

EEUStAID

Final reflective report on the training project

The purpose of this report is to summarise the findings of the reports prepared after Training event I and Training event II which reflect on the experiences of organising and delivering those events. The report also formulates conclusions and suggestions for the organisation and the delivery of similar training events in EU law for members of judiciaries of the Member States.

1. Organising the training events

a. Training content and method

Based on the project proposal, the organiser and the partner managed to agree on the actual content and method(s) of the training events. We decided to take a perhaps riskier approach in terms of structuring the first training event as well as of the method of delivery. Nevertheless, there was consensus among us that we should try introducing what may be more innovative training approaches and training exercises. We assumed that participants would be prepared to act as proactive learners, for instance by preparing in advance for the training sessions on the basis of the prior communicated training materials, or by participating in problem-solving or experience-sharing exercises.

The training content was determined by the project proposal. Nevertheless, we had some leeway in determining the actual content of individual training components and their order. The basic idea was that the first training session would address the more general issues of the national enforcement and the application of EU State aid law, perhaps by way of reflections from professionals with relevant experience, or using an accessible problem-solving exercise. This would then be followed by discussions on the different national experiences and practices.

Training in general substantive and procedural State aid law was not part of our proposal. Participants were provided access to a number of introductory teaching materials as well as to core legal and policy texts from the EU. The feedbacks collected after the first training event revealed that participants would have welcomed a structured introduction to the general issues of EU State aid law. Nonetheless, they also appreciated the introductory approach of viewing the use and the application of State aid law through the eyes of the practitioner.

Following the feedback received from participants, we decided to organise a second training event in which a larger role was given to more passive training methods, such as frontal plenary or larger group lectures. Nevertheless, we also kept some of the problem-solving and experience-sharing exercises, which assumed prior preparation and active involvement by participants. Our experience was that the second training event contained

an appropriate balance of passive, formal and active, participatory legal training solutions for professionals.

b. Measuring training needs and participant expectations

We used online surveys to gather information about participant expectations and training needs before both Training event I and II. Their results raised a number of concrete directions, but also allowed us a generous leeway as a matter of the content and the delivery of the training events.

c. Training team

The participation of our external speakers presented a certain challenge for the organisation of the training events. One of them cancelled his participation at the first event. Another sent a substitute speaker for the first event. Our third external speaker was prevented from participating at the first training event in person by serious medical condition. This meant that the first training event had to build more extensively than expected on the expertise of the organising team and the partner organisation. The second training event offered a good balance of experienced external and internal speakers. This also enabled a fairer allocation of the workload which meant that speakers/facilitators were more available to participants than at the first training event. Furthermore, with the extended team available for the second training event we could rebalance the amount of frontal and participatory training components.

d. Recruitment of participants

While recruitment in the majority of Member States did not pose major challenges as the dissemination of the call for participation through official and private channels proved to be sufficient and effective, there were Member States from which, despite repeated attempts, we were unable to recruit any participants. In both the Czech Republic and Slovenia, we used both official and private avenues and relied intensively on our personal professional contacts, but we were unable to secure any applications. Initially, through personal contacts, we found two applicants from Slovakia. However, they cancelled first their participation at Training event I and later at Training event II.

e. Travel and accommodation

We did not have any unexpected burdens despite the variety of travel modes, itineraries and travel times. The complications and difficulties were adequately and flexibly addressed.

2. Delivering the training events

a. Training content

The first training event covered general and specific issues concerning the application of EU State aid law by national courts. We had a plenary lecture which examined the roles and responsibilities of national judges as they follow from EU legal provisions and as

demonstrated in individual problem cases. This was followed by a specialist lecture on the law on recovery. The core training exercise was a problem-solving exercise based on a still ongoing legal dispute before national and EU courts. We had lengthy sessions dedicated to collecting national experiences (if any). Overall, the training examined the role of national courts under EU State aid law from many different angles.

The second training event again covered general and specific issues concerning the application of EU State aid law by national courts. We had three plenary lectures which examined the law concerning the obligations and the tasks of national judges under EU State aid law. There were two problem-solving exercises which were presented to participants in small group sessions. We had a session dedicated to collecting national experiences (if any). The training event was successful in delivering core points of law concerning the national enforcement of EU State aid rules.

b. Training method

We combined frontal training with participant-led, small group training. Most training participants were quite easy to mobilise, and the small group exercises were characterised by intensive participant discussions. The selected training methods assumed prior preparation by participants, which in majority was the case. The problem-solving exercises were professionally introduced and adequately carried out in the small groups.

c. Training team

As described above, we delivered the two training events in rather different circumstances as a matter of the available training personnel. At the first training event, we relied more on the expertise of the organiser and the partner. At the second event, we had a better availability of our external speakers. Members of our training team were professional, effective and efficient in their respective roles.

d. Participants

The preparedness and the interests of participants generally corresponded with the result of the online training surveys. We had some specialist (liquidation judges) participants with specialist questions, many generalist administrative judges, and highly trained trainee judges or other judicial personnel.

3. The strengths of project implementation

These were the perceived strengths of the project implementation process:

- professional and friendly training environment;
- professional and friendly communication with participants prior to and during training;
- ability to develop proactive and cooperative attitude in participants;
- access to professionals with experience in the field;
- effective combination of academic and professional knowledge;

- in-depth investigation of the general as well as the more technical issues of the law covered;
- efficient and effective delivery of training programme;
- efficient organisation and administration;
- dedicated local training team and excellent cooperation between organiser and partner;
- adaptive training design and training methodologies.

4. The perceived weaknesses of project implementation

These were the perceived weaknesses of the project implementation process:

- integrating diverse participant expectations and backgrounds;
- training design unfamiliar to participants and/or training design required unfamiliar ways of participation;
- underestimation of actual need for didactic, frontal training in general EU State aid law;
- overly ambitious assumption of relevance and presence of EU State aid law in the national jurisdictions covered;
- unable to reach out effectively to and to recruit from every target State;
- complex local bureaucracy;
- limited prior experience in training legal professionals in a non-academic context;
- complex training outcomes, some of which may not have been realised as planned.

5. Conclusions and suggestions

We formulated a number of conclusions and suggestions based on our experience which may be of use for further training activities in EU law for legal professionals:

- participants will have a broad range of professional interests as well as diverse backgrounds and experience;
- participants will have rather diverse expectations of the training and will (initially) find some training methods unusual or difficult to approach;
- securing the actual participation of both speakers and participants will present a difficult challenge even for the most prudent organising teams;
- creating a positive, friendly and professional learning environment and ensuring cooperation and active participation in the training is fairly easy to achieve and to maintain during the training;
- the individual situation and workload of professional participants may prevent them from extensive prior preparation for the training events; they will, however, try to make up for during the training event;

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