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# Central project evaluation

Legal Approximation towards European Standards  
in the South Caucasus

Project number 2017.2129.9

## Evaluation Report

On behalf of GIZ by Annette Englert and Tamar Khidasheli

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## Abbreviations

BMZ	German Federal Ministry for Economic Cooperation and Development (Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung)
CSO	Civil society organisation
EU	European Union
FGD	Focus group discussion
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
IRZ	German Foundation for International Legal Cooperation
NGO	Non-governmental organisation
OECD/DAC	Development Assistance Committee of the Organization for Economic Co-operation and Development
PCA	Peace and conflict assessment
RIA	Regulatory impact assessment
SDG	Sustainable Development Goals
ToC	Theory of change
ToT	Training of trainers
UNDP	United Nations Development Programme
USAID	United States Agency for International Development



## The project at a glance

South Caucasus (Armenia, Azerbaijan, Georgia): Legal Approximation to European Standards

Project number	2017.2129.9 and EU grant agreement ENI/2018/402–475
Creditor reporting system code(s)	15130 – Good Governance
Project objective	The approximation of the legal systems of the South Caucasus to European standards has advanced.
Project term	01 February 2018 – 30 April 2021 (until March 2020 for purely BMZ-financed measures, according to the change offer of 21 December 2018)
Project value	EUR 7,783,000 (including EU cofinancing of EUR 1.3 million)
Commissioning party	German Federal Ministry for Economic Cooperation and Development (BMZ), cofinancing
Lead executing agency	Ministries of Justice (MoJ) of Armenia, Azerbaijan and Georgia
Implementing organisations (in the partner country)	Ministries of justice (MoJ) of Armenia, Azerbaijan and Georgia
Other development organisations involved	EU, United States Agency for International Development (USAID), Council of Europe, German Foundation for International Legal Cooperation (IRZ), United Nations Development Programme (UNDP)
Target group(s)	Direct target groups: ministries of justice in the South Caucasus and related institutions such as councils of judges, courts at different levels, parliaments, judicial training institutions, legal faculties of universities, bar associations, selected NGOs and the media Final target beneficiaries: the entire population of the South Caucasus

# 1 Evaluation objectives and questions

This chapter describes the background, purpose and overarching thematic scope of this evaluation.

## 1.1 Evaluation objectives

This evaluation is part of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH system of independent central project evaluations. The evaluations commissioned by the German Federal Ministry for Economic Cooperation and Development (Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung, BMZ) within this framework perform three basic functions:

- support evidence-based decision-making,
- promote transparency and accountability, and
- facilitate organisational learning by contributing to effective knowledge management.

The project under evaluation, the technical cooperation measure Legal Approximation to European Standards in the South Caucasus (PN 2017.2129.9) including its European Union (EU) cofinanced component (ENI/2018/402–475), was part of the Evaluation Unit's random sample. This was a final evaluation, before the project closure in April 2021. Due to the ongoing Covid-19 pandemic, the evaluation was conducted under the conditions of a full remote setting. The project was assessed on the basis of Organisation for Economic Co-operation and Development (OECD)/ Development Assistance Committee (DAC) criteria using various empirical methods (see the methodological approach in detail in **Table 3**).

The stakeholders of the evaluation are mainly BMZ, the EU and GIZ, which might use the evaluation results to plan and design the country and regional portfolio and eventually to relaunch a rule of law project in the future. Another project in the sector portfolio, Good Governance for Local Development (PN 2019.2204.6), has integrated some minor aspects of this judicial reform project. Further stakeholders of the evaluation are the partner structures in the three countries, which are mainly represented by the ministries of justice, and several institutions whose involvement in the project was only indirect or temporary such as: courts at various levels, parliaments, judicial and public servant training institutions, universities' legal faculties and selected civil society organisations (CSOs).

## 1.2 Evaluation questions

The project was assessed on the basis of standardised evaluation criteria and questions to ensure comparability by GIZ. This is based on [OECD/DAC evaluation criteria for international cooperation](#) and the [evaluation criteria for German bilateral cooperation](#): relevance, efficiency, effectiveness, impact, sustainability, complementarity and coordination.

Specific assessment dimensions and analytical questions have been derived from this given framework by GIZ. These form the basis for all central project evaluations in GIZ and can be found in the evaluation matrix (Annex 2). In addition, contributions to the 2030 Agenda for Sustainable Development and its principles (universality, integrative approach, leave no one behind, multi-stakeholder partnerships) are considered as well as cross-cutting issues such as gender, the environment, conflict sensitivity and human rights. Also, aspects regarding the quality of implementation are included in all OECD/DAC criteria.

The stakeholders involved in the evaluation did not express any additional knowledge interests. One reason might be that the decision to conclude the project was taken over a year ago and the purely BMZ-funded component had already been terminated.



## 2 Object of the evaluation

This chapter aims to define the evaluation object, including the theory of change (ToC) and results hypotheses.

### 2.1 Definition of the evaluation object

The object of the evaluation is the technical cooperation measure Legal Approximation to European Standards in the South Caucasus (PN 2017.2129.9) (hereafter 'the project') with an overall term from 01 February 2018 to 30 April 2021. The EU-cofinanced project Better Commercial Law and Legal Practice in Georgia (grant agreement ENI/2018/402–475) is also part of the evaluation object (hereafter 'the action').

The project had a long history since it was built on a first regional project, which was established at the University of Bremen in 1992. From the late 1990s, bilateral projects were established in Armenia, Azerbaijan and Georgia. In 2009, these individual projects were merged and preference was given to a regional approach again, encompassing all three South Caucasian countries. The long duration of the project has been considered in the context of the impact and sustainability of the predecessor project.

The initial BMZ project budget was 5.5 million euros. This was supplemented by a cofinancing agreement with the EU (ENI/2018/402–475) that had a total budget of 1.57 million euros (a BMZ contribution of 270,000 euros was included in the 5.5 million BMZ budget and in the EU contribution of 1.3 million euros) and BMZ topping up Agenda 2030 with extra funds of approximately 500,000 euros (transferred from the previous project period). The original BMZ project offer from 2017 was revised several times (July 2018, December 2018, December 2019, September 2020). The main adjustments of the amendments were:

- an extension of the original project period (from January 2020 until March 2020 for purely BMZ-funded components and until April 2021 for the support and finalisation of the EU component),
- upgrade of 1.3 million euros of cofinancing with 270,000 euros of BMZ's own contribution, accompanied by an increase of the indicator targets for outputs B1 and D1 to a total budget of 7.3 million euros, and
- transfer of the remaining budget of 483,000 euros from the previous project on the Agenda 2030 component.

In addition, the running period of the EU component was extended until April 2021 (September 2020) from October 2020.

The project's objective was 'The approximation of the legal systems of the South Caucasus to European standards has advanced'. The project's overall strategic orientation was to respond to the post-socialist transformation process in South Caucasian countries towards rule of law and democratic institutions through targeted support for the respective ministries of justice as political and implementation partners and for legal practitioners (judges, attorneys, notaries, public clerks and legal students) as the primary target group. In addition, journalists and school students were direct target groups in output D. The final beneficiaries were the entire population of the three countries.

The project's interventions were in five thematic priority areas, three of which were in the field of general capacity building of partnering institutions towards EU standards: regional exchange on legal reforms, selected legislation, and legal education and training. The other thematic areas were raising public awareness of fundamental rights for the general population, and how to integrate Agenda 2030 requirements into regulatory impact assessment methodology.

The project was part of the German bilateral cooperation portfolio of Georgia, Armenia and Azerbaijan but followed a regional approach with an integrated component for regional exchange on reform processes. Thus,

the main partner structure comprised the three countries' ministries of justice and associated institutions such as supreme courts, high councils of judges, parliaments' legal committees, constitutional and administrative courts, national justice academies/training institutions and universities' legal faculties. Specific targeted areas also involved civil society and private actors including lawyers, non-governmental organisations (NGOs) and the media.

Another specific element of the project was that support for institutions was channelled through capacity building formats via the GIZ project team made up of 2 international and 11 national professionals, with the help of a number of short-term international experts. In addition, local grants were provided to local NGOs for awareness raising activities and the consideration of Agenda 2030 in regulatory impact assessment procedures.

This 'multi-methodological concept' was designed to strengthen partner capacities and initiate positive change by tackling different points and levels. Overall, the project was based on a demand- and process-oriented, predominantly national-level approach, in accordance with the nature of the inherent partnership structure and the project's methodological design. This was complemented by selected activities that directly targeted local level, especially the focus on raising awareness of fundamental rights among the population via the media, NGOs and schools.

The project addressed cross-cutting issues. It contributed to gender equality on various levels. These included considering female representatives in training and capacity building measures, the thematic scope of legislation that is discriminatory towards women (property rights) and the monitoring system (gender disaggregated data collection), and establishing a gender-focused person within the project structure. Human rights were addressed in the context of awareness raising campaigns.

### **Context and fragility factors**

The project operated in a fragmented, conflict-affected political environment. Demographic data show the high degree of heterogeneity of the population. There are over 40 languages, various ethnic groups, and Islamic and Christian traditions, with distinct majorities and minorities in the three states. Geographically located in the vicinity of the Near East, Western Europe and Russia, the region has a volatile history. The territory was a permanent source of conflict between Russia, the Ottoman Empire and Persia until it was annexed by Russia in the 1920s. With the break-up of the former Soviet Union in 1991, the countries regained their independence, but previous conflicts between ethnic majorities and minorities over autonomy and territory re-emerged. One of these is the major conflict between Armenia and Azerbaijan over the Nagorno-Karabakh region, which is internationally recognised as part of Azerbaijan but has an Armenian majority population. Violent escalations regularly occur such as the intensified fighting from September to November 2020. The conflict overshadows neighbouring relations in the entire region. While Georgia holds a neutral position and maintains relations with both states, Armenia and Azerbaijan have had no diplomatic ties since the 1990s. This conflict is reflected in visa regulations, by which Armenian passport holders cannot enter Azerbaijan.

Other unresolved inner-state conflicts exist in Georgia in the regions of South Ossetia (1990 to 1992) and Abkhazia (1992 to 1994). Both regions are inhabited by ethnic minorities of the Ossetians and Abkhaz and had an autonomous status during the Soviet period. They declared independence from Georgia in 2008 with the support of Russia. The conflict has flared up in several periods of violent incidents and created de facto autonomous regions within Georgia, with a permanent presence of Russian military.

Despite the common past of the three countries during the Soviet era, which still influences political processes and structures, the current political orientation and developments are diverse. Whereas Georgia and Armenia are building bridges with and seeking to join the European Union to various degrees, Azerbaijan is more focused on traditional ties with Russia and Turkey.

Accordingly, the countries have different statuses and agreements in the framework of the European Neighbourhood Policy (ENP). Georgia signed an association agreement including a Deep and Comprehensive Free Trade Area (DCFTA) in 2016. Armenia signed a Comprehensive and Enhanced Partnership Agreement (CEPA) in 2017 (Doc\_Div\_4) and Azerbaijan a Partnership and Cooperation Agreement in 1999.

These agreements are reflected in reform agendas on democracy and rule of law and the respective indices. On the Bertelsmann Transformation Index (Doc\_Div\_17), Georgia ranks 40, Armenia 74 and Azerbaijan 105 out of 128 countries (2018). Other indices show similar scores such as the Global Economy's human rights and rule of law index (2020; Doc\_Div\_18) of 176 countries. On this index, Georgia has 5.10 points (on a scale of 0 for the best value and 10 for the worst) and is in position 103 (the best rank is 176 and the worst is 1), Armenia has 6.3 points and is in position 80 and Azerbaijan has 8 points and is ranked 30.

This weakness in governance and democratic institutions translates into limited access to justice and civil and political rights for the population. In the justice sector, corruption and client-oriented allocation of posts undermine the independence of legal institutions. Breaches of human rights principles are another factor. They occur to various degrees in the three countries and encourage political fatigue and distrust in government institutions – including the judiciary – and their legitimacy.

In all three countries, justice sector reform strategies are on the way and oriented to EU standards. However, progress is only achieved gradually as challenges persist, in particular in the practical implementation of adjusted laws. This requires restructuring of institutions, redistribution of political power and significant amounts of financial and human resources.

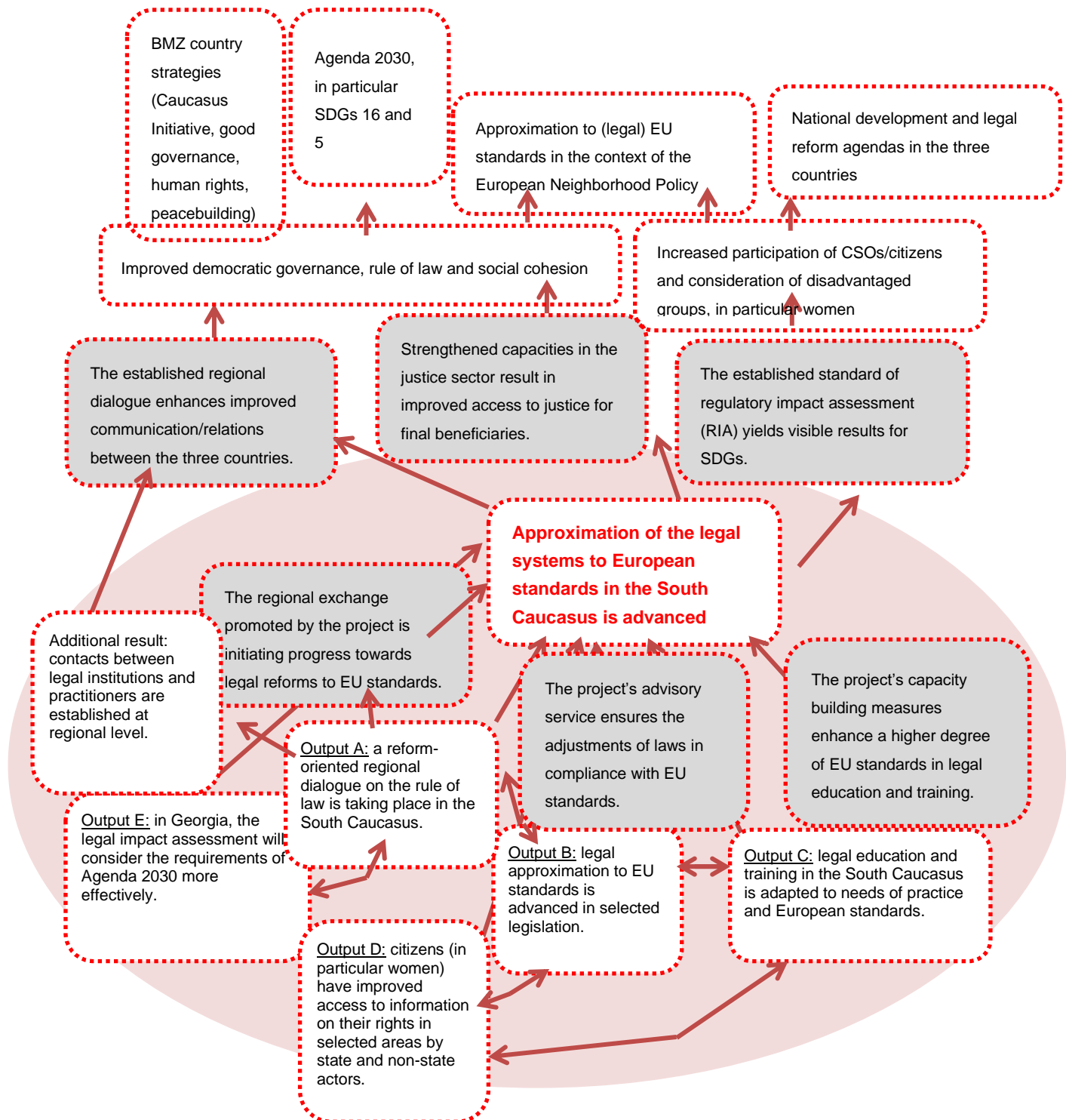
### **Project's integrated conflict sensitivity approach**

The project considered the above conflict and fragility factors through the following measures. A peace and conflict assessment (PCA) was conducted in 2016 and the monitoring of risk factors was documented in the progress reports. Security risks were considered by the Risk Management Office (RMO), which provides detailed risk assessments and has established procedures for GIZ staff in place (especially for travel to conflict regions) and during the current Covid-19 pandemic.

## 2.2 Results model including hypotheses

The project's results model and its underlying ToC were the theoretical foundation for this evaluation. The project's results model is shown in Figure 2.

Figure 1: Current results model with underlying theories of change in the textboxes in grey



The project provided support via five components.

Output A had a central overarching role as it facilitated dialogue between Georgia, Armenia and Azerbaijan on specific judicial reform aspects of outputs B, C, D and E in the fields of legislation, legal education and public

awareness raising, and on regulatory impact assessment (RIA) to progress towards SDGs. Outputs B, C and E were closely interlinked as they aimed to build the capacities of government partnering institutions in three complementary fields. Output D on public legal awareness raising played a slightly different role, since its target groups were not only law and business professionals, but also NGOs, media and the general population. Assistance was provided by personnel (national and international long-term experts, international short-term experts, and Centre for International Migration and Development [CIM] advisors), financial support and capacity building formats such as training sessions and seminars and individual mentoring/coaching.

The anticipated results in the field of regional dialogue (Output A) were twofold. Firstly, improved communication and cooperation was expected between the countries of the South Caucasus. Secondly, a stimulating and multiplying effect in judiciary reform processes towards EU standards was anticipated through the exchange of experiences, concepts and ideas. These two fundamental aspects were translated to the higher aggregated outcome level reflected in the four module target indicators, which all referred to improvements in the justice system initiated or promoted by regional exchange.

The EU cofinancing component was integrated into the overarching BMZ results logic. The additional thematic focus referred to three core legal reform initiatives, namely company, insolvency and law enforcement legislation and improved commercial dispute litigation in Georgia. The related activities and outputs followed the same structure as under the BMZ project and were mainly subordinated to output B with support and an advisory service for the legal drafting and implementation process, output C targeting capacity building and training for law practitioners and legal institutions and output D covering awareness raising for the relevant public. However, with its limited geographic focus on Georgia, this did not contribute to the BMZ overall strategic approach of promoting regional exchange (output A). However, it was connected to output E, regulatory impact assessment (RIA) with an SDG focus, as the drafted company and insolvency laws have undergone this process.

Overall, by researching documents and interviews during the inception mission, the evaluation found that the results model adequately portrayed the actual approach and scope of the project.

### **The theories of change (ToC)**

The fundamental ToC of the project was based on the finding that the justice sector in the South Caucasus lacks capacities and does not use the potential of regional exchange to advance towards democratic institutions and rule of law according to EU standards (as agreed in EU partnership agreements in the context of the European Neighbourhood Policy with Armenia and Georgia).

The underlying assumption was that strengthened capacities in the justice sector combined with regional exchange lead to progress in legal reforms towards EU standards (outcome), which in turn results in strengthened rule of law in the region (impact).

This ToC was partly proved by the predecessor project.

### **The system boundary**

The system boundary of the project was at the level of the module outcome and the three main partnering ministries of justice in the partner countries, including subordinated institutions and selected CSOs and the media, which were also involved in the project. The project's influence was limited to the thematic processes that were agreed on: civil law, constitutional and administrative law. The project provided capacity building support for partners on EU standards in the above fields. However, it had limited control on the extent of use and implementation by partner institutions that are strongly influenced by overall regional and national political developments.

## The underlying hypothesis

To conduct the contribution analysis, the evaluation used interviews with project staff and the results model, including underlying assumptions and risks, to identify relevant hypotheses. Three hypotheses reflected the assumed causal relation between output and outcome, and three hypotheses centred on the level between outcome and impact. Another selection criterion was estimated feasibility of the evaluation. Similarly, corresponding alternative or rival hypotheses were formulated on internal or external factors that might contribute to or have a positive or negative influence on the anticipated project results.

### Hypotheses on effectiveness level

<b>Hypothesis 1</b>	<b>The regional exchange (output) promoted by the project is starting progress towards legal reforms to EU standards in different aspects (outcome).</b>
Rival hypothesis: in first place, legal reforms to EU standards are initiated by the bilateral interventions of other donors, political pressure from the EU and the countries' own efforts. The project's regional exchange plays a subordinate role, as the priorities of the three countries are too diverse and the conflict between Armenia and Azerbaijan hinders regional cooperation.	
<b>Hypothesis 2</b>	<b>Increased expertise of the ministries of justice due to the project's advisory service (output) leads to adjustments of laws by partner ministries, in compliance with EU standards (outcome).</b>
Rival hypothesis: the activities and programmes of other donors and/or political pressure from the EU also impact the adjustments of laws in compliance with EU standards, so achievements are not solely attributable to the project.	
<b>Hypothesis 3</b>	<b>Strengthened capacities of universities and legal training of institutions initiated by the project (output) enhance a higher degree of EU standards in legal education and training (outcome).</b>
Rival hypothesis: other donor interventions contribute to or are mainly responsible for the strengthened capacities of universities and legal training institutions, to enhance a higher degree of EU standards in legal education and training.	

### Hypotheses on impact level

<b>Hypothesis 1</b>	<b>The project's expanded regional dialogue on legal EU standards (outcome) leads to improved communication and understanding between legal professionals in the countries at individual and (partly) at institutional level, which has an impact on social cohesion (impact).</b>
Rival hypothesis: initiatives of stakeholders such as the EU, the Organization for Security and Co-operation in Europe (OSCE), the Swiss Agency for Cooperation and Development (SDC) and CSOs (that were further specified during the field research) and targeting the justice sector are more successful in promoting liaisons between individuals and institutions at regional level to promote social cohesion than the project's expanded regional dialogue.	
<b>Hypothesis 2</b>	<b>The advanced consideration of EU standards in the justice sector (outcome), such as the established standard of regulatory impact assessment (RIA), yields visible results for SDGs (impact).</b>
Rival hypothesis: other European donor interventions also lead to or are the main factors responsible for visible results in the justice sector that affect SDG achievements (and a strategic SDG orientation in the political planning of partner countries).	
<b>Hypothesis 3</b>	<b>Strengthened capacities in the justice sector regarding the consideration of EU standards (outcome) result in improved legal practice and yield visible results, for example improved access to justice for final beneficiaries the general population (impact).</b>
Rival hypothesis: The partner ministries are mainly responsible for improved legal practice according to EU standards and for an improved access to justice for final beneficiaries.	



## 3 Evaluability and evaluation process

This chapter aims to clarify the availability and quality of data and the process of the evaluation.

### 3.1 Evaluability: data availability and quality

#### Availability of essential documents

The project provided access to all essential project documents such as the BMZ and EU project proposals, the respective BMZ modification offers and the project progress reports due until the start of the evaluation in September 2020. Documents included GIZ mandatory project-specific conflict and gender analyses. In addition, a comprehensive excel matrix covering all project activities during the project period was submitted to the evaluators along with a list of partners per country (for more details see the list of documents attached).

#### Baseline and monitoring data including partner data

The project had an integrated monitoring system but did not follow the KOMPASS procedure. The monitoring system was based on two separate tools: an excel sheet showing all the activities that were carried out, and an account on the GIZ Results Monitor platform, which is an online tool for results-based monitoring (RBM) used to track and measure progress. The system is based on the logframe matrix that shows target indicators per outcome and output and respective base and target values, current status and source of verification. Both frameworks were last updated on 31 March 2020.

Overall, the monitoring and baseline data on the online platform could be considered relevant, accurate and complete. All data referring to indicator achievement were clearly described and all indicators were covered. However, the data sources, which should provide evidence such as legislation and training modules, were not always accessible (for example, documents on outputs C and D). Overall, the data complied with the project's progress reports.

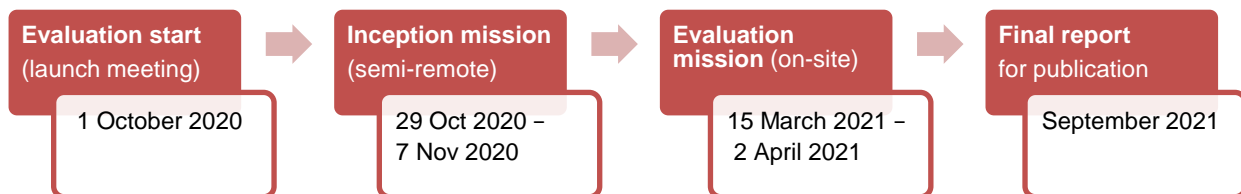
Monitoring of risks and conflict sensitivity was not integrated into this framework. This was done at the level of annual progress reports (see also the explanation in the section on the project's integrated conflict sensitivity approach, page 8). Until the finalisation of the BMZ project period, a national expert in Armenia was in charge of the overarching monitoring system, supported by national focal points in each country for the collection and submission of the respective national data. The project did not use data from the political partners, the ministries of justice or their subordinated institutions in the three partner countries. However, the project did use data and information from subcontractors such as NGOs and consultancies, mainly on awareness raising activities.

