Final Evaluation Report

External Evaluation of the Council of Europe – Georgia 2020-2023 Action Plan

Date of submission: 28 July 2023

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List of Abbreviations and Acronyms

AA	Association Agreement
CCJE	Consultative Council of European Judges
CDCJ	European Committee on Legal Cooperation
CEC	Central Election Commission
CEPEJ	Council of Europe European Commission for the Efficiency of Justice
CM	Committee of Ministers
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CRRC	Caucasus Research Resource Centre
CSO	Civil Society Organisation
DAC	Organisation for Economic Cooperation and Development's Development Assistance Committee
DIO	Directorate of Internal Oversight of the Council of Europe
DPC	Directorate of Programme Coordination
ECHR	European Convention for Human Rights
ECtHR	European Court for Human Rights
ECSR	European Committee for Social Rights
ESC	European Social Charter (revised)
ESCR	Economic, Social and Cultural Rights
EQ	Evaluation Question
FCNM	Framework Convention for the Protection of National Minorities
GBA	Georgian Bar Association
GEL	Georgian Lari (currency of Georgia)
GEOSTAT	Statistics' Office of Georgia
GNCC	Georgian National Communications Committee
GRECO	Council of Europe Group of States against Corruption
GRETA	Group of Experts on Action against Trafficking in Human Beings
GREVIO	Council of Europe Expert Group on Action against Violence against Women and Domestic Violence
GSSS	Georgian State Security Service
GYLA	Georgian Young Lawyers' Association
HRMI	Human Rights Measurement Initiative
IDP	Internally Displaced Person
IFES	International Foundation for Electoral Systems
IGO	Inter-governmental organisation
ILO	International Labour Organisation
INGO	International Non-Governmental Organisation
IT	Information Technology
LAS	Legal Aid Service
LGBTI	Lesbian, Gay, Bi-sexual, Trans-Gender and Intersex Persons
MEL	Monitoring, Evaluation and Learning
MP	Member of Parliament
NGO	Non-Governmental Organisation
NPM	National Preventive Mechanism
ODIHR	Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Cooperation and Development
OPCAT	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
OSCE	Organisation for Security and Cooperation in Europe
PACE	Parliamentary Assembly of the Council of Europe
PCM	Project Cycle Management
PDO	Public Defender's Office (Ombudsperson)
PGG	Partnership for Good Governance
PMEL	Project Monitoring, Evaluation, and Learning
PMM	Project Management Methodology

QA	Quality Assurance
RG	Reference Group
SDG	Sustainable Development Goal
SMART	Specific, Measurable, Accessible, Relevant, Time-Bound
SOGIESC	Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics
ToR	Terms of Reference
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UPR	Universal Periodic Review
USAID	United States Agency for International Development
VAW	Violence against Women
WHO	World Health Organisation

1. Executive Summary

This evaluation report presents the findings of an external, independent evaluation, commissioned by the Directorate of Programme Coordination (DPC), of the Council of Europe—Georgia Action Plan 2020-2023 (hereafter: the Action Plan) carried out by Vera Devine and Patrick Twomey on behalf of PEM A/S between January and July 2023. The Action Plan, endorsed by the Committee of Ministers in November 2019, represents the programming and fundraising framework for the Council of Europe's technical cooperation in Georgia. At the time of the evaluation, it consisted of 27 country-specific interventions at various stages of completion, with an overall financial envelope of € 24.4 million over the course of four years.

The evaluation aimed to assess the relevance, effectiveness, sustainability,[1] and the added value of the Action Plan. The **objective** of the evaluation was to draw lessons from the Action Plan's implementation, and to provide relevant stakeholders with an independent assessment of the results, including: outcomes achieved by the actions implemented; the actions' contribution to Georgia's alignment with Council of Europe standards and the Sustainable Development Goals (SDGs); how progress has been affected by the COVID-19 pandemic; and the extent to which a human rights approach and gender mainstreaming have been integrated into the Action Plan implementation. The evaluation also aimed to identify lessons; good practices; and recommendations on the management and implementation of the Action Plan and projects.

The **primary** beneficiary and user of the evaluation report is the Council of Europe as the main implementer of the Action Plan—specifically its operational main administrative entities; the DPC; and project managers and staff. The Terms of Reference (ToR) framed the evaluation rationale in terms of accountability towards donors, who, with Georgian stakeholders, are also beneficiaries of the report.

The evaluation was conducted in line with the OECD/DAC evaluation criteria and the norms set out in the Council of Europe Evaluation Policy 2019; the Evaluation Guidelines; 2020 and the Council of Europe Code of Conduct for Evaluation[2] and other standard best practice evaluation principles,[3] also taking into account relevant principles in other Council of Europe programming tools.[4] Insofar as resources allowed, the evaluation sought to be participatory, in line with a human rights-based evaluation approach, and addressed gender in substantive focus and in solicitation of stakeholder inputs.

A total of 178 stakeholders directly contributed to the evaluation through direct interviews (individual and group discussions), based on indicative questions that were provided to them in advance, in Tbilisi/Georgia and the Council of Europe secretariat in Strasbourg. In addition, an online survey in English and Georgian was disseminated to ca. 350 project partner institutions and beneficiaries; contracted experts; and other stakeholders (national and international), including Action Plan donors.[5] A total of 65 valid responses to the survey were received.

The evaluation, which was guided by evaluation questions agreed by DPC and the evaluation team during the inception phase, and which was validated by the evaluation's Reference Group, also included a desk review of strategic, programme and project documentation. To balance breadth and depth of focus, six of the 27 Action Plan projects were selected for a more in-depth review according to parameters agreed jointly by the DPC and the evaluation team.

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[1] Sustainability was added as a criterion to the original scope of the Terms of Reference in discussion with the DPC, and validated by the evaluation's Reference Group.

[2] Council of Europe Code of Conduct for Evaluation, at https://rm.coe.int/coe-codeofconductforevaluation/1680a1a023

[3] Including the UN Evaluation Group "Integrating Human Rights and Gender Equality in Evaluation –Towards UNEG Guidance" (2011)

[4] Council of Europe, Project Management Methodology Handbook 2016; Gender Mainstreaming Toolkit 2016; Practical Guide on the Human Rights Approach for Co-operation Projects 2021

[5] The evaluation team sent the link to the survey questionnaire to 248 individuals, but also encouraged stakeholders to further disseminate it. To what extent this has been done can only be estimated by the evaluation team.

Inputs were solicited on the basis of non-attribution and in accordance with the Council of Europe [Regulations on the Protection of Personal Data](). The evaluation applied a contribution analysis approach; findings were triangulated.

The **main evaluation findings** are as follows:

Relevance: The Action Plan and its projects are highly relevant to applicable law and policy on democracy, rule of law, and human rights in Georgia, including international and Council of Europe treaty standards and related best practice, as well as the reform recommendations stemming from Georgia's European Union (EU) candidacy application and Georgia's United Nation's Sustainable Development Goals (SDGs) commitments. They are also relevant to the needs and reform priorities in the various sectors and themes addressed, as identified in a range of Georgian strategies and action plans. The participatory process through which projects were formulated is key to ensuring relevance.

Effectiveness: Projects are aimed at strengthening legal, policy and institutional frameworks, and have a strong focus on capacity-building of duty-bearer institutions. This includes a combination of needs and legal analysis, training, development of tools and proposals for reform. The array and volume of outputs across projects is considerable, including baseline studies of needs/capacities on various project themes; substantive and methodological handbooks, manuals, and training modules; thematic monitoring tools; legal opinions and other expert analyses and recommendations for law and policy reform, as well as revised core documents (for example, organisational and communications strategies) of partner institutions. Outputs also included adaptation and/or translation of a range of primary and secondary Council of Europe standards and best practice documents into Georgian, and support to translation of partner websites into minority languages etc. Based on collected evidence, the evaluation scores the projects highly in terms of planned activities, and an extensive range of outputs were delivered (including in the face of the COVID-19 pandemic and political crises). Results contributed, or are likely to contribute, to reform in the targeted sector/issues, and to improving the situation of the people affected. However, enhanced project monitoring, evaluation, and learning (MEL), can document the contribution of the Action Plan and projects (particularly where there are multiple actors/projects engaged on the same sector/theme). Effectiveness was also enhanced by good cooperation with a range of bi-lateral donors and other inter-governmental organisations, notably UN Women, UNICEF, ILO, and specialised international non-governmental organisations (INGOs).

The effectiveness of the Action Plan and projects is impacted by external and internal factors. While aligned with Georgia's strategic and operational frameworks, the current Action Plan and the projects are reflective of the domestic political situation and intent/ambitions of the Georgian government during 2019/2020. At the time of the evaluation (spring 2023), the government's commitment to the EU accession process is viewed by a range of interlocutors as uncertain, and as potentially limiting the effectiveness of projects on some issues which require legislative and other substantive changes. Towards the end of the current Action Plan period, there is also a noticeable polarisation of the political landscape, including increased tensions between political actors, and between state and civil society and, therefore, between duty-bearers and rights-holders.

The Council of Europe Office in Georgia is one of the biggest in-country operations of the organisation. While the portfolio of projects (27 country-specific projects and seven regional projects) has rapidly grown over the past few years, the administrative and management structure has not been adjusted to reflect this, which has impacted effectiveness, in particular with regard to opportunities to maximise synergies between related projects. Some external stakeholders reported a lack of clarity on sector/thematic contact points beyond individual projects and which would facilitate better donor coordination. Some state institutions, that are partners in several projects, identify more donor coordination as a means of reducing the demands of multiple individual project activity and management on their, sometimes, limited capacity.

There is also some lack of clarity, among staff, on the roles of the different parts of the cooperation architecture, in particular, between the operational main administrative entities and the DPC, with scope for more clarity for Tbilisi project personnel regarding possibilities to adjust projects that are formulated some time before commencement or by HQ personnel in light of changes to local circumstances. Staff are keen to focus more on the effectiveness of their projects, but need capacity, skills, and space to translate outputs into downstream changes in practice.

Project monitoring and evaluation is strongest in terms of measurement of outputs and outcomes; however, measurement of substantive progress and impact can be strengthened. Improvements have been made in project cycle management (PCM)—through the introduction of a unified Project Management Methodology (PMM) and the piloting of a resource person advising on key aspects of it, but this has not yet resulted in gender-sensitive, human rights-based SMART indicators capturing qualitative results on enhanced awareness; improved capacity etc.

