project provides legal professionals from the six Beneficiaries of the Western Balkans with training on the European Convention on Human Rights (ECHR) and the European Social Charter (ESC). The evaluation is an end-of-project evaluation with the main purpose of i) assessing potential impact of the action, and ii) identifying lessons from the implementation of the project for possible HELP continuation in the Western Balkans and other countries.

The TOR provide background information about the project before describing the evaluation purpose, objectives and scope, evaluation criteria and questions, evaluation methodology as well as the qualifications of the evaluator.

The Horizontal Facility II HELP in the Western Balkans action

The project HELP in the Western Balkans (EU-JP/2412) was implemented over 37 months, from December 2019 to end December 2022. It has a total budget of EUR 893,000. The project that is the object of this evaluation is the third phase of an ongoing action. It built on the results of the HELP in the Western Balkans and Turkey - Phase I (April 2016 to Sept 2017) and HELP in the Western Balkans - Phase II (Dec 2017 to Nov 2019).

The project is a part of the joint European Union and Council of Europe programme “Horizontal Facility for the Western Balkans and Turkey 2019-2022”, which enables beneficiaries to meet their reform agendas in the fields of human rights, rule of law and democracy, and to comply with European standards, including, where relevant, within the framework of the EU enlargement process.

The objectives of the ‘HELP in the Western Balkans’ action are to contribute to a more efficient and effective application of fundamental rights standards at the domestic level by:

- ▶ enhancing the capacity of legal professionals for an effective and coherent application of European standards for the protection of fundamental human rights in their daily work;
- ▶ strengthening the capacity of national actors such as national training institutions for judges and prosecutors, Bar Associations and universities to provide high quality training in the field.

The action “HELP in the Western Balkans” in cooperation with key domestic actors, develops and implements a variety of online courses focusing on the fundamental human rights for legal and other (justice) professionals Albania, Bosnia and Herzegovina, Kosovo¹⁴, Montenegro, North Macedonia and Serbia.

The project uses innovative e-learning technology to enhance national and cross-border trainings: one (1/1.5 day) face-to-face event is held for course participants and then they are in communication online thanks to the CoE HELP platform and guided by the HELP tutor during the implementation of a HELP course (2-3 months, depending on the length). The ultimate goal of the HELP in the Western Balkans project and the HELP Programme in general is that National Training Institutions for judges and prosecutors and Bar Associations fully integrate the courses on European standards in their initial/continuous training programmes. This aims to ensure ownership over the national versions of the courses and sustainability of the initiative.

The project is managed by a project team of two persons, based in CoE Belgrade office, under the supervision of the HELP Secretariat in Strasbourg.

Evaluation Purpose

The evaluation is an end-of-project evaluation. It is commissioned by the Council of Europe, with the support of the Horizontal Facility II and European Commission DG NEAR.

The HELP Programme Secretariat, Horizontal Facility II and DG NEAR are the key stakeholders of the evaluation. Furthermore, the evaluation audience includes Council of Europe project team, EU Horizontal Facility donor as well as the Beneficiaries’ Judicial Academies, Bar Associations and other legal professional bodies.

The evaluation process will be guided by the Evaluation Guidelines and other relevant instruments, such as the Council of Europe Gender Equality Strategy 2014-2017.

Evaluation Objectives and Scope

The objectives of the evaluation include the following:

1. To assess the relevance of the Action in the context of the Western Balkans
2. To assess the efficiency and effectiveness of the methodology used by the project;
3. To assess how the results were achieved by the project;
4. To estimate the degree to which the project’s outputs are sustainable in the future; and
5. To assess the degree to which gender has been mainstreamed by the project.

The scope of the evaluation will cover the HELP in the Western Balkans Action from December 2019 to end December 2022 in the following Beneficiaries: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia.

¹⁴*All references to Kosovo, whether 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.