The indicators mostly met the SMART criteria (specific, measurable, achievable, relevant and time-bound). However, they were predominantly quantitative and as such reflected mainly the quantitative performance of the partners in terms of products delivered (number of publications, laws adjusted and used through regional exchange, etc.). To a lesser extent, they revealed qualitative aspects of attitude or systemic changes in the partners' system, for example. However, there was one survey-based indicator with qualitative elements that considered 'the use of the acquired knowledge on Agenda 2030-sensitive RIAs among CSOs (output E, indicator E1)'. Therefore, the evaluation also focused on complimentary qualitative aspects of the achievements in terms of changes perceived in the partner system including relationships, competences, knowledge and attitudes.

## 3.2 Evaluation process

The evaluation was conducted by a team of two evaluators: an international evaluation expert and a national legal expert from Georgia. The time period was divided into several phases: the inception phase with key stakeholder interviews and development of the methodological design, the data collection, and the synthesis phase for data analysis and final report writing. The diagram below gives an overview of the chronological process.

Figure 2: Milestones of the evaluation process



### Remote evaluation due to the Covid-19 pandemic

Owing to the increasing number of infections in Germany and in the project countries, the evaluation was carried out in fully remote mode. A positive effect was that the allocated time could be used to conduct a critical number of interviews in all three countries, which might have been much more difficult with an on-site mission requiring a lot of travelling time between countries. Furthermore, the time flexibility without an on-site stay made the schedule more fluid and adaptable to the availability of interview partners. With the project's predominantly national-level partner structure, the key stakeholders could be reached via digital media. Thus, the methodological design with semi-structured interviews and an online survey could be conducted as initially planned. However, the envisaged focus group discussion with final beneficiaries such as school students and clients of public services could not be carried out, as these groups were not accessible online.

Similarly, the evaluation team could not access 'informal information', which is particularly important in politically sensitive contexts, as the online meetings always had an official character from beginning to end. Data are usually collected by visual inspection and observation of project activities and sites, such as court hearings and public service offices that receive clients. This aspect was also missing from the online evaluation.

### Involvement of stakeholders and selection of interviewees

The evaluation involved as many stakeholders as possible to validate the data through the perspectives of actors from various backgrounds, and to enable a participatory approach. It applied a purposive sampling approach to select interviewees. Purposive sampling is appropriate for qualitative research, as envisaged in this evaluation.

Two main categories of stakeholder were identified, namely 'external' and 'internal' actors. Internal stakeholders were representatives who were directly involved in the project on different levels such as project staff, judicial partners (institutions) and, to a lesser extent, some partner NGOs and media as the primary target group, citizens as recipients of training sessions and awareness raising activities, clients of legal services including women and youth as final beneficiaries in the three countries, and cooperation partners such as other GIZ projects. However, there was some natural overlap between legal partners as the primary target group and individual training participants as the final beneficiaries. For example, alumni who were former training participants and were mainly already students, received in the course of their careers higher positions in the judicial institutions that now represent project partners' organisations.



External actors included those who were familiar with the project and the project environment but were not directly involved. Examples are other government institutions, CSOs and CSO networks, other donors and research institutions.

The main categories of stakeholders and the rationale for their selection are outlined in the table below.

Category	Rationale
<b>Internal stakeholders</b>	Due to their involvement in the project as a funding agency, implementation staff or beneficiaries of the various project activities, they had in-depth knowledge to varying degrees and could provide information on positive aspects, achievements, and internal and external challenges. However, because of their involvement, they tended to be biased, as their perspectives and statements were determined by their interests (for example, staff wanted the project to be evaluated successfully). To balance these views, the information provided was triangulated with that of external stakeholders with a more objective perspective, as described below. In this way, the most complete picture possible was captured.
<b>External stakeholders</b>	Outside experts, who knew the sector and the project without being directly involved, had less detailed information. However, they tended to have a more neutral view of the project because they were less influenced by their own interests. This, together with their sector expertise, enabled them to provide a perspective that placed the project in a broader context to evaluate it in the overall context.

In addition to triangulation of data from internal and external sources, data were triangulated across experts and research tools. While the project staff proposed and provided contact details for relevant internal stakeholders, the evaluation team mainly selected interview partners from the external stakeholders category and some individuals from the 'inside circle'. This compensated for possible bias of the project staff and made the selection as objective as possible, since the selection of interviewees strongly influences statements about the project.

The evaluation covered all three geographic regions of the project. The table below shows a list of participating stakeholders. Overall, 86 stakeholders took part in the evaluation.

Table 1: List of evaluation stakeholders and selected participants

Organisation/company/target group	Overall number of persons involved in evaluation including gender disaggregation	No. of interview participants	No. of focus group participants	No. of workshop participants	No. of survey participants
<b>GIZ and donors</b>	7 male, 8 female	11	0	6	0
GIZ project team, GIZ programme head, BMZ representative at the German embassy, project manager at the EU Delegation to Georgia, EU-financed project manager, USAID Georgia, Head of the Rule of Law Department, USAID programme manager, UNDP programme manager					
<b>Partner organisations (direct target group)</b>	20 male, 18 female	26	14	0	0
Ministry of Justice of Armenia, Ministry of Justice of Azerbaijan, Ministry of Justice of Georgia, Parliament of Azerbaijan, Legal Issues Committee and Human Rights and Civil Integration Committee of the Parliament of Georgia, Academy of Justice of the Ministry of Justice of Azerbaijan, Academy of Justice of Armenia, High School of Justice of Georgia, Supreme Judicial Council of Armenia, Constitutional Court of Armenia, Constitutional Court of Azerbaijan, Supreme Court of Georgia, Tbilisi Court of Appeal (Georgia), Court of Appeal of Azerbaijan, Administrative Court of Armenia, Human Rights Defender (Ombudsman) of Armenia, Administration of the Government of Georgia, National Centre of Legislative Regulation, Government of Armenia, Committee for Family,					

Women and Children Affairs of Azerbaijan, National Bureau of Enforcement of Georgia, National Agency of Public Registry of Georgia, Civil Service Bureau of Georgia, State Agency for Public Service and Social Innovations (ASAN service) of Azerbaijan, American University of Armenia (AUA), the Law Faculty of Baku State University (BSU), the Law Faculty of Tbilisi State University (TSU), School of Law of Ilia State University, Law School of the University of Georgia, Working Group on the Insolvency Law of Georgia					
<b>Other stakeholders (public actors, other development projects, etc.)</b>	6 male, 4 female	10	0	0	0
Legal advisors (insolvency law, consumer protection law), international expert on company law, trainer for bailiffs, lawyer consultant, lawyers, lecturer, professor, training participants, TV anchor					
<b>Civil society and private actors</b>	6 male, 3 female	9	0	0	0
The Georgian Young Lawyers' Association, Transparency International Georgia, Partnership for Human Rights, Yerevan State University's Legal Clinic, Ara Ghazaryan Law Office, Azerbaijani human rights lawyer, Azerbaijani Bar Association, Georgian Bar Association					
<b>Final beneficiaries (indirect target groups)</b>	6 male, 8 female	0	0	0	14
Alumni of Transformational Lawyers' Network: participants of training sessions, summer and winter law schools and GiZ master's degree programmes					

## Evaluation design

The overall methodological approach consisted of a contribution analysis and a predominantly qualitative design. Quantitative elements were also included such as specific questions in the questionnaire and the interview guides and quantitative indicator achievement analysis. The table below gives an overview of the methodology.

Table 2: Empirical methods used in the evaluation

Methods	Description
<b>Document analysis</b>	Documents were analysed to gather existing data on the project and its results. The criteria for selecting documents were coverage of relevant project topics, accuracy, validity and credibility. The information that was extracted was used for data triangulation and to complement missing data from the evaluation's empirical research.
<b>Semi-structured Interviews</b>	This qualitative tool was the main data collection method and was used with most stakeholders, covering the above criteria for internal and external stakeholders and the various project components of the five outputs.
<b>Workshops</b>	A workshop was held in the opening mission with the participation of the project team to discuss the actual status of the project, the results, the results framework, the theories of change and the pandemic conditions (and the organisational steps of the evaluation).
<b>Focus group discussions (FGDs)</b>	FGDs were held with selected relevant project partners as far as the availability of several stakeholders could be assured for the scheduled meetings, including the Azerbaijan Service and Assessment Network (ASAN), the Ministry of Justice in Azerbaijan and the Ministry of Justice in Armenia.
<b>Online survey</b>	An online survey with the participants of the Alumni Network of Transformation Lawyers was conducted using a questionnaire with quantitative and qualitative elements, which was posted on the Alumni's Facebook page. This page is still in use after the end of the project. Out of 193 members, 14 submitted a completed questionnaire (8 female, 6 male).

## **Data analysis process and roles of international and local evaluators**

All data collected through interviews, workshops and focus group discussions were analysed by qualitative content analysis with a focus on typical, common aspects of the statements. The meetings were documented by taking notes, which were then transferred into short protocols. These summaries were screened for specific content and statements, which then were translated to the findings. Complementary, quantitative elements were considered, such as the percentage of indicator achievement and the quantitative analysis of the questionnaire's multiple-choice questions.

Apart from a few exceptions, the evaluation team jointly conducted the interviews and meetings. In this way, responsibilities for guiding the interviews and taking notes were shared. The observations and notes were cross checked in regular team discussions afterwards.

Beyond these shared tasks, the international expert acted as team leader responsible for the overall coordination and guidance of the evaluation process. The Georgian legal expert provided expertise and insider knowledge of the local context, sometimes in the form of critical advice about the characteristics and challenges of the local justice system. In addition, she acted as translator in a few cases.

## **Context and conflict sensitivity within the evaluation process**

The evaluation discussed the question of conflict sensitivity during the inception mission. Based on the project experience, there was no specific risk of the evaluation contributing to aggravating the conflict.

However, the project operated in a highly politicised environment, in particular regarding the Armenia–Azerbaijan conflict, the human rights situation in Azerbaijan, and the Western versus Russian influence in the region. These sensitive topics were avoided or very carefully addressed during the interviews, as they might have prompted the mistrust of interviewees and an unwillingness to share information. Owing to the careful approach and the project's positive reputation, no critical incidents occurred. However, an open exchange on regional cooperation between Armenia and Azerbaijan was limited due to the recent violent escalation of the conflict between September and November 2020.

# 4 Assessment of the project according to OECD/DAC criteria

## 4.1 Impact and sustainability of predecessor project

### Evaluation basis and design of the predecessor project

The focus of assessment of the predecessor project was GIZ standardised guiding questions on the OECD/DAC impact and sustainability criteria, as outlined in the attached matrix.

The evaluation used the same methodological approach and research tools as in the assessment of impact and sustainability in the current period (see Sections 3.8 and 3.10). Special consideration was given to the unusually long history of the project, with an overall project period of 27 years.

### Analysis and assessment of the predecessor project

The actual BMZ-funded project is a continuation of the previous phase, implemented from February 2015 to January 2018. The general orientation of the two projects was similar and consistent, as reflected in the project design, including the module objective and the output components. The module objective was almost equivalent to the current formulation.

The previous project's components were almost identical. They covered support for regional legal exchange, legislation, fair court procedures, legal education, legal awareness raising and regulatory impact assessment (RIA) with a focus on SDGs. For output 6, the focus on SDGs was only added in 2017 on behalf of BMZ, as part of the 2030 Agenda initiative.

The predecessor project was evaluated in May 2017 during the last year of its implementation. Subsequently, some strategic adjustments were made based on the recommendations. One of these was merging outputs 1 and 2, strategic advice on legislative procedures and their implementation, into one output.

The capacity building approach, which covered the entire cycle of lawmaking, law enforcement, legal education and public legal awareness raising, remained unchanged as did the partner structure with the relevant legal institutions and the ministries of justice, universities' law faculties and the Alumni Network of Transformation Lawyers. Therefore, there was a clear continuum in the strategic orientation and design of the two project phases.

Legal reforms are long-term processes and the effects and results only unfold after several years of implementation. Consequently, the impact level can only be understood and evaluated in the context of the longer history of the project since its beginning in 1993, and not only with a focus on the predecessor phase.

The project played a significant role in the judicial reform agenda of civil law and the establishment of administrative justice systems in Armenia, Azerbaijan and Georgia (Int\_P\_1, 6, 16; FGD\_1; Int\_C\_1, 3; Int\_OS\_5, 6). The support included assistance in drafting legislation, the restructuring of the corresponding judicial institutions (e.g. separate administrative courts in Armenia), and the capacity development of judges, lawyers and administrative bodies. This was complemented by continuous regional exchange.

The reform processes took place over a longer period of time and at different speeds in the three countries. In Georgia, the two essential administrative laws entered into force in 2000. Armenia followed with corresponding

enforcements in 2005 and in 2008 and finally Azerbaijan in 2011.<sup>1</sup> The long-lasting effects at national level are still visible today and were reported by interview stakeholders during the evaluation. The implementation of the reforms are well remembered as associated with GIZ. The contribution of the project's bilateral support to success was rated as 9 to 10 on a scale from 0 to 10, whereas the contribution of regional dialogue to success was rated with 4 (Int\_OS\_5).

The reforms were perceived as a fundamental step towards a more democratic understanding of citizenship, whereby the citizen has rights vis-à-vis the state (Int\_P\_6; Int\_OS\_5, 6; Int\_C\_1; Doc\_Div\_15). The new laws made it easier for citizens to challenge administrative bodies' decisions in courts through predictable, clear legal procedures. For example, court statistics in Georgia show that on average 70 percent of court decisions in 2018, 2019, 2020 were made in favour of citizens. Another example is Armenia, where the success rate of citizens' complaints reversed after the reform. Before the reform, 70 percent of complaints were unsuccessful, now the rate of successful complaints is about 70 percent (Doc\_GIZ\_31). In Azerbaijan, stakeholders considered that the reform was positive and stressed that decisions have become less arbitrary in administrative cases (Int\_P\_1, Int\_OS\_5, Int\_C\_1, Int\_GIZ\_2).

The project continued throughout the project periods, including the current phase, with capacity building on administrative law at universities, justice academies and public service institutions. In addition to these past project achievements in legislation, which had a broader impact, the project recently supported constitutional reforms in Armenia (enforced in 2016) and Georgia (adopted in 2017, enforcement in 2024) to transform the semi-presidential system into a parliamentary republic with indirect presidential elections. The reforms were perceived as an important step towards parliamentary democracy and were described positively by the Venice Commission (Doc\_Div\_11). This working process on constitutional reforms was continued in the current project phase by the advisory service on the Rules of Procedure of the Parliament of Georgia (adopted in December 2018), introducing EU standards on the conditions and procedures for establishing a committee of inquiry in parliament.

At output and outcome level, several intense legislative working processes, which started in previous project phases, were continued during the current project and could be finalised successfully. These included assistance in drafting the Mediation Code (adopted in 2019), the Law on Entrepreneurs (draft finalised, currently in parliament for adoption), the Enforcement Code (draft finalised, in parliament for adoption) and the Law on Insolvency Proceedings (enforced in April 2021) in Georgia. Furthermore, the elaboration and adoption of the Georgian Law on Public Service (adopted in 2015 and entered into force in 2017) created a legal basis for the formation and functioning of a stable, unified public service in Georgia, which now has a stronger focus on integrity and accountability. This is reflected, for example, in current and ongoing training courses on the code of conduct for public servants (Int\_P\_25).

In the field of legal education, the results (output and outcome) of the project activities are still visible. They include legal publications, for example, administrative and civil case books that are well known and widely used by law faculties and legal professionals (Int\_P\_4, 18, 21, 24, 26, 27; Int\_OS\_5, 6). This is also true of ongoing training courses at justice academies and universities on constitutional, civil and administrative law. On the level of regional exchange and dialogue, the Alumni Network of Transformation Lawyers that was established continued to cooperate on professional and personal level (Armenian and Georgian participants visited educational institutions and gave lectures in universities in Tbilisi and Yerevan) (Int\_P\_18, 27; Int\_OS\_6).

The legal awareness raising activities for journalists and schools did not gain much visibility and were not very

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<sup>1</sup> In Georgia, the General Administrative Code (GAC) and the Administrative Procedure Code (APC-G) entered into force in 2000. Armenia followed with the Law on the Fundamentals of Administration and Administrative Procedure (LFAAP) enforced in 2005 and the Administrative Procedure Code (APC-ARM) enforced in 2008. Lastly, Azerbaijan enacted the Law on Administrative Procedure (LAP) and the Administrative Procedure Code (APC-AZ) in 2011.

well known by the stakeholders who were interviewed, but they were continued in the current phase (Int\_P\_21, 22, 23, 26). Overall, it was observed that the project could build on the results of the predecessor(s). The project with its various phases can be regarded as a continuum.

A large part of the results were institutionalised in the partner structures, such as legislative reforms that are in place and implemented. The same is true of several training formats that have been introduced to institutions by training of trainers (ToT) systems, so that they can be maintained independently in the future. Similarly, the online law library with numerous relevant publications on legal topics will be sustained.

However, in some aspects, the necessary expertise could not be anchored at the level of the partnering institutions. In some cases, training formats were conducted by GIZ with external experts without the involvement of local institutions and ToT systems were not established (Doc\_Giz\_31).

The project responded to changes in the project environment through a flexible approach. Due to changes in the Armenian authorities' reform agenda, the extensive legislative work of the previous phase was discontinued and more ad hoc consultations took place in the current project phase (Int\_GIZ\_3, FGD\_4).

Overall, the following factors contributed to the success of the predecessor project:

- an intensive consultation process with partners and a partner-oriented approach,
- an approach that focused on technical expertise without a 'hidden political agenda', which fostered a high level of trust with partners and high recognition of the project in all three countries,
- continuity of the project, which was instrumental to set up functional partner networks and accompany lengthy, complicated legislative processes,
- individual tailored approaches to capacity-building, which responded to the needs that were identified, and
- a mix of capacity-building tools such as expert opinions, workshops, working groups and training formats and a high level of international expertise.

Factors constraining success:

- factors beyond the project's control, including changes in the reform agenda of the Armenian authorities, and a lack of political will to finalise the reform (Company Law in Azerbaijan), and
- to some extent, a limited systematic approach to foster sustainability, for example in training formats.

Overall, the project represented a smooth continuation of the predecessor project, built on its previous experiences and maintained its success factors.

## 4.2 Relevance

This section analyses and assesses the relevance of the project. It is structured according to the assessment dimensions in the GLZ project evaluation matrix (see Annex 1).

### Summarising assessment and rating of relevance

Table 3. Rating of OECD/DAC criterion: relevance

Criterion	Assessment dimension	Score and rating
<b>Relevance</b>	Alignment with policies and priorities	30 out of 30 points
	Alignment with the needs and capacities of the beneficiaries and stakeholders	20 out of 30 points
	Appropriateness of the design	15 out of 20 points
	Adaptability – response to change	20 out of 20 points
<b>Relevance total score and rating</b>		Score: <b>85 out of 100 points</b> Rating: <b>Level 2: successful</b>

The project design fitted well into the respective strategic frameworks at international (Agenda 2030, EU's Eastern Partnership) and partner country level and into BMZ strategies and concepts (Caucasus Initiative, peacebuilding, gender equality). The project addressed the target group's core problems, which are capacity building needs in the judiciary in the post-socialist transition process. The project's response, consisting of a legal advisory service, legal education and public awareness raising on everyday legal concerns, was instrumental to increase knowledge and skills at institutional and individual level. The overall project design and its results framework were appropriate to reach the project's objective. The project was managed with a flexible approach, which enhanced appropriate adjustment to changes in the environment, such as the Covid-19 pandemic, the Velvet Revolution in Armenia and the violent flare-up of the Armenia–Azerbaijan conflict.

However, there could have been a more systematic approach in two areas. The first is conflict sensitivity, in terms of the limited independence of the judiciary as the current major challenge in the justice sector in the region. The second is a capacity building strategy that addresses the increasing rural and urban divide by targeting judicial and administrative institutions in the regions to increase the impact of the implemented laws for the general population, who are the final target beneficiaries.

**In total, the relevance of the project is rated as Level 2: successful, with 85 out of 100 points.**

### Evaluation basis and design for assessing relevance

**Relevance dimension 1**, congruence with relevant strategic frameworks, was assessed by document analysis. The project's concept and strategy (as outlined in the project offer) was compared with relevant international, German and national policies and frameworks (see Annex 1).

To cover **relevance dimension 2**, the project concept and strategy was assessed against existing socio-political studies (respectively politico-economic analyses [PÖKs] for Armenia, Georgia and Azerbaijan; GIZ PCA; GIZ gender analysis). Furthermore, during the field study, semi-structured interviews with key informants and the alumni survey served to collect additional data on the perspectives of the direct target groups. The results were triangulated.

**Relevance dimension 3** was assessed on the basis of the results achieved during the previous project period,



which were assessed by the previous evaluation, and the plausibility and consistency of the logframe matrix considering common quality standards like the plausibility of ToC, the risk and assumptions, and SMART criteria for the indicators.

**Relevance dimension 4** was accounted for by the corresponding strategy adjustments. It was evaluated mainly on the basis of a document analysis. Progress reports were compared with the aforementioned socio-political studies. In addition, interviews with key informants (project staff and partners) provided further evidence of changes in the framework conditions and the respective conceptual responses by the project.

## Analysis and assessment of relevance

### Relevance – Dimension 1: Alignment with policies and priorities

At **international level**, the project was well aligned with **Agenda 2030**. It was in line with **SDG goal 16** on peaceful and inclusive societies ensuring access to justice for all and building effective, accountable institutions. In addition, specific activities contributed to **SDG goal 5** on gender equality. The technical cooperation measure worked to combat gender discrimination by advising partner governments on gender sensitive amendments to existing laws. In addition, the project's EU-cofinanced component on 'better commercial law and legal practice' to reduce legal barriers to economic development was also aligned with **SDG goal 8** aiming at economic growth, employment and decent work for all.

In the framework of the **EU's Eastern Partnership**, the project's targets corresponded with the priority area of stronger governance. This aimed at 'taking forward judicial and public administration reforms, with a focus on bringing better, more efficient and transparent services to citizens' (Doc\_Div\_3).

In Georgia, the project met the objectives of the EU Association Agreement and Agenda 2017–2020, especially regarding Priority 1 'strengthening institutions and good governance' and sub-targets addressing 'a professional accountable, efficient and transparent public administration and civil service'. Likewise, the project is in line with the EU–Armenia Comprehensive and Enhanced Partnership Agreement (CEPA), which in Title III Article 12 includes reforms in the rule of law field with a focus on an independent, efficient, accountable justice system, and the responsiveness and effectiveness of public institutions (Doc\_Div\_4).

At the level of **German development cooperation** and its strategic orientation, the project was in line with the **BMZ Caucasus Initiative**, which aims to support democratic and economic development and to reinforce cooperation between states and social cohesion in the region. The project's overarching focus on regional exchange across all outputs and the promotion of EU standards in the judicial system directly contributed to this objective.

The project's strategic orientation was in agreement with the BMZ concept paper on Gender Equality (2016). Furthermore, it tackled various aspects of BMZ Development Policy in the Context of Conflict, Fragility and Violence (2014) that outlines the 'promotion of good governance' as an essential area of intervention in conflict settings. The project contributed to this.

At the **national level of the partner countries**, the project was in accordance with Azerbaijan's development concept Azerbaijan 2020: Outlook for the Future. It was aligned with priority area 8 'updating the legislation and reinforcing institutional capacity', under which it is envisaged to improve the judicial infrastructure and enhance people's access to fair trials (Doc\_Gov\_4).

In Georgia, the project contributed to the targets of the Human Rights Strategy, which aims to achieve under point 2 'establishment of an effective justice system with maximum guarantees of the right of fair trial and other procedural rights' (Doc\_Gov\_5). Similarly, the project corresponded with the goals and objectives of the Armenian Strategy for Judicial and Legal Reforms for 2018–2023, which envisaged ensuring legal certainty,



establishment of legitimate laws and mechanisms for effective application, predictability and accessibility of justice, improvement of availability and quality of the justice-related services, raising legal consciousness of the public '(Doc\_Gov\_6).