The visibility and quality of the integration of **gender (including both gender equality and gender mainstreaming)** in the Action Plan and projects varies, in a context where gender and Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics are problematic. Gender is most comprehensively dealt with in projects that address women as a specific target group (for example, addressing violence against women and gender equality) or with an explicit gender focus (for example, the hate speech project). Otherwise, projects focussed to varying degrees on aspects of gender equality, including participation by women and girls as beneficiaries, trainers, and experts; on gender-sensitive communication and disaggregation of data by sex of project beneficiaries and other, with some projects (for example, the project on human rights-compliant policing) identifying baselines and project targets for such participation. In general, the Action Plan and portfolio of projects lacked a systematic approach to gender mainstreaming in project design; documentary outputs; and reporting.

The Action Plan and projects addressed standards and practice, across human rights, democracy and rule of law spheres. While Council of Europe human rights standards relevant to each project's sector/target group/theme are appropriately highlighted, projects vary considerably in terms of their express and comprehensive application of the Council of Europe's **human rights approach** (HRA) framework and its core principles.[6] Participation by civil society was the most consistently referenced principle in project proposals and activities. Only a minority of projects addressed the full set of principles across project proposals, outputs, monitoring, evaluation and learning, and reporting. It is noted that the Action Plan and project formulation of most projects predates the adoption by the Council of Europe of its human rights approach (HRA) framework and the publication of the Human Rights Approach: Practical Guide for Co-operation Projects in December 2020. Over its lifetime, the Action Plan annual reports have progressively addressed the Council of Europe's HRA core principles more comprehensively, albeit briefly.

The high-level endorsement of the Action Plan as a programming framework provides, in principle, the basis for the **sustainability** of project results. The evaluation found evidence suggesting good prospects for sustainability, including projects' focus on key duty-bearer institutions, such as those with training/capacity-building mandates. Several projects have delivered training-of-trainers schemes, resulting in the creation of a national pool of trainers (such as on ECHR topics; election standards and others). Support to universities, including the enhanced integration of the ECHR in the law curricula at Tbilisi State University also contributes to sustainable impact. Risks to sustainability include staff shortages, lack of absorption capacity, of some institutions and future national budget commitment necessary to maintain and extend project results.

The evaluation finds widespread recognition of the **added value of the Council of Europe** as a programme implementer. Factors contributing to this include its status as an inter-governmental organisation (IGO); Georgia's membership and ratification of a range of Council of Europe

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[6] Participation and inclusion (i.e., vulnerable persons, minorities and civil society); equality and non-discrimination; accountability; transparency and access to information. The Council of Europe HRA framework principles are similar to the more commonly used Human Rights-Based Approach (HRBA) used by UN agencies; Action Plan donor states; the Public Defender's Office; and, since 2021, by the European Union.

treaties; its 'triangle' of standard-setting, monitoring, and technical co-operation; and the comparative knowledge of the organisation's available pool of experts and resources. The possibilities (realised in the case of some projects) for projects to learn from, and contribute to, relevant Council of Europe interventions in other jurisdictions in the region represents an additional comparative advantage.

Recommendations

Relevance

Recommendation 1

Relevance can be assured by maintaining the current approach of participatory design of Action Plan and projects, while being alert to possible gaps, where the preferred priorities of partner institutions may result in the exclusion of some groups or issues, or where partners' preferred activities are not optimal for the actual substantive reform needed. Relevance to the socio-economic circumstances of a large percentage of the population should be enhanced by more focus on social and economic rights, linked to the Council of Europe's mandate in this sphere.

Effectiveness

Recommendation 2

Ongoing Council of Europe staff development should be prioritised, particularly on applying relevant planning/monitoring/evaluation standards (including on transversal themes). Online training resources should be complemented by group training, including combined training with relevant stakeholders, UN agencies etc.

Longer-term projects and longer staff contracts merit serious consideration, for employment security of staff, and to ensure that the Council of Europe retains knowledge, and to minimise the impact on projects of staff being distracted by the need to seek out future work opportunities.

Recommendation 3

There is a need to rationalise the number and duration of projects. This might mean specific issues/themes being addressed as sub-components of a larger project or programme, or at least the clustering of related projects. Where 100% of funding is not committed at the outset, projects might make provisional plans to add components during their lifetime as funding becomes available.

Recommendation 4

The architecture of the Council of Europe Georgia office should be revisited to ensure meso-level coordination of projects and enhanced management of organisational growth. This should involve a 'programme coordination tier', between the Head of Office and Deputy and project teams. This tier should comprise of substantive and methodological PCM expertise with a mandate to maximise synergies and sharing of best practice and lessons learned between projects; coordinating capacity-building of project teams; and serving as an initial point of contact for other agencies active in related spheres in Georgia and for other relevant Council of Europe activities in the region.

Recommendation 5

Awareness-raising and capacity-building (training, study visits, mentoring and expert advice etc.) should be systematically linked to transfer of responsibility to relevant institutions, including agreed commitment of necessary resources by the state and enhanced measurement of the application of knowledge and tools and of resulting changes to practice.

Recommendation 6

From the project design stage, dialogue with partners needs to include specific focus on measurement of expected contributions to reform; an agreed MEL methodology; SMART indicators etc. Measurement of progress should be highlighted as a matter of efficiency and accountability to donors, but also as a matter of Council of Europe and Georgia's mutual legal accountability to rights-holders. Given the size of the project portfolio and team, an MEL focal point (logically positioned in the recommended architecture's programme coordination tier) is

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required. This tier can enhance MEL capacity of project teams, collate, and share lessons across projects; rationalise end-of-project evaluations and incorporate them into office-wide learning; it can also contribute to the development of staff programming capacity. Project and Action Plan evaluations should be taken as opportunities to build an accountability culture among duty-bearer institutions, and to enhance Georgian partners' capacity to measure progress, including their participation on evaluation Reference Groups etc.

Recommendation 7

In the case of project partners, there is an ongoing need to raise awareness of HRA. Council of Europe project teams; long-term consultants; and partners need space and support to enhance capacity to apply the HRA principles in all stages of the project cycle. In particular, effective integration of the principles of transversal themes requires enhanced focus on measurement of their delivery in the Action Plan and projects' monitoring, evaluation and learning.

Recommendation 8

The current high levels of CSO participation should be continued and expanded, including beyond Tbilisi, and with clarification as regards the Council of Europe's rationale for partnering with state institutions. CSO participation in projects can be enhanced by more focus on their role as monitors of substantive progress, including enhancing their role in project MEL- legitimising this role where state institutions are sceptical about engagement with CSOs.

Recommendation 9

Gender mainstreaming across future Action Plans and projects needs to be more integral in analysis of the root causes and of expected results. This requires systematic application of gender concepts by all partners in programming to each stage of the project management cycle: from root cause/needs analyses; to design and delivery of activities/inputs and measurement of the project processes; and of outcomes and impact. More capacity-building of staff and long-term consultants to apply relevant Council of Europe gender tools is necessary (and desired by project teams). The regional Gender Advisor (a role vacant since December 2022, but to be filled again in autumn 2023), and the Council of Europe Gender Equality Focal Point Network launched in 2021 can play a key role in this.

Sustainability

Recommendation 10

Action Plan and project formulation should be premised on specific discussions with partners on risks and opportunities regarding sustainability of project outputs. Each project should produce a draft sustainability plan at an early stage, for revision at the closing stages of the project timeline, including future resource implications.

Recommendation 11

A meso-level tier in a revised office/programme delivery architecture should be put in place to address challenges in some sectors of moving beyond project outputs/outcomes to measured sustainable substantive change. This would facilitate senior cross-cutting programme management support to project teams in any situations where project managers and partner institutions differ on issues of project orientation or progress and also enhance efficient transferrable learning across projects etc.

Added Value

Recommendation 12

The added value of the Council of Europe can be enhanced by strengthening the linkages between elements of the 'triangle'. In particular, there is a need for enhanced capacity to translate Council of Europe standards into programming methodologies and impact measurement, and for revising the current office/project delivery architecture. Without more focus on measurement of impact of programming (including of cross-cutting principles), there is a risk that the added value of the 'triangle' is conceptually sound, but inadequately evidence-based.

2. Introduction

2.1 Evaluation object, scope, objectives and purpose

This report[7] presents the findings of an external, independent evaluation, commissioned by the Council of Europe's Directorate of Programme Coordination (DPC) and carried out by Vera Devine and Patrick Twomey on behalf of PEM A/S between January and June 2023, of the Council of Europe—Georgia Action Plan 2020-2023 (hereafter: the Action Plan), the **object** of this evaluation. As part of the Council of Europe's combined strategy ('triangle') of standard-setting, monitoring, and co-operation, the Action Plan addresses recommendations of Council of Europe monitoring and advisory bodies, as well as priorities in Georgia's National Human Rights Strategies 2014-2020 and 2022-2030. The current Action Plan follows on from predecessor Action Plans in 2013-2015 and 2016-2019, respectively, and aims to continue to assist Georgia's legislation, institutions, and practice to move further into line with European standards in the areas of human rights; the rule of law; and democracy. The current Action Plan is funded through voluntary contributions by currently 20 donors, with the EU, Austria, Sweden, Switzerland, and Norway being the main donors. The Action Plan, endorsed by the Committee of Ministers in November 2019, represents the main programming and fundraising framework for the Council of Europe's technical cooperation in Georgia.

At the time of the evaluation, i.e., spring 2023, the Action Plan portfolio comprised 27 country-specific and seven regional interventions[8] at various stages of implementation, including completed projects. The **scope** of the evaluation is the Action Plan since its beginning in 2020 until spring 2023 and its country-specific projects. The projects have an overall financial envelope of € 24.4 million over the course of the four years, representing 95% of the overall estimated costs (€ 25.8 million) of the actions proposed in the Action Plan.[9] In terms of scale and duration, projects varied considerably: the project "Supporting Citizen Participation in Tbilisi" lasted seven months and has a budget of € 45,000, while the project "Fight against Discrimination, Hate Crimes and Hate Speech" had a duration of four years and a budget of € 2 million. A detailed breakdown of the projects; and their status of completion can be found in Annex VI.