Evaluation Criteria and Questions

The evaluation will assess the project against the criteria of **relevance, effectiveness, efficiency, and sustainability**. It will provide answers to the following evaluation questions:

1. To what extent does the selection of course topics reflect the needs of Beneficiaries (Relevance)
2. To what extent has the project achieved its expected results? What have been reasons for achievement and lack thereof? (Effectiveness)
3. To what extent has gender been mainstreamed in project design and implementation? (Effectiveness)
4. To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources? (Efficiency)
5. To what extent can it be expected that the Beneficiaries' Judicial Academies, Bar Associations and other legal professional bodies will continue to use and further update the developed training materials? (Sustainability)

Methodology

The evaluation will use a mixed-methods approach to answer the evaluation questions. The proposed methodology includes the following methods:

- Document review of project documentation;
- Review and secondary analysis of the surveys and feedback questionnaires available from project activities
- Semi-structured interviews with programme management team, and a selection of tutors, representatives of Beneficiaries' Judicial Academies, Bar Associations and other legal professional bodies, trained trainers. The selection criteria will be proposed by the evaluator and agreed in advance with the HELP in the Western Balkans team. (The sample will include at least 12 persons ensuring geographical balance and at least 7 being either directors or decision makers in the Justice Academies and HELP focal points, 1 representative from the CoE and 1 from the EU).
- develop and conduct an online survey of legal professionals and others trained through the project (contact details to be provided by the project team).

The evaluation will be conducted in accordance with the **Evaluation Guidelines**. The evaluation process will be participatory, as it will be guided by a reference group, which will provide comments on draft documents related to the evaluation and discuss the feasibility of the implementation of recommendations. The reference group will consist of key stakeholders of the HELP programme.

Qualifications of the Consultant

The consultant should have the **following qualifications** and competencies:

- An advanced university degree in evaluation, human rights law, social sciences or a related field;
- A strong record in designing, managing and leading evaluations in the context of international cooperation;
- An extensive knowledge of, and experience in applying standard evaluation principles, qualitative and quantitative evaluation methods;
- Familiarity with human rights training;
- Ability to draft concise evaluation reports of high quality in English;
- Previous work experience in the Western Balkans; and

- Independence and absence of conflicts of interests.

The following competencies will be considered an asset:

- Proficiency in at least one Beneficiaries' language;
- Previous experience in evaluating training programmes;
- Knowledge of the role of the Council of Europe and its programming tools; and
- Knowledge of gender equality and human rights concepts.
- Experience with DG NEAR funded projects.

Workplan

The evaluation will feature an **inception phase** in which the evaluator will collect initial data and prepare concept note (**Deliverable 1**) including evaluation methodology and a proposed calendar.

During the **data collection phase**, the evaluator will carry out data collection online, with a possible option of a field visit to the project team office in Belgrade or HELP Secretariat in Strasbourg.

During the **analysis and reporting phase**, the evaluator will analyse the collected data and produce a draft evaluation report (**Deliverable 2**) not longer than 30 pages comprising:

- Executive Summary (maximum two pages)
- Introduction
 - Description of the intervention
 - Purpose of the evaluation
 - Evaluation methodology
 - Difficulties encountered during the evaluation
- Findings
 - Findings related to each evaluation question
 - Additional findings
- Conclusions
- Recommendations
- Lessons learned
- Annexes (including list of interviews and of documents reviewed, questionnaires, formats for semi-structured interviews, etc.)

The project management team and the reference group will have two weeks to comment on the factual accuracy, the relationship between findings, conclusions and recommendations, as well as the relevance, usefulness and implementability of recommendations. The draft evaluation report will also be quality checked by the Directorate of Internal Oversight (DIO). The evaluator will then have one week to submit the final evaluation report (**Deliverable 3**). The comments of the management team may be integrated into the final evaluation report or presented in the report as differing views.

The report will then be disseminated to the donors and all relevant entities within the Council of Europe Secretariat. The final report will also be published on DIO's website together with the management response.

The deliverables will be written in English.

Indicative Schedule and Budget

The estimated **duration of the contract** is from 1 October 2022 to 31 January 2023. The proposed timeframe and number of expected service days for the **evaluation phases** is as follows:

Activity	No. of days	Indicative deadline/timeframe
Desk review	2	October
Concept note	1	October
Data collection (including potential field visit)	12	October/November
Data analysis	5	November/December
Reporting (first draft)	7	09/1/2023
Final report	3	31/1/2023
Total no. of days	30	

NOTE: The final tranche of survey data for the last 15 training courses of this project will be available only after 10 December 2022. The proposed timeframe for the evaluation is designed to take this data into account.

The maximum budget for this evaluation is €15 000.

Evaluation management

The evaluation will be managed and facilitated by the HELP in the Western Balkans team in Belgrade with support from the HELP Programme Secretariat. The HELP team will provide the consultant with all documentation related to the project, with a list of stakeholders in Strasbourg and in the Beneficiaries.