In addition, the project considered **synergies with other sectors and regional projects**, for example with the project Public Finance Management in the South Caucasus (PN 2017.2023.4) in the context of constitutional reform in Armenia, and the project Good Local Governance (PN 2016.2174.7) within the framework of a sub-measure on e-governance and reform of the civil service in Georgia. Moreover, there was close cooperation on conducting RIAs of sector-relevant legislation, such as Integrated Biodiversity Management in the South Caucasus (IBiS) (PN 2015.2101.2) and Private Sector Development and Vocational Training in the South Caucasus (PN 2017.2179.6).

The project was embedded in the **donor coordination mechanism** at national level in each country. One example is the informal working group of the EU in the rule of law sector comprising the EU, the Council of Europe, the United Nations Development Programme (UNDP), the German Foundation for International Legal Cooperation (IRZ) and the United States Agency for International Development (USAID).

Relevance dimension 1 – Alignment with policies and priorities – scores **30 out of 30 points**.

#### **Relevance – Dimension 2: Alignment with the needs and capacities of the beneficiaries and stakeholders**

Studies and analyses show that major challenges in the judiciary are emerging from the post-socialist transitional reform processes. This implies that legislation and judicial procedures still show weak compliance with democratic rule of law principles. Moreover, legal institutions have to cope with limited financial budgets and personal resources, and a lack of specialised expertise among legal professionals. Political influence, corruption and client-oriented allocation of posts are undermining the independence of legal institutions (Doc\_GIZ\_15, 16, 17; Doc\_Div\_1, 5, 6, 7).

This corresponds with interview statements and survey results in which stakeholders most frequently mentioned as current challenges the independence of the justice sector and limited institutional capacities, followed by limited competence of legal professionals (judges, lawyers, university lecturers, public service providers) (Surveys\_1, 2, 3, 4, 5, 6, 7, 8; Int\_P\_26, Int\_DO\_2, Int\_DO\_4). Citizens' limited awareness of their rights, legal rules and procedures were also mentioned several times (Surveys\_5, 11, 12, 13, 14; Int\_GIZ\_2; Int\_P\_6; Int\_C\_3).

The project responded directly to these concerns through its strategic orientation, which provided capacity building support, a legal advisory service, legal education and public awareness raising. The fields of action were closely interlinked to address capacity building needs in relevant areas and with different institutional actors, to leverage change at various points towards internationally recognised standards. This was also reflected in responses to the survey, according to which the relevance of the project design to meet prior needs in the judiciary was rated at an average of about 80 percent (Surveys\_1 to 14).

The final target beneficiaries, the entire population of the three countries, will benefit from successful legal reforms in the long run through improved access to justice and predictable and fair court decisions, particularly in the project's focus areas of civil and administrative law. In addition, the component on awareness raising directly addressed a specific concern of the general population: information needs on citizen's rights and everyday legal concerns.

The project tried to address issues of the independence of judiciary, for example by supporting the development of the judiciary reform strategy in Georgia and the education of judges and public servants on ethics. However,

some stakeholders believed that the project could have done more to address these crucial issues (Int\_P\_26, Int\_C\_6, Int\_DO\_2). There could have been a more pinpointed strategy on cooperation with institutions and individuals that counteract progress towards independence, to prevent unintended strengthening and legitimisation of these inner political circles. This could have been achieved by joint monitoring and coordination with other donors and closer cooperation with NGOs, which have strong voice in Georgia and Armenia, monitor the judiciary and advocate for more independence and transparency of legal institutions (Int\_P\_26, Int\_C\_3, 5, 6). Furthermore, the project design considered the concerns of women and men through specific measures:

- A gender analysis was conducted.
- Support was given to gender sensitive amendments of existing legislation.
- A gender disaggregated monitoring system was introduced.
- Gender balanced participation in training sessions and further education formats was pursued.
- In Azerbaijan, a training session on legal aspects of domestic violence was delivered to public servants.
- In cooperation with the Food and Agriculture Organization (FAO), the project developed a checklist to assess the gender sensitivity of existing laws on women's property rights, which served to develop the baseline of the corresponding SDG indicator 5.a.2.

Vulnerable groups were considered to a certain extent. The project's awareness raising activities were held at schools to reach out to youth in all three countries (Doc\_Giz\_22, 26; Int\_C\_1, 2, 4). In Azerbaijan, seminars on human rights in the family and domestic violence affecting women and children were held at public service offices at district level (Doc\_Giz\_22, 26; Int\_P\_3).

The region is characterised by high representation of ethnic minorities facing issues of discrimination and an increasing social and economic divide between rural and urban regions, which is also identified as a risk factor for social cohesion in the PCA. Consequently, the project could have had a stronger, more systematic focus on strengthening the capacities of public institutions, court systems and law faculties in rural regions including those that are disadvantaged (Int\_C\_3, Int\_P\_6). This could have been complemented by tailored awareness raising measures. This would have increased the impact of the reforms at the level of the final beneficiaries: the overall population. The same applies for the independence of the judiciary, which was the prior challenge in the region. The project could have addressed this more clearly through a more targeted strategy, as mentioned above.

### Conflict sensitivity in the project design

The project analysed the context of conflict and fragility factors through an integrated peace and conflict assessment (IPCA) in 2016. Monitoring of risk factors in the context of political developments was documented in the progress reports (Doc\_GIZ\_1, 22, 26). However, as outlined above, the project could have had a more systematic focus on prior conflict drivers in the rule of law sector, such as the independence of the judiciary.

The matrix below provides an overview of the escalating factors/dividers<sup>2</sup> and deescalating factors/connectors<sup>3</sup> that were identified and the project's response.

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<sup>2</sup> Dividers and escalating factors can be seen as sources of tension, for example destructive institutions, structures, norms and behaviour. For more details, see: GIZ (2007).

<sup>3</sup> Connectors and deescalating factors are the opposite, instead taking the form of peace-promoting actors and institutions, structural changes, and peace-promoting norms and behaviour. For more details, see: GIZ (2007).

Table 4: Dividers/escalating and de-escalating/connecting factors in the project context

Which escalating factors/dividers were identified?	Addressed by the project? (yes/no)	If addressed, how is it addressed by the project (design)?
Continued violent flare-up of the historic conflict in the Nagorno-Karabakh region over the territorial claims of Azerbaijan and Armenia	No	
Human rights violations by security forces on all sides	No	
Insufficient internationally driven multi-level peace process	No	
Use and establishment of contacts between the countries on different levels to reduce established enmities and set up relations	Yes	The project has organised events with all three countries and has strengthened exchange and relations among stakeholders.
Increasing social and economic inequalities between urban and rural regions	Partially	The regional operating Alumni Network of Transformation Lawyers is supported by regional meetings and joint activities.  Sensitisation activities on women's rights in Azerbaijan in the regions and citizens' rights, especially those of women in Azerbaijan.
Corruption and client-oriented allocation of posts in the judiciary (to varying degrees in the three countries) is the main factor that impacts exclusion of parts of the population and encourages political fatigue and distrust in governmental institutions.	Partially	Capacity building through the implementation of administrative reforms at municipal level in Azerbaijan has contributed.  The project's intervention has strengthened transparency, accountability and rule of law through its direct support in the justice sector of administrative and constitutional reforms according to EU standards.
Deescalating factors/connectors	Addressed by the project? (yes/no)	How is it addressed by the project (design)?
Common interests of the three countries in administrative and constitutional reforms	Yes	See above. The project facilitated regional dialogue on these reforms on a technical level by regional events and is creating permanent networks such as the Alumni Network to work jointly for improvements.
Common interests of reform oriented professionals and civil society	Yes	

Relevance dimension 2 – Alignment with the needs and capacities of the beneficiaries and stakeholders – scores **25 out of 30 points**.

### Relevance – Dimension 3: Appropriateness of the design

The project design was sub-divided into five outputs, of which outputs A, B, C and E aimed to build the capacities of partner institutions in different complementary fields: regional legal reform dialogue, EU standards in legislation, EU standards in legal education and Agenda 2030-sensitive RIA (Georgia only). Assistance was provided by various instruments such as personnel and financial support and capacity building formats including workshops, conferences, working groups, training and mentoring. Output D was a supplementary component with a specific focus on awareness raising on everyday legal aspects for the entire population, who were the final beneficiaries.

In general, the methods and instruments reflected in the results logic with the closely related outputs A, B, C and E enhanced legal partners' capacities towards rule of law principles and thus directly led to the module objective of an 'advanced approximation of the judiciary to European legal standards'. This was confirmed by evaluation findings according to which the majority of output and outcome indicators were achieved. Therefore, the project design can be considered appropriate to achieve the project objective.

Nevertheless, output A on regional exchange as a cross-cutting issue throughout the components had an ambivalent role. It promoted the reform orientation of the parties in certain aspects, which were stimulated and motivated by regional exchange. However, the ultimate condition of producing reforms through exchange, as stipulated in the module objective indicators, encountered a constraining factor in certain areas, as the reform needs in the countries varied and were overshadowed by the Armenia–Azerbaijan conflict. This was reflected for example in an interview statement that rated bilateral cooperation with a score between 9 and 10 (on a scale of 0 to 10 for the added value of project support in legislative processes) and regional cooperation with 4 to 5 (Int\_OS\_5) due to the unsuccessful effort to establish a regional research network. However, an inherent regional orientation was set on the basis of the BMZ Caucasus Initiative.

The theories of change (ToC) of the project were not documented but were plausible and were proved by the evaluation despite the ambivalent role of the cross-cutting 'regional exchange component' (see the section on effectiveness). This is based on the overall underlying assumption that strengthened capacities in the justice sector combined with regional exchange will lead to progress of legal reforms towards EU standards (outcome), which in turn will result in strengthened rule of law in the region (impact).

The system boundary of the project was clearly defined. It was at the level of the module outcome for thematic processes that were agreed on (civil, constitutional and administrative law) and at the level of the three main partnering ministries of justice in the partner countries including subordinated institutions and selected CSOs involved in the project in output D. In addition, the project had limited control over the extent of use and implementation by the partner institutions, which was strongly influenced by overall political developments.

The assumptions and risks of the project were documented in the project offer and in the project progress reports that included a spreadsheet with the respective risks at different levels (context, conflict, institutional, programme and security situation) and risk management measures.

As the analysis covered the relevant socio-political aspects that affected and influenced the project work, the formulated assumptions and risks and the strategic coping mechanisms were plausible and generally sufficiently comprehensive. The only aspects that could have been more detailed were conflict sensitivity according to the 'do no harm' principle and a more balanced orientation between urban centres and rural regions, as already outlined under relevance dimension 2.

Relevance dimension 3 – Appropriateness of the design – scores **15 out of 20 points**.

#### **Relevance – Dimension 4: Adaptability – response to change**

During the project period, several changes in the project context occurred such as the Velvet Revolution in Armenia in spring 2018, the Covid-19 pandemic in March 2020 and the violent flare-up of the Armenia–Azerbaijan Conflict in September 2020. The project reacted to these changes in the project environment with a flexible approach.

Due to a shift in the reform agenda and personal changes in the ministry of justice in the aftermath of the revolution in Armenia, the former close cooperation on legislative consultation processes was discontinued. The project shifted priorities and had a stronger focus on legislative processes in Georgia, with intense working

processes in civil law to tackle obstacles to economic development in reforms on insolvency, enforcement and company law.

At the start of the pandemic in March 2020, the project switched as far as necessary to semi-remote and remote options using digital tools. Online tools were used for communication with partners and in training session formats.

The Armenia–Azerbaijan conflict did not require a complete shift or change in the envisaged activities, as the main part of BMZ-funded activities had already been implemented. However, the conflict was a setback for regional cooperation. Although the Facebook community of the Alumni Network will continue to exist, contacts between Armenians and Azerbaijan stakeholders are overshadowed by this event, which is beyond the influence of the project. This was clearly felt in the discussions during the evaluation (Int\_P\_4, Int\_OS\_6).

Relevance dimension 4 – Adaptability – response to change – scores **20 out of 20 points**.

### 4.3 Coherence

This evaluation was carried out prior to the introduction of the new criterion of coherence. The criterion has therefore not been applied in this evaluation.

### 4.4 Effectiveness

This section analyses and assesses the effectiveness of the project. It is structured according to the assessment dimensions in the GIZ project evaluation matrix (see Annex 1).

This evaluation was carried out prior to the introduction of the new assessment dimension 'quality of implementation'. This assessment dimension has therefore not been applied in this evaluation. The content was included in the other effectiveness assessment dimensions.

#### Summarising assessment and rating of effectiveness

Table 5. Rating of OECD/DAC criterion: effectiveness

Criterion	Assessment dimension	Score and rating
<b>Effectiveness</b>	Achievement of the (intended) objectives	30 out of 40 points
	Contribution to achievement of objectives	30 out of 30 points
	Quality of implementation	n/a <sup>4</sup>
	Unintended results	25 out of 30 points
<b>Overall score and rating</b>		Score: <b>85 out of 100 points</b> Rating: <b>Level 2: successful</b>

The project achieved the objective on time and in accordance with the project indicators at an average value of 80 percent, as agreed in the contract. The project objective of 'advanced approximation towards EU standards in the judiciary' was confirmed by internal and external key stakeholders in the focus areas of the project. There

<sup>4</sup> This evaluation was carried out prior to the introduction of the new assessment dimension 'quality of implementation'. This assessment dimension has therefore not been applied in this evaluation. The content was included in the other effectiveness assessment dimensions.

was progress in the fields of constitutional and commercial law and in practice-oriented legal education, which was also stimulated by regional exchange. Relevant EU directives were translated into national legislation, such as the mandatory RIA to promote responsible policy decisions (Georgia), the conditions for a parliamentary inquiry committee to strengthen parliamentary oversight over executive organs (Georgia) and the conditions for public hearings in lawmaking processes to strengthen transparency (Armenia). In addition, the laws prepared under the EU component, covering the Company Law, the Enforcement Code (both currently in parliament for approval) and the adopted Insolvency Law were an important step to improve the framework conditions for economic development (Georgia).

The capacity building measures in legal education resulted in newly introduced training modules conveying up-to-date legal knowledge on EU-relevant topics and modern, practice-oriented teaching methods at a considerable number and variety of institutions such as universities, justice academies and public service institutions. They also led to and a law library with over 50 works of relevant legal literature. Contribution analysis revealed that the project's interventions successfully strengthened partner capacities, which enabled them to increase their engagement with EU standards and achieve the results described above.

However, the overarching activity of regional exchange was not fully implemented, since the exchange on legal content was partly communicated by international experts working in more than one country instead of direct meetings between the three countries. This was compounded by the partially limited interest of stakeholders compared to exchange opportunities with EU countries and the Armenian–Azerbaijan conflict. As a consequence, the envisaged regional research network could not be established. Minor constraints were the limited use for and knowledge of the law library by Azerbaijani partners and the partially low outreach of the complementary awareness raising activities.

The project exploited opportunities for several unplanned positive results such as the considerable number of training formats provided (176) and the additional funds of 1.3 million euros raised from the EU. Unintended negative effects could not be assessed by the evaluation. However, the evaluation found that there could have been a more systematic strategy to address the risks described in the peace and conflict assessment in terms of independence of the judiciary and the divide between rural and urban areas.

**In total, the effectiveness of the project is rated with 85 out of 100 points.**

### **Evaluation basis and design for assessing effectiveness**

**Effectiveness evaluation dimension 1** was measured on the basis of the indicator achievement. The first step was to assess the quality of the indicators according to SMART criteria (see the results in Table 4). The research tools consisted of document analysis (progress reports and monitoring data including legal documents), the online questionnaire administered to the regional Alumni Network and semi-structured interviews with internal and external key stakeholders.

**Effectiveness evaluation dimension 2**, which referred to the extent to which the module contributed substantially to the intended outcome, was assessed according to the GIZ standard by a contribution analysis consisting of six steps. The basis was the three selected hypotheses (see Section 2.2) underpinning the project's results logic and reflecting the assumed causal relationship between output and outcome, including the inherent attribution gap (steps 1 and 2), which was verified by empirical research tools.

The hypotheses were tested (step 3) mainly by document analysis of the respective legal acts, curricula and a critical number of in-depth qualitative interviews with key stakeholders, namely project staff and partnering institutions in the justice sector (internal/subjective view of the effects of regional exchange, expertise gained and applied, organisational change if any). The online questionnaire with the partnering Alumni Network provided additional information. Furthermore, relevant additional factors were considered that might have contributed to or constrained the achievements. These included changes in the socio-political environment and



other donor programmes in the same field. The data were analysed and triangulated (on the levels of evaluators, research tools and type of interviewee). The contribution story was derived from the analysis and indicated if and to what extent a causal relationship was plausible (step 4). Additional interviews were conducted with external stakeholders to assess in greater depth external contributing factors, in particular on the defined rival hypothesis and possible other alternative explanations (steps 5 and 6).

The full remote mode resulted in limited access to final target beneficiaries such as school students and law students, who could not be reached via digital tools. Therefore, the perspective of these groups was only represented by intermediates such as law professors or NGOs that implement school projects.

**Effectiveness evaluation dimension 3**, the question on unintended positive or negative results and the project's response, was assessed based on a comparison between the results model and the data collected by key stakeholder interviews (project staff, legal partnering institutions and external informants). Data were collected in semi-structured interviews with open-ended questions on the effects observed in the context of the project. In addition, the evaluation considered pre-formulated risks in the project documents (gender, context analysis and the project offer) and assessed whether any of these occurred and how the project responded.

## Analysis and assessment of effectiveness

### Effectiveness – Dimension 1: Achievement of the (intended) objectives

The matrix below shows the project objective indicators that comprised the basis for the assessment. As shown in the matrix, the indicators fulfil SMART criteria and there was no need for adjustments.

Table 6: Assessed and adapted objective indicators for specific modules (outcome level)

Project objective indicator according to the offer Original indicator	Assessment according to SMART criteria/assessment	Adapted project objective indicator
Module objective indicator 1: three new legal education and training formats in accordance with European standards have been adopted by one training institution of another country as part of the regional exchange. Base value: 0 Target value: 3 Current value: 3 Source: evaluation of relevant teaching materials, documentation of regional exchanges	Specific: yes (see comment) Measurable: yes Achievable: yes Relevant: yes Time-bound: yes	Indicator not adjusted, but the term 'EU standard' was defined more precisely. EU standards refer to legal aspects documented in the EU acquis and the agreements with the Council of Europe, and good practices in education as practised in EU countries. In particular practice-oriented curricula. In addition, the evaluation identified interviewees who worked with these training formats and could report on the positive effects.
Module objective indicator 2: in three further legal acts of South Caucasian countries, new approaches to implementing European standards have been adopted from another country in the region. Base value: 0 Target value: 3 Current value: 2 Source: documentation and evaluation of legal acts; monitoring report of the project. If necessary, comparative legal study/analysis.	Specific: yes Measurable: yes Achievable: no (see explanation in the text) Relevant: yes Time-bound: yes	Indicator not adjusted. Beyond the document analysis, the evaluation assessed through interviews (project staff, partners) the meaning and improvements of adjusted legal acts within the respective national context.
Module objective indicator 3: in two out of three countries, the governments submitted proposals for European standards to parliament, and made gender-specific adjustments to the actual legal situation. Base value: 0 Target value: 2	Specific: yes Measurable: yes Achievable: no (see explanation in the text) Relevant: yes Time-bound: yes	Indicator not adjusted. In addition to the document analysis, interviews were conducted with project staff and internal and external key stakeholders (representatives of the ministries of justice, parliamentarians, NGOs)

Current value: 1 Source: evaluation of legal amendments and proposals		
Module objective indicator 4: the content, concept and methodology of the legal impact assessment for mainstreaming Agenda 2030 requirements in Georgia was applied in the RIA of another country in the South Caucasus. Base value: 0 Target value: 1 Current value: 1 Source: interviews with the authorities responsible for regulatory impact assessment in the respective country	Specific: yes Measurable: yes Achievable: yes Relevant: yes Time-bound: yes	Indicator not adjusted. Additional interviews were held with external stakeholders

**Outcome indicator 1: three new legal education and training formats in accordance with European standards have been adopted by one training institution of another country as part of the regional exchange.**

Base value: 0, target value: 3, current value: 3

This indicator was achieved by the following three activities:

- The summer course on Constitutional Law and Human Rights at Georgia's Ilia State University that was supported by the project was successfully taken over and enlarged by Armenian universities. The format of a seasonal course complementing the regular study programme was expanded to include summer, winter and autumn law schools, not only on constitutional law. These were supported by the project and taught by German law professors. In addition, the project facilitated the participation of Armenian students in Georgian summer courses (Int\_P\_17, Int\_P\_7, Int\_OS\_6, Int\_GIZ\_3). According to interview statements, the format of seasonal schools is in great demand by students, especially when international experts are trainers, as they provide additional knowledge and exposure to the latest international developments in legal practice and teaching (Int\_OS\_6, Int\_P\_17).
- The Armenian civil case book supported by the project in previous phases was adapted to the Azerbaijani context by Azerbaijani lawyers under the leadership of German professor Knieper. Work on the book was completed and it was published in April 2020 (Doc\_26; Int\_GIZ\_3, 2; Int\_P4). The quality of the law literature prepared by the project including the civil case book was highly appreciated by the partners. These materials are not only used as the basis for practice-oriented teaching at universities and justice academies, but also as reference works by acting judges at courts (Int\_OS\_6, Int\_P\_6, Int\_P\_24).
- According to the project's monitoring platform, Armenian and Azerbaijani educational institutions have taken over from Georgia the experience of participating in a particular moot court on commercial arbitration. Selected students from four Armenian universities and from Baku State University (BSU) in Azerbaijan participated in the 26<sup>th</sup> Willem C. Vis International Commercial Arbitration Moot in Vienna in 2019. In general, the simulation of court cases in the form of moot courts is known in the region and used as a practical teaching methodology (Int\_P\_4, 15, 17, 26). However, the VIS Moot is a very specific format. It aims to provide practical training for students on resolving international business disputes with the participation of around 80 countries around the world. As the participation is expensive, it was the first time that a team from Armenia could participate with the support of the project (Int\_OS\_6, Int\_P\_7).

However, since networking between the three countries' universities is still limited and not established as a permanent structure, exchange on the content of educational formats only takes place to a certain extent. The transfer of formats was mainly initiated and moderated by GIZ and/or international law professors with experience in all three countries. The main obstacle to regular exchange is the Armenia–Azerbaijan conflict and the partially limited interest of stakeholders compared to exchange opportunities with EU or at international level (Int\_GIZ\_5, Int\_P\_17, Int\_OS\_6).



In addition to the above formats, interview partners mentioned that the project arranged the exchange of law faculty lecturers between Georgia and Armenia via the Alumni Network, which enriched study programmes for students and strengthened relations at institutional and personal level (Int\_P\_18, 26; Int\_S\_6).

**Outcome indicator 2: in a total of three further legal acts of the South Caucasian countries, new approaches to implementing European standards have been adopted from another country in the region.**

Base value: 0, target value: 3, current value: 2

The indicator was achieved up to 67 percent. Due to political change in Armenia and the following priority shift in the rule of law agenda, no further legislative processes took place during the project term. The processes in Azerbaijan (Company Law) were of a different nature to those in Georgia, so the approaches could not be transferred from one country to another and a third law could not be adopted.

The project support succeeded in two legal reforms, namely the Rules of Procedure of the Parliament of Georgia and the amendment of the Normative Legal Act and the Decree of the Government of Georgia, which introduced a mandatory regulatory impact assessment (RIA) for relevant legal acts. In both cases, Georgia followed the example of Armenia, where similar legislation already existed.

The new regulations on the parliamentary inquiry committee in the Rules of Procedure of Parliament, according to which a temporary commission is created in the event of indications of 'illegal actions of state bodies or public officials, or corruption offences',<sup>5</sup> represent a legal EU standard. According to stakeholders and studies, this amendment is a step forward in terms of strengthening parliamentary oversight over the executive authorities (Int\_OS\_6, Int\_DO\_3, Doc\_Div\_8).