Projects[10] are classified under the Action Plan (though with some degree of interconnection and overlap) as relating to:

Human Rights
- Protecting human rights
- Promoting human rights and dignity
- Ensuring social rights

Rule of Law
- Ensuring justice,
- Strengthening the rule of law
- Countering threats to the rule of law

Democracy
- Strengthening democratic governance and fostering innovation

The projects address reforms regarding:

- execution of the European Court of Human Rights judgments in Georgia
- alignment of national anti-discrimination legislation and practice with European standards
- gender equality
- independence and accountability of the judicial system
- electoral legislation and practice

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[7] The report structure follows the guidelines provided for by the Council of Europe Directorate of Internal Oversight (DIO), based on UN Evaluation Group standards.
[8] Regional interventions have been excluded from the scope of this evaluation.
[9] Source: data furnished to the evaluators by DPC on 19 June 2023.
[10] See also website of the Council of Europe Office in Georgia: Projects in Georgia

- penitentiary reform
- law enforcement
- juvenile justice
- information security, media and internet
- local democracy
- economic, social and cultural rights
- the legal profession
- drug prevention
- fighting violence against women and domestic violence
- alternative dispute resolution
- legal aid
- modernisation and court management
- online child sexual exploitation
- combating corruption, money laundering and terrorist financing
- cybercrime
- civil society participation in decision-making
- dialogue and confidence building between divided communities[11]

While there is considerable thematic continuity from previous Action Plans in terms of the reform areas that the 2020-2023 plan addresses—including a number of projects that followed on from previous Action Plan projects—there have also been new areas of intervention. These include economic, social, and labour rights; responses to juvenile crime; democratic culture/citizenship education in schools; law enforcement, and new areas such as pre-trial detention; transition of young legal professionals into the judiciary.[12] Gender mainstreaming and human rights-approaches (HRA)[13] are specified as cross-cutting priorities. The preparation of the successor Action Plan for 2024-2027 is currently underway.

As per Terms of Reference (ToR—Annex I) and validation during the inception phase, the **purpose** of the evaluation was to:

- provide the Council of Europe and stakeholders with an objective assessment of results of the implementation of projects under the 2020-2023 Council of Europe Action Plan for Georgia;
- inform the formulation and implementation of future Council of Europe Action Plans for Georgia and Action Plans for other countries;
- meet the accountability commitments to the donors funding the Action Plan.

The **objectives** of the evaluation were to:

- assess the relevance, effectiveness and sustainability of the implementation of the Action Plan and its projects, and the contribution of outcomes to Georgia's alignment with Council of Europe and other international law standards and contribution to the advancement of the United Nations 2030 Agenda for Sustainable Development by supporting Georgia in its efforts to achieve the UN Sustainable Development Goals (SDGs);
- identify lessons and good practices, and generate recommendations related to the formulation, management and implementation methodologies of the Action Plan and projects;
- assess the extent to which the implementation of the Action Plan and projects has been affected by the COVID-19 pandemic;
- assess the comparative advantages of the Council of Europe in the areas covered by the Action Plan and projects, and the extent of the application of those advantages;

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[11] As noted in the Council of Europe 2021 Action Plan Progress Report, planned activities on youth policies and trafficking in human beings were not implemented due to lack of funding.
[12] Investigation, prosecution, and witness protection in the context of trafficking in human beings, was also an agreed new area of intervention, but lack of funding mean it was not addressed in a project.
[13] Including the core principles of participation and inclusion; equality and non-discrimination; accountability; and transparency and access to information

- assess the extent to which a human rights-based approach (HRA) and gender mainstreaming are applied in the formulation and implementation of the Action Plan and projects.

The primary **intended user** of the evaluation report is the Council of Europe as the main implementer of the Action Plan—specifically, its operational main administrative entities; the DPC; and project managers and staff. The evaluation rationale is also framed in terms of accountability towards donors, who, with stakeholders on the Georgian side ("relevant national authorities") are the intended audience of the evaluation report, too.

2.2 Methodology

The evaluation was guided by evaluation questions agreed by DPC and the evaluation team during the inception phase (see Annex III), and conducted in line with the OECD/DAC evaluation criteria and, in principle, the norms set out in the Council of Europe Evaluation Policy 2019; Evaluation Guidelines 2020, and the Council of Europe Code of Conduct for Evaluation[14] and other standard best practice evaluation principles,[15] and taking account of relevant principles in other Council of Europe programming tools.[16] An Evaluation Reference Group appointed by and comprising staff from the Council of Europe's operational main administrative entities involved in the implementation of Action Plan projects was formed for this evaluation. The group provided comments on the inception report and is invited to comment on the draft evaluation report. The evaluation report was quality assured by Dr Eric Buhl-Nielsen on behalf of PEM A/S and by the Council of Europe's Directorate of Internal Oversight (DIO).

Insofar as resources allowed (see also discussion below, "Difficulties"), the evaluation sought to be participatory, in line with a human rights-based evaluation approach. Gender was addressed in terms of substantive focus and solicitation of stakeholder inputs. The evaluation *reached out* to approximately 350 stakeholders,[17] including participants and beneficiaries, the contacts for which were provided by the Council of Europe, as well as others identified by the evaluation team. A total of 177 stakeholders *participated* in the process, including 132 through direct interviews (individual and focus group discussions), in Tbilisi/Georgia (from 24 – 28 April 2023) and the Council of Europe secretariat in Strasbourg (on 25 and 26 May 2023). Individual interviews and 15 focus group discussions were conducted with indicative questions, based on the evaluation matrix; sent to all participants in advance of interviews and group discussions. In addition to interviews with project teams and other stakeholders, interviews were conducted with other international development partners and a number of Action Plan donors. The focus group discussions in Tbilisi were structured around the themes of the selected sample projects, with participants including project partners; beneficiaries; project consultants; and a selection of other relevant CSOs not involved in the projects, but active in the sectors addressed by the sample projects.

Stakeholders were invited to provide input through an online survey in English and Georgian (see Annexes IV and V), disseminated to Council of Europe personnel (project managers and project assistants in Tbilisi and Strasbourg); project partner institutions and participants; and contracted experts (with Council of Europe project managers communicating with partners to encourage engagement). 65 valid survey responses were received. Other stakeholders (national and international) identified by the evaluation team—not involved in the projects, but familiar with the sectors/themes addressed—were also invited to contribute. Input was solicited on the basis of non-attribution, and in line with Council of Europe Regulations on the Protection of Personal Data.[18]

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[14] Council of Europe Code of Conduct for Evaluation, at https://rm.coe.int/coe-codeofconductforevaluation/1680a1a023
[15] Including the UN Evaluation Group "Integrating Human Rights and Gender Equality in Evaluation –Towards UNEG Guidance" (2011)
[16] Council of Europe, Project Management Methodology Handbook 2016; Gender Mainstreaming Toolkit 2016; Practical Guide on the Human Rights Approach for Co-operation Projects 2021
[17] The evaluation team sent the link to the survey questionnaire to 248 individuals, but also encouraged stakeholders to further disseminate it. To what extent this has been done can only be estimated by the evaluation team.
[18] Council of Europe Regulations on the Protection of Personal Data

The evaluation included a desk review of strategic, programme and project documentation and a large representative selection of project outputs (see Annex VIII); a contribution analysis; and triangulation of findings.

To balance breadth and depth of focus, six of the 27 Action Plan country-specific projects were selected for a more in-depth review (as opposed to evaluation) according to parameters set in the ToR, and with the projects agreed jointly by the DPC and the evaluation team during the inception phase. These parameters were as follows:

- a mix of thematic areas, aiming to reflect the diversity of co-operation sectors;
- projects have reached a certain level of maturity (at least 18 months);
- projects that have not already been evaluated previously.

Based on these parameters, the following projects were selected for more detailed review:

- 2368 - Supporting transparency, inclusiveness and integrity of electoral practice and processes in Georgia (Phase I)
- 2610 – Promoting an Integrated Approach to End Violence against Women and Reinforcing Gender Equality in Georgia
- 2669 – Support to the Profession of Lawyer in Georgia
- 2816 - Strengthening Protection of Social and Economic Rights in Georgia
- 2920 - Strengthening Media Freedom, Internet Governance and Personal Data Protection in Georgia
- 2998 - Human Rights-Compliant Policing in Georgia

2.3 Difficulties encountered during the evaluation process

The most significant limitation to this evaluation, and highlighted throughout the process by the evaluators, was a very modest evaluation budget: for a multi-annual Action Plan with 27 projects and an overall financial envelope of € 24.4 million, the evaluation was allocated € 40,000, to cover travel; translation/interpretation; and evaluators' fees. This contradicts the organisation's own guidelines (which recommend at least 1% of the total intervention budget). The depth and evaluation approaches are a result of these resource limitations. For example, the current political context of increasing polarisation and tension between duty-bearers and rights-holders meant that one-on-one interviews (for which there was no time) might have elicited information that some people are not comfortable expressing in group discussions or in writing in an online survey. The time available for the in-country work meant that this was not possible. It also meant that focus group meetings were held in the Council of Europe premises, which is not optimum for an external evaluation. In addition, it was not possible to visit locations outside of the capital, which meant the evaluation fell short of the full-fledged human rights-based approach it aspired to. Only very limited inputs were received from CSOs outside of Tbilisi, despite assistance of some specific contacts in the dissemination of information regarding the survey. As highlighted elsewhere in this report, the outputs produced by the projects are prolific—resource constraints meant that the evaluation could only address an adequate representative sample by allocating considerably more time than was budgeted for.

Efficiency of the evaluation process was hampered by a protracted process of securing data and stakeholder contacts from the Council of Europe at the outset, requiring time that could have been spent on substantive work. The Council of Europe in Georgia employs, on a pilot basis, a focal point for PMM and monitoring, evaluation and learning - a role of which the evaluators learned by chance during the in-country work in Tbilisi in April 2023. Logic would suggest that this colleague should have been the evaluators' contact point for this evaluation, with a more central role in the process.

Also highlighted relatively late in the process was the fact that there had recently been several evaluations involving Georgia, possibly resulting in evaluation fatigue—a fact that might account for the low uptake of the evaluation's survey electronic questionnaire. Of 263 individuals who

accessed the online survey, only 65 participated in it—an uptake of 25% overall. In some cases, scoring by interlocutors was not accompanied by explanatory remarks, making substantive analysis of some responses difficult. 50 of the 65 responses came from project staff and project beneficiaries.

As highlighted below, enhanced ongoing project monitoring, evaluation and learning (MEL) should be viewed as matter of both Council of Europe and partner accountability, but also as a foundation for optimum end-of-project/Action Plan evaluation. This requires project databases of participants, experts, documents, and outputs maintained on an ongoing basis and advance preparation by project partners to engage in evaluations and discussion at Action Plan Steering Committee level. While some provided detailed input, participation in evaluations should be a contractual expectation of consultants.