The consultant will be responsible for logistics: his/her travel arrangements, interpretation and translation, administrative and secretarial support, telecommunications, printing of documentation, etc. and for the dissemination of all methodological tools (e.g. questionnaires and surveys).

Submission of methodological briefs

Service Providers are requested to submit a methodological brief outlining how they will approach this evaluation. Once contacted by CoE, Service Providers have up to 5 days to respond.

For the financial proposal, the prices shall be stated in Euros, and the amount of VAT shall be indicated separately. The proposed budget will include a breakdown of the costs per deliverable and per number of service days/consultant, including travel costs, interpretation costs etc.

The methodological brief shall contain a proposed methodology and a work plan for the evaluation, as well as the evaluation matrix.

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6.3 Questionnaires (semi-structured interviews and Focus Group Discussions)

A) Semi-Structured Interview Template for CoE staff

Interviewee(s):

Function(s):

Date of the meeting:

Interviewer(s):

Location: Online

In confidence

Introduction

Self-presentation by expert (name, function, specify independent expert hired to assess the results of the trainings – not CoE staff)

- Purpose of the interview: to understand how the training participants were affected by the trainings, what worked well, what did not work so well, and how to improve in the future.
- Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.
- What is necessary and valued is the interviewees' personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.
- The process ensures anonymity. Interview notes and recordings will not be shared. Your name does not need to appear in the notes, even if they are kept on my personal computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer with help of Otter software (which will appear in Zoom as a participant in the chat if they agree).

1. What is your role in the HELP programme?
2. How does the HELP course in (COUNTRY) fit within the overall architecture of the CoE's activities in this country and its reform agenda?
3. How relevant do you think the HELP was – the topics, the method, the target groups?
4. How was the project managed? Could an alternative method of delivery have been used?
5. What are the benefits of this HELP course for the participants? How do you think they may use the knowledge and skills acquired, and will they be able to use them?
6. How was gender mainstreamed into the design, implementation and monitoring of progress? Did this lead to specific results?
7. How have the national trainings institutions integrated the HELP courses into their initial/continuous training programmes?
8. If you could change something to the HELP programme in the future, what would it be?

B) Semi-Structured Interview Template for National Focal Points

Interviewee(s):

Function(s):

Date of the meeting:

Interviewer(s):

Location: Online

In confidence

Introduction

Self-presentation by expert (name, function, specify independent expert hired to assess the results of the trainings – not CoE staff)

- Purpose of the interview: to understand how the training participants were affected by the trainings, what worked well, what did not work so well, and how to improve in the future.

- Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.

- What is necessary and valued is the interviewees' personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.

- The process ensures anonymity. Interview notes and recordings will not be shared. Your name does not need to appear in the notes, even if they are kept on my personal computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer with help of Otter software (which will appear in Zoom as a participant in the chat if they agree).

1. What is your role in the HELP programme?
2. How does the HELP course in (COUNTRY) fit within the overall architecture of the CoE's activities in this country and its reform agenda?
3. How relevant do you think the HELP was – the topics, the method, the target groups?
4. How was the project managed? Could an alternative method of delivery have been used?
5. What are the benefits of this HELP course for the participants? How do you think they may use the knowledge and skills acquired, and will they be able to use them?
6. How was gender mainstreamed into the design, implementation and monitoring of progress? Did this lead to specific results?
7. How have the national trainings institutions integrated the HELP courses into their initial/continuous training programmes?
8. If you could change something to the HELP programme in the future, what would it be?

C) Semi-Structured Interview Template for Tutors

Interviewee(s):

Function(s):

Date of the meeting:

Interviewer(s):

Location: Online

In confidence

Introduction

Self-presentation by expert (name, function, specify independent expert hired to assess the results of the trainings – not CoE staff)

- Purpose of the interview: to understand how the training participants were affected by the trainings, what worked well, what did not work so well, and how to improve in the future.

- Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.

- What is necessary and valued is the interviewees' personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.

- The process ensures anonymity. Interview notes and recordings will not be shared. Your name does not need to appear in the notes, even if they are kept on my personal computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer with help of Otter software (which will appear in Zoom as a participant in the chat if they agree).