The revision of the Law on Normative Acts was introduced in May 2019, according to which RIA is mandatory for legal acts determined by the Decree of the Government of Georgia. This was perceived as an important milestone by the EU Association Implementation Report, as the possible consequences of envisaged legislation are recorded and can be taken into account in the legislative process (Int\_Giz\_1, Int\_P\_9, Doc\_Div\_10).

**Outcome indicator 3: In two out of three countries, the governments submitted proposals for European standards to the parliament, and made gender-specific adjustments to the actual legal situation.**

Base value: 0, target value: 2, current value: 1

The Georgian Government initiated a reform package in 2018 to transpose EU directives 2000/43 and 2000/78. The reform was passed by parliament in February 2019. The government initiated a reform package introducing amendments to four laws: the Law on the Elimination of All Forms of Discrimination, the Law on Gender Equality, the Labour Code of Georgia and the Law on Public Service of Georgia. All amendments strengthened their provisions to prevent gender discrimination.

In addition, the project worked with the Food and Agriculture Organization (FAO) on methodology for screening the legal framework conditions for registering women's property rights. The checklist that was developed, the Legal Assessment Tool (LAT), was used to assess baseline data for SDG indicator 5.a.2 in all three countries. On this basis, gaps in the legal framework were identified and proposals for amendments developed, which were presented to the ministries in final workshops in Georgia and Azerbaijan. Due to the emerging pandemic at the beginning of 2020, the final workshop in Armenia and follow-up on the proposals in all three countries up to their presentation in parliament could not be implemented (Doc\_Giz\_26, Int\_OS\_6, Int\_P\_3). The indicator

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<sup>5</sup> See the full text of The Rules of Procedure of the Parliament, Chapter VII, Article 61.

was achieved up to 50 percent. However, it must be considered that the Covid-19 pandemic hindered completion of the activity. This factor was beyond the control of the project.

**Outcome indicator 4: the content, concept and methodology of the legal impact assessment for mainstreaming Agenda 2030 requirements in Georgia was applied in the RIA of another country in the South Caucasus.**

Base value: 0, target value: 1, current value: 1

The indicator was achieved. In the framework of bilateral exchange supported by the project, the National Centre for Legislative Regulation (NCLR) and the Armenia National SDG Innovation Lab took up the Georgian Ministry of Justice's approach of integrating Agenda 2030 requirements into the RIA methodology.

The process consisted of several meetings in Armenia and Georgia and a joint study tour to the World Bank's Law, Justice and Development week in Washington. These events were used to exchange ideas and experiences on RIAs, considering SDGs. As a result, the Armenian counterparts developed an SDG checklist that compares legislative proposals with the national target achievement of SDGs and Agenda 2030 requirements.

Interview partners from both countries highlighted the perfect mixture of capacity building tools consisting of workshops, training sessions, advice and a study tour provided by the project, and the usefulness of the exchange process to learn from each other's experiences and ideas (Int\_P\_9, 18, 24).  
The evaluation team concluded that project objective indicators were partly achieved by the end of the project.

Effectiveness dimension 1 – Achievement of the (intended) objectives – scores **30 out of 40 points**.

**Effectiveness – Dimension 2: Contribution to achievement of objectives**

At output level, the project achieved the following results assessed against the output indicators.

Output indicator	Achievement in percent
A1. Three regional events were held with jointly agreed recommendations towards European standards.	100%
A2. Three articles each year were published on legal issues in the region in three digital networks.	100%
B1. Seven legal acts were adopted in line with EU standards.	100%
B2: New strategic points of the Open Government Partnership were introduced in two countries.	100%
C1. Six (two per country) practice-oriented legal training formats to EU standards were introduced.	200 %
C2. A regional teaching and research association was established with all three countries.	0%
D1. Seven measures of improved access to justice were reported by trained journalists (in all three countries).	100%
D2. In three schools in each of the three countries, pupils were informed about their country's legal system and their rights.	100%
E1. Twenty representatives of CSO and the scientific community declared that they consider the requirements of 2030 Agenda in RIA.	100%
E2. The requirements of the 2030 Agenda were considered in six RIAs in Georgia.	116%

As presented in the table, the project achieved all output indicators except C2 on the establishment of a regional research network. A study visit of the South East European Law Schools (SEELS) Network in Macedonia/Serbia was undertaken with the deans of law schools from universities in Armenia, Georgia and Azerbaijan in November 2018. The network was presented as a model, and the creation of a similar network for the South Caucasus was discussed. Despite the interest in and appreciation of regional exchange in general, participating institutions did not feel in a position to take on the additional financial and above all organisational effort required to maintain such a network (Int\_P\_26, Int\_P\_4). Therefore, the target was not met, which again points to the difficulties in regional cooperation. The interview statements revealed that regional exchange activities were limited in this project phase compared to previous phases (Int\_P\_4, 11, 17, 26; Doc\_GIZ\_29). This might have had a certain effect, in addition to the upcoming project closure.

The evaluation found that the output targets in the field of training and further education were far exceeded. The project conducted the considerable number of 176 training sessions with 5,372 participants in just over two years from January 2018 to March 2020 (Doc\_GIZ\_29). The formats comprised a high variety of practice-oriented elements and legal topics relevant to EU directives and target audiences. They included a module on consumer protection in financial services for the National Bank of Georgia, a practice-oriented training session for administrative judges at the Justice Academy of Armenia, training on legal writing for law students at Baku University and seminars on advocate's ethics for lawyers in Azerbaijan.

The output of legal literature in Georgia was similarly high, with the considerable number of 54 publications on various themes such as commentaries on legislation, practical guides for lawyers, comparative analyses, legal opinions, case summaries and legal studies published in an online law library that is accessible for everyone (<http://lawlibrary.info/>). The only limiting factor is that due to the varying intensity of cooperation with the three countries and a stronger regional focus on Georgia and Armenia, the law library was used less by Azerbaijan and was therefore less known to the partners.

Targets for the awareness raising component were achieved but the activities did not gain much visibility. This was partly due to their limited scope, as they only focused on three schools per country. In Armenia, the school project was not strategically designed, as the law lectures did not address specific concerns of youth (Int\_C\_2).

In the following paragraphs, the derived hypotheses are used to illustrate how the outputs contributed to the achievement of the objectives at outcome level. The respective hypotheses are presented in Table 8.

Table 7: Selected results hypotheses for effectiveness

Hypothesis 1	The regional exchange (output) promoted by the project is starting progress towards legal reforms to EU standards in different aspects (outcome).
<b>Rival hypothesis:</b> in first place, legal reforms to EU standards are initiated by the bilateral interventions of other donors, political pressure from the EU and the countries' own efforts. The project's regional exchange plays a subordinate role, as the priorities of the three countries are too diverse and the conflict between Armenia and Azerbaijan hinders regional cooperation.	
Hypothesis 2	Increased expertise of the ministries of justice due to the project's advisory service (output) leads to adjustments of laws by partner ministries, in compliance with EU standards (outcome).
<b>Rival hypothesis:</b> the activities and programmes of other donors and/or political pressure from the EU also impact the adjustments of laws in compliance with EU standards so achievements are not solely attributable to the project.	
Hypothesis 3	Strengthened capacities of universities and legal training of institutions initiated by the project (output) enhance a higher degree of EU standards in legal education and training (outcome).
<b>Rival hypothesis:</b> other donor interventions contribute to or are mainly responsible for strengthened capacities of universities and legal training institutions and enhance a higher degree of EU standards in legal education and training.	

## Hypothesis 1

The evaluation concluded that Hypothesis 1 could be confirmed. The activities implemented and instruments applied by the project resulted in legal reform in Georgia to create a mandatory RIA in the legislative process and establish methodology that integrates Agenda 2030 requirements in RIA processes.

The project promoted continued Armenian–Georgian legal dialogue. This was achieved through various capacity building formats such as workshops, meetings, a conference, a study tour and an advisory service (combined activities and instruments of outputs A, B and E).

In autumn 2018, an intense exchange process took place during which Georgian representatives of the ministry of justice visited Armenia for a round table discussion with their Armenian colleagues. At this meeting, Georgian stakeholders were told about the Armenian advanced legal framework on mandatory RIA within the legislative process and the institutional set up with a specialised institute, the National Centre for Legislative Regulation (NCLR), that does not exist in Georgia. The advanced methodology on Agenda 2030-sensitive RIA implementation in Georgia was explained to Armenian representatives (Int\_P\_9; Doc\_GIZ\_22, 26). Further exchange visits followed, including a conference and a training session for civil servants on SDG-sensitive RIA, given by international experts. A joint study tour to the World Bank's Law, Justice and Development Week in Washington DC further strengthened the dialogue and discussion on possible adjustments of existing RIA analytical frameworks with regard to SDGs, particularly in terms of the sustainability criterion and the social, economic and ecological consequences of legislative initiatives (In\_P\_9, 18; Doc\_GIZ\_26, 30). Subsequently, participating stakeholders developed an adapted RIA methodology with specific checklists that enabled a comparison of national SDG targets with the expected impact of legislative proposals.

In spring 2019, the Georgian parliament adopted amendments to the Law on Normative Acts by which RIA became mandatory for specific legal acts. Both developments represent a step closer to EU legal standards (Int\_P\_11, Doc\_Div\_10).

According to interview statements, the exchange process was instrumental to the results (Int\_P\_9). Other success factors were the 'perfect mix of capacity building tools' and a longstanding trustful relationship with the partners (Int\_P\_9, 11, 18).

External factors contributed to the political agendas of UN Agenda 2030 and the EU's Eastern Partnership. These policies provided the political framework, offered starting points and promoted the commitment of partners, but did not contribute specifically to the results of the working process. Regarding the contributions of other donors, the visit to the World Bank played a certain subordinate role (Int\_P\_9). Therefore, the rival hypothesis could not be confirmed for this specific case.

## Hypothesis 2

The evaluation concluded that Hypothesis 2 could be confirmed. The project's advisory service with bilateral consultations, working groups, study tours, conferences and international expert's opinions led to tangible results in terms of legal reforms initiated by the partnering ministries of justice. This was partly reflected in the achievement of indicator B1, as the project's assistance resulted in the adoption of seven laws that complied with EU standards. In addition, under the EU component, another three draft laws were prepared: the Enforcement Code, the Law on Insolvency Proceedings (entered into force in April 2021) and the Law on Entrepreneurs.

Tailored to the needs of each specific case, the project supported the entire cycle of the legislative process including sensitising partner ministries on specific reform needs, forming working groups, drafting and discussing the legislative text, carrying out stakeholder consultations and preparing the final draft.

Interviews with stakeholders confirmed that this support was of key importance to the success of the adopted laws (Int\_P\_11, 12, 13, 22; Int\_OS\_1, 2, 5).

As lawmaking procedures are complex, long-lasting processes, some legislation had to be accompanied in various project phases. For example, the Mediation Code was supported by the project from 2012. The project's support was instrumental in the initial phase to develop the first draft, which would not have been possible without the project's assistance (Int\_DO\_1).

The Insolvency Law in Georgia was supported by the EU cofinancing component of the project. The project accompanied the entire process from the first discussions with the ministry in 2010, participation in working groups with national experts to develop the draft from 2017, comments on the draft by international experts, and a study tour to the court in Dresden to learn about the German example. However, the entire process was delayed because of staff rotation at the ministries and some controversial content-related points on which no agreement could be reached, in particular with regard to the independent status of insolvency practitioners, who used to be state employees. After a long back and forth in the discussions, an agreement was finally reached and the ministries accepted the independent status of insolvency practitioners, as in European countries. The law was adopted in September 2020. With its clear rulings, it will improve the framework conditions for Georgia's economic development (Int\_Do\_6, Int\_OS\_1, Int\_GIZ\_1, Int\_P\_11). According to interview statements, the project's contribution was crucial to the final result, with its input of international and national expertise and the study tour to Dresden (Int\_Do\_6; Int\_OS\_1; Int\_P\_11, 12).

'We received both financial and intellectual support from the project. It would not have been possible to invite foreign and German experts without GIZ support. GIZ also provided intellectual assistance through its excellent team with highly qualified local experts. We took one big step forward in the development of commercial law in Georgia, improving the business environment and investment climate.' (Int\_P\_11)

Other donors also contributed. For example, the International Monetary Fund (IMF) commented on the draft law, and USAID conducted an awareness campaign through stakeholder consultations on the necessity of law reform in 2016.

Although the hypothesis could be confirmed, especially regarding insolvency law, the degree of the project's contribution varied from case to case. As lawmaking involves multi-stakeholder processes, it is natural that a variety of other national and international stakeholders, including specific interest groups, government agencies, donors and broader political frameworks, also play important roles. Therefore, the project's share in the final success of the adoption of a law can only be assessed on a case-by-case basis.

According to interview statements, the most important internal success factor of the project was the international expertise provided by short-term consultants specialised in these fields. Their opinions were heard and respected by national stakeholders (Int\_P\_8, 22; Int\_OS\_6). Study tours were also important as they allowed participants to get to know a model of the respective law and its implementation through the example of another country (Int\_P\_11, 24).

External contribution factors were similar to those already mentioned for Hypothesis 1. They included EU association agreements as a supportive political framework and the contributions of other donors, such as UNDP's assistance with the Mediation Code.

### **Hypothesis 3**

The evaluation concluded that Hypothesis 3 could be confirmed. The project's strong focus on training and legal education with multiple forms of support for national institutions played an important role in increasing the degree of practical elements and introducing training topics that reflect EU legal standards. The support

comprised various curricula and training formats and an online law library, which provides legal literature that is relevant to the local context.

While South Caucasian education is still more theory-based, practice-oriented education is regarded as a German/EU standard and is more effective in making laws comprehensible in their application (Int\_OS\_6, Int\_P\_17, Int\_C\_2). This was considered in the capacity building approach and the project designed and conducted specific training curricula on practical topics or integrated them into courses on other subjects.

Since the project carried out the substantial number of 176 training sessions with 5,372 participants and published 54 pieces of legal literature, selected examples have been taken and examined to prove the hypothesis. Relevant subjects in term of practice-oriented methodologies were for instance the 'relation technique', legal writing, and court simulation in the form of moot courts. In addition, training sessions were tailored on recently adopted laws and reforms including the code on Normative Legal Acts on mandatory RIA processes, and draft laws under the EU component such as the Company Law, the Enforcement Code and the Insolvency Law in Georgia.

According to interview statements, several universities adopted 'case methodology' as an integral part of the regular study programme after the project's training inputs (Int\_P\_4, 26; Int\_OS\_6).

This was complemented by corresponding publications, such as the civil case book in one Armenian and one Azerbaijani version. A similar case book was published in previous project phases in Georgia, adjusted to the local context.

'The civil case book was developed with Yerevan and the French University and is published in the law library, it is very useful. In general, the works are very useful for lecturers and students. The project's courses for students are also very popular, the two to three day courses are very different from regular courses, with the methodology of in-depth case studies, which is very useful not only to understand the law but also to apply it and transfer it into practice. I am using the material of the civil case book in my teaching courses at the university and other colleagues are using it as well.' (Int\_OS\_6)

'The legal literature in the library is very relevant, such as the works on civil code cases and administrative law. As a trainer, I am using the material for the training courses at the High School of Justice.' (Int\_P\_24)

The Bar Association in Georgia established a ToT format based on the training introduced by GIZ for lawyers on the new Insolvency Law. An essential part of this training is the relevant legal method of 'relation technique', which is regarded as very important for the professionalism of insolvency practitioners (Int\_C\_8, Int\_P\_21). Ilia State University and the University of Georgia have institutionalised the project's curriculum on RIA methodology based on the new legislation as a regular course for law students. Furthermore, the High School of Justice in Georgia has established a ToT course on civil law including the 'relation technique' with the support of the project. Other examples are the moot court on EU law that has been supported for law students at the Ministry of Justice in Georgia, and will be held annually in the future (Int\_P\_23).

One main success factor for positive achievements was the project's high level of professional quality and the international expertise provided by short-term consultants and German professors (Int\_OS\_5, 6; Int\_P\_10, 27). The general orientation of local educational institutions towards EU and Western countries played a role as a factor that motivated them to become engaged in the training courses. Other donors such as IRZ, USAID and UNDP also contribute to the field of legal education and training in certain fields. However, according to interview statements, other donors were not involved in the activities described above. Therefore, the rival hypothesis could not be confirmed with regard to these fields of legal education.

Effectiveness dimension 2 – Contribution to achievement of objectives – scores **30 out of 30 points**.



### **Effectiveness – Dimension 3: Quality of implementation**

This evaluation was carried out prior to the introduction of the new assessment dimension ‘quality of implementation’. This assessment dimension has therefore not been applied in this evaluation. The content has been included in other effectiveness dimensions.

### **Effectiveness – Dimension 4: Unintended results**

The project produced several additional positive results including the following:

- The project had a strong reputation among partner institutions due to high professional quality and expertise.
- Overachievement was attained in the field of legal education, with a total of 176 training sessions and 5,372 participants, targeting universities and legal trainings institutions (justice academies, bar associations, courts) and various public service institutions (government administration, National Bureau of Enforcement, National Agency of Public Registry, Civil Service Bureau, National Bank of Georgia, Azerbaijan Service and Assessment Network (ASAN) and the State Migration Office).
- Overachievement was attained in the field of legal publications with a total of 54 works that were made available to the public in the online law library during the last project phase.
- Due to international contacts provided by the project via international conferences, the Baku State University in Azerbaijan could link up with the German law faculty of the University Halle Wittenberg, with which a dual master study programme was established.
- Subsequent to the project’s introduction of a training module on SDG-sensitive RIA, the Ilia State University in Georgia established a consulting service on RIA for government institutions in which SDGs are considered in the analytical process. Law students are participating and can put their knowledge into practice.
- The project used the opportunity to raise additional EU funds of 1.3 million euros for a complementary component on commercial law reform in Georgia.

The additional positive results show that the potential for unplanned positive results at outcome level was monitored and exploited by the project.

As already outlined under Section 3.5, the project monitored conflict risks factors in the context of current political developments, which were also documented in the progress reports (Doc\_GIZ\_1, 22, 26). No negative unintended effect of the project was observed by the evaluation. However, stakeholders perceived the risk that the project, with its technical and neutral approach, could have indirectly supported institutions and actors that counteracted progress towards an independent judiciary. In addition, the contracts with NGOs to conduct awareness raising activities for citizens and school students were not the result of public tenders, but were informally assigned through contacts within the partner network. Even if this was not criticised by the interviewee partners and is not mandatory according to GIZ regulations for grant agreements, as far as possible contracts should be selected by open tenders for the benefit of equal opportunities and transparency. This is even more important in an environment of weak governance. Otherwise, there is a risk of unintentionally fostering tensions and conflicts among civil society representatives over the allocation of resources, which may be perceived as unfair.

Effectiveness dimension 3 – Unintended results – scores **25 out of 30 points**.

## 4.5 Impact

This section analyses and assesses the impact of the project. It is structured according to the assessment dimensions in the GLZ project evaluation matrix (see Annex 1).

### Summarising assessment and rating of impact

Table 8. Rating of OECD/DAC criterion: impact

Criterion	Assessment dimension	Score and rating
Impact	Higher-level (intended) development changes/results	27 out of 30 points
	Contribution to higher-level (intended) development results/changes	40 out of 40 points
	Contribution to higher-level (unintended) development results/changes	23 out of 30 points
Impact score and rating		Score: <b>90 out of 100 points</b> Rating: <b>Level 2: successful</b>

The project contributed to the BMZ overarching development results in the field of good governance/rule of law, poverty reduction/economic development and gender equality, and to a lesser extent to peacebuilding and the corresponding SDGs, namely 16, 8 and 5. These targets largely overlapped with those of European Neighbourhood Policy (ENP) agreements with the three countries.

Furthermore, the contribution analysis revealed that strengthened capacities of partnering institutions resulted in visible results at final target group level. Since administrative law systems were introduced in the three countries, it has become easier for citizens to challenge the decisions of administrative bodies or courts and court decisions have become less arbitrary. This is reflected in court statistics, for example in Georgia where approximately 70 percent of cases are decided in favour of citizens. The reforms are interpreted as an important step towards a more democratic concept of citizenship, whereby citizens have rights and can demand and enforce their rights against the state through legal proceedings.

The project's support for the promotion of RIA methodology led to legislative proposals being more closely aligned with Agenda 2030 principles. This is the case of the Law on Entrepreneurs, which also considers the needs of disadvantaged stakeholders, including small-scale and micro enterprises. Moreover, the project's overarching strategy of regional exchange across thematic areas led to improved understanding between stakeholders at individual and professional level, which contributed to a certain extent to social cohesion at the level of the partner network.

However, the project could have expanded its widespread impact at final target group level and on social cohesion by adopting a stronger focus on the implementation of reforms in rural regions, targeted awareness raising campaigns and a pinpointed strategy to address shortcomings in the independence of the judiciary. This could have been achieved by cooperating with NGOs that carry out advocacy and monitoring.

**In total, the impact of the project is rated Level 2: successful, with 90 out of 100 points.**



## Evaluation basis and design for assessing impact

As the structure is the same as that of the effectiveness dimension, the assessment was carried out accordingly. However, the focus was the higher aggregated level of project-related overarching development results.

**Impact evaluation dimension 1:** as the project was not embedded in a programme with an overarching development goal, the evaluation took the overarching strategic orientation of the project as the basis for measuring achievements at this level, namely the extent to which the rule of law situation in the partner countries improved. This was reflected in the 2030 Agenda and more specifically in SDG 16 (peace and inclusive societies) and in existing rule of law indices (Global Economy's rule of law and human rights index and the Bertelsmann Transformation Index [BTI] on rule of law). However, given the project's scope and budget, it was unlikely that it would have had a significant effect on these highly aggregated indices and their rankings. Nevertheless, it contributed indirectly to these targets. More direct, traceable results are reflected in the EU country progress reports in the framework of the European Neighbourhood Policy (ENP). A comparison of these reports with the project progress reports and monitoring data was instrumental to assess the degree to which the project contributed to an improved rule of law situation in the framework of EU accession. In addition, internal and external key informant interviews were conducted on this question to collect data on stakeholders' perceptions (project staff, legal partners as 'internal' stakeholders and donors, and research institutions as 'external' stakeholders).

For **impact evaluation dimension 2**, a contribution analysis was conducted on the basis of the hypothesis formulated in Section 2.2. The methodological approach was the same as for the contribution analysis for effectiveness. Due to the Covid-19 pandemic and the swift change to fully remote mode, the evaluation could not conduct complementary focus group discussions and/or semi-structured interviews with selected final beneficiaries (such as public or legal service recipients, law students at universities, and pupils/teachers at schools and municipalities), as originally planned. This limited the evaluation results at this level. The evaluation tried to replace this information by secondary data, such as statistics on court decisions, to assess to what extent citizens as final beneficiaries benefited from the reforms. However, the perspectives of these groups are not fully represented.

The assessment of **impact evaluation dimension 3**, on unintended results, was operationalised on the basis of the same principles and methods explained for the outcome level under effectiveness in Section 4.3.

### Impact – Dimension 1: Higher-level (intended) development changes/results

The evaluation considered that the project contributed to the overlapping, overarching development results of Agenda 2030, BMZ concepts and the European Neighbourhood Policy as follows.

In the field of **good governance and rule of law** (BMZ identifier PD/GG–2; SDG 16, European Neighbourhood Policy agreements with the three countries), the project strengthened the capacities of partnering legal institutions, which in turn resulted in legislative reforms, improved performance of public institutions and higher quality in legal education and training in compliance with EU standards.

The main achievements that had a broader impact were legal reforms on constitutional aspects in Armenia and Georgia. These represented a step towards consolidating democratic structures, as outlined in the respective European Neighbourhood Policy agreements (an association agreement with Georgia and a partnership agreement with Armenia), and included:

- the Rules of Procedure of the Parliament of Georgia redefining the conditions for a parliamentary inquiry committee, to strengthen parliamentary oversight over executive organs (Int\_DO\_3, Int\_OS\_6, Doc\_Div\_8) (referring to SDG 16 on accountable and inclusive institutions),
- the Law on Normative Legal Acts of Armenia strengthening transparency in lawmaking processes by extending conditions for public hearings (Int\_OS\_6; Doc\_GIZ\_26; Int\_P\_28, 29) (referring in particular to SDG 16.10.2 on ensuring public access to information),
- the Law on Referendum (Armenia) improving the regulations in terms of support signatures, referendum campaigns and an accurate voter register (Doc\_Div\_11, Int\_OS\_6, Doc\_GIZ\_26),
- Normative Legal Act amendment introducing a mandatory RIA promoting responsible policy decisions (Georgia) (Doc\_Div\_10; Int\_OS\_2, 7; Int\_P\_18).<sup>6</sup>

In Georgia, the Mediation Code that introduces alternative dispute resolution into the legal system with court mediation and out of court mediation will have a broader impact in the long run. It simplifies and establishes litigation processes and thus helps to reduce court overload. It also makes access to justice easier for citizens, particularly with reference to SDG 16.3, equal access to justice for all (Int\_DO\_1, Int\_GIZ\_1, Doc\_Div\_14, Doc\_Gov\_3).