3. Findings

3.1 Relevance

EQ: To what extent are the AP/projects aligned with the relevant applicable international and national law; policy standards; and best practice?[19]

Project documents and interlocutors confirm that the 2020-2023 Council of Europe—Georgia **Action Plan and its projects are highly relevant to applicable law and policy in Georgia**, including international and Council of Europe human rights and other treaty standards and related recommendations and best practice (see Annex X for contextual information on Georgia). Project objectives are also coherent with needs assessments; baseline studies, and recommendations of other inter-governmental organisations and agencies, such as the OSCE/ODIHR on elections; and CEDAW and UN Women[20] on gender-based violence, though not systematically linked to UN treaty body and special procedure recommendations. The Action Plan and project portfolio are also relevant to the reform recommendations stemming from Georgia's EU candidacy application, and where "membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities […]".[21]

The majority of projects are, in principle, also **relevant to Georgia's commitments under the United Nations Sustainable Development Goals (SDGs)**, although beyond nominally confirming their alignment, there is little detailed reporting by individual projects or at Action Plan level on this aspect, and relevant SDG indicators are not applied in measurement of the Action Plan or project impact.[22]

Clear connections are also made in projects to Georgia's extensive landscape of sector/thematic strategies and action plans, including the National Human Rights Strategy. This both ensures relevance of the Action Plan and projects and emphasises Georgian ownership of the interventions.

While conceived as a broad fundraising vehicle for the Council of Europe's, where donors contribute non-earmarked funding, some projects are aligned with specific substantive priorities of contributing donors, such as in the area of local democracy (Austrian Development Agency and the EU) and hate speech (Denmark).

EQ: To what extent are the Action Plan and projects aligned with the context of Georgia, including priorities and needs of stakeholders (duty-bearers and rights-holders) in relevant sectors?

The **Action Plan and projects are also relevant to identified needs and reform priorities in the various sectors and themes**. Stakeholders confirmed that the projects are typically formulated in a participatory process involving Georgian stakeholder institutions. Alignment also benefits from many projects being follow-up to projects under previous Action Plans, which means formulation is based on pre-existing in-depth knowledge of the sector/theme and established relations with key institutions.

While the Action Plan and projects cover a wide spectrum of human rights, **civil and political rights are the prevalent focus**, as is the case with many donor projects in Georgia. Various Council of Europe projects do address social and economic rights in specific contexts (for example health in prisons) and the "Social and Economic Rights" project addresses labour

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[19] The Evaluation Questions (EQ) follow those in the Evaluation Matrix, and can be found in Annex III.
[20] As well as baselines formulated by other actors, such as the 2017 National study on Violence against Women in Georgia by GEOSTAT, UN Women and the EU.
[21] Commission Opinion on Georgia's application for membership of the European Union at Georgia Opinion and Annex.pdf (europa.eu), June 2022, p. 2
[22] See Sustainable Development Goals | United Nations in Georgia

rights.[23] The socio-economic circumstances of many in Georgia means that social and economic rights are of particular relevance to a large percentage of the population, however, the focus of the project portfolio on these rights is relatively small, compared to civil and political rights.

A number of Council of Europe project staff flagged that optimising the relevance of some projects where design was Strasbourg-led requires inception phase adjustment — particularly not where time gap between project design and commencement, meant context and needs have changed. In this context, there seems to be scope for clarification of project teams' flexibility to adjust log frames, priorities, and activities foreseen in project documents. Staff also flagged the need to better reconcile external, Strasbourg and consultant/external expert-led expertise with in-depth local knowledge to design even more relevant interventions.

Respondents in focus group discussions in Tbilisi confirmed the relevance of the projects to the specific context of Georgia. 43% of survey respondents rated the projects' relevance as "excellent"; 38.7 % as "very good"; 14.5% as "good", and only 3% rated them as "poor". The most negative scoring was in the context of concerns that 'proximity' between the Council of Europe and some partner institutions detracted from focus on duty-bearer accountability.
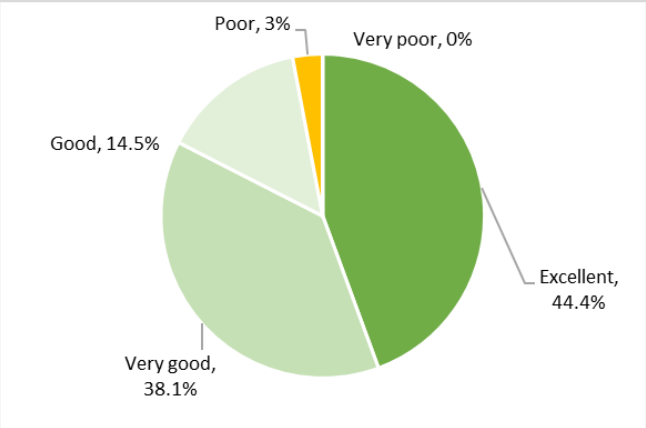
Similarly, there is scope to communicate to the population at large the rationale for the Council of Europe's co-operation approach of primarily engaging with duty-bearers in its

Figure 1: Survey Responses for Relevance

reform efforts - an approach that is questioned by some CSOs. There is currently a specific thematic evaluation on the Council of Europe's engagement with civil society underway, and which will yield further insight into this issue (which has been the subject of previous recommendations, including other Action Plan evaluations). (See also Effectiveness section below on the potential to enhance CSO participation). The current Action Plan is reflective of the context in 2019. However, the intervening period has seen a widening gap between duty-bearers and rights-holders, in terms of political direction, priorities, and desire for reform, reflected in questions regarding the Government commitment to EU accession and the March 2023 legislative initiative to introduce a Russian-style "Foreign Agents Law".

3.2 Effectiveness

EQ: To what extent did AP/projects achieve intended objectives and contribute to reform in sectors/themes?

The Action Plan and projects are primarily aimed at strengthening legal, policy and institutional frameworks across democracy, rule of law and human rights. They include a particular focus on capacity-building of duty-bearer institutions and personnel, through a combination of needs assessment; analyses; awareness-raising; development of legislative and other proposals for reform; drafting of manuals; guidelines; delivery of training; facilitating cooperation platforms and other. Based on a review of documentary outputs and interlocutors' inputs, the evaluation finds that the projects have contributed, or are very likely to contribute, to reform in the targeted sector/issues, and to improving the human rights of the people affected. In a majority of cases, the 2020-2023 projects were follow-ups to previous projects, and effectiveness therefore should be assessed cumulatively, over time. A typical project combination comprised of assessment of legal and policy frameworks and of institutional needs; awareness-raising; capacity-building through trainings; production of core documents and applied tools (curricula/training modules

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[23] The initial timeline of 18 months was extended by 16 months in 2022, and the initial budget of € 350,000 was increased to € 600,000.

etc.) for ongoing use and legislative and policy reform recommendations. This approach is both logical and understood by partners. Some civil society organisations (CSOs) highlight a need for effectiveness of ongoing capacity-building of duty-bearer institutions to be accompanied by more focus on systemic application of enhanced capacity and of measurement of resulting changes in practice and sustainability, including follow-up action project's reform recommendations etc.

42.4% of survey responses scoring the effectiveness of projects they were familiar with as 'excellent', 41% as 'very good' 13.6% as "good" and 3% as "poor".

A number of factors contribute to overall effectiveness, including the Council of Europe's standing in Georgia; project partners' sense of project ownership (linked to the relevance and process by which they are designed); and a high degree of Council of Europe staff commitment, expertise, and experience. Strong collegiality across project teams is evident and good retention of staff (despite staff being on short-term, i.e., year-long temporary contracts) are indicative of a positive working environment and represent important contributions to effectiveness. High levels of staff's work satisfaction expressed to the evaluation is likely to have enhanced effectiveness.
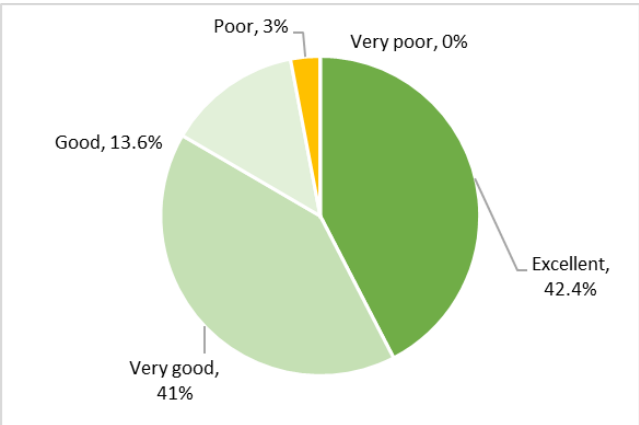

Figure 2: Survey Responses for Project Effectiveness

The projects entailed a large volume of meetings, workshops, study visits and other events. Partners; external consultants; and participants commented favourably on the organisation of events and good communications by project teams, with some consultants highlighting this being in a context of heavy workload of project officers.

The 27 projects generated an extensive array of substantive and methodological documentary outputs (see Annex VIII). These included baseline studies on selected project themes and partners' institutional capacity; substantive and methodological handbooks, manuals and textbooks and training needs assessments; curricula/modules; thematic monitoring tools; legal opinions; and other expert analyses and recommendations for law and policy reform, as well as revised core documents of partner institutions. Outputs also included translation of a range of primary and secondary Council of Europe standards and best practice documents into Georgian, and in some cases, adaptation of Council of Europe best practice documents to the Georgian context (for example the Council of Europe Policing Hate Crime Manual), as well as support to translation of partner websites into minority languages.

A cross-section of documents (in English) was reviewed by the evaluation team who finds that they are generally of good quality, though some would benefit from clearer statements of intended end-users. Where outputs are of large volume with detailed legal analysis, consideration should be given to accompanying summary pages or checklists in English (and, where relevant, in minority languages) that can widen the pool of readers that can benefit from the research investment and also benefit Council of Europe projects in other relevant jurisdictions. Documentary outputs (even if not formally published) should all be dated, including identifying authors and the relevant project etc.

A feature of the Action Plan and projects' effectiveness, linked to Council of Europe standing and leverage, was their contribution to enhanced cooperation between key institutions, i.e., ministries and specialised agencies; the PDO and, in many cases, CSOs (NGOs and others), though in some sectors, this was less successful with tensions noted, for example, between the Parliamentary Economy and Economic Policy Committee, media institutions and CSOs.

A high volume of study visits undertaken or planned included personnel from partner institutions (and in some cases others, including CSOs). For example, under the project on "Juvenile and Adult Detainees" (study tour to Strasbourg); as part of the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" *(*to Sweden); also representatives of the Labour Inspection Office visited Poland as part of the project on "Social and Economic Rights*"*, and representatives of CSOs involved in local government decision-making participated in a study tour to Ukraine as part of the project on "Citizen Participation in Tbilisi*"*. Other examples include visits to Albania and Bulgaria, and to Spain, on community policing in the context of the project "Fight against Discrimination, Hate Crimes and Hate Speech". These visits appear to be well planned and structured and include pre- and post-visit meetings and follow-up.