1. How relevant did you think the trainings were, in view of the application of human rights by judges, prosecutors and lawyers in the daily work?
2. How would you assess the selection of participants, topics, venues? What could be improved?
3. What methods did you use as a trainer? Were they mostly one-way, two-way, or did they give space for exchange among participants?
4. How did you mainstream gender into the training?
5. How useful would you say the trainings were? What have they changed for you and for the audience? How do you think participants will likely use the knowledge and skills transferred?
6. What feedback did you receive?
7. If you could change something to the topic, scope, content or organization of these trainings, what would it be?
8. Any additional comments/ideas?

D) Focus Group Discussion Template for Tutors

Interviewee(s):

Function(s):

Date of the meeting:

Interviewer(s):

Location: Online

In confidence/shareable?

Introduction

- Presentation of the project's title. Self-presentation by expert (name, function, specify independent expert hired to assess the results of the trainings – not CoE staff)
- Purpose of the discussion: to understand how the training participants were affected by the trainings, what worked well, what did not work so well, and how to improve in the future.
- Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.
- What is necessary and valued is the interviewees' personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.
- The process ensures anonymity. Notes will not be shared. Your name does not need to appear in the notes, even if they are only kept on my personal computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer.

1. What was your involvement in the project and its trainings?
2. How useful was the ToT for you in preparing you as a HELP tutor?
3. How relevant did you think the trainings were, in view of the application of human rights by judges, prosecutors and lawyers in the daily work?
4. How would you assess the selection of participants, topics, venues? What could be improved?
5. What methods did you use as a trainer? Were they mostly one-way, two-way, or did they give space for exchange among participants?
6. How did you mainstream gender into the training?
7. How useful would you say the trainings were? What have they changed for you and for the audience? How do you think participants will likely use the knowledge and skills transferred?
8. What feedback did you receive?
9. If you could change something to the topic, scope, content or organization of these trainings, what would it be?
10. Any additional comments/ideas?

E) Focus Group Discussion Template for legal professionals

Interviewee(s)

Function(s)

Date of the meeting

Interviewer(s)

Location:

In confidence/shareable In Confidence

Introduction

- Explain Focus Group discussion rules and purpose

Presentation of the project's title. Self-presentation by expert (name, function, specify independent expert hired to assess the results of the trainings – not CoE staff)

- **Purpose of the Focus Group Discussion: to understand how the training participants were affected by the trainings, what worked well, what did not work so well, and how to improve in the future.**

- Not an evaluation of anyone's individual performance. Not a control, not an audit, but a learning exercise.

- What is necessary and valued is the interviewees' personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.

- The process ensures anonymity. Notes will not be shared. Your name does not need to appear in the notes, even if they are only kept on my personal computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer.

1. Are you often confronted by human rights issues in your work, and how do you address them? What has changed in the way you use/refer to/adhere to human rights standards in your legal practice, as a result of HELP? Can you give examples?

Instructions for moderator: Look for a human rights approach to analysing the work, beyond mere application of the domestic law. Ask for examples/issues encountered most often, and how they are addressed in practice. Only then make the link with training, and try to trace why the participants choose one approach over another.

2. For you, what is a well-trained *prosecutor /judge/lawyer* on human rights? To this end, what would you expect from human rights training in a national training academy? *If HELP trainings are integrated into national training institution: are they meeting your expectations?*

Instructions for moderator: Prompt for behaviours, attitudes, and not only knowledge and skills. Prompt with examples/real life situations.

3. How would you describe it in HELP? Does it meet your expectations, and how? How could HELP improve its human rights training? If you could change something to the topic, scope, content or organisation of these trainings, what would it be? How did COVID affect the HELP courses?

Instructions for moderator: Look for equation/differences between this description, and the response to the previous question. Steer the discussion towards the future, possible recommendations.

4. Any additional comments/ideas?

6.4 Evaluation Matrix

Evaluation criteria	Evaluation questions	Indicators	Data collection method	Data sources
Relevance	To what extent does the selection of course topics reflect the needs of Beneficiaries?	Course topics reflect reform agendas of HELP facility countries Course topics are tailored to relevant context and needs Level of satisfaction with adaptation of HELP courses to national legislation	Document Review Semi-structured interviews Focus Group Discussion Online survey	Project's documents and reports. Sample of training materials Semi-structured interview protocols Focus Group Discussion protocols Online survey results
Effectiveness	To what extent has the project achieved its expected results?	Level of satisfaction of stakeholders with projects' results Changes in knowledge, skills and application of/by judges, prosecutors, and lawyers of European standards for the protection of fundamental human rights in their daily work Level of satisfaction of certified HELP trainers with ToT programme	Document review Semi-structured interviews Focus Group Discussions Online survey	Project's documents and reports. Sample of training materials Semi-structured interviews Focus Group Discussions Online survey
	What have been reasons for achievement and lack thereof?	Incidences of adverse/conducive factors for implementation identified by stakeholders which were met by adaptive strategies (including to the pandemic). Examples of adaptations and their results.	Document review Semi-structured interviews Survey	Project's documents and reports. Sample of training materials Training exit questionnaires' results Semi-structured interviews Focus Group Discussions Online survey