In view of the project closure, it seems appropriate in assessments of the broader impact to consider the long history of the project. The most important achievement of the project over the years was the establishment of administrative law in all three countries with their own judiciary, institutional structures and corresponding curricula in universities and judicial academies. This has increased legal certainty through predictable, clear procedures in administrative cases (Int\_OS\_5, Int\_GIZ\_3, Int\_P\_6, Doc\_Div\_15). Furthermore, the reforms have contributed to changing citizen–state relations to generate a more democratic understanding of citizenship, whereby the citizen as a rights holder can also claim rights against the state. This is reflected in the court statistics of Georgia, according to which around 70 percent of cases from 2018 to 2020 were decided in favour of citizens. It is also apparent in cases in which the administrative body was obliged to compensate for damage (Int\_P\_6, 16; DO 3; Doc\_Div\_14, 15; Doc\_GIZ\_31).

Despite these positive steps in the project's intervention areas, essential challenges remain in the region. One challenge is the overall independence and accountability of the judiciary, on which the project with its limited budget and scope in three countries had little influence. This is also reflected in the project's engagement, along with other donors, in the development of an overarching justice reform strategy in 2018 in Georgia to address key points undermining independence, such as appointment procedures for judges. However, the entire process was stalled by political partners after finalisation of the documents. Although some aspects were implemented, the strategy failed to substantially contribute to the independence of the judiciary (Int\_DO\_2, 4; Int\_C\_5, 6).

Furthermore, the project contributed in the field of economic development (BMZ identifier AO1, SDG 8, European Neighbourhood Policy, Georgia's Association Agreement) to a broader impact due its crucial support of reforms to the Insolvency Law (adopted in September 2020), the Enforcement Code and the Company Law (in parliament for approval in April 2021). The laws were part of the Association Agreement and will gradually improve legal certainty for companies in the long run. Thus, they will overcome existing barriers in the business environment of Georgia, as outlined in the Association Agreement Progress Report of 2021. The report highlighted the RIA of the Company Law conducted by GIZ, which confirmed compliance of the law with EU directives and the prospects of a positive impact on economic development (Doc\_Div\_10).

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<sup>6</sup> According to the EU Association Implementation Report on Georgia 2021, this amendment is regarded as an important milestone for evidence-based policy development and development planning of governmental institutions.

In addition, the project's assistance of laws that address discrimination contributed to gender equality in Georgia (BMZ identifier GG-1, SDG 5, European Neighbourhood Policy agreements with the three countries). Gender sensitive amendments were adopted in 2019 and covered four laws. The offence of sexual harassment was defined more precisely in the Law on the Elimination of All Forms of Discrimination and the Law on Gender Equality, to improve the enforcement mechanism. Furthermore, rulings on prohibiting and preventing discrimination were considered in the Labour Code and the Law on Public Service. Even though full implementation of this legislation still needs to be achieved, the legal requirements form the basis for improved protection against discrimination and gender inequality.

The project's integrated approach to regional exchange as a cross-cutting issue improved personal ties between individuals and partly between institutions in the countries. Thus it contributed to a certain degree to social cohesion (BMZ identifier FS 1, SDG 16). The Alumni Network that holds regular regional meetings with former training participants built its own community across borders. These activities did not reach a visible, broader scope, for example in the form of independent institutionalised networks. However, they contributed to a certain extent to strengthening communication and increasing awareness of the importance and benefits of sharing experience with neighbouring countries.

The development, adoption and implementation of new laws are lengthy, complex processes. Therefore, the benefit for the general population will only unfold in the long term. Nevertheless, the project activities clearly reached final beneficiaries, especially in the field of legal education and awareness raising in which legal students, teachers and youth directly participated. Moreover, administrative law implemented during the previous project phases already has visible benefits for citizens. In principle, this also applies to marginalised groups, which can use the free legal aid service, at least in Armenia and Georgia. However, with its national and capital-centred approach, the project did not have a systematic focus to reach vulnerable groups.

The project could have increased its potential for impact at final target group level, that is, its effect on the general population including minorities and vulnerable groups, through a stronger focus on the remaining challenges of administrative and legal bodies and universities in the rural regions. These are still behind in the implementation of reforms, legal knowledge and practice (Int\_C\_3, Int\_P\_6).

Impact dimension 1 – Higher-level (intended) development changes/results – scores **27 out of 30 points**.

#### **Impact – Dimension 2: Contribution to higher-level (intended) development results/changes**

The following hypotheses were investigated to assess how far the project outcomes substantially contributed towards impact.

Table 9: Selected results hypotheses for impact

<b>Hypothesis 1</b>	The project's expanded regional dialogue on legal EU standards (outcome) leads to improved communication and understanding between legal professionals in the countries at individual and (partly) at institutional level, which has an impact on social cohesion (impact).
<b>Rival hypothesis:</b> initiatives of stakeholders such as the EU, the Organization for Security and Co-operation in Europe (OSCE), the Swiss Agency for Cooperation and Development (SDC) and CSOs (that were further specified during the field research) and targeting the justice sector are more successful in promoting liaisons between individuals and institutions at regional level to promote social cohesion than the project's expanded regional dialogue.	
<b>Hypothesis 2</b>	<b>The advanced consideration of EU standards in the justice sector (outcome), such as the established standard of regulatory impact assessment (RIA), yields visible results for SDGs (impact).</b>
<b>Rival hypothesis:</b> other European donor interventions also lead to or are the main factors responsible for visible results in the justice sector that affect SDG achievements (and a strategic SDG orientation in the political planning of partner countries).	
<b>Hypothesis 3</b>	<b>Strengthened capacities in the justice sector regarding the consideration of EU standards (outcome) result in improved legal practice and yield visible results, for example improved access to justice for final beneficiaries, the general population (impact).</b>
<b>Rival hypothesis:</b> the partner ministries are mainly responsible for improved legal practice according to EU standards and for improved access to justice for final beneficiaries.	

## Hypothesis 1

The hypothesis can be confirmed based on the analysis below. However, no broader impact could be observed in terms of self-perpetuating cooperation initiatives between the countries. The project's overarching strategy of regional dialogue on legal EU standards resulted in the Alumni Network of Transformation Lawyers. This was established in 2009 as a Facebook community consisting of 193 former participants of GIZ capacity building training sessions in the form of summer and winter schools from all three countries.

Many people joined the group as students. The group also includes a large number of experienced legal professionals and several hold senior positions in key institutions, such as the court of appeal, ministry of justice, bar association or supreme court. The members collaborated on various occasions, for example in publications of the South Caucasus Law Journal through the editorial board or as authors, or by giving guest lectures at universities in neighbouring countries. There was also direct cooperation between Armenians and Azerbaijanis. The journal was coordinated by an Armenian member to whom Azerbaijan authors sent their articles. Furthermore, meetings were held regularly with all three countries and supported by the project. According to interview statements, the network was instrumental to establish, maintain and intensify private and professional contacts between members and institutions across the countries (Int\_P\_10, Int\_C\_1, Int\_OS\_6). This was reflected in the survey questionnaire, in which the majority (11 out of 14 respondents) stated that understanding and communication between legal professionals across borders improved due to the project, especially through joint activities such as publications, research, study tours or designing a joint website on the legal environments of the respective countries (Surveys\_1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14). Likewise, the majority believed that their expertise in regional legal dialogue, knowledge and experience had increased by 75 percent or more. The interviews and questionnaire responses further illustrated these findings:

'We made contact with new colleagues in neighbouring countries and we are still in contact and give each other advice, we have become friends, my main counterparts are at the Ministry of Justice, Constitutional Court and High School of Justice in Georgia.' (Int\_P\_10)

"This regional exchange is highly relevant, we have personal contacts that will be maintained and are used at professional level as well. For example, if someone wants to ask how a law works in the other country, he asks his friend and vice versa and before Covid-19 personal informal meetings and visits took place as well. The contacts and relation between Armenians and Azerbaijan members were also unproblematic at that point in time, but today

after the war it might be different. As social media are controlled in Azerbaijan, people might be afraid to contact colleagues from Armenia via Facebook, but it is possible via email.' (Int\_OS\_6)

'In my opinion, GIZ has supported deeper communication between legal practitioners in Armenia and Georgia and has made possible at least some level of communication between Armenian and Azerbaijani experts.' (Survey 14)

'I appreciated the comparative aspects in the training sessions as they provided a new perspective, and the human component, meaning person-to-person interaction with Azerbaijani colleagues, was for me as an Armenian very important, especially given these new realities, when the war dehumanises the parties, unfortunately.' (Survey 13)

Although the statements were positive, a broader impact in terms of specific joint projects between legal institutions in the respective countries could not be recorded by the evaluation. Other interviewees did not believe that the regional meetings would continue without the project (Int\_P\_24, 15; Int\_OS\_6). Correspondingly, the envisaged regional research network could not be established due to the universities' lack of financial and organisational capacities.

Regional cooperation could have been strengthened by striving for institutionalisation of cooperation at an early stage. This could have been achieved through funded cooperation agreements between bi- or trilateral counterparts such as justice academies and bar associations, so that permanence was supported and promoted over a longer period of time. This might have increased the chance of sustainable, independent networks after withdrawal of the project.

Internal factors that contributed to success were the long duration of the project over many years. This enabled contracts to be built and deepened and joint projects such as publications and comparative legal research to be promoted. External contributing factors were the EU policy frameworks and the respective partnership agreements on legal reforms as a common interest between stakeholders, although to different extents. Interviews revealed that most contributions by other donors focused on bilateral programmes, including those of USAID, the EU and IRZ (Int\_DO\_6, Dok\_GIZ\_26). Nevertheless, certain formats also had regional outreach such as the EU's Eastern Partnership platforms, which have a wider scope and include the countries Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. However, they did not contribute to the results described above as interviewees explicitly referred to GIZ-related activities.

## Hypothesis 2

The second hypothesis could also be confirmed. The project's legal advisory service and capacity building resulted in amendments of the Normative Legal Act in Georgia, to ensure that RIAs are undertaken for relevant new legislation. In parallel, the project strengthened the capacities of RIA implementing institutions in terms of methodological approach, to integrate Agenda 2030 requirements into the analytical framework.

Subsequently, seven pilot RIAs were undertaken under the BMZ-funded project and a further three in the context of the EU component. As the evaluation could not analyse all RIA studies in detail, the RIA study of Company Law was selected to illustrate the results and verify the hypothesis.

EU directives were incorporated into the draft Company Law to ensure its compliance with the Association Agreement. The RIA analysis revealed that some of the EU requirements were supposed to produce higher costs and increased administrative duties for existing and start-up companies (Doc\_Div\_16). This was identified as a risk factor for the intended impact on economic development: 'studies provide evidence that there is a direct causal relationship between the start-up costs of an enterprise and the number of newly registered firms, employment, productivity and other economic outcomes' (Doc\_Div\_16).

Subsequently, the RIA consultants held broad consultations with relevant stakeholders including the least privileged, such as small-scale enterprises. This is a requirement of the Agenda 2030 principles of inclusiveness and leave no one behind. The small and medium-sized enterprise community expressed specific concerns in view of the additional administrative burdens. As a consequence, standard statutes and formats

were incorporated into the draft law, which simplifies the application of the new rulings. This is regarded as a relevant step to reduce barriers, in particular for smaller and micro enterprises, and to encourage them to continue or start their business under the new conditions (Int\_GIZ, Doc\_Div\_16, Doc\_Div\_17, Doc\_GIZ\_23).

The RIA process that was carried out with broad stakeholder consultations increased the potential of new legislation to have a greater impact on Agenda 2030, in particular on SDG 8, decent employment and economic growth, and its sub-target 8.3, the promotion of development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalisation and growth of micro-, small- and medium-sized enterprises. However, the full impact of the law will only be verifiable in the long term, after several years of implementation.

Internal factors also contributed to the successful RIA process. First, GIZ acknowledged a team of international and national legal experts who supported the process at working group level, and second GIZ had a strong focus on popularising and establishing methodological standards on Agenda 2030-sensitive RIA. USAID contributed to the development of the draft law and the RIA. However, according to stakeholders, GIZ had a leading role in the process (Int\_P\_22, Int\_P\_11, Int\_DO\_3). While other donors, in particular UNDP, also support the Agenda 2030 orientation in policy and development planning in the region, no other donor had a specific approach on the methodology of SDG-sensitive RIA in the lawmaking process in this context. External favourable conditions at policy level were Agenda 2030 and the EU Association Agreement.

### **Hypothesis 3**

The evaluation considered that the third hypothesis was also confirmed.

Given that legislative procedures are long-term, complex processes and considering the limited access to final target groups during the evaluation, this hypothesis was mainly evaluated on the basis of the long-term results of previous project phases.

As outlined in the section on the predecessor project, the achievements of the project's support in the field of administrative law are visible today and yielded positive results in the general population, which was final target group. In all three countries, the project played a leading role in supporting the establishment of administrative justice systems. Interviewed stakeholders recall this (Int\_P\_1, 4, 6, 24; FGD\_1, 2; Int\_C\_1; Int\_OS\_5, 6).

The main visible results for the population are that it has become easier to challenge decisions of administrative courts and bodies, and secondly court decisions in administrative cases have become less arbitrary and legal certainty has increased. The reforms are also interpreted as an important step towards a more democratic concept of citizenship, whereby citizens can demand and enforce their rights against the state through legal proceedings.' (Int\_P\_6, Int\_OS\_5, Int\_OS\_6, Int\_C\_1, Doc\_Div\_15)

In Armenia, at administrative courts the cases address authorities not acting in a proper way, for example we have to litigate numerous cases of abuse of power by the police, for example during protests. Citizens file a complaint as it is their constitutional right to participate in a demonstration. There is an increase almost every year because citizens have a chance to succeed. Nowadays, 50 to 60 percent of the cases are justified.' (Int\_P\_6)

This is also reflected in court statistics showing that in Georgia on average 70 percent of court decisions during 2018, 2019 and 2020 were in favour of citizens (Doc\_Div\_14). However, the high percentage of decisions in favour of citizens also shows that many actions of administrative bodies still do not comply with the law and there is still a need for further capacity building, especially in the regions. In comparison, only about 7 percent of cases in Germany are decided in favour of citizens (Doc\_GIZ\_31). Therefore, some stakeholders see the administrative law court system as a self-regulation instrument for executive administrative bodies and 'as a victim of its own success' as they have to struggle with an overload of cases (Int\_C\_3).

The internal success and contribution factors were the same as outlined for the two other hypotheses. While other donors were not working in the field of administrative law, the partnering ministries naturally played an



important role in the reform process. However, according to interview statements, the project's support was crucial for the success of the reforms (Int\_P\_1, 4, 6, 24; Int\_OS\_6).

Overall, the most significant impact was recorded in areas that had a longer time to unfold. The potential for scaling up effects and therefore expanding the impact was achieved in terms of the geographic outreach of the three countries. Positive experiences in Georgia, which implemented the administrative reform first, were used to promote similar processes in Armenia and Azerbaijan by regional exchange.

Impact dimension 2 – Contribution to higher-level (intended) development results/changes – scores **40 out of 40 points**.

### **Impact – Dimension 3: Contribution to higher-level (unintended) development results/changes**

The evaluation did not observe any unintended negative impact produced or supported by the project. However, as mentioned in the effectiveness section, stakeholders perceived the risk that the project, with its technical and neutral approach, could have indirectly supported institutions and actors that counteract progress towards an independent judiciary. This was outlined in the PCA matrix. The neutral technical approach, which enabled the project to build a high level of trust among partners, ensured success in other reform areas. This is a common dilemma in the implementation of the do no harm principle.

A more systematic approach with accompanying measures of NGO monitoring and advocating, including court monitoring, could have been an option. The development of a joint coping strategy with other donors could have been another option, possibly with limitation of support for institutions that counteract progress.

In terms of the broader conflict context, the project may have supported connecting factors in the region to a certain extent. It promoted stronger communication between legal stakeholders in the three countries, and thus contributed slightly to social cohesion and improved understanding between them. However, this was constrained by the Armenia–Azerbaijan conflict and partially by varying national reform priorities. The project could have had a stronger focus on the risk factor of increasing the divide between rural and urban regions through a systematic approach to link activities at national level with the regions, especially with regard to administrative bodies, court systems and law faculties. This would have had a greater impact on the general population and on more disadvantaged groups in the regions. The same applies for the awareness raising activities, which were not designed strategically enough to have a great impact at final target group level, including on vulnerable groups (Int\_P\_8, 21, 26; Int\_C\_2, 5).

The project exploited potential for additional unintended positive results in terms of cooperation with the Food and Agriculture Organization (FAO). In all three countries, the project contributed to developing the baseline of SDG indicator 5.a.2 on legal frameworks for the property rights of women and raising awareness of existing gaps that need to be addressed in future reforms.

Impact dimension 3 – Contribution to higher-level (unintended) development results/changes – scores **23 out of 30 points**.



## 4.6 Efficiency

This section analyses and assesses the efficiency of the project. It is structured according to the assessment dimensions in the GIZ project evaluation matrix (see Annex 1).

### Summarising assessment and rating of efficiency

Table 10. Rating of OECD/DAC criterion: efficiency

Criterion	Assessment dimension	Score and rating
Efficiency	Production efficiency (Resources/Outputs)	60 out of 70 points
	Allocation efficiency (Resources/Outcome)	25 out of 30 points
Efficiency score and rating		Score: <b>85 out of 100 points</b> Rating: <b>Level 2: successful</b>

The outcome measured on the basis of the indicators was achieved at an average value of 91.75 percent within planned costs. Almost all the output indicators were attained with the allocated resources. Out of 10 indicators, 9 were achieved. Outputs E2 and C1 were overachieved, which shows that the project resources were adequately used and the results could even be maximised in some cases. In view of the unfavourable framework conditions, with the flare up of the Armenia–Azerbaijan conflict and the Covid-19 pandemic, this was a positive achievement overall. Moreover, the project management regularly reflected on monitoring and financial steering, including alternatives. However, the project did not maximise results by reallocating resources between outputs, as it followed a holistic approach. The overarching costs were at a moderate level (9 percent). Synergies were created by donor coordination and in cooperation with other GIZ projects. In addition, the project could expand its outcome through the leverage of more resources via an EU cofinancing agreement. This resulted in three further legislative reform processes in Georgia.

In general, the best value for money approach was used, but no tendering procedures were conducted to select NGO partners. Even though this procedure is not mandatory in GIZ regulations, as far as possible contracts should be allocated through open tenders for economic reasons and for the benefits of equal opportunities and transparency.

**In total, the efficiency of the project is rated Level 2: successful, with 85 out of 100 points.**

### Evaluation basis and design for assessing efficiency

The evaluation dimensions of the efficiency criterion covered two aspects:

- production efficiency: the project's appropriate use of resources to achieve the targeted outputs, and
- allocation efficiency: the project's adequate use of resources to reach the project's module objective.

According to the GIZ standard, the assessment of this criterion was based on the 'efficiency tool', a cost analysis tool that assigns all financial resources to the project's outputs (follow the money approach). The strength of the tool is that all costs are systematically tracked, which enables the evaluation to assess any inefficiencies. For example, costs that were not allocated to outputs are easily identified.

Under **efficiency evaluation dimension 1**, the evaluation assessed whether expenses were in line with the cost plan, the appropriateness of the output/resource ratio and whether the results could have been maximised by alternative strategies (maximum principle), for example by reallocating resources between outputs. The efficiency tool was used as the main methodology, as it enhances the cost analysis and includes a comparison of expenditure in relation to the achievement of outputs. In addition, the evaluation conducted interviews with the project staff to assess the project's financial management.

**Efficiency evaluation dimension 2** was assessed accordingly, but with a focus on outcome level. In addition, it was examined to what extent more results were achieved by using potential synergy within German development cooperation and with other donor programmes, and with regard to the leverage effects of the additional funds that were raised, including cofinancing of other donors. The latter question was evaluated based on document analysis and interviews with other donors/programmes.

### Analysis and assessment of efficiency

#### Efficiency – Dimension 1: Production efficiency

The evaluation assessed that the project's overall expenses were in line with the cost plan as reflected in the table of the efficiency tool on the planned budget against expenditure. The budget analysis revealed that the overarching costs of the project were at a moderate level at 9 percent.

In general, the financial resources were used adequately, as most outputs were achieved by the end of the project period, except output C2 that targeted the regional research network. This could be balanced to a certain extent by the overachievement of output C1, the component on legal training and education. This was overachieved by 100 percent, due to the high number of delivered capacity building formats. Considering the output–resource ratio, that is, the costs per output in relation to the average indicator achievement, outputs A and E were the most efficient, as the targets were achieved at low cost. In contrast, outputs B and C showed the worst ratio with high costs and no overproportioned target achievement. Output D ranked in the middle.

However, the output–resource ratio is only one parameter and cannot be assessed without considering the relevance of the respective outputs in relation to the project objective. Another important factor is that the cost intensity of components naturally varies and is dependent on the specific requirements of each output. Accordingly, outputs B and C were not only the most expensive, but also the most important for the legal reform processes, and therefore represented the core task of the project.

The high level of international expertise necessary for legislative processes and for legal education implies relatively high costs. Therefore, the project's budget allocation and distribution between outputs was broadly reasonable.

The target achievement for outputs A and E could have been increased at limited costs through regional exchange events and a higher number of implemented SDG-sensitive RIA. The relatively low expenditure for output A on regional exchange also reveals that the project did not have a strong focus on this output during this project phase. This is in line with interview statements (Int\_GIZ\_1; Int\_P\_4, 11; FGD\_4).

Nevertheless, the project was planned before the introduction of the efficiency tool and therefore the project design and management had no specific focus on the analysis of the output–resource ratio and on the options of maximising potentials through budget shifts between outputs. Instead, options of maximisation and efficient use of resources were approached from a more holistic perspective. For example, the best value for money approach was used through procurement procedures for goods and services. In addition, local experts were used whenever possible, as a cost-effective alternative to international experts. This demonstrates cost-efficient management decisions (Int\_Giz\_1).

However, regarding NGO implementing partners for output D, no public tendering procedures were carried out. Instead, NGOs were selected on an individual basis from the partner network. Although a public tender is not mandatory in GIZ regulations, the selection method that was used conflicts with the best value for money approach in terms of efficiency, and with the principles of transparency and equal opportunities. This is even more important in an environment of limited governance, in which the project should set a good example.

Efficiency dimension 1 – Production efficiency – scores **60 out of 70 points**.

## Efficiency: Evaluation dimension 2

As shown in the table on the next page, the project did not maximise the results with the same amount of resources. Three of the four module indicators were reached. Module objective indicator 2 on adopted legislation was only achieved by 67 percent. As legislative processes are at high risk in politically volatile environments, this was beyond the control of the project. Given an average module objective indicator achievement of 91, a total of 75 percent of the project's outcomes were almost reached at the planned cost. This is still a positive result under the generally difficult framework conditions, which were exacerbated by the flare-up of the Armenia–Azerbaijan conflict and the Covid-19 pandemic during the project period.

Evidently, the project's design and mix of tools could be implemented at the planned cost. The same was true for the planned conception of the partner structure. Furthermore, the thematic focus and the geographic outreach were carried out with the available resources and according to the respective budget lines.

As outlined in the previous section, the project continuously reflected on the strategic orientation and the financial decisions. However, it did not consider reallocation between outputs and outcomes as its holistic approach did not focus on a deeper analysis of the output and outcome–resource ratio. Scaling-up was considered with regard to output E, by conducting more SDG-sensitive RIA than initially targeted (seven instead of six). In addition, scaling-up effects could be implemented by regional exchange between countries, for example regarding RIA methodology and considering Agenda 2030 requirements, which were transferred from Armenia to the Georgian context, as reflected in module indicator 4.