With the appropriate level of participants and relevant destinations, study visits can contribute to effectiveness. However, they may not be the optimum choice of activity, given cost, and the logistical demands involved. In particular, where they take personnel from institutions with capacity challenges and work back-log, a question arises as to whether they should be a 'default' project activity. Not least in the context of some CSO scepticism regarding awareness-raising activities, where the cost of such activity is justified, they should be linked to specific expectations of resulting outcomes.

Prevailing opinions on project effectiveness of participants in evaluation focus group discussion were positive. However, some concerns (including some interlocuters from state institutions) were raised that the Council of Europe expectations of partners were not sufficiently high nor robust, i.e., they were not sufficiently extending beyond activity and outputs to substantive reform/impact. The contested issue of media regulation was highlighted as one case in point.

In some spheres, project effectiveness has benefitted from formal cooperation with other actors (UNICEF, UN Women, ILO, and established INGOs, for example Equality Now; the International Foundation for Electoral Systems/IFES; the Open Society Georgia Foundation) with established experience on substantive focus/target groups. Outside of formal partnerships, combined activities and good communication is reported with some related Council of Europe projects under the Partnership for Good Governance (PGG), and with projects in Georgia of some bi-lateral donors, for example USAID on violence against women, gender equality and capacity building of lawyers etc., while some Council of Europe project consultants are also engaged in related projects of other donors.

Projects have been effective in raising awareness of core Council of Europe standards relevant to individual projects, and in incorporating these standards into specific sectors and the work of institutions. Several projects included a specific focus on contributing to more effective treaty reporting (for example, on the European Social Charter/revised; the Council of Europe Torture Convention etc.) by enhancing capacity, developing monitoring tools and reporting guidelines for the PDO/National Preventive Mechanisms (NPM). Other support included technical support to enhance partners' functioning and outreach, such as websites to improve communication with rights-holders; a notable example is the "Transparency, Inclusiveness and Integrity of Electoral Practice and Processes*"* project's support to an online system for registration by political parties at all levels of the election administration. The project "Support to the Profession of Lawyer*"* provided support to the creation of an electronic registration and participation portal for the Georgian Bar Association (GBA) to organise general assembly elections in compliance with the national regulations on COVID-19 transmission.

Examples of quantified measurement of effectiveness captured by project monitoring documentation include:

➢ Capacity building of investigators and court staff through the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality*"*, which contributed to an increase in investigation and prosecution of cases of sexual violence (90 rape cases initiated during 2019-2020 rising to 189 cases in 2021-20220), with prosecutions of other sexual violence crimes increasing from 350 to 589 cases over the same timeframe.

➤ The project on "Access to Legal Aid Services for Marginalised Populations" supported the Legal Aid Service in conducting awareness-raising activities in regions. The Service saw an increase in cases taken by legal aid lawyers from 20 to 25 cases per lawyer in 2022, compared to 2021, with an overall increase in applications for legal aid of 17% in the same timeframe.

➤ The project "Fight against Discrimination, Hate Crimes and Hate Speech"—which supported the identification of hate crimes—reported an increase from 700 to 1500 cases during in 2019-2021, and the use of article 531 in the criminal sentences has increased from 62 cases in 2018 to 193 cases in 2021.

➤ Several projects contributed to more effective treaty reporting (including on the European Social Charter; the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; and reporting to Parliament on the execution of ECtHR judgments) by enhancing capacity, developing monitoring tools and reporting guidelines.

➤ The project "Support to the Profession of Lawyer", included support to the administration, by the GBA, of the bar admission examination. A subsequent survey of candidates found 97% approval of the examination registration and process; and an 80% approval of the structure of the examination. A range of other surveys quantified improvements generated by the project, including the functioning of the GBA's Ethics Commission; and the increased frequency of bench-bar meetings between judges and lawyers.

In addition to the COVID-19 pandemic, the most significant negative impact on effectiveness was the political crisis which saw a suspension of some events of the project on "Strengthening Media Freedom, Internet Governance and Personal Data Protection" during the elections period.

In addition, in some cases difficulties in recruiting local project team members with the required profile delayed project commencement. Challenges to effectiveness also include the Council of Europe architecture; funding lines; and the fact that funding is, to some degree, received incrementally. More regular meetings between Tbilisi and Strasbourg colleagues across projects which have intersecting themes was flagged as a means of enhancing effectiveness and a more formalised structure for engagement between Country Office project teams and secretariat managers. Given that many projects are envisaged as being followed up by successor projects, more detail in project proposals' "Recommendations and Follow-Up" sections are needed to enhance effectiveness over time and facilitate project management by any subsequent new staff.

Overall, the management and administrative demands of such a large portfolio of relatively short, and in some cases small-scale, projects are likely to have impeded effectiveness. High levels of activities and outputs also involve significant administrative, and time demands and, therefore, leave less time to focus on strategic, programme-wide emphasis on impact and sustainability. This incremental expansion of the number of projects was not planned and not accompanied by revisiting the overall programme office architecture. With limited capacity, some project partner institutions' involvement in multiple projects (within the Action Plan portfolio and with others) is likely to limit the effectiveness of their participation.

In several cases, projects combined activities (for example, the projects "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" and "Promoting the Effective Protection of Equality and Non-Discrimination"). As well as joint events with the project "Support to Judicial Reform", the project "Fight against Discrimination, Hate Crimes and Hate Speech", for example, also included engagement with a range of other projects, collaborating with the project "Supporting Freedom of Media and Internet" on the production of a Handbook on Ethical Journalism, publicising results of other projects, for example, the study on Sexual Violence Crimes against Women by the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality".

While in some cases (e.g., justice), projects were delivered as a cluster of activities, the evaluation finds there is scope and necessity for more consolidation of projects (with sub-components on specific priorities, where necessary) to ensure less demands on institutions that are partners in multiple projects, particularly in sectors/themes with high levels of donor project activities. This would also reduce the administrative burden of multiple steering committee meetings; reporting obligations; participation in evaluations etc.[24]

Optimum effectiveness of the projects, as a mutually reinforcing portfolio, was reduced somewhat by the current office structure. Evaluation discussions identified considerable recognition of this, and support for a revised office/programming architecture to enhance effectiveness, such as a coordination tier (between the Head of Office and Deputy, and project teams). The potential benefits of this, in terms of enhancing impact, is also understood by donors met. Reflecting the interdependence of rights, a small team in this position (possibly including some international experts) can enhance synergies (combined activities) and lessons learning (including joint evaluations) between projects; coordinate MEL and cross-cutting principles; and take the lead on building capacity of the project teams. This would also address a need, expressed by some UN agencies with related projects, for a higher-level point of contact, with the sheer number of project teams identified as impeding communication and coordination. Nevertheless, there are also some strong examples of formal project co-operation and coordination, in some cases stemming from personal connections across agencies.

EQ: To what extent is the Action Plan/projects' design plausible and realistic, including objectives, intervention logic/theories of change?

The intervention logic of the Action Plan and projects is plausible—identifying and prioritising gaps in law, practice, awareness, and capacity. These are necessary for institutions to effectively implement applicable legal standards and best practice. Projects addressed needed reforms documented in national and thematic strategies/Action Plans or otherwise arising from treaty obligations and recommendations of treaty standard-setting and monitoring bodies in Strasbourg, such as the ECtHR; the Venice Commission; the Consultative Council of European Judges (CCJE); the European Committee on Legal Cooperation (CDCJ); the European Commission for the Effectiveness of Justice (CEPEJ), the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and other mechanisms.

Projects' Theories of Change in project proposals are generally not elaborated, lacking impact chains for envisaged key outcomes, and elaboration on how, in combination, they are optimum to achieve sustainable impact.

To some degree, it is <u>assumed</u> that capacity-building of institutions and personnel, production of substantive and methodological tools etc. will yield changes to the functioning of institutions. Even if logical in most cases, without measurement and strong focus on accountability, there is a risk that enhanced capacity is the end of the chain, and that enhanced capacity is seen as an end in itself, as opposed to a means to an end. In this regard, where project proposals included a Risk Analysis (not all did), these lacked detail on pre-emption and countermeasures to address likely challenges (including political will and other factors). Also, Progress Reports lack detail on impediments encountered.

Project objectives are systematically linked to relevant Council of Europe treaties and monitoring bodies, but less connected to some relevant standards and recommendations of UN treaty bodies; the Universal Periodic Review (UPR); and special procedures. While Action Plan reporting links projects to relevant SDGs,[25] other than passing reference, SDGs and their indicators adopted by Georgia are not used in project MEL.

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[24] The Council of Europe success in retaining staff is noted, but fewer, somewhat larger, project teams would provide a safeguard if this was to change. Departure of project personnel during the life-time of the projects from a team of two, is potentially very significant.

[25] Particularly, SDG 5: "Achieve gender equality and empower all women and girls" (targets 5.1, 5.2 and 5.5) and SDG 16: "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels" (targets 16.1, 16.2, 16.3 and 16.7). See also https://www.coe.int/en/web/un-agenda-2030 for a discussion of the Council of Europe's alignment with the SDGs.

EQ: To what extent has Action Plan/project MEL achieved intended objectives and contributed to reform?

Action Plan and project monitoring, evaluation and learning is acknowledged as the weakest aspect of programming cycle, regarding the measurement of the *quality* of outputs, and of impact. Project proposals in some cases do not include log frames; those that do include outputs, outcomes, and impact, but with some incoherence between outputs and outcomes. Project log frames are also variable in quality, and either lack indicators, or have indicators of outputs or outcomes, but not of impact. Generally, there is inadequate focus on measurement of cross-cutting themes – gender mainstreaming and HRA principles. Where project indicators were formulated, they fail to meet the SMART criteria.

Action Plan indicators similarly are general in nature. Action Plan monitoring uses a classification of "very good progress", "good progress", "some progress" and "no progress",[26] which are also largely focused on activity delivery, based, in part, on assumptions that awareness or capacity enhanced is yielding positive impact. The grading is not optimum to capture substantive and procedural changes within the relevant institutions, sectors and themes. In particular, the level 1 score reference to the "socio-economic situation" does not capture the higher standard "full spectrum of human rights" applicable to the Council of Europe and Georgia. Action Plan indicators are not linked systematically to project indicators.

Lack of baselines is a commonly cited as a challenge, through a range of projects conducted thematic and institutional capacity baseline studies. For example, the project "Transparency, Inclusiveness and Integrity of Electoral Practice and Processes*"* conducted a baseline study/needs assessment of CSOs, and the baseline mapping of the project "Participatory Democracy and Human Rights at Local Level*"* identified municipalities' capacities and needs for implementing human rights-based policies.