Evaluation criteria	Evaluation questions	Indicators	Data collection method	Data sources
	To what extent has gender been mainstreamed in project design and implementation?	Extent to which gender analysis and gender transformative results were integrated in the project design and its implementation. Gender disaggregation of HELP participants and availability of disaggregated monitoring data	Document review Semi-structured interviews Survey	Project's documents and reports. Sample of training materials Training exit questionnaires' results Semi-structured interviews Focus Group Discussions Online survey
Efficiency	To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?	Level of satisfaction with e-learning and offline sessions Instances of choices made in resource allocation between target groups and working methods and their outcomes. Identification by CoE staff and partner institutions of feasible and comparable alternative working methods Examples of synergies with other CoE projects and other actors' projects and initiatives	Document review Semi-structured interviews Survey	Project's documents and reports. Sample of training materials Training exit questionnaires' results HELP platform's statistics. Semi-structured interviews Focus Group Discussions Online survey
Sustainability	To what extent can it be expected that the Beneficiaries' Judicial Academies, Bar Associations and other legal professional bodies will continue to use and further update the developed training materials?	Extent of integration of HELP courses on European standards in national initial/continuous training programmes Extend of use of the HELP Platforms by direct beneficiaries after a course has ended Level of ownership of certified trainers reached by the evaluation, with adapted HELP courses	Document Review Semi-structured interviews Survey	Project's documents and reports. Sample of training materials Semi-structured interviews Focus Group Discussions Online survey

6.5 Overview of course topics delivered under the HELP in the Western Balkans action

Course topics	Number
Access to justice for women	3
Admissibility criteria in applications submitted to ECtHR	3
Anti-discrimination	8
Asylum and the ECHR	4
Business and HR	2
Child-friendly justice	14
Combating trafficking in human beings	14
CPT standards	1
Data protection and privacy rights	4
Environment and human rights	7
Ethics for judges, prosecutors and lawyers	3
Family Law	4
Fight against racism, xenophobia, transphobia	5
Freedom of expression	6
International cooperation in criminal matters	4
Introduction to the ECHR	13
Judicial Reasoning	2
Key human rights principles in biomedicine	4
Labour rights as human rights	6
Pharmaceutical crimes and the MEDICRIME Convention	1
Procedural safeguards in criminal proceedings and victims' rights	5
Prohibition of ill-treatment	1
Property rights and the ECHR	9
Protection and safety of journalists	4
Radicalisation prevention	6
Refugee and migrant children	1
Transitional Justice	1
Violence against women and domestic violence	9
Total	144

6.6 Analysis of course topics selected per Beneficiary (all and in relation to EC enlargement package)

All tutored HELP Courses selected by Beneficiary	Number	Initial needs assessment based on EC Enlargement package	
		Selected	Not selected by NT
Albania	11		
Admissibility criteria in applications submitted to ECtHR	1		Access to Justice for Women
Child-friendly justice	4	yes	Asylum
Data protection and privacy rights	1	yes	International Cooperation in Criminal Matter
Freedom of expression	2		Rights of Persons with Disabilities
Judicial Reasoning	1		Violence against Women and Domestic Violence
Property rights and the ECHR	1	yes	Prohibition of Ill-treatment
Radicalisation prevention	1		Procedural Safeguards in Criminal Proceedings and Victims' Rights
Bosnia and Herzegovina	27		
Asylum and the ECHR	1	yes	Access to Justice for Women
Child-friendly justice	1	yes	Asylum
Combating trafficking in human beings	3		Data Protection and Privacy Rights
Combating trafficking in human beings for the purpose of labour exploitation	1		Internally Displaced Persons
Data protection and privacy rights	1		Procedural Safeguards in Criminal Proceedings and Victims' Rights
Environment and human rights	1		Prohibition of Ill-treatment
Ethics for judges, prosecutors and lawyers	1		Rights of Persons with Disabilities
Family Law	1		
Fight against racism, xenophobia, transphobia	2		
Freedom of expression	1		
International cooperation in criminal matters	1		
Introduction to the ECHR	5		
Labour rights as human rights	2		
Pharmaceutical crimes and the MEDICRIME Convention	1		
Property rights and the ECHR	2	yes	
Protection and safety of journalists	1		
Radicalisation prevention	1		
Transitional Justice	1		
Kosovo	10		
Prohibition of ill-treatment	1	yes	Children's Rights
Property rights and the ECHR	2	yes	Data Protection and Privacy Rights
Radicalisation prevention	1	yes	