The project coordinated its activities with other donors and thus created synergies, for example in the cooperation with USAID on Company Law and with UNDP on the Mediation Code. Synergies were also created with other GIZ projects, which were advised on relevant legislative reforms in their thematic fields of activity. In this context, several RIAs were undertaken (e.g. an RIA on the Forest Code) (Doc\_GIZ\_22, 26). In addition, the project could expand its outcome by leverage of more resources via an EU cofinancing agreement. This resulted in three further legislative reform processes in Georgia in the field of economic development. One of these, the Insolvency Law, has already been adopted (the Enforcement Code and the Company Law are currently in parliament for adoption).

Efficiency dimension 2 – Allocation efficiency – scores **25 out of 30 points**.

Table 11. GIZ Efficiency Tool - overall costs per output

<b>Modulziel</b>	The approximation of the legal systems of the South Caucasus to European standards has advanced				
<b>BMZ Kosten</b> (Summe Einzelkosten)	5.444.132,59 €				
<b>Ko-Finanzierungen</b>	1.165.199,42 €				
<b>Partnerbeiträge</b>	0,00 €				
<b>Gesamtkosten</b>	<b>6.609.332,01 €</b>				
<b>Restwert</b> (BMZ Kosten und Kofinanzierung)	169.079,00 €				

<b>Modulziel Indikatoren</b>	As part of the regional exchange, another state in the South Caucasus has adopted 3 new legal education formats in line with EU standards	In three additional legal acts of South Caucasian countries new approaches were taken over from another country in order to implement European standards.	In two out of three countries, governments presented to their parliaments suggestion on gender specific alignments of the factual legal situation.	The content, conceptual and methodological design of the legal impact assessment for mainstreaming 2030 Agenda in Georgia was applied in the RIA of another country	0
<b>Zielerreichung</b>	100%	67%	50%	100%	#DIV/0!

	Output A	Output B	Output C	Output D	Output E
<b>Outputs</b>	A reform-oriented regional dialogue on the rule of law is taking place in the South Caucasus	Legal approximation to EU standards in selected legislations is ad-vanced	Legal education and training in the South Caucasus is adapted to the needs of practice and European standards	Citizen have improved access to information on their rights in selected areas by state and non-state actors	In Georgia, the legal impact assessment will consider the requirements of Agenda 2030 more effectively
<b>Kosten inkl. Obligo</b>	289.209,82 €	1.175.814,24 €	1.955.544,79 €	828.829,52 €	682.064,88 €
<b>Ko-Finanzierungen</b>	0,00 €	377.487,73 €	411.189,65 €	304.797,36 €	0,00 €
<b>Partnerbeiträge</b>	0,00 €	0,00 €	0,00 €	0,00 €	0,00 €
<b>Gesamtkosten</b>	<b>289.209,82 €</b>	<b>1.553.301,97 €</b>	<b>2.366.734,44 €</b>	<b>1.133.626,88 €</b>	<b>682.064,88 €</b>
<b>Gesamtkosten in %</b>	<b>4%</b>	<b>24%</b>	<b>36%</b>	<b>17%</b>	<b>10%</b>
<b>BMZ Gesamtkosten in % ohne Kofi</b>	<b>5%</b>	<b>22%</b>	<b>36%</b>	<b>15%</b>	<b>13%</b>

<b>Geplante Kosten</b>	3.550,00 €	55.627,65 €	55.627,65 €	48.948,70 €	5.325,00 €
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## 4.7 Sustainability

This section analyses and assesses the sustainability of the project. It is structured according to the assessment dimensions in the GIZ project evaluation matrix (see Annex 1).

This evaluation was carried out prior to the introduction of the new assessment dimension 'capacities of the beneficiaries and stakeholders'. This assessment dimension has therefore not been applied in this evaluation. The content was part of the second assessment dimension of sustainability.

### Summarising assessment and rating of sustainability

Table 12. Rating of OECD/DAC criterion: sustainability

Criterion	Assessment dimension	Score and rating
Sustainability	Capacities of the beneficiaries and stakeholders	n/a <sup>7</sup>
	Prerequisites for ensuring long-term success: results are anchored in (partner) structures	40 out of 50 points
	Forecast of durability: results of the project are permanent, stable and long-term resilient	45 out of 50 points
Sustainability score and rating		Score: <b>85 out of 100 points</b> Rating: <b>Level 2: successful</b>

With a capacity building strategy that enabled the partners to continue on their own with the knowledge that was gained and the methods that were introduced, the project ensured ownership and sustainability to a great extent. Moreover, most of the achievements were anchored in national structures, such as ToT systems in legal education and training, the Alumni Network as an online platform for regional exchange, the online law library that provides relevant, up-to-date legal literature, and the adopted legislative reforms that integrate EU directives. In addition, national partners used the acquired skills to develop their own initiatives without further project support, such as the development of a new curriculum on commercial law or the establishment of a double diploma study programme at Baku State University (BSU) in Azerbaijan in cooperation with the University Halle Wittenberg. Nevertheless, partners still feel the need for external support in certain areas that require specialisation and international knowledge on curricula development, teaching techniques and EU law.

A few components were less likely to be continued, as local partners were not enabled or willing to take on financial and organisational burdens. This applies especially to regional dialogue comprising the regional research network of universities, regional meetings and conferences, and the South Caucasus Law Journal. The same is true of the activities of legal awareness raising for the general population, which were designed as one-off events.

Finally, external factors were the main challenges for the sustainability of the project's achievements. These included the unstable political situation in all three countries, which undermined the political will to implement laws and ensure judicial independence. It may also lead to a change in political leadership and subsequent changes in staff and the reform agenda, which are beyond the project's control.

**In total, the sustainability of the project is rated Level 2: successful, with 85 out of 100 points.**

<sup>7</sup> This evaluation was carried out prior to the introduction of the new assessment dimension 'capacities of the beneficiaries and stakeholders'. This assessment dimension has therefore not been applied in this evaluation. The content was part of the second assessment dimension of sustainability.

## Evaluation basis and design for assessing sustainability

The evaluation field study took place in March 2021 right at the end of the project period and the project's closure. This was an ideal time to assess whether the strategies, activities and results of the project were sufficiently anchored and maintained. Likewise, the evaluation could assess how the project closure was designed and implemented and to what extent the project pursued an integrated approach, fostering sustainability for example by means of an explicit exit strategy. However, the timing of the evaluation limited the collection of reliable data on the durability of the results in the long term, beyond the project closure. It was only possible to estimate the probability of continuance.

**Sustainability evaluation dimension 2:** the evaluation assessed to what extent the project was successful in institutionalising the methods and approaches, including legal expert knowledge of the project, in the organisational structures of the judicial partner systems.

The methodological approach was the same as for the dimensions of effectiveness and impact. It consisted of an online questionnaire/survey with the Alumni Network, semi-structured interviews with internal and external key stakeholders and a questionnaire for alumni, as final beneficiaries. Questions on the project's inherent approach to fostering sustainability were added, such as the level of promoted ownership by partnering institutions, the design and implementation of the closure process including the exit strategy and handing over of project deliverables/products, and the prerequisites for continuing activities such as appropriate budget allocation/fundraising, organisational plans and policies, self-sustaining ToT systems, curricula and legal reforms by legal institutions.

**Sustainability evaluation dimension 3:** the probability/forecast of the durability of the project results was assessed under the impact and effectiveness criteria. In this context, the risks and challenges and the opportunities and prerequisites for the sustainability and permanence of the results was examined. Factors beyond the project's system boundary and factors in the project's sphere of influence were examined.

The same methodological approach with interviews and document analysis was applied. In addition, risks and opportunities were discussed with key stakeholders.

## Analysis and assessment of sustainability

### Sustainability – Dimension 1: Capacities of the beneficiaries and stakeholders

This evaluation was carried out prior to the introduction of the new assessment dimension 'capacities of the beneficiaries and stakeholders'. This assessment dimension has therefore not been applied in this evaluation. The content was part of the second assessment dimension of sustainability.

### Sustainability – Dimension 2: Prerequisites for ensuring long-term success: results are anchored in (partner) structures

The project's capacity building approach with its strong focus on an advisory service in legislative processes and legal education was designed to enable partners to continue with project activities on their own. This was reflected in the Transformational Lawyers' alumni questionnaire, according to which 73 percent of the respondents gave a positive answer to the question of whether they or their organisation could continue with project activities on their own (Questionnaires\_1, 2, 5, 6, 7, 8, 9).

In the field of legal training and further education, a crucial instrument was the strategy to establish a ToT system within partnering institutions to ensure ownership and continuation of the formats. With some exceptions, this was implemented across institutions and thematic fields in all three countries. For example, at the justice academies in Georgia and Azerbaijan, civil and administrative law courses were delivered to selected local experts, who are now permanent trainers on these topics (partly already during the previous

project phases). At universities in Georgia, curricula on SDG-sensitive RIA have been introduced by international trainers and integrated into regular study programmes (Int\_P\_17, Int\_P\_26, Int\_OS\_7). New, practice-oriented curricula and teaching methodology (with particular emphasis on academic legal writing and interactive teaching methodology) have been embedded in the Law Faculty of Baku State University (BSU) in Azerbaijan (Int\_P\_4).

At public service institutions, the same principle has been applied. ToT systems were established at the law enforcement agency in Georgia to multiply the training sessions on the new Enforcement Code for bailiffs (EU component). At the Azerbaijan Service and Assessment Network (ASAN), a curriculum on administrative law developed with GIZ support is now part of the regular training programme (FGD\_3) and newly developed curricula in administrative law and administrative procedural law are now integrated into the teaching programme at Baku State University. In a few areas, stakeholders mentioned that ToTs were not established and the curricula were not shared (for example, administrative law at the Justice Academy in Armenia and a curriculum on company law at the Justice Academy in Georgia, Consumer Protection draft law at universities) (Int\_P\_21, Int\_P\_6, Int\_OS\_2). In other cases, stakeholders noted that the knowledge of international experts cannot easily be transferred to and replaced by local trainers, as the background and experience is not the same. Therefore, international expertise is still needed on certain topics, such as case methodology (Int\_O\_S6).

The evaluation observed some fields in which partners used the skills they had gained to develop new programmes on their own. For example, Baku State University (BSU) developed a new curriculum on commercial law without further GIZ support. The same university established independently a double diploma study programme in cooperation with University Halle Wittenberg. This relied on the contacts initially established with the project support (Int\_P\_4).

Similarly, the online South Caucasian law library with more than 100 works of legal literature in German, English, Georgian, Armenian and Azerbaijan languages was handed over to the Ministry of Justice and Tbilisi State University in Georgia, including copyright for the next ten years to ensure its preservation and continuation (Int\_GIZ\_1). A large number of publications were produced with national authors and co-authors so that the knowledge is also maintained locally. One example is Comments on the Civil Code in Georgia, which was written by the dean of the law school of Tbilisi State University in cooperation with three experienced professors from Georgia. The format will be continued independently in future.

The South Caucasian Law Journal was established by the project and was the only existing format with a regional scope. However, the approach did not promote independent continuation, as no follow up funding could be secured by the editorial board. Consequently, the last edition was published in 2018/2019.

In terms of an advisory service for legislative procedures, the project promoted the adoption of numerous laws and law amendments. By their nature, these are anchored in partnering structures, even if there is still a need to strengthen their implementation. Through cooperation with partnering ministries during the process and knowledge input from study tours, experts' opinions, conferences and training, the ministry of justices' expertise and experience was strengthened with regard to EU legal standards. This knowledge will be maintained and used at individual and institutional level as interview statements confirmed (Int\_P\_22; FGD\_4; Surveys\_1, 2, 3, 5, 8, 10). One important strategy was to include national experts in every stage of the process. At the same time, partners felt that in upcoming legislative reforms, there was still a need for international expertise, as the various reform needs are in highly specialised fields (Int\_P\_11, FGD\_4).

In the area of regional exchange, the continuation of the Alumni Network as a Facebook community was secured, as it is administered by several alumni members, not just by former project staff. The interview statements suggested that the individual contacts that had been established were consolidated over the years to the point that they will continue to exist in the future, especially between Armenian and Georgian



stakeholders who benefited the most from regional meetings. However, regional meetings with all three countries between alumni and other legal professionals in the form of conferences and workshops could not be institutionalised and will most likely not be taken up by the initiative of the partner network in the future (Int\_OS\_6). The same applies for the envisaged independent regional research network between universities. The reasons are the universities' limited financial and organisational resources to maintain such a network (Int\_P\_18). However, other priorities might also have played a certain role.

In the field of legal awareness raising for school students and the general public, the projects were designed as one-off events and therefore not anchored in local/national structures. The project informed the partners about the closure of the project at an early stage but did not develop an explicit exit strategy. However, as described above, the project pursued a capacity building strategy that ensured a high level of ownership and sustainability, as it enabled partners to continue on their own with the knowledge gained and the methods introduced in most of the fields. In some cases, a more systematic handover to other donors could have been facilitated. One example is the South Caucasian Law Journal, whose last edition was cofunded by IRZ.

Sustainability dimension 2 – Contribution to supporting sustainable capacities – scores **40 out of 50 points**.

### **Sustainability dimension 3: Forecast of durability: results of the project are permanent, stable and long-term resilient**

The assessment of the durability of the results achieved under the impact and effectiveness criterion revealed that findings correlated with those of the previous section across the outputs. While there was a high likelihood of durability in areas in which the project's strategy focused on national ownership and local institutionalisation, activities conducted without such an approach showed little prospect of permanence in the long term.

Accordingly, large parts of the numerous ToT and education formats will be continued and maintained by national institutions, whether they are public service institutions, universities or justice academies. Exceptions are formats that require specialised international expertise that is not easily replaced, for example the use of case methodology in teaching. The same applies to the online law library, which will be maintained by partners and to some extent further developed, although not to the same level as at the time of the project.

The numerous laws adopted to implement EU standards are designed to be permanent and therefore have a long-term effect. This is especially important with regard to constitutional amendments, which will strengthen democratic structures; the Mediation Code, which will improve access to justice; and laws under the EU component, which will improve the business environment and economic development in the long run. The recently adopted laws still need some time to develop their full sustainable impact. However, there is already evidence of the sustainability of legal reforms from previous project periods such as administrative law reforms in all three countries. Together with the continuous capacity building efforts, these are the components that are considered most durable by partners, as the following interview statement reveals:

'The main achievement of the project is a lot of legal thought development in the field of constitutional and administrative law. During the 20 years of activities, it has made a tremendous contribution. The project was instrumental in building the capacities of a new generation of legal professionals, including judges with high expertise. Then it was essential to push the new legislation on administrative law in Armenia (2003 Administrative Procedures Code, in line with German standards), which paved the way for the establishment of the administrative courts (2006). This has led to much better performance and legal regulation in administrative matters.' (Int\_OS\_6)

In the field of legal regional dialogue, the Alumni Network established as a Facebook community and the strengthened private and professional contacts, especially between some Armenian and Georgian stakeholders, will be sustained. In addition, the knowledge and experience gained in legal regional dialogue will be maintained and can be used in day-to-day work as legal professionals (Int\_P\_10, 18). Therefore, the project could strengthen connecting factors between countries to a certain extent, even if this had no significant effect on the Armenia–Azerbaijan conflict.

Considering the existing status quo, there is little likelihood that other regional formats of cooperation offered by the project will be continued. This is true for the regional meetings and conferences and the South Caucasian Law Journal, which inevitably needs strong coordination and/or financial support.

Awareness raising activities for the general population including school projects and training sessions for journalists will not be continued, as they were designed as one-off events. However, the knowledge acquired by journalists and school students on legal matters might endure to a certain extent at individual level, so that it can be used in their specific environments. The project could have had a stronger focus on a sustainable strategy in this field, as awareness of legal matters in the general population is crucial for improved access to justice (Int\_GIZ\_2; Int\_P\_16; Int\_DO\_3; Int\_C\_1, 6).

In addition to these internal limiting factors, external factors challenged the project's sustainable achievements. These include the unstable political situation in all three countries of the South Caucasus, a lack of political will to implement laws and ensure judicial independence, the potential for armed conflicts, a change in political leadership and subsequent changes in staff and the reform agenda. All of these factors were beyond the project's control.

Sustainability dimension 3 – Durability of results over time – scores **45 out of 50 points**.

## 4.8 Key results and overall rating

The overall score of the project was 86 points. Therefore, it was rated as successful. In view of the demanding framework condition in the conflict context and the emerging Covid-19 pandemic, this was a positive result.

The project strengthened the capacities of South Caucasian partners in the judiciary, which resulted in the adoption of several relevant laws that integrate EU standards in the area of constitutional reform, out of court mediation and commercial law. While these reforms strengthen democratic structures and improve access to justice and the business environment in the long run, the full impact still needs time to unfold. In contrast, the impact of previous reforms implemented during the project's long history since 1993 is largely visible. For example, the establishment of administrative justice systems in Armenia, Georgia and Azerbaijan, in which the project played a decisive role, led to more legal certainty in administrative cases and to a more democratic understanding of citizenship, according to which citizens have rights that can be claimed against the state.

The second key achievement of the project was the considerable 'legal thought development' in the region. This was attained through a wide range of training formats that incorporate EU standards and a high quantity and quality of legal literature in an online law library that is accessible for everyone.

These successes are undisputed. However, the project's inherent focus on regional exchange set by BMZ played an ambivalent role. Exchange processes yielded slightly positive results in terms of improved understanding and motivated partners to advance in their respective reform agendas. However, diverse priorities and the limited interest in becoming engaged and using their own resources prevented this from being institutionalised and ended with the closure of the project.

The project succeeded in building strong, trustful relationships with partnering institutions of the judiciary in all three countries. It also contributed to legal certainty in specific fields. However, like other donors including the EU, it could not have an impact on increased independence of the judiciary on a broader scale. This is still one of the major challenges in the region.

Table 13. Overall rating of OECD/DAC criteria and assessment dimensions

Evaluation criteria	Dimension	Max	Score	Total (max. 100)	Rating
Relevance	Alignment with policies and priorities	30	30	85	Level 2: successful
	Alignment with the needs and capacities of the beneficiaries and stakeholders	30	20		
	Appropriateness of the design	15	20		
	Adaptability – response to change	20	20		
Coherence*	Internal Coherence*	n/a*	n/a*	n/a*	n/a*
	External Coherence*	n/a*	n/a*		
Effectiveness	Achievement of the (intended) objectives	40	30	85	Level 2: successful
	Contribution to achievement of objectives	30	30		
	Quality of implementation**	n/a**	n/a**		
	Unintended results	30	25		
Impact	Higher-level (intended) development changes/results	30	27	90	Level 2: successful
	Contribution to higher-level (intended) development results/changes	40	40		
	Contribution to higher-level (unintended) development results/changes	30	23		
Efficiency	Production efficiency	70	60	85	Level 2: successful
	Allocation efficiency	30	25		
Sustainability	Capacities of the beneficiaries and stakeholders***	n/a***	n/a***	85	Level 2: successful
	Contribution to supporting sustainable capacities	50	40		
	Durability of results over time	50	45		
Mean score and overall rating		100	86		Level 2: successful

\*This evaluation was carried out prior to the introduction of the new criterion of coherence. The criterion has therefore not been applied in this evaluation.

\*\*This evaluation was carried out prior to the introduction of the new assessment dimension 'quality of implementation'. This assessment dimension has therefore not been applied in this evaluation. The content was included in the other assessment dimensions of effectiveness.

\*\*\*This evaluation was carried out prior to the introduction of the new assessment dimension 'capacities of the beneficiaries and stakeholders'. This assessment dimension has therefore not been applied in this evaluation. The content was included in the second assessment dimension of sustainability.

Table 14: Rating and score scales

100-point scale (score)	6-level scale (rating)
92–100	Level 1: highly successful
81–91	Level 2: successful
67–80	Level 3: moderately successful
50–66	Level 4: moderately unsuccessful
30–49	Level 5: unsuccessful
0–29	Level 6: highly unsuccessful

## 5 Conclusions and recommendations

### 5.1 Key findings and factors of success/failure

The overall project design and implementation was successful in all evaluation criteria. The project played a crucial role in the rule of law sector in the field of civil and administrative law in the South Caucasus during its long history from 1993.

Nevertheless, a more systematic focus on conflict risk factors with regard to the rural and urban divide and the independence of the judiciary would have increased the project's relevance and impact. This could have been implemented by a stronger focus on capacity building of courts, universities and public administrations in the regions, complemented by awareness raising for citizens including vulnerable groups on their legal concerns. Secondly, in cooperation with other donors, a more pinpointed strategy on institutions undermining the independence of the justice system could have improved the leverage to a certain extent. This could have been supported by accompanying measures in cooperation with NGOs conducting advocacy and monitoring of the judiciary on a regular basis, at least in Georgia and Armenia. Moreover, the regional dialogue could have been strengthened by striving for institutionalisation of cooperation at an early stage. Funded cooperation agreements between bi- or trilateral counterparts such as justice academies and bar associations would have been one way to achieve this, so that permanence could have been accompanied and promoted over a longer period of time. This might have increased the chance of sustainable and independent networks after closure. The same applies to more systematic implementation of meetings between stakeholders, instead of GIZ-moderated exchange of contents on training modules and legislation, on a smaller scale and as bilateral meetings. Finally, the selection of NGOs as implementing partners should have been based on tendering procedures to ensure 'the best value for money approach' in terms of efficiency and to set an example for accountability and transparency. This was even more important in the political context, where there are shortcomings in governance.

Relevant external and internal factors of success are:

- the conducive international political environment of the European Neighbourhood Policy with respective agreements with the three countries and a strong focus on democratic structures and independence of the judiciary,
- the political framework conditions for Agenda 2030, promoting rule of law and accountable institutions,
- the strong reputation of the German law system, which is widely acknowledged in the region for being very systematic and well structured,
- the project team with highly qualified national and international experts,
- the long history of the project enabling a strong relationship to be built with the partner community,
- the technical approach of the project with considerable professional expertise and no 'hidden agenda', ensuring a trustful relationship with partners, and
- the 'perfect mix of capacity building tools', such as study tours, workshops, training sessions, conferences, international and local short-term experts, legal experts' opinions, regional dialogue and working groups.

The project might have been even more successful without the following constraining/limiting factors, which were beyond the project's control:

- socio-political framework conditions for the transition process and the still limited accountability and independence of public institutions and the judiciary,
- the polarised conflict context between Armenia and Azerbaijan,
- the varying statuses of the three countries towards EU association,
- the overarching regional dialogue covering all module objective indicators, and
- the Covid-19 pandemic.

## 5.2 Recommendations

- The governments of Germany and Georgia, Armenia and Azerbaijan should continue to cooperate on rule of law and democratic governance. Political dialogue is important to address the challenges in the judiciary, especially aspects of independence and factors undermining accountability such as appointment procedures for judges.
- Donors in the rule of law sector in the region should develop joint monitoring and a strategy on how to best cope with the above challenges and the institutions that counteract progress.
- The increasing rural and urban divide as a risk factor for social and political tensions should be considered in rule of law projects through a strategic focus on capacity building of legal institutions and public authorities in the rural regions.
- As NGOs in the rule of law sector have acquired significant expertise in the region and play a crucial role in monitoring of and advocacy for the transparency of judicial institutions, they should be strategically supported by the donor community, also as a complementary component to national-level interventions.
- According to the leave no one behind principle, the concerns of disadvantaged groups such as youth, women, ethnic minorities and persons with disabilities should be considered in every project design, for example through targeted awareness raising campaigns on legal aid and the possibilities of challenging authorities' decisions in court.
- In terms of new training formats introduced by donors, the establishment of ToT systems has proved to be a successful approach to maintain knowledge and institutionalise it at national level and should therefore be applied as a standard (already implemented in part).
- Regional dialogue could be strengthened by striving for institutionalisation of cooperation at an early stage, for example through funded cooperation agreements between bi- or trilateral counterparts such as justice academies and bar associations, so that permanence can be supported and promoted over a longer period of time. This might increase the chance for sustainable, independent networks after the withdrawal of donors.

- Given the varying reform agendas of the three countries, regional exchange should not be pursued as a general rule, but in cases where it is reasonable from a thematic point of view and the partners themselves show sufficient interest.
- Given the remaining capacity building needs in the judiciary, especially regarding its limited independence in the region, and the project's positive reputation, the evaluation team recommends relaunching the project. A regional focus would be useful within the broader framework of the Eastern Partnership comprising the countries Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. The project could build on and multiply the long years of experience with the wider circle of the participating countries. The broader network might ease regional dialogue and the participation of the conflicting countries Armenia and Azerbaijan. The project design should be based on a prior needs assessment and the above findings should be considered and integrated.