Project MEL includes pre- and post-knowledge testing in project training workshops and capacity-building outputs; opinion surveys and tracking of statistical data to test the effectiveness of project outputs was applied in a number of projects. In the case of the project "Support to the Profession of Lawyer", enhancement of bar admission examinations included quantitative and qualitative surveys and focus group interviews. In the case of the project "Democracy Starts in Schools*",* teachers', pupils' and parents' knowledge in 20 pilot schools was assessed before and after introduction of participation guidelines.

More needs to be done towards linking increased capacity and other outputs with downstream changes in practice, i.e., more effective, efficient, gender-sensitive/human rights-based service delivery etc. by supported institutions. Where multiple donors/actors are engaged on specific themes/sectors, and direct attribution is problematic, this measurement should focus on 'likely contribution' of Council of Europe projects. An example of CSO monitoring being used to measure impact of projects is the survey conducted as part of the project "Fight against Discrimination, Hate Crimes and Hate Speech", which included extensive public information events and online outreach, including the "I Choose Equality" campaign. The survey reported an increase in positive attitudes towards diversity from 56% to 70% in 2018 to 2022.

The limited focus on MEL appears to be linked to both a lack of an MEL culture within the Council of Europe, and to limited project management capacity, including the demands on project officers from the high volume of projects and project activities. This is amplified by a context of a weak culture regarding accountability and measurement of results across Georgian institutions. The evaluation noted expressed needs of project personnel for more methodological support on MEL, particularly on translating applicable standards into project delivery. Projects' focus on MEL, however, now appears stronger after commencement, in 2021, of the results-focus/PMM pilot initiative; however, this initiative has its limitations, with just one individual servicing all projects

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[26] Indicating 1. legislative amendments and/or institution building led to changes in the socio-economic situation of end-beneficiaries and target populations, 2. activities continued at a good pace with concrete results having already been achieved during the reference period, 3. activities being implemented as planned and have good prospects of producing concrete results, 4. project did not progress, and therefore activities were not implemented, or that activities with an expected result are planned to be implemented at a later stage.

in Georgia in addition to being responsible for three other jurisdictions. While overall, donor coordination in Georgia is strong, with a range of substantive platforms, a view expressed by some donors is that they do not scrutinise Council of Europe project implementation with the same rigour as they do with other project funding. More detailed donor oversight would enhance the accountability of all project partners, and guard against any risk of on-going unconditional capacity building of state institutions.

Some projects have undertaken, or plan, end of project evaluations; for example, the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" and the four-year, € 2 million project "Fight against Discrimination, Hate Crimes and Hate Speech" project included a mid-term evaluation. There is no reported portfolio-wide rationale for deciding what projects are evaluated, what cross-project thematic or joint evaluations might be conducted, etc., to ensure that evaluations are undertaken in a resource-sensitive and targeted fashion. Currently, evaluation budgets fall well short of the Council of Europe DIO recommendation that at least 1% of an intervention budget should be allocated to evaluation and project teams highlight the demands of a high-volume of activities as impeding effective MEL, as well as lack of substantive and methodological expertise and space to analyse and reflect.

Project proposals (and, where included project log frames) generally lack SMART indicators to measure the *quality* of project activities and projects' contribution to progress towards key objectives, including progress on cross-cutting HRA and gender mainstreaming core principles.

Project and Action Plan evaluation, and organisational memory, would benefit from a more comprehensive database of key participants; trainers trained; and consultants engaged. The absence of Georgian partner institutions, and donor representatives on the Evaluation Reference Group missed an opportunity to emphasise the mutual obligations of all involved in the Action Plan.

EQ: To what extent were the Action Plan/projects effective in adapting to COVID-19?

The COVID-19 pandemic posed challenges to project implementation and overall, these challenges were handled well. Uncertainty and the pandemic's demands on partner institutions caused delayed commencement of some projects (for example, "Human Rights and Health-Care Support to the Penitentiary System" project); in others, activities had to be postponed as a result of restrictions on travel and hosting of group events. In some cases, project timelines meant that not all activities could be rescheduled (for example, the project "Human Rights and Health-Care Support to the Penitentiary System" had planned a Ministry of Justice/PDO study visit to a Council of Europe member state on detention healthcare monitoring, which could not be implemented). The project "Confidence Building Measures: Cultural and Historical Archives*"*, which had a key focus on dialogue between populations across the Administrative Boundary Line, was also unable to deliver planned face-to-face contact between its target groups of beneficiaries.

A number of projects received cost extensions as part of the response to COVID-19 interruptions (for example the project "Economic and Social Rights" was extended by 16 months).

In some cases, projects adapted to the pandemic by enhancing support on technical/IT solutions of partners (for example on GBA elections through the project "Support to the Profession of Lawyer*"*) as well as through direct provision of personal protection equipment to the Ministry of Justice and the PDO by the project "Human Rights and Health-Care Support to the Penitentiary System." The project "Fight against Discrimination, Hate Crimes and Hate Speech*"* supported the translation of government web information on COVID-19 into Armenian.

EQ: What are unintended results of Action Plan/projects?

No unintended results were reported.

3.3 HRA/Gender Mainstreaming

EQ: To what extent are HRA/gender mainstreaming principles effectively addressed in the Action Plan and projects?

The Action Plan and projects address a range of human rights standards and practice, across a range of sectors and in democracy and rule of law spheres. Projects vary (in terms of both project proposals and in project activities/reporting) in their express and comprehensive application of the Council of Europe HRA framework, though it is noted that the Action Plan and formulation of most project predates the adoption by the Council of Europe of its HRA framework and publication of the HRA Guide in December 2020.

> **CoE HRA principles**
> • Participation and inclusion (i.e., vulnerable persons, minorities and civil society)
>
> • Equality and non-discrimination
>
> • Accountability
>
> •Transparency and access to information

Project proposals (which also pre-date the Council of Europe HRA Guide) vary in their depth of coverage of the HRA principles, with HRA in many projects largely equated with participation by CSOs and focus on equality, and not systematically addressing all the HRA principles (participation/inclusion; equality/non-discrimination; transparency/access to information) or disaggregating the various categories of vulnerability, relevant to each project's target beneficiaries.

The principles of **participation and inclusion** were addressed both in methodology and substantive focus of projects. Projects were both highly participatory in their delivery and while primarily delivered with duty-bearer institutions, many included direct and (via CSOs) indirect participation of rights-holders, with a range of project outputs aimed at enhancing participation by rights-holders in processes that affect their daily lives. Participation of rights-holders in projects included the "Participatory Democracy and Human Rights at Local Level" project's Forum of Exchange on Human Rights at Local Level, aimed at enhancing human rights-based decision making by local authorities, including training on "CivicLab" methodologies and a Citizens' Assembly initiative coordinated by CSOs, that facilitated rights-holders engagement on local government processes, including public services, urban planning etc. The project also enhanced rights-holders participation in national level decision-making, including through project advocacy that saw the National Association of Local Authorities in Georgia partner with national level processes of the Government's Human Rights Secretariat and Parliament's Gender Equality Council.

The project "Democracy Starts in Schools" enhanced active participation in school life by school children as a foundation for active membership in a democratic society, and greater participation of youth in social and political life in Georgia.

Key to participation of rights-holders was via CSO involvement in projects in line with Council of Europe Guidelines on civil society organisations' participation in Council of Europe's co-operation activities. CSO participation included NGOs, but also others, such as media organisations; professional organisations (such as GBA); the Georgian Trade Unions Confederation and the Georgian Employers association.

Many projects addressed vulnerable groups as a specific focus. The project "Ensuring Child-Friendly Justice", for example, addresses a number of contexts where children are particularly vulnerable, as victims or witnesses in criminal investigation and juveniles in police premises and temporary detention isolators; in the context of sexual exploitation and abuse (including online); and other forms of violence. Other projects (for example "Support to the Profession of Lawyer" and "Human Rights-Compliant Policing") also address contexts where children are particularly vulnerable, including policing/justice reform (such as best practice for lawyers representing children and the best interest of the child being reflected in judges' decision-making and police and prosecutors' engagement with child victims and witnesses). The project "Support to the

Profession of Lawyer" also supported vulnerable single parents, with 1,000 pro bono legal consultations provided by GBA lawyers. The project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" addressed a core vulnerability in Georgia— that of women victims of sexual violence, with project training addressing intersectional discrimination (LGBTI women; women with disabilities; and women belonging to ethnic minorities).

Vulnerable groups in the context of mental health in detention were addressed in the project "Human Rights and Health-Care Support to the Penitentiary System". Persons with disabilities were addressed in a number of projects with some specific project outputs, including internal guidelines for prosecutors, Standards of Working with Witnesses, Victims and Defendants with Disabilities. Migration/displacement was not a core Action Plan focus, though the largest vulnerable group in Georgia, internally displaced persons (IDPs), were addressed in a number of projects, such as the project on "Participatory Democracy and Human Rights at Local Level in Georgia".

Equality and non-discrimination featured both as central project focus (for example, in the project "Promoting the Effective Protection of Equality and Non-Discrimination") and as a cross-cutting theme in others, though projects varied in their degree of focus on all prohibited grounds of discrimination. Addressing equality and vulnerability in the context of sexual orientation and LGBTI issues posed a specific challenge. With support of the project "Promoting the Effective Protection of Equality and Non-Discrimination"), LGBTI issues were highlighted during Equality Week in November 2022. The project "Fight against Discrimination, Hate Crimes and Hate Speech" challenged stereotypes and assumptions regarding LGBTI people in a series of Facebook videos. Generally, however, with project design and delivery based on partnership with Georgian duty-bearer institutions, regressive attitudes posed a challenge to explicitly addressing such issues. Remedying this in the context of the next Action Plan will require enhanced emphasis and high-level advocacy on the Action Plan and projects, highlighting these issues as matters of mutual, binding legal obligations of Council of Europe and Georgia.

Overall, the project portfolio's focus on duty-bearer institutions is in principle premised on enhancing **accountability** to rights-holders. Examples of this include capacity building of oversight institutions; inspectorates; and regulatory bodies; the Special Investigation Service (SIS); the PDO/NPM; the GBA Ethics Committee; the Labour Inspectorate; the CEC; and the State Audit Office Political Monitoring Department and others. This included both institutional capacity-building and support to their respective monitoring functions. In terms of accountability of the projects themselves, see above discussion on MEL.