All tutored HELP Courses selected by Beneficiary	Number	Initial needs assessment based on EC Enlargement package	
		Selected	Not selected by NT
Violence against women and domestic violence	5		
Women's Access to Justice	1	yes	
Montenegro	12		
Anti-discrimination	1		Access to Justice for Women
Environment and human rights	1		Asylum
Fight against racism, xenophobia, transphobia	1		Children's Rights
International cooperation in criminal matters	1		Data Protection and Privacy Rights
Introduction to the ECHR	1		Rights of Persons with Disabilities
Labour rights as human rights	1		Violence against Women and Domestic Violence
Procedural safeguards in criminal proceedings and victims' rights	2	yes	
Property rights and the ECHR	1		
Radicalisation prevention	1		
Violence against women and domestic violence	2		
North Macedonia	56		
Access to justice for women	2	yes	Prohibition of Ill-treatment
Admissibility criteria in applications submitted to ECtHR	2		Rights of Persons with Disabilities
Anti-discrimination	3		
Asylum and the ECHR	2		
Business and HR	2		
Child-friendly justice	8	yes	
Combating trafficking in human beings	5		
Combating trafficking in human beings for the purpose of labour exploitation	1		
CPT standards	1		
Data protection and privacy rights	1	yes	
Environment and human rights	3		
Family Law	2		
Fight against racism, xenophobia, transphobia	2		
Freedom of expression	1		
Introduction to the ECHR	4		
Key human rights principles in biomedicine	4		
Labour rights as human rights	3		
Procedural safeguards in criminal proceedings and victims' rights	3	yes	
Property rights and the ECHR	3		
Protection and safety of journalists	1		

All tutored HELP Courses selected by Beneficiary	Number	Initial needs assessment based on EC Enlargement package	
		Selected	Not selected by NT
Radicalisation prevention	1		
Violence against women and domestic violence	2	yes	
Serbia	24		
Anti-discrimination	4		Access to Justice for Women
Child-friendly justice	1	yes	Data Protection and Privacy Rights
Combating trafficking in human beings	3		Internally Displaced Persons
Environment and human rights	2		Procedural Safeguards in Criminal Proceedings and Victims' Rights
Ethics for judges, prosecutors and lawyers	1		Violence against Women and Domestic Violence
Family Law	1		
Freedom of expression	2		
International cooperation in criminal matters	2		
Introduction to the ECHR	3		
Judicial Reasoning	1		
Protection and safety of journalists	2		
Radicalisation prevention	1		
Trafficking for the Purpose of Labour Exploitation	1		
Regional	4		
Asylum and the ECHR	1	yes	
Data protection and privacy rights	1	yes	
Ethics for judges, prosecutors and lawyers	1		
Refugee and migrant children	1		
Total number of courses	144		

6.7 Analysis of participation of female participants

Courses - Female Participation by Country

Includes 130 courses with 4.850 participants

Country	CourseCount	ParticipantsTotal	ParticipantsFemale	ShareFemale
Albania	11	297	190	64,0
Bosnia and Herzegovina	23	482	321	66,6
Kosovo*	10	270	161	59,6
Montenegro	12	457	311	68,1
North Macedonia	55	2488	1507	60,6
Regional	4	436	299	68,6
Serbia	15	420	282	67,1
TOTAL	130	4850	3071	63,3

Courses - Female Participation by Stakeholder

Includes 130 courses with 4.850 participants

Stakeholders	CourseCount	ParticipantsTotal	ParticipantsFemale	ShareFemale
Bar Association	49	2075	1266	61
Jointly	3	110	62	56,4
Judicial Academy	59	1822	1179	64,7
Law Faculty	7	241	184	76,3
open call	2	384	269	70,1
other	10	218	111	50,9
TOTAL	130	4850	3071	63,3