## List of resources

### Primary sources: Project-related documents and websites

Doc_GIZ_1	Integrated Peace and Conflict Assessment
Doc_GIZ_2	Genderanalyse für das GIZ Programm 'Rechts- und Justizreformberatung im Südkaukasus'
Doc_GIZ_3	TZ-Maßnahme: Rechts- und Justizreformberatung im Südkaukasus, PN 2014.2203.9, Evaluation Report
Doc_GIZ_4	Report Writing Guidelines for GIZ Central Project Evaluations/Publicationsstandards
Doc_GIZ_5	Central Project Evaluations. Implementation Guidelines (18 May 2018)
Doc_GIZ_6	Interview Coding List Version 1
Doc_GIZ_7	Effizienzbewertung in den zentralen Projektevaluierungen der GIZ
Doc_GIZ_8	Effizienz-Tool Datenerhebung
Doc_GIZ_9	Template Excel-Vorlage zu den Personalinstrumenten für den AV
Doc_GIZ_10	Template Annotated Inception Report Central Project Evaluation, draft 3.1
Doc_GIZ_11	Template PPT Briefing Evaluation Mission (status as of 18 October 2018)
Doc_GIZ_12	Template Evaluation Matrix, draft 3.1 (status as of 10 April 2018)
Doc_GIZ_13	Qualitäts-Check ZPE
Doc_GIZ_14	TZ-Maßnahme: Rechts- und Justizreformberatung im Südkaukasus in Armenien, Aserbaidschan und Georgien, PN: 2017.2129.9, Project Document
Doc_GIZ_15	ASERBAIDSCHAN: Politökonomische Kurzanalyse (PÖK)
Doc_GIZ_16	ARMENIEN: Politökonomische Kurzanalyse (PÖK)
Doc_GIZ_17	GEORGIEN: Politökonomische Kurzanalyse (PÖK)
Doc_GIZ_18	Declaration on Handling Sensitive Data Efficiency Tool (5 July 2018)
Doc_GIZ_19	Better Commercial Law and Legal Practice in Georgia, Description of the Action, co-founded by the European Union and the German Federal Ministry for Economic Cooperation and Development (BMZ) and implemented by GIZ, Contract No. ENI/2018/402-475, Project Document
Doc_GIZ_20	Support to the Development of Private and Administrative Law System in Georgia, Grant Agreement for Pillar Assessed Organizations, Contract No. ENI/2015/360-624, (October 2015 to February 2018), Final Report
Doc_GIZ_21	Efficiency Tool Manual
Doc_GIZ_22	TZ-Modul: Rechts- und Justizreformberatung im Südkaukasus, PN:2017.2129.9, Berichtszeitraum: February 2018 to March 2019, Progress Report 1
Doc_GIZ_23	Project co-founded by the European Union and the German Federal Ministry for Economic Co-operation and Development (BMZ) and implemented by GIZ, Contract No. ENI/2018/402-475, (January 2019 to December 2019), Progress Report
Doc_GIZ_24	South Caucasus Law Journal, No. 09/2018–2019, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, [online] <a href="http://lawlibrary.info/ge/books/giz2019-ru-en-south-caucasus-law-journal-IX.pdf">http://lawlibrary.info/ge/books/giz2019-ru-en-south-caucasus-law-journal-IX.pdf</a> [23.11.2020].
Doc_GIZ_25	How Regulatory Impact Assessments Can Include Sustainable Development Goals, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, [online] <a href="http://lawlibrary.info/ge/books/RIA_Showcase_Handbook.pdf">http://lawlibrary.info/ge/books/RIA_Showcase_Handbook.pdf</a> [03.12.2020]
Doc_GIZ_26	TZ-Modul: Rechts- und Justizreformberatung im Südkaukasus, PN:2017.2129.9, Berichtszeitraum: February 2019 to March 2020, Progress Report 2
Doc_GIZ_27	TZ-Modul: Rechts- und Justizreformberatung im Südkaukasus, PN:2017.2129.9, Annex 1: Impact Matrix of the Module (31 July 2017; adapted on 12 December 2018, updated on 30 April 2020).



Doc_GIZ_28	GIZ Efficiency Tool for Data Collection
Doc_GIZ_29	TZ-Modul: Rechts- und Justizreformberatung im Südkaukasus, PN:2017.2129.9, Aktivitätenliste, Stand 30 March 2020.
Doc_GIZ_30	TZ-Modul: Rechts- und Justizreformberatung im Südkaukasus, PN:2017.2129.9, Monitoring Platform, Stand 30 March 2020.
Doc_GIZ_31	GIZ PEV Evaluation Report 2017

### National documents and strategies

Doc_Gov_1	Government of Georgia (2016): Voluntary National Report on Implementation of the Sustainable Development Goals (SDGs), Georgia, 2016.
Doc_Gov_2	Government of Georgia (2018): Rules of Procedure of the Parliament of Georgia, 2018.
Doc_Gov_3	Government of Georgia (2020): <i>Voluntary National Review, Report on the Implementation of the 2030 Agenda on Sustainable Development</i> , Georgia, 2020, [online] <a href="https://sustainabledevelopment.un.org/content/documents/26389VNR_2020_Georgia_Report.pdf">https://sustainabledevelopment.un.org/content/documents/26389VNR_2020_Georgia_Report.pdf</a> [23.11.2020]
Doc_Gov_4	Azerbaijan's development concept: Azerbaijan 2020: Outlook for the Future
Doc_Gov_5	National Strategy for the Protection of Human Rights in Georgia, [online] <a href="http://gov.ge/files/429_51454_924779_STRATEGYENG.pdf">http://gov.ge/files/429_51454_924779_STRATEGYENG.pdf</a> (Association Agenda between the European Union and Georgia, 2017–2020).
Doc_Gov_6	Government of the Republic of Armenia: <i>Strategy for Judicial and Legal Reforms in the Republic Of Armenia for 2018–2023 and the Action Plan</i> , [online] <a href="https://www.moj.am/en/legal/view/article/1104">https://www.moj.am/en/legal/view/article/1104</a> [25.11.2020]
Doc_Gov_7	Government of Georgia (2019): The Rules of Procedure of Parliament

### Further documents

Doc_Div_1	The European Commission (2020): <i>Association Implementation Report on Georgia</i> , Brussels, 6 February 2020 SWD (2020) 30 final, [online] <a href="https://eeas.europa.eu/sites/eeas/files/1_en_document_travail_service_conjoint_part1_v4.pdf">https://eeas.europa.eu/sites/eeas/files/1_en_document_travail_service_conjoint_part1_v4.pdf</a> [28.11.2020].
Doc_Div_2	United Nations (2019): <i>Sustainable Development Goals</i> , [online] <a href="https://www.un.org/sustainabledevelopment/sustainable-development-goals/">https://www.un.org/sustainabledevelopment/sustainable-development-goals/</a>
Doc_Div_3	The European Commission (2017): <i>The Eastern Neighbourhood Policy</i> , [online] <a href="https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/eap_deliverables_factsheet_2017.pdf">https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/eap_deliverables_factsheet_2017.pdf</a> [23.03.2021].
Doc_Div_4	<i>The EU and Armenia Comprehensive and Enhanced Partnership Agreement</i> , [online] <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:22018A0126">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:22018A0126</a> [23.03.2021].
Doc_Div_5	Munzinger Archiv (2020): Länderbericht Azerbaijan
Doc_Div_6	Munzinger Archiv (2019): Länderbericht Armenien
Doc_Div_7	Munzinger Archiv (2021): Länderbericht Georgien
Doc_Div_8	Tbilisi, Democracy Research Institute (DRI) (2020): <i>Mechanisms of Parliamentary Oversight of the State Security Service of Georgia and Their Significance</i> , Tbilisi, Democracy Research Institute (DRI), [online] <a href="http://www.democracyresearch.org/files/">http://www.democracyresearch.org/files/</a> [23.03.2021].
Doc_Div_9	European Commission, (2020): <i>Association Implementation Report on Georgia</i> , [online] <a href="https://eeas.europa.eu/sites/default/files/1_en_document_travail_service_conjoint_part1_v4.pdf">https://eeas.europa.eu/sites/default/files/1_en_document_travail_service_conjoint_part1_v4.pdf</a> [23.03.2021].

Doc_Div_10	European Commission, (2021): <i>Association Implementation Report on Georgia</i> , [online] <a href="https://eeas.europa.eu/sites/default/files/2021_association_implementation_report_in_georgia.pdf">https://eeas.europa.eu/sites/default/files/2021_association_implementation_report_in_georgia.pdf</a> [23.03.2021].
Doc_Div_11	Venice Commission, (2017): <i>Armenia, Joint Opinion on the Draft Law on Referendum</i> , [online] <a href="https://www.osce.org/files/f/documents/a/f/362061.pdf">https://www.osce.org/files/f/documents/a/f/362061.pdf</a> [24.03.2021].
Doc_Div_12	European Commission, (2020): <i>Partnership Implementation Report on Armenia</i> , [online] <a href="https://eeas.europa.eu/sites/default/files/armenia_partnership_implementation_report_2020.pdf">https://eeas.europa.eu/sites/default/files/armenia_partnership_implementation_report_2020.pdf</a> [24.03.2021].
Doc_Div_13	European Commission, (2019): <i>Association Implementation Report on Georgia</i> , [online] <a href="https://eeas.europa.eu/sites/default/files/2019_association_implementation_report_georgia.pdf">https://eeas.europa.eu/sites/default/files/2019_association_implementation_report_georgia.pdf</a> [24.03.2021].
Doc_Div_14	Administrative Chamber of the Supreme Court of Georgia (March 2021): <i>Court Statistics 2018–2020</i>
Doc_Div_15	Global Delivery Initiative (2016): <i>Franziska Böhm, Implementing Administrative Justice Reforms in the South Caucasus: Georgia, Armenia, and Azerbaijan 1999–2015</i> , [online] <a href="http://www.globaldeliveryinitiative.org/library/case-studies/implementing-administrative-justice-reforms-south-caucasus-georgia-armenia-and">http://www.globaldeliveryinitiative.org/library/case-studies/implementing-administrative-justice-reforms-south-caucasus-georgia-armenia-and</a> [24.04.2021].
Doc_Div_16	Tbilisi State University, ISET: <i>Regulatory Impact Assessment of the Draft Law of Georgia on Entrepreneurs, 2018</i> , [online] <a href="https://drive.google.com/file/d/1IHEyeqV2F_ZEPm4As6MqnO3svrd9p1Ps/view">https://drive.google.com/file/d/1IHEyeqV2F_ZEPm4As6MqnO3svrd9p1Ps/view</a> [21.04.2021].
Doc_Div_17	FAO: <i>Partnerships For Gender Equality in Land Ownership And Control, 2020 Achieving SDG Indicator 5.A.2 In The Western Balkans And Beyond, 2020</i> , [online] <a href="http://www.fao.org/3/cb0173en/CB0173EN.pdf">http://www.fao.org/3/cb0173en/CB0173EN.pdf</a> [21.04.2021].
Doc_Div_18	Bertelsmann Stiftung: <i>The Transformation Index</i> , [online] <a href="https://bti-project.org/en/home.html?&amp;cb=00000">https://bti-project.org/en/home.html?&amp;cb=00000</a> [21.04.2021].
Doc_Div_19	The Global Economy: <i>Human rights and rule of law index - Country rankings</i> , [online] <a href="https://www.theglobaleconomy.com/rankings/human_rights_rule_of_law_index/">https://www.theglobaleconomy.com/rankings/human_rights_rule_of_law_index/</a> [22.04.2021].

## Annex: Evaluation matrix

Additional Evaluation Questions					
Assessment dimensions	Evaluation questions	Evaluation indicators	Data collection methods (e.g. semi-structured interviews, focus group discussions, documents, project/partner monitoring system, workshop, survey, etc.)	Data sources (list of relevant documents, semi-structured interviews with specific stakeholder categories, specific monitoring data, specific workshop(s), etc.)	Evidence strength (moderate, good, strong)
Impact and sustainability (durability) of predecessor project(s)	Which of the intended impact of the predecessor project(s) can (still/now) be observed?	Extent of observable impact of previous project	Document analysis, semi-structured interviews (with internal and external key stakeholders), survey questionnaire, FGDs	public articles, studies/ context analysis (internet), project offer and reports of previous phase, project evaluation, internal and external key stakeholders such as project staff, project partners (internal) and research institutions, other donors, media, legal community incl. CSOs (external); final target groups	good
	Which of the achieved results (output, outcome) from predecessor project(s) can (still) be observed?	Extent of observable output and outcome of previous project	Document analysis, semi-structured interviews, survey questionnaire, FGDs	as above	strong
	To what extent are these results of the predecessor project(s) durable, stable and resilient in the long-term under the given conditions?	Probability of the durability of the achieved results and outcome under the given circumstances	Document analysis, semi-structured interviews, survey questionnaire, FGDs	as above	good
	In what way were results anchored/institutionalised in the (partner) system?	Degree to which results/products are anchored in partner structures	Document analysis, semi-structured interviews, survey questionnaire	project offer and reports of previous phase, project evaluation, key stakeholders (internal: project staff and partners)	good
	How much does the current project build on the predecessor project(s)? Which aspects (including results) were used or integrated in the current project (phase)?	Extent to which components are continued/further developed	Document analysis, semi-structured interviews, survey questionnaire	project offer of previous phase, current project offer, key stakeholders (internal and external)	strong
	How was dealt with changes in the project context (including transition phases between projects/phases)? Which important strategic decisions were made? What were the consequences?	Projects response to changes/transition phase	Document analysis, semi-structured interviews	project offer and progress reports of previous phase, current project offer, key stakeholders (internal: project staff and partners)	Good
	Which factors of success and failure can be identified for the predecessor project(s)?	Observable factors of success and failure	Document analysis, semi-structured interviews, survey questionnaire	project offer of previous phase, current project offer, key stakeholders (internal: project staff and partners)	Good
Follow-on project (if applicable)	Based on the evaluations results: Are the results model including results hypotheses, the results-oriented monitoring system (WoM), and project indicators plausible and in line with current standards? If				

	applicable, are there any recommendations for improvement?			
	(1)			
Additional evaluation questions	(1)			
	(1)			

OECD-DAC Criterion RELEVANCE (max. 100 points)						
Assessment dimensions	Filter - Project Type	Evaluation questions	Evaluation indicators	Data collection methods (e.g. semi-structured interviews, focus group etc.	Data sources (list of relevant documents, semi-structured interviews with specific stakeholder categories, specific monitoring data, specific workshop(s), etc.)	Evidence strength (moderate, good, strong)
The project design (1) is in line with the relevant strategic reference frameworks.  Max. 30 points	Standard	Which strategic reference frameworks exist for the project? (e.g. national strategies incl. national implementation strategy for 2030 agenda, regional and international strategies, sectoral, cross-sectoral change strategies, if bilateral project especially partner strategies, internal analysis frameworks e.g. safeguards and gender (2))			2030 Agenda, The European Neighbourhood Policy (ENP), BMZ Development Policy in the Context of Conflict, Fragility (BMZ, 2014), BMZ Gender equality in German Development Policy (BMZ, 2016), Caucasus Initiative of the German Federal Government (2005), Armenia Development Strategy 2030, Development Concept "Azerbaijan---2020: Outlook For The Future" , EU Association Agreement with Georgia, EU Cooperation Agreement with Armenia (CEPA) , PCA Matrix Caucasus	
	Standard	To what extent is the project design in line with the relevant strategic reference frameworks?	Consistency between project objectives and strategies	Desk Review	see above	strong
	and Fragility	To what extent was the (conflict) context of the project adequately analysed and considered for the project concept (key documents: (Integrated) Peace and Conflict Assessment, Safeguard Conflict and Conflict Sensitivity documents)?	Quantity and quality of existing analyses and references in project docs	Desk Review	GIZ PCA, project offer GIZ (2018) and project progress reports	strong
	Standard	To what extent are the interactions (synergies/trade-offs) of the intervention with other sectors reflected in the project design – also regarding the sustainability dimensions (ecological, economic and social)?	Existence of paragraph in project offer	Desk Review	project offer GIZ (2018) and project progress reports	Strong
	Standard	To what extent is the project design in line with the Development Cooperation (DC) programme (if applicable), the BMZ country strategy and BMZ sectoral concepts?	Compliance between project concepts and BMZ sectoral concepts	Desk Review	see above BMZ strategies and sector concepts	Strong
	Standard	To what extent is the project concept in line with the (national) objectives of the 2030 agenda? To which Sustainable Development Goals (SDG) is the project supposed to contribute?	Similarity between project objectives and SDGs	Desk Review	see above, respective national strategies and action plans	Strong
	Standard	To what extent is the project design subsidiary to partner efforts or efforts of other relevant organisations (subsidiarity and complementarity)?	Extent of description of coordination efforts in project offer	Desk Review	project offer GIZ (2018) and project progress reports	Strong

		and SV/GV	To what extent does the project complement bilateral or regional projects? To what extent does it complement other global projects?				
		and SV/GV	To what extent is the measure geared towards solving a global challenge that cannot only be effectively addressed bilaterally/ regionally?				
		and IZR	To what extent does the project complement bilateral or regional projects? To what extent does it complement other global projects?				
		and IZR	To what extent is the measure geared towards solving a global challenge that cannot only be effectively addressed bilaterally/ regionally?				
		and IZR	To what extent does the measure close gaps in the solution of global development problems where classical multilateralism reaches its limits?				
	The project design (1) matches the needs of the target group(s).	Standard	To what extent is the chosen project design geared to the core problems and needs of the target group(s)?	Correspondence between objectives and identified needs	Desk Review; semi-structured interviews with key stakeholders (internal), online survey questionnaire	Context studies and political analyses, internal key stakeholders: project partners (primary target group)	Good
	Max. 30 points	Standard	How are the different perspectives, needs and concerns of women and men represented in the project design?	Existence of gender analysis and reflection project docs and activities	Desk Review	Gender analysis, project docs, monitoring system, activity list,	strong
		and Fragility	How were deescalating factors/ connectors (4) as well as escalating factors/ dividers (5) identified (e.g. see column I and II of the Peace and Conflict Assessment) and considered for the project design (please list the factors)? (6)	References of connectors/dividers and project response in project docs	Desk Review	Project offer, progress reports, PCA	strong
		Standard	To what extent was the project designed to reach particularly disadvantaged groups (LNOB principle, as foreseen in the Agenda 2030)? How were identified risks and potentials for human rights and gender aspects included into the project design?	Part of activities targeting disadvantaged groups	Desk Review	Situation analysis, project docs	Strong
		and Fragility	To what extent were potential (security) risks for (GIZ) staff, partners, target groups/final beneficiaries identified and considered?	Existence of risk management strategy; references in project docs.	Desk Review, semi-structured interviews key stakeholders (internal)	Project offer, PCA, existence of RMO, project staff	Strong
		and IKT	To what extent has the utilisation of digital solutions contributed to expanding the cooperation with partners or beneficiaries, i.e. through additional participation possibilities?				
		Standard	To what extent are the intended impacts regarding the target group(s) realistic from today's perspective and the given resources (time, financial, partner capacities)?	Extent to which intended impacts are achieved or likely to be achieved	Desk review, semi-structured interviews key stakeholders (internal)	Progress reports, monitoring data, project staff, project partner	Good

The project is adequately designed to achieve the chosen project objective.  Max. 20 points	Standard	Assessment of current results model and results hypotheses (theory of change, ToC) of actual project logic: - To what extent is the project objective realistic from today's perspective and the given resources (time, financial, partner capacities)? - To what extent are the activities, instruments and outputs adequately designed to achieve the project objective? - To what extent are the underlying results hypotheses of the project plausible? - To what extent is the chosen system boundary (sphere of responsibility) of the project (including partner) clearly defined and plausible? - Are potential influences of other donors/organisations outside of the project's sphere of responsibility adequately considered? - To what extent are the assumptions and risks for the project complete and plausible?	Extent to which the design and the results matrix match the real situation; Quality of results model, Quality of Assumptions and risks; and Toc; Quality of Indicators	Desk Review, semi-structured interviews key stakeholders (internal)	Project offer GIZ (2018), logframe, results model incl. adjustments; project staff	Good
	Standard	To what extent does the strategic orientation of the project address potential changes in its framework conditions?	Considerations of potential changes in project design/strategy	Desk Review	Project offer GIZ (2018) and project progress reports; project staff	Strong
	and IKT	Which digital solutions are used in the project and what significance do these digital solutions have in the framework of the results model?				
	Standard	How is/was the complexity of the framework conditions and guidelines handled? How is/was any possible overloading dealt with and strategically focused?	Extent of clear focus und strategy	Desk Review	Project offer GIZ (2018) and project progress reports; project staff	Strong
The project design (1) was adapted to changes in line with requirements and re-adapted where applicable.  Max. 20 points	Standard	What changes have occurred during project implementation? (e.g. local, national, international, sectoral, including state of the art of sectoral know-how)?	Evidence of occurred changes in project environment	Desk Review; semi-structured interviews key stakeholders (internal)	Political and context analysis, PÖKs, project staff	Good
	Standard	How were the changes dealt with regarding the project design?	Compliance between occurrence of important changes (like Covid-19 pandemic/Armenia/Azerbaijan conflict) and adaption in project design	Desk Review, semi-structured interviews key stakeholders (internal)	Project offer GIZ (2018) and project progress reports; project staff	good

(1) The 'project design' encompasses project objective and theory of change (ToC, see 3) with activities, outputs, instruments and results hypotheses as well as the implementation strategy (e.g. methodological approach, CD-strategy, results hypotheses)

(2) In the GIZ Safeguards and Gender system risks are assessed before project start regarding following aspects: gender, conflict, human rights, environment and climate. For the topics gender and human rights not only risks but also potentials are assessed. Before introducing the new safeguard system in 2016 GIZ used to examine these aspects in separate checks.

(3) Theory of Change = GIZ results illustration and narrative results hypotheses

(4) Deescalating factors/ connectors: e.g. peace-promoting actors and institutions, structural changes, peace-promoting norms and behavior. For more details on 'connectors' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 55/135.

(5) Escalating factors/ dividers: e.g. destructive institutions, structures, norms and behavior. For more details on 'dividers' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 135.

(6) All projects in fragile contexts, projects with FS1 or FS2 markers and all transitional aid projects have to weaken escalating factors/dividers and have to mitigate risks in the context of conflict, fragility and violence. Projects with FS1 or FS2 markers should also consider how to strengthen deescalating factors/ connectors and how to address peace needs in its project objective/sub-objective?