Through a combination of communication (involving use of all forms of media) of project activities and outputs and public events, the Action Plan and projects have high visibility in Georgia. In many cases, projects address HRA principles of **transparency and access to information** and access to information (such as the electoral reform project), but this can be more explicitly situated with the HRA framework in project formulation, as a specific mutual legal obligation of the Council of Europe and Georgian partner institutions.

Extensive translation of Council of Europe standards (including decisions of the ECtHR and Conclusions on Georgia by the European Committee of Social Rights) and best practice materials into Georgian were key to enhancing access to information. Several projects produced awareness-raising materials in minority languages, for example videos on empowerment of women and girls in Armenian and Azeri by the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" and support to the PDO website publication in minority languages. Several projects produced communication plans and also assisted transparency/access to information through outputs such as communication strategies for partner institutions (for example, GBA and SIS).

There is a good level of detail on the Action Plan and projects (website of the Council of Europe Office in Georgia, and relevant Council of Europe operational main administrative entities and

through various social media[27] of both the Council of Europe and partner institutions). Most, but not all, projects are linked from the Council of Europe website. This combination enhances visibility of both activities and outputs. In addition to the use of internet and other media, the project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality" raised the visibility of gender and sexism via a "corner" in the Open-Air Festival Equality and during DataFest Tbilisi in 2022. The project "Support to the Profession of Lawyer" saw an increase of 23% of visits during 2019-21 to the GBA website, and outreach via YouTube, included an information video on access to legal aid for single parents in civil and administrative proceedings.

The Council of Europe Gender Equality Strategy 2018 – 2023 provides the foundation for projects addressing gender issues. The visibility and quality of **the integration of gender, (including both gender equality and gender mainstreaming**) in the Action Plan and projects varies.

The Action Plan itself makes only a single reference to gender mainstreaming, which it equates with gender equality, rather than the Council of Europe's comprehensive definition of gender mainstreaming and has only limited reference to gender equality (in the context of preventing and combating violence against women and domestic violence and women's participation in decision-making).

Gender focus is strongest in projects with women as specified beneficiaries (Project "Integrated Approach to End Violence against Women and Reinforcing Gender Equality") or where a project sub-component addresses an explicit gender focus (e.g. Project "Fight against Discrimination, Hate Crimes and Hate Speech" and gender-related capacity building e.g. of police and SIS personnel of treatment of female detainees in the "Human Rights-Compliant Policing" project and an online course on gender mainstreaming for the National Association of Local Authorities of Georgia, as part of "Participatory Democracy and Human Rights at Local Level" project). More generally, gender is addressed in projects in terms of participation by women and girls as beneficiaries, trainers, and experts; and in the selection of consultants. There is a strong emphasis on gender-sensitive language in many projects, and sex-disaggregated data collection, and projects are attentive to the need to ensure participation by women in project events, including (for example in the project "Human Rights-Compliant Policing") identifying baselines and project target for such participation.

A number of projects specifically addressed the issue of empowerment of women, e.g., women's political empowerment, including specific project events, and a project research study, Identifying Barriers to Women's (Women Candidates') Political Participation in Georgia. The project "Supporting Transparency, Inclusiveness and Integrity of the Electoral Process" translated the CEC Gender Equality Council's 2020 Participatory Gender Audit into policy instruments and strategic planning. The significant contribution of projects addressing gender was commented upon favourably by key institutions, such as the Gender Equality Council of the Parliament and the Central Election Commission.

3.4 Sustainability

EQ: To what extent are the results of the Action Plan/projects expected to continue beyond the implementation period?

The high-level endorsement of the Action Plan as a programming framework provides, in principle, the basis for sustainability of project results and a commitment to applying enhanced capacity, in particular of duty-bearer institutions. Also, projects are typically identified in a participatory approach, involving Georgian stakeholder institutions and secure a degree of ownership which enhances likely sustainability.

The evaluation found evidence suggesting good prospects for sustainability of outputs, including through projects' focus on working with key duty-bearer institutions, such as institutions with

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[27] Council of Europe Georgia Facebook.

training/capacity-building mandates, for example, the Central Election Commission's (CEC) Training Centre; the High School of Justice; the Ministry of Justice and others. Several projects have delivered training-of-trainers, resulting in the creation of a national pool of trainers, though training of trainers needs to be approached more as an ongoing process rather than an event. Examples include trainer pools on ECHR topics and election standards in the CEC. In particular on the latter, a recognisably strategic approach to capacity building has been driven by the CEC and where the needs, including the size, of the trainer pool has guided project implementation. With regard to ECHR topics, the High School of Justice highlighted the usefulness of the HELP training modules, which have become a mandatory component of its training. Stakeholders have provided ample evidence of the usefulness, and use of outputs such as guidelines, manuals, and technical/expert papers. For example, the PDO reported that the expertise provided under the ESCR project addressed a specific knowledge gap, and the expertise provided is being used to shaping the PDO's agenda on this topic. Other outputs will continue to be useful and used, including to inform CSO's advocacy efforts (for example, on media reform and on ESCR issues).

That said, in the absence of developed MEL and given the need for more emphasis on mutual accountability, to some degree sustainability of outputs/outcomes is presumed, even if in some cases likely. More needs to be done to copper-fasten sustainability, including projects addressing the state's commitment to adequately resource institutions and activities necessary for application of outputs; of capacity enhanced by the Action Plan and projects etc. While successor projects may be needed in many sectors/themes covered in the Action Plan, this should still be premised on a plan and commitments for an enhanced role of state institutions and an accompanying subsidiary role of the Council of Europe.

The current prevailing focus of projects on activity, enhanced capacity and outputs needs to be enhanced with greater expectations of reform from partner institutions and agreed milestones for verifiable impact, in terms of system-wide changes to practice etc. The numbers of active donors in some sectors means that this requires a combined donor approach.

As in other jurisdictions/the wider Eastern Partnership region, challenges to sustainability include frequent turnover of staff in government institutions and a general shortage of staff, limiting what project counterparts can be expected to deliver in addition to their day-to-day job obligations. These challenges are amplified by the fact that the Council of Europe is one of many actors supporting reform in Georgia, and that many state institutions are partners in multiple projects with a range of donors and IGOs.

A range of stakeholders (including some state institution personnel) indicate that political polarisation and insufficient political will for reform on some issues is the most significant impediment to ensuring Action Plan and project results are translated into meaningful sustainable reform. The delay in appointing a Public Defender, and the gap of two years in designing and adopting a new National Human Rights Strategy are highlighted to the evaluation as indicative of challenges faced, which saw some CSOs question suggest that donor support for project activity by state institutions needs to be linked to higher expectations of substantive change. For example, stakeholders involved in the media project highlighted that project outputs were relevant and, in principle, useful, but that there was little that could be done at project-level to ensure the acceptance and application of the recommendations on legislative amendments. This requires consideration for the upcoming Action Plan formulation as well as the elaboration of the subsequent portfolio of projects, in particular, in terms of how enhanced commitment to substantive change can be secured. Stakeholders have also indicated that at the level of the civil service, the specifics of the necessary reforms are generally understood, but that politicians' understanding is sometimes behind the curve. For example, with regard to data protection, experts have lauded the technical expertise within the institutions, while also pointing out that more work is needed to raise politicians' awareness and knowledge of the Tromsø Convention.

EQ: To what extent are AP/projects results regarding HRA/gender core principles expected to continue beyond the implementation period?

This question is dealt with in the Effectiveness chapter.

3.5 Added Value

EQs: What are the Council of Europe's advantages compared to other international actors in the areas covered by the AP? Are these advantages optimally applied?

There is widespread recognition of the added value of the Council of Europe as a programme implementer. This is linked specifically to its unique standard-setting role, and against which intergovernmental bodies such as the European Commission assess progress on Georgia's accession agenda. Stakeholders acknowledge the institutional gravitas that comes with this, even though there have also been some critical voices on how this has played out in practice in individual projects. In general, the Action Plan donors perceive the Council of Europe as a "safe pair of hands", i.e., a major institution with legitimacy deriving from its standard-setting and from Georgia's membership, as well as a substantial track record of programme and project implementation.

Stakeholders, in particular implementing staff at country and Strasbourg levels, made frequent references to the "triangle" of standard-setting, monitoring, and technical cooperation, highlighting the validity of the approach in theory, while being more cautious on what that means in practice. The main reservation relates to the extent to which monitoring bodies link progress to technical assistance projects, and rapidly changing circumstances in some sectors mean a divergence between project priorities and monitoring recommendations, which, in some cases, pre-date the projects by several years. Stakeholders have rated the expertise provided by Council of Europe experts as consistently high, with the organisation's available pool including expertise in Council of Europe standards as well as comparative experience from other jurisdictions a specific added value—though as some interlocutors have noted, this is also the case with other project implementing agencies.

EQ: To what extent does the combination of Action Plan/projects portfolio afford a comparative advantage?

The formulation process and status of the Action Plan is key to securing of large-scale funding for the portfolio of projects. Another key advantage of the combination of Action Plan and projects is that the Action Plan process and mutual commitments provides high-level endorsement by the state to the portfolio of projects. This enhances visibility and buy-in by participating partner institutions in individual projects. Enhanced project MEL, with more emphasis on measuring progress towards impact and more direct linkages to the Action Plan scoring template can enhance this. While a range of project events have seen high-level participation by donors funding the Action Plan, there remains potential to enhance combined leverage of donors, including donor participation in the Action Plan Steering Committee and more focus by the Committee and by donors on measurement of substantive progress and impact.

4. Conclusions and Recommendations

The following section is organised linking conclusions with specific recommendations that follow from them.

Conclusions and recommendations:

Relevance

Conclusion 1

A framework of monitoring body recommendations, knowledge and established partnerships from previous Action Plan projects and the participatory design of the current Action Plan and projects meant that all interventions were highly relevant to the Georgian context, including to applicable international standards; national policies; and identified reform needs.

Recommendation 1

Relevance can be assured by maintaining the current approach of participatory design of Action Plan and projects, while being alert to possible gaps, where the preferred priorities of partner institutions may result in the exclusion of some groups or issues, or where partners' preferred activities are not optimal for the actual substantive reform needed. Relevance to the socio-economic circumstances of a large percentage of the population should be enhanced by more focus on social and economic rights, linked to the Council of Europe's mandate in this sphere.

Effectiveness

Conclusion 2

Project effectiveness has benefitted from the experience of previous Action Plans and a high degree of staff commitment, expertise, and experience (including, in some cases, past experience in state institutions and UN agencies). Strong collegiality across project teams and good retention of staff are indicative of a positive working environment and represent key contributions to effectiveness.