Courses - Female Participation by Target Audience

Includes 130 courses with 4.850 participants

TargetAudiance	CourseCount	ParticipantsTotal	ParticipantsFemale	ShareFemale
Candidates	13	543	311	57,3
Judges & Prosecutors	35	959	626	65,3
Justice professionals	13	593	389	65,6
Lawyers	45	1938	1169	60,3
Mixed justice & other	3	215	159	74
other	12	244	141	57,8
students	7	242	183	75,6
trainee lawyers	2	116	93	80,2
TOTAL	130	4850	3071	63,3

Courses - Success Rates by Target Audience

Includes 128 courses with 4.801 participants

TargetAudiance	CourseCount	ParticipantsSuccessfull	SccessRateTotal	ParticipantsSuccessfullFemale	SuccessRateFemale
Candidates	13	499	91,9	277	89,1
Judges & Prosecutors	35	751	78,3	495	79,1
Justice professionals	13	381	64,2	244	62,7
Lawyers	45	1441	74,4	878	75,1
Mixed justice & other	3	150	69,8	115	72,3
other	10	151	77,4	95	77,9
students	7	190	78,5	146	79,8
trainee lawyers	2	99	85,3	82	88,2
TOTAL	128	3662	76,3	2332	76,4

Courses - Female Participation by Course Topic

Includes 130 courses with 4.850 participants

Course	CourseCount	ParticipantsTotal	ParticipantsFemale	ShareFemale
Access to justice for women	3	136	105	77,2
Freedom of expression	6	122	94	77
Combating trafficking in human beings	10	297	220	74,1
Data protection and privacy rights	4	150	104	69,3
Refugee and migrant children	1	143	99	69,2
Fight against racism, xenophobia, transphobia	4	124	85	68,5
Asylum and the ECHR	4	337	229	68
Transitional Justice	1	28	19	67,9
Violence against women and domestic violence	9	308	205	66,6
Introduction to the ECHR	12	495	324	65,5
Procedural safeguards in criminal proceedings and victims' rights	5	228	146	64
Labour rights as human rights	6	254	162	63,8
Property rights and the ECHR	9	282	180	63,8
TOTAL	74	2904	1972	67,9
Judicial Reasoning	2	87	54	62,1
Protection and safety of journalists	3	62	38	61,3
Environment and human rights	4	159	96	60,4
Family Law	4	152	91	59,9
Anti-discrimination	6	257	153	59,5
Child-friendly justice	14	525	304	57,9
Business and HR	2	102	59	57,8
Ethics for judges, prosecutors and lawyers	2	48	27	56,2
International cooperation in criminal matters	3	84	47	56
Key human rights principles in biomedicine	4	146	81	55,5

CPT standards	1	37	20	54,1
Pharmaceutical crimes and the MEDICRIME Convention	1	15	8	53,3
Admissibility criteria in applications submitted to ECtHR	3	128	68	53,1
Radicalisation prevention	6	130	48	36,9
Prohibition of ill-treatment	1	14	5	35,7

6.8 Review of the Ethics for judges, prosecutors and lawyers HELP course by one of the evaluation experts (English version)¹⁵

In general

Positives:

- The landing page explains the logic of the module and tells how much time each of the sections will take approximately. It is clear and well formatted.
- The module uses familiar screen packages.
- Most of the checked external links work well.
- The course uses video presentation sporadically, but every video is well done, and the text is copied on the slide.
- The modules are very rich in materials and sources, they are very comprehensive.

Areas for improvement:

- Technical issues: some slides are numbered while some others are not, and this makes it difficult to refer to a specific slide. It would be useful to have all slides numbered.
- Although the substance of the modules are really rich, there are some repetitions
- There are various minor editorial issues and inconsistencies which are difficult to eradicate completely.
- The links to the ECtHR case law lead to info notes or press releases which do not provide the proper overview of the cases. It would be more appropriate if the links specify the relevant paragraphs of the full judgment.
- Some inconsistencies in structure: Sometimes it is unclear how the slides are structured. They present similar material in differently. For instance, in some cases they offer the content page of some document on the slides, in some other they only contain the link. It would be useful to deal with different documents consistently or at least explain why they are dealt with differently.
- Some further editing is necessary, for instance the module interchangeably uses “judgment” and “judgEment” in relation to judicial decisions.