**OECD-DAC Criterion EFFECTIVENESS (max. 100 points)**

Assessment dimensions	Filter - Project Type	Evaluation questions	Evaluation indicators		Data sources (list of relevant documents, semi-structured interviews with specific stakeholder categories, specific monitoring data, specific workshop(s), etc.)	Evidence strength (moderate, good, strong)
The project achieved the objective (outcome) on time in accordance with the project objective indicators.(1)  Max. 40 points	Standard	To what extent has the agreed project objective (outcome) been achieved (or will be achieved until end of project), measured against the objective indicators? Are additional indicators needed to reflect the project objective adequately?	Extent of outcome indicator achievement	Desk review, semi-structured interviews key stakeholders (internal and external), survey questionnaire	public articles (internet), project monitoring reports, activity list, project progress reports, internal and external key stakeholders such as project staff, project partners (internal) and research institutions, other donors, media, legal community incl. CSOs (external)	Good
	and Fragility	For projects with FS1 or FS2 markers: To what extent was the project able to strengthen deescalating factors/ connectors (2,4)?				
	Standard	To what extent is it foreseeable that unachieved aspects of the project objective will be achieved during the current project term?	Extent to which an achievement is realistic under given circumstances	Desk review, semi-structured interviews key stakeholders (internal), survey questionnaire	project monitoring reports, activity list, project progress reports, project staff, partner	Good
The activities and outputs of the project contributed substantially to achieving the project objective (outcome).(1)  Max. 30 points	Standard	To what extent have the agreed project outputs been achieved (or will be achieved until the end of the project), measured against the output indicators? Are additional indicators needed to reflect the outputs adequately?	Extent of output indicator achievement and evidence of additional outputs achieved	Document analysis, semi-structured interviews, survey questionnaire, FGDs	public articles (internet), project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), final target groups	Good
	Standard	How does the project contribute via activities, instruments and outputs to achieving the project objective (outcome)? (contribution-analysis approach)	extent of output results contributing to outcomes	Document analysis, semi-structured interviews, survey questionnaire, FGDs	public articles, studies/ context analysis (internet), project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), final target groups	Good
	Standard	Implementation strategy: Which factors in the implementation contribute successfully to or hinder the achievement of the project objective? (e.g. external factors, managerial setup of project and company, cooperation management)	Degree of contributing or hindering (internal) factors influencing the achievements	Document analysis, semi-structured interviews, survey questionnaire	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external)	Strong
	Standard	What other/alternative factors contributed to the fact that the project objective was achieved or not achieved?	Degree of external contributing factors influencing the achievements	Document analysis, semi-structured interviews, survey questionnaire, FGDs	context studies/analysis, project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), final target groups	Good



	Standard	What would have happened without the project?	Plausibility of and perception of partners of situation without intervention	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), final target groups	Good
<p>No project-related (unintended) negative results have occurred – and if any negative results occurred the project responded adequately.</p> <p>The occurrence of additional (not formally agreed) positive results has been monitored and additional opportunities for further positive results have been seized.</p> <p>Max. 30 points</p>	Standard	Which (unintended) negative or (formally not agreed) positive results does the project produce at output and outcome level and why?	observed unplanned positive versus negative effects	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), final target groups	Moderate
	Fragility	To what extent was the project able to ensure that escalating factors/ dividers (3) have not been strengthened (indirectly) by the project (4)? Has the project unintentionally (indirectly) supported violent or 'dividing' actors?	Degree to which pre-defined escalating factors and violent actors have emerged and likelihood of project's influence on this	Document analysis, semi-structured interviews	context studies/analysis, project monitoring reports, project progress reports, key stakeholders (internal and external)	Good
	Standard	How were risks and assumptions (see also GIZ Safeguards and Gender system) as well as (unintended) negative results at the output and outcome level assessed in the monitoring system (e.g. 'Kompass')? Were risks already known during the concept phase?	Extent of pre-defined risks (defined and documented) in the monitoring system	Document analysis, semi-structured interviews	PCA, gender analysis, project monitoring reports, project progress reports, project staff	strong
	Fragility	To what extent have risks in the context of conflict, fragility and violence (5) been monitored (context/conflict-sensitive monitoring) in a systematic way?	as above	Document analysis, semi-structured interviews	as above	Good
	Standard	What measures have been taken by the project to counteract the risks and (if applicable) occurred negative results? To what extent were these measures adequate?	Evidence and extent of mitigation strategies	Document analysis, semi-structured interviews	project monitoring reports, activity list, project progress reports, key stakeholders (internal)	Good
	Standard	To what extent were potential (not formally agreed) positive results at outcome level monitored and exploited?	Degree of monitoring of unintended positive result and project's measures to use these opportunities/potentials	Document analysis, semi-structured interviews	project monitoring reports, activity list, project progress reports, key stakeholders (internal)	Good

(1) The first and the second evaluation dimensions are interrelated: if the contribution of the project to the objective achievement is low (2nd evaluation dimension) this must be considered for the assessment of the first evaluation dimension also.

(2) Deescalating factors/ connectors: e.g. peace-promoting actors and institutions, structural changes, peace-promoting norms and behavior. For more details on 'connectors' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 55/135.

(3) Escalating factors/ dividers: e.g. destructive institutions, structures, norms and behavior. For more details on 'dividers' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 135.

(4) All projects in fragile contexts, projects with FS1 or FS2 markers and all transitional aid projects have to weaken escalating factors/dividers and have to mitigate risks in the context of conflict, fragility and violence. Projects with FS1 or FS2 markers should also consider how to strengthen deescalating factors/ connectors and how to address peace needs in its project objective/sub-objective?

(5) Risks in the context of conflict, fragility and violence: e.g. contextual (e.g. political instability, violence, economic crises, migration/refugee flows, drought, etc.), institutional (e.g. weak partner capacity, fiduciary risks, corruption, staff turnover, investment risks) and personnel (murder, robbery, kidnapping, medical care, etc.). For more details see: GIZ (2014): 'Context- and conflict-sensitive results-based monitoring system (RBM). Supplement to: The 'Guidelines on designing and using a results-based monitoring system (RBM) system.', p.27 and 28.

**OECD-DAC Criterion IMPACT (max. 100 points)**

Assessment dimensions	Filter - Project Type	Evaluation questions	Evaluation indicators	Data collection methods (e.g. semi-structured interviews, focus group discussions, documents, project/partner monitoring system, workshop, survey, etc.)	Data sources (list of relevant documents, semi-structured interviews with specific stakeholder categories, specific monitoring data, specific workshop(s), etc.)	Evidence strength (moderate, good, strong)
The intended overarching development results have occurred or are foreseen (plausible reasons). (1)  Max. 40 points	Standard	To which overarching development results is the project supposed to contribute (cf. module and programme proposal with indicators/ identifiers if applicable, national strategy for implementing 2030 Agenda, SDGs)? Which of these intended results at the impact level can be observed or are plausible to be achieved in the future?	Observed or plausible contribution to relevant SDGs and BMZ/GIZ development objectives	Document analysis, semi-structured interviews (with internal and external key stakeholders), survey questionnaire, FGDs	project monitoring reports, project progress reports, internal and external key stakeholders such as project staff, project partners (internal) and research institutions, other donors, media, legal community incl. CSOs (external)	good
	Standard	Indirect target group and 'Leave No One Behind' (LNOB): Is there evidence of results achieved at indirect target group level/specific groups of population? To what extent have targeted marginalised groups (such as women, children, young people, elderly, people with disabilities, indigenous peoples, refugees, IDPs and migrants, people living with HIV/AIDS and the poorest of the poor) been reached?	Occurrence and scope of results at final target group level incl. marginalised groups	Document analysis, semi-structured interviews, survey questionnaire,	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external),	moderate
The project objective (outcome) of the project contributed to the occurred or foreseen overarching development results (impact).(1)  Max. 30 points	Standard	To what extent is it plausible that the results of the project on outcome level (project objective) contributed or will contribute to the overarching results? (contribution-analysis approach)	Extent of contribution by project to overarching results	Document analysis, semi-structured interviews, survey questionnaire, FGDs	public articles, studies/ context analysis (internet), project monitoring reports, activity list, project progress reports, key stakeholders (internal and external)	good
	Standard	What are the alternative explanations/factors for the overarching development results observed? (e.g. the activities of other stakeholders, other policies)	Degree of other influencing factors towards results	Document analysis, semi-structured interviews, survey questionnaire, FGDs	public reports/strategies of other donors, project monitoring reports, project progress reports, key stakeholders (internal and external),	good
	Standard	To what extent is the impact of the project positively or negatively influenced by framework conditions, other policy areas, strategies or interests (German ministries, bilateral and multilateral development partners)? How did the project react to this?	as above	Document analysis, semi-structured interviews, survey questionnaire, FGDs	as above	good
	Standard	What would have happened without the project?	Plausibility and perception of 'legal Community' incl. project partners of situation without intervention	Document analysis, semi-structured interviews, survey questionnaire, FGDs	political analysis, studies, project monitoring reports, activity list, project progress reports, key stakeholders (internal and external)	good
	Standard	To what extent has the project made an active and systematic contribution to widespread impact and were scaling-up mechanisms applied (2)? If not, could there have been potential? Why was the potential not exploited? To what extent has the project made an innovative contribution (or a contribution to innovation)? Which innovations have been tested in different regional contexts? How are the innovations evaluated by which partners?	Project's geographic thematic, institutional outreach (e.g. upscaling, replication) towards larger impact	Document analysis, semi-structured interviews, survey questionnaire	context studies/ context analysis (internet), project monitoring reports, key stakeholders (internal and external)	good
No project-related (unintended) negative	Standard	Which (unintended) negative or (formally not agreed) positive results at impact level can be observed? Are there negative trade-offs between the ecological, economic and social dimensions (according to the three dimensions of	Incidence of unplanned positive or negative impact	Document analysis, semi-structured interviews, survey questionnaire	project monitoring reports, project progress reports, key stakeholders (internal and external)	moderate

results at impact level have occurred – and if any negative results occurred the project responded adequately.  The occurrence of additional (not formally agreed) positive results at impact level has been monitored and additional opportunities for further positive results have been seized.  Max. 30 points		sustainability in the Agenda 2030)? Were positive synergies between the three dimensions exploited?				
	and Fragility	To what extent did the project have (unintended) negative or escalating effects on the conflict or the context of fragility (e.g. conflict dynamics, violence, legitimacy of state and non-state actors/institutions)? To what extent did the project have positive or deescalating effects on the conflict or the context of fragility (e.g. conflict dynamics, violence, legitimacy of state and non-state actors/institutions)?	Observed extent of contribution to escalating/de-escalating factors	Document analysis, semi-structured interviews, survey questionnaire	project monitoring reports, project progress reports, key stakeholders (internal and external)	good
	Standard	To what extent were risks of (unintended) results at the impact level assessed in the monitoring system (e.g. 'Kompass')? Were risks already known during the planning phase?	Risks documented in project offer and monitoring system	Document analysis, semi-structured interviews	as above	strong
	Standard	What measures have been taken by the project to avoid and counteract the risks/negative results/trade-offs (3)?	Documented and/or implemented measures	Document analysis, semi-structured interviews	project monitoring reports, activity list, project progress reports, project staff	good
	Standard	To what extent have the framework conditions played a role in regard to the negative results ? How did the project react to this?	Degree of negative influencing factors and appropriateness of project's response	Document analysis, semi-structured interviews	studies/ context analysis , project monitoring reports, project progress reports, key stakeholders (internal and external)	good
	Standard	To what extent were potential (not formally agreed) positive results and potential synergies between the ecological, economic and social dimensions monitored and exploited?	Documented results and actions on synergies between ecological, economic and social dimensions	Document analysis, semi-structured interviews	project monitoring reports, project progress reports, project staff( if applicable other projects/donors)	good

(1) The first and the second evaluation dimensions are interrelated: if the contribution of the project outcome to the impact is low or not plausible (2nd evaluation dimension) this must be considered

for the assessment of the first evaluation dimension also.

(2) Broad impact (in German 'Breitenwirksamkeit') is defined by 4 dimensions: relevance, quality, quantity, sustainability. Scaling-up approaches can be categorised as vertical, horizontal, functional or combined. See GIZ (2014) 'Corporate strategy evaluation on

scaling up and broad impact: The path: scaling up, the goal: broad impact' (<https://www.giz.de/de/downloads/giz2015-en-scaling-up.pdf>)

(3) Risks, negative results and trade-offs are separate aspects and are all to be considered.

OECD-DAC Criterion EFFICIENCY (max. 100 points)						
Assessment dimensions	Filter - Project Type	Evaluation questions	Evaluation indicators (pilot phase for indicators - only available in German so far)	Data collection methods (e.g. semi-structured interviews, focus group discussions, documents, workshop, survey, etc.)	Data sources (list of relevant documents, semi-structured interviews etc.)	Evidence strength (moderate, good, strong)
The project's use of resources is appropriate with regard to the outputs achieved.	Standard	To what extent are there deviations between the identified costs and the projected costs? What	Das Vorhaben steuert seine Ressourcen gemäß des geplanten Kostenplans (Kostenzeilen). Nur bei nachvollziehbarer Begründung erfolgen Abweichungen vom Kostenplan.	Financial analysis, document analysis, project progress reports, follow the money analysis, semi-structured interviews (with internal key stakeholders)	Budget, obligo reports, project progress reports, instrument concept, change offer	strong

[Production efficiency:  
Resources/Outputs]

Max. 70 points

	are the reasons for the identified deviation(s)?			if any, contract amendments, internal key stakeholders: project staff and project finance staff	
Standard	Focus: To what extent could the outputs have been maximised with the same amount of resources and under the same framework conditions and with the same or better quality (maximum principle)? (methodological minimum standard: Follow-the-money approach)	Das Vorhaben reflektiert, ob die vereinbarten Wirkungen mit den vorhandenen Mitteln erreicht werden können.	Financial analysis, follow the money analysis, semi-structured interviews		good
Standard		Das Vorhaben steuert seine Ressourcen gemäß der geplanten Kosten für die vereinbarten Leistungen (Outputs). Nur bei nachvollziehbarer Begründung erfolgen Abweichungen von den Kosten. Die übergreifenden Kosten des Vorhabens stehen in einem angemessenen Verhältnis zu den Kosten für die Outputs. Die durch ZAS Aufschriebe erbrachten Leistungen haben einen nachvollziehbaren Mehrwert für die Erreichung der Outputs des Vorhabens.	Document analysis, financial analysis, follow the money analysis, semi-structured interviews		good
Standard		Die übergreifenden Kosten des Vorhabens stehen in einem angemessenen Verhältnis zu den Kosten für die Outputs.	Document analysis, Financial analysis, follow the money analysis, semi-structured interviews		good
Standard		Die durch ZAS Aufschriebe erbrachten Leistungen haben einen nachvollziehbaren Mehrwert für die Erreichung der Outputs des Vorhabens.	Financial analysis, follow the money analysis, semi-structured interviews		good
Standard	Focus: To what extent could outputs have been maximised by reallocating resources between the outputs? (methodological minimum standard: Follow-the-money approach)	Das Vorhaben steuert seine Ressourcen, um andere Outputs schneller/ besser zu erreichen, wenn Outputs erreicht wurden bzw. diese nicht erreicht werden können (Schlussevaluierung).  Oder: Das Vorhaben steuert und plant seine Ressourcen, um andere Outputs schneller/ besser zu erreichen, wenn Outputs erreicht wurden bzw. diese nicht erreicht werden können (Zwischenevaluierung).	as above		strong
Standard	Were the output/resource ratio and alternatives carefully considered during the design and implementation process – and if so, how? (methodological minimum standard: Follow-the-money approach)	Das im Modulvorschlag vorgeschlagene Instrumentenkonzept konnte hinsichtlich der veranschlagten Kosten in Bezug auf die angestrebten Outputs des Vorhabens gut realisiert werden.	Document analysis, financial analysis, semi-structured interviews		strong
Standard		Die im Modulvorschlag vorgeschlagene Partnerkonstellation und die damit verbundenen Interventionsebenen konnte hinsichtlich der veranschlagten Kosten in Bezug auf die angestrebten Outputs des Vorhabens gut realisiert werden.	Financial analysis, document analysis, semi-structured interviews		strong
Standard		Der im Modulvorschlag vorgeschlagene thematische Zuschnitte für das Vorhaben konnte hinsichtlich der veranschlagten Kosten in Bezug auf die angestrebten Outputs des Vorhabens gut realisiert werden.	as above		strong
Standard		Die im Modulvorschlag beschriebenen Risiken sind hinsichtlich der veranschlagten Kosten in Bezug auf die angestrebten Outputs des Vorhabens gut nachvollziehbar.	Document analysis, Financial analysis, semi-structured interviews	Project offer, Budget, obligo reports, project progress reports, project staff, project finance staff	strong
Standard		Die im Modulvorschlag beschriebene Reichweite des Vorhabens (z.B. Regionen) konnte hinsichtlich der veranschlagten Kosten in Bezug auf die angestrebten Outputs des Vorhabens voll realisiert werden.	Document analysis, financial analysis, follow the money analysis, semi-structured interviews	Project offer, Budget, obligo reports, project progress reports, monitoring data, project staff, project finance staff	strong

		Standard		Der im Modulvorschlag beschriebene Ansatz des Vorhabens hinsichtlich der zu erbringenden Outputs entspricht unter den gegebenen Rahmenbedingungen dem state-of-the-art.	as above	Project offer, Budget, obligo reports, project progress reports, project staff, project finance staff, if available data on reference projects	good
		Standard	For interim evaluations based on the analysis to date: To what extent are further planned expenditures meaningfully distributed among the targeted outputs?	siehe oben	not applicable		good
	The project's use of resources is appropriate with regard to achieving the projects objective (outcome).  [Allocation efficiency: Resources/Outcome]	Standard	To what extent could the outcome (project objective) have been maximised with the same amount of resources and the same or better quality (maximum principle)?	Das Vorhaben orientiert sich an internen oder externen Vergleichsgrößen, um seine Wirkungen kosteneffizient zu erreichen.	Financial analysis, document analysis, semi-structured interviews	Budget, obligo reports, project staff, project finance staff	good
	Max. 30 points	Standard	Were the outcome-resources ratio and alternatives carefully considered during the conception and implementation process – and if so, how? Were any scaling-up options considered?	Das Vorhaben steuert seine Ressourcen zwischen den Outputs, so dass die maximalen Wirkungen im Sinne des Modulziels erreicht werden. (Schlussevaluierung)	Financial analysis, follow the money analysis, semi-structured interviews (internal and external key stakeholders)	Budget, obligo reports, project progress reports, instrument concept, change offer if any, contract amendments, key stakeholders such as project staff, project finance staff (internal) and other donors (external)	strong
		Standard		Oder: Das Vorhaben steuert und plant seine Ressourcen zwischen den Outputs, so dass die maximalen Wirkungen im Sinne des Modulziels erreicht werden. (Zwischenevaluierung)			
		Standard		Das im Modulvorschlag vorgeschlagene Instrumentenkonzept konnte hinsichtlich der veranschlagten Kosten in Bezug auf das angestrebte Modulziel des Vorhabens gut realisiert werden.	as above		strong
		Standard		Die im Modulvorschlag vorgeschlagene Partnerkonstellation und die damit verbundenen Interventionsebenen konnte hinsichtlich der veranschlagten Kosten in Bezug auf das angestrebte Modulziel des Vorhabens gut realisiert werden.	Financial analysis, document analysis, follow the money analysis, semi-structured interviews (internal and external key stakeholders)		strong
		Standard		Der im Modulvorschlag vorgeschlagene thematische Zuschnitte für das Vorhaben konnte hinsichtlich der veranschlagten Kosten in Bezug auf das angestrebte Modulziel des Vorhabens gut realisiert werden.	Financial analysis, document analysis, semi-structured interviews		strong
		Standard		Die im Modulvorschlag beschriebenen Risiken sind hinsichtlich der veranschlagten Kosten in Bezug auf das angestrebte Modulziel des Vorhabens gut nachvollziehbar.	Financial analysis, document analysis		strong
		Standard		Die im Modulvorschlag beschriebene Reichweite des Vorhabens (z.B. Regionen) konnte hinsichtlich der veranschlagten Kosten in Bezug auf das angestrebte Modulziel des Vorhabens voll realisiert werden.	Financial analysis, document analysis, monitoring data, follow the money analysis, semi-structured interviews		strong
		Standard		Der im Modulvorschlag beschriebene Ansatz des Vorhabens hinsichtlich des zu erbringenden	Financial analysis, document analysis, semi-structured interviews		good

			Modulziels entspricht unter den gegebenen Rahmenbedingungen dem state-of-the-art.			
Standard	To what extent were more results achieved through cooperation / synergies and/or leverage of more resources, with the help of other ministries, bilateral and multilateral donors and organisations (e.g. cofinancing) and/or other GIZ projects? If so, was the relationship between costs and results appropriate or did it even improve efficiency?	Das Vorhaben unternimmt die notwendigen Schritte, um Synergien mit Interventionen anderer Geber auf der Wirkungsebene vollständig zu realisieren.	Financial analysis, document analysis, semi-structured interviews		good	
Standard		Wirtschaftlichkeitsverluste durch unzureichende Koordinierung und Komplementarität zu Interventionen anderer Geber werden ausreichend vermieden.	Financial analysis, document analysis, semi-structured interviews		good	
Standard		Das Vorhaben unternimmt die notwendigen Schritte, um Synergien innerhalb der deutschen EZ vollständig zu realisieren.	Financial analysis, document analysis , semi-structured interviews	Budget, obligo reports, project staff, project finance staff, other German EZ projects	strong	
Standard		Wirtschaftlichkeitsverluste durch unzureichende Koordinierung und Komplementarität innerhalb der deutschen EZ werden ausreichend vermieden.	as above	as above	strong	
Standard		Die Kombifinanzierung hat zu einer signifikanten Ausweitung der Wirkungen geführt bzw. diese ist zu erwarten.	Financial analysis, document analysis, semi-structured interviews	project offer, project cofinancing offer, monitoring data, progress reports, budgets, project staff, funding agencies (EU)	strong	
Standard		Durch die Kombifinanzierung sind die übergreifenden Kosten im Verhältnis zu den Gesamtkosten nicht überproportional gestiegen.	Financial analysis, follow the money analysis, semi-structured interviews	Budget, obligo reports, project staff, project finance staff	strong	
Standard		Die Partnerbeiträge stehen in einem angemessenen Verhältnis zu den Kosten für die Outputs des Vorhabens.	Financial analysis, follow the money analysis, semi-structured interviews	as above	good	

#### OECD-DAC Criterion SUSTAINABILITY (max. 100 points)

Assessment dimensions	Filter - Project Type	Evaluation questions	Evaluation indicators	Data collection methods (e.g. semi-structured interviews, etc.)	Data sources (list of relevant documents, semi-structured etc)	Evidence strength (moderate, good, strong)
Prerequisite for ensuring the long-term success of the project: Results are anchored in (partner) structures.	Standard	What has the project done to ensure that the results can be sustained in the medium to long term by the partners themselves?	Project's strategic approach towards sustainability	Document analysis, semi-structured interviews (with internal and external key stakeholders), survey questionnaire, FGDs	project monitoring reports, project progress reports, internal and external key stakeholders such as project staff, project partners (internal) and research institutions, other donors, media, legal community incl. CSOs (external); Alumni Network	good
	Standard	In what way are advisory contents, approaches, methods or concepts of the project anchored/institutionalised in the (partner) system?	Degree to which results/products are anchored in partner structures	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, partner reports, project progress reports, key stakeholders (internal and external), Alumni Network	good

Max. 50 points	Standard	To what extent are the results continuously used and/or further developed by the target group and/or implementing partners?	Degree to which partner use the results and anticipated continuation	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, partner reports incl. public statements, project progress reports, key stakeholders (internal and external), Alumni Network	good
	Standard	To what extent are resources and capacities at the individual, organisational or societal/political level in the partner country available (long-term) to ensure the continuation of the results achieved?	Extent of available resources in partner systems to maintain results	Document analysis, semi-structured interviews	project monitoring reports, partner reports incl. public statements, project progress reports, key stakeholders (internal and external)	good
	Standard	If no follow-on measure exists: What is the project's exit strategy? How are lessons learnt for partners and GIZ prepared and documented?	Existence and quality of exit strategy and knowledge management approach	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), Alumni Network	good
	and Fragility	To what extent was the project able to ensure that escalating factors/dividers (1) in the context of conflict, fragility and violence have not been strengthened (indirectly) by the project in the long-term? To what extent was the project able to strengthen deescalating factors/connectors (2) in a sustainable way (3)?				
Forecast of durability: Results of the project are permanent, stable and long-term resilient.	Standard	To what extent are the results of the project durable, stable and resilient in the long-term under the given conditions?	Probability of the durability of the achieved results and outcome under the given circumstances	Document analysis, semi-structured interviews, survey questionnaire,	project monitoring reports, partner reports incl. public statements, project progress reports, key stakeholders (internal and external)	good
	Standard	What risks and potentials are emerging for the durability of the results and how likely are these factors to occur? What has the project done to reduce these risks?	Extent to which the project responded to these risks	Document analysis, semi-structured interviews, survey questionnaire, FGDs	project monitoring reports, activity list, project progress reports, key stakeholders (internal and external), Alumni Network	good
Max. 50 points						

(1) Escalating factors/ dividers: e.g. destructive institutions, structures, norms and behavior. For more details on 'dividers' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 135.

(2) Deescalating factors/ connectors: e.g. peace-promoting actors and institutions, structural changes, peace-promoting norms and behavior. For more details on 'connectors' see: GIZ (2007): 'Peace and Conflict Assessment (PCA). Ein methodischer Rahmen zur konflikt- und friedensbezogenen Ausrichtung von EZ-Maßnahmen', p. 55/135.

(3) All projects in fragile contexts, projects with FS1 or FS2 markers and all transitional aid projects have to weaken escalating factors/dividers and have to mitigate risks in the context of conflict, fragility and violence. Projects with FS1 or FS2 markers should also consider how to strengthen deescalating factors/ connectors and how to address peace needs in its project objective/sub-objective?



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