Recommendation 2

Ongoing Council of Europe staff development should be prioritised, particularly on applying relevant planning/monitoring/evaluation standards (including on transversal themes). Online training resources should be complemented by group training, including combined training with relevant stakeholders, UN agencies etc.

Longer-term projects and longer staff contracts merit serious consideration, for employment security of staff, and to ensure that the Council of Europe retains knowledge, and to minimise the impact on projects of staff being distracted by the need to seek out future work opportunities.

Conclusion 3

The portfolio of projects has grown considerably in the current Action Plan period, with a large number of short, relatively small-scale projects, in some cases on related themes. This scale of the portfolio involves significant administrative, and time demands (including steering committee meetings, reporting etc.) on Council of Europe staff as well as partner institutions, and others, notably the Public Defender's Office (PDO). In some cases, project partners with limited capacity are involved in multiple Council of Europe (and other donors') projects, which also poses challenges for their effective participation.

Recommendation 3

There is a need to rationalise the number and duration of projects. This might mean specific issues/themes being addressed as sub-components of a larger project or programme, or at least the clustering of related projects. Where 100% of funding is not committed at the outset, projects

might make provisional plans to add components during their lifetime as funding becomes available.

Conclusion 4

The growth and expansion in projects and staff numbers has not been reflected in adjustments to the structure of the office, which has reduced the overall potential effectiveness of the Action Plan and a holistic approach to projects.

Recommendation 4

The architecture of the Council of Europe Georgia office should be revisited to ensure meso-level coordination of projects and enhanced management of organisational growth. This should involve a 'programme coordination tier', between the Head of Office and Deputy and project teams. This tier should comprise of substantive and methodological PCM expertise with a mandate to maximise synergies and sharing of best practice and lessons learned between projects; coordinating capacity-building of project teams; and serving as an initial point of contact for other agencies active in related spheres in Georgia and for other relevant Council of Europe activities in the region.

Conclusion 5

The capacity needs of key duty-bearer institutions, including some new institutions and personnel; new and planned treaty ratification; recommendations of standard-setting and monitoring bodies; new and amended legislation; etc, mean that the Action Plan and projects' significant focus on awareness-raising and capacity-building was an effective means of contributing to reform.

Recommendation 5

Awareness-raising and capacity-building (training, study visits, mentoring and expert advice etc.) should be systematically linked to transfer of responsibility to relevant institutions, including agreed commitment of necessary resources by the state and enhanced measurement of the application of knowledge and tools and of resulting changes to practice.

Conclusion 6

Action Plan and project monitoring, evaluation and learning and related staff capacity remain weak. While it has received more attention in the latter stages of the Action Plan, projects are weak in terms of measurement of their contribution to reform. Time and capacity constraints mean that the current focus on reporting outputs/outcomes is at the expense of measurement of the *quality* of project delivery and of impact.

Recommendation 6

From the project design stage, dialogue with partners needs to include specific focus on measurement of expected contributions to reform; an agreed MEL methodology; SMART indicators etc. Measurement of progress should be highlighted as a matter of efficiency and accountability to donors, but also as a matter of Council of Europe and Georgia's mutual legal accountability to rights-holders. Given the size of the project portfolio and team, an MEL focal point (logically positioned in the recommended architecture's programme coordination tier) is required. This tier can enhance MEL capacity of project teams, collate, and share lessons across projects; rationalise end-of-project evaluations and incorporate them into office-wide learning; it can also contribute to the development of staff programming capacity. Project and Action Plan evaluations should be taken as opportunities to build an accountability culture among duty-bearer institutions, and to enhance Georgian partners' capacity to measure progress, including their participation on evaluation Reference Groups etc.

Conclusion 7

The projects' application of the Council of Europe HRA framework and its core principles is, thus far, uneven, with projects varying in terms of comprehensive and systematic application of all

framework principles, with some projects addressing all the constituent principles and others confined to civil society participation. In many cases, HRA observations in project documents are generic. A majority of projects lack indicators to measure all the core principles, both in terms of the *process* of project delivery and project *results*.

Recommendation 7

In the case of project partners, there is an ongoing need to raise awareness of HRA. Council of Europe project teams; long-term consultants; and partners need space and support to enhance capacity to apply the HRA principles in all stages of the project cycle. In particular, effective integration of the principles of transversal themes requires enhanced focus on measurement of their delivery in the Action Plan and projects' monitoring, evaluation and learning.

Conclusion 8

While state institutions are primary project partners, participation by civil society organisations is a feature of a number of projects. CSOs are on steering committees in almost all cases and in others participate in the delivery of project activities, as project beneficiaries; as recipients of micro-grants; and participants in project-initiated thematic consultation platforms etc.

Recommendation 8

The current high levels of CSO participation should be continued and expanded, including beyond Tbilisi, and with clarification as regards the Council of Europe's rationale for partnering with state institutions. CSO participation in projects can be enhanced by more focus on their role as monitors of substantive progress, including enhancing their role in project MEL- legitimising this role where state institutions are sceptical about engagement with CSOs.

Conclusion 9

Gender, gender equality and gender mainstreaming are insufficiently reflected and addressed in the current Action Plan and the project portfolio. While some projects are relatively strong in addressing gender (notably where women and girls are a specific project target group), others are limited to disaggregation of data by sex in terms of project participants and beneficiaries, as opposed to deep gender analysis of the root causes of problems addressed and gender specific aspects of expected results.

Recommendation 9

Gender mainstreaming across future Action Plans and projects needs to be more integral in analysis of the root causes and of expected results. This requires systematic application of gender concepts by all partners in programming to each stage of the project management cycle: from root cause/needs analyses; to design and delivery of activities/inputs and measurement of the project processes; and of outcomes and impact. More capacity-building of staff and long-term consultants to apply relevant Council of Europe gender tools is necessary (and desired by project teams). The regional Gender Advisor (a role vacant since December 2022, but to be filled again in autumn 2023), and the Council of Europe Gender Equality Focal Point Network launched in 2021 can play a key role in this.

Sustainability

Conclusion 10

The targeted selection of partners (in many cases with statutory mandates regarding oversight, training etc.), and the sense of Georgian ownership offer an important basis for sustainability of results. The participatory identification of needs and priorities is also key. In addition, while not a formal partner in most projects, the committed participation by Georgia's National Human Rights Institution, the PDO, is a key contribution to sustainability. An important caveat is that ongoing application of tools, knowledge and enhanced capacity in daily practice and procedures and follow-up to various project recommendations remains highly dependent on securing future legislative reform, budgetary commitment of necessary resources etc.

Recommendation 10

Action Plan and project formulation should be premised on specific discussions with partners on risks and opportunities regarding sustainability of project outputs. Each project should produce a draft sustainability plan at an early stage, for revision at the closing stages of the project timeline, including future resource implications.

Conclusion 11

A range of stakeholders suggested that political polarisation and a deficit of political will for reform (in some sectors) is a significant challenge to translating Action Plan and project results into sustainable substantive reform.

Recommendation 11

A meso-level tier in a revised office/programme delivery architecture should be put in place to address challenges in some sectors of moving beyond project outputs/outcomes to measured sustainable substantive change. This would facilitate senior cross-cutting programme management support to project teams in any situations where project managers and partner institutions differ on issues of project orientation or progress and also enhance efficient transferrable learning across projects etc.

Added Value

Conclusion 12

There is widespread recognition of the added value of the Council of Europe as a programme implementer. This derives from its standing and status of inter-governmental organisation in Georgia; its ability to mobilise large-scale funding through its member states; established relations with partner institutions and the Council of Europe 'triangle' of standard-setting, monitoring and technical co-operation. The substantive and comparative knowledge of the Council of Europe's available pool of experts; and Council of Europe best practice resources are also acknowledged as contributing to this.

Recommendation 12

The added value of the Council of Europe can be enhanced by strengthening the linkages between elements of the 'triangle'. In particular, there is a need for enhanced capacity to translate Council of Europe standards into programming methodologies and impact measurement, and for revising the current office/project delivery architecture. Without more focus on measurement of impact of programming (including of cross-cutting principles), there is a risk that the added value of the 'triangle' is conceptually sound, but inadequately evidence-based.

COVID-19 pandemic

Conclusion 13

The COVID-19 pandemic impacted across all spheres of democracy; rule of law; and human rights in Georgia, and on reform interventions. Travel and social distancing restrictions arising from COVID-19 and the demands the pandemic placed on partner institutions impeded projects' delivery of activities (particularly given the focus on project training and other group events). In some cases, the pandemic delayed commencement of projects, while in others project timelines meant it was not possible to reschedule events. Projects adapted by moving some activities online and securing time-line extensions.

Recommendation 13

The Country Office should retain lessons learned as the basis for planning for any similar future disruption, by retaining any virtual approaches that have merit. However, face-to-face interaction should be the preferred norm for capacity building activities.

5. Lessons learned

A key lesson learned is that an expanded volume and spread of project activities requires reflection on the delivery architecture for optimum synergies between projects. This is a matter of project efficiency and also necessary to avoid compartmentalisation of projects, and to reflect the interconnectedness of Democracy, Rule of law and human rights and the interdependence of human rights.

The need for enhanced measurement of impact, or (in the case of relatively small, short projects) *progress* towards impact, is recognised as key to ensuring that activity and outputs are properly recognised by all partners as means to an end, and not ends in themselves.

The importance of established relations between CoE/project teams with key institutions is recognised as key to project communication and momentum.

Preparations for the formulation of the next Action Plan are underway, and national project staff (project officers) have been in the lead in facilitating thematic brainstorming sessions with partner institutions. Participants' feedback suggests that these meetings were of high-quality and useful—this points to a considerable level of expertise of project staff, as well as the potential involved in given national staff increased responsibilities and leading roles.

Given that the ToRs including a request for insights to benefit Action Plans generally, the evaluation notes a need, going forward, for Action Plan evaluations to:

- ensure more uniform terms of evaluation criteria. For example, some, but not all, Action Plan Evaluations include 'coherence' as a criterion, while the original ToRs of this evaluation did not include sustainability etc.;

- ensure more resources to allow for more in-depth evaluation and to meet the HRA criteria of "active, free and meaningful" participation of stakeholders;

- ensure more advance preparation by partner institutions and project teams for end-of-Action Plan evaluations, including enhanced ongoing project monitoring and a designated Office evaluation focal point, logically a designated Office MEL lead;

- enhance mutual accountability, by including representatives of donors and partner institutions in evaluation Reference Groups, including their participation in the drafting of evaluation ToRs, and inputting into consolidated Reference Group feedback (on inception and draft reports).