Introductory module:

- Basic introduction. The experts are listed, the navigation is presented.
- The video clips are surrounded by text – not sure if this is a good idea as it distracts from the video.
- Some slides have two parts, and the students might not be able to notice the sign that allows to move to the second part. It would be helpful if the participants could only move to the next slide if they opened both parts. For instance, the slides on Professional conduct and the rule of law (slide 9/17). Sometimes it is really easy to miss it.
- Good that further reading is assigned and signposted. The links work well.
- There is a hypothetical scenario in slide 13 of introduction but no feedback given. I know that it might not have a correct answer, but some pointers might help.

¹⁵ The model course was developed under the HELP EU II (EU DG JUST funded project), but as this course was requested by NTs to be implemented more in the future it was decided to be reviewed by the evaluation team.

Module 1 International and European Framework

- Unclear use of the ECHR Articles – the text of slide 5 talks about Article 6 while the pop-in link opens articles 5 and 6. What is the relevance of Article 5 here? So, there are some inconsistencies in how the material is presented which is difficult to avoid. Slide 5/56.
- Good use of video, although it is difficult to see the relevance of Nuremburg trial and Nuremburg court and Bangalore principles. Although the authors try to connect them, but it was not really convincing.
- The module has a name of the Special Rapporteur on the independence of judges and lawyers – this is problematic as it is already outdated and the new mandate holder was appointed in 2022, so this part requires updating.
- Slide 17/56 – the list of governmental duties concerning... duties and responsibilities which sounds cyclical.
- Slide 27/56 – the logic for the line presented is difficult to establish. The narrative seems to jump between articles and topics. Some quick explanation what these parts mean would help, rather than just linking to the information notes of the cases. That said some of the links go to the full judgments perhaps where info notes are not available.
- The module provides really a lot of relevant and useful further reading for the participants. However, if the authors seriously expect the participants read all the external sources, this module will take way more than announced 2 hours. Moreover, some of these external links might create a problem for translation as not all of them are translated into national languages.
- Various documents presented often have repetitive standards, so it would perhaps be helpful to identify the key standards and see where they are enshrined rather than listing multiple sources of often comparable standards.
- Quiz did not work for me – I could not submit the answers.

Module 2. Ethics for Judges

- In a way this module restates the key points that were made in the previous module. It might be helpful to make a clear separation between them, having said that, the parts are difficult to separate. Some sources are repeated here – for instance slide 8/34 on London declaration was presented in module 2.
- On slide 11/34 – the link to Principles of Judicial Ethics in Spain is **not working**.
- Again – plenty of materials, but the module might specify if any of the external sources are expected to be dealt with in detail.
- In the section Training – some links are not working as well.
- Most of the cases used here were mentioned in module 3. It would perhaps be useful to connect these modules better as the cases are much better explained here than in module 2.
- Slide 15/34 includes the examples of problems with social media, but it is unclear what the participants are expected to do with these examples.
- The quiz is interesting, but the answers are not always straightforward. Moreover, using (he/she) in the second question is unnecessary.

Module 3. Ethics for prosecutors.

- This module follows a very similar structure than the previous one but looks at the particularities of ethics for prosecutors. This approach seems fine if it is expected that different modules are

taken by different participants. If they are all taken by the same participants, the particularities might need to be emphasised clearer.

- There is some inconsistencies as to how the practical examples from different states are presented here in comparison with the previous module.
- In slide 16 under the tag Lithuania the link to legislation concerning office is misspelled and the link isn't working.
- The link to the Russian Federation is not working and it perhaps is possible to remove these examples at all.
- The link under the tab Croatia is not working either.
- The quiz is much more straightforward here than in module 2.

Module 4. Ethics for lawyers.

- This module is slightly different in style in comparison to the other ones which is perhaps inevitable as they are authored by different people.
- Some links (quite a few of them) are not working – for instance the link to the law on Estonian Bar association.
- Really excellent representation of cases in this module as they are explained in the text of the module and the link is given to the full judgments. Slide 18/87
- Very rich materials with plenty of examples from various European states – however I can see that the participants from a certain country would want to translate these issues in the national context and discuss their own legislation.
- This is a massive module, which would require a lot of hours of studying if it is taken seriously.
- The section “practical examples” is confusing. It is not clear practical examples of what this is – in some instances it is examples of how lawyers can or cannot be arrested, in some other instances it is access to lawyers – something that has already been discussed in the previous sections.

6.9 Online survey (see PDF)