

Clinical Legal Education in Belarus: Practice-Oriented Pedagogy for Socially Engaged Law Students

Yuliya A. Khvatsik

Belarusian State University, Minsk, Belarus

Abstract: The paper analyzes the evolution and changes involving clinical legal education (CLE) in Belarus. The author tends to create a historical overview of the 22 years' experience of clinical legal education in Belarus. It will be possible to answer some questions mostly based on the inside view and 12 years of clinical experience with goals to bring some inspiration in a global context and to leave a mark on history. It focused on the new role embraced by legal clinics in Belarus and contribution to the creation of a new formation of legal practitioners. Additionally, the author shares the technological insights about clinical legal education. Thinking about the future it is important to make an overview of achievements and opportunities of going forwards. There is a great number of opportunities to implement clinical methodology to both academic studies and professional training. The research problem addressed in this paper is to substantiate the most effective forms and methods of teaching law disciplines both in Russian and in English in a law school in the context of introduction of digital forms of learning into traditional educational environment of a law school. The author carries out an analytical review of law clinics in historical perspective and how the work of law clinics is implemented in both academic curricula and professional training in Belarus.

Keywords: Belarus; law clinics; education; student; clinical methodology; professional training

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Contents

I. Introduction	669
II. Methodology	670
III. Clinical Legal Education as a Powerful Pedagogical Model (Clinical Education Methodology)	671
III.1. Foundation of Clinical Movement and its Historical Evolution in Belarus. . .	672
III.2. Types of Legal Clinics in Belarus.	677
IV. The Role of International Cooperation in Belarusian Clinical Model	678
V. Networking in Belarusian Clinical Legal Education	680
VI. Trends Describing Next Developments for Legal Education in Belarus.	682
VII. Digitalization of Clinical Legal Education in Belarus.	685
VIII. Conclusion.	688
References.	689

I. Introduction

Legal education has a long history all over the world. In some points this history is common for different jurisdictions, but in others it is completely different. One of the most common issues is a lack of practical skills among young lawyers. This problem started being discussed at the end of 19th century, but it is still actual. An answer to this problem and challenge was suggested by Clinical Legal Education (CLE) that was based on the clinical medical education model, where medical students took care of real patients under the supervision of certified doctors.

Nowadays CLE is a form of legal education that is still rapidly growing across the world. Easter Europe in general, and Belarus in particular, is not an exception. Belarus is as a country in the middle of Europe with a Soviet Union past in academic and educational traditions that is still in a controversial political situation, which had a non-visible, but direct impact on the clinics and CLE (the ability to work with certain areas and cases, categories of clients, cooperation with foreign partners, *etc.*). Belarusian CLE has a lot in common with other Russian speaking countries. However, it has a lot of differences and very specific features. It has its own unique history since 1998.

Great number of people, projects, students, and human rights cases were integrated into CLE history. However, there is a need to summarize achievements and failures to be able to find new horizons for 2021–2030. The paper sets up and answers the following issues: 1. what has happened to the clinical movement development and what are the key players in its historical evolution; 2. what types of legal clinics have been developed in Belarus and due to what reasons; 3. what role international cooperation plays in the Belarusian law clinics model; 4. what trends are describing the further development for legal education in Belarus.

II. Methodology

The author has reviewed and analyzed stages in the CLE historical development, elucidated the impact of international cooperation, international partners and international organizations on the Belarusian clinical model, suggested her understanding of further perspectives the CLE digitalization in Belarus in the context of the COVID-19 pandemic. In her research, the author relies on data analysis of the law clinics' clients in Belarus, which substantiates author's suggestions concerning the future law clinics' functioning.

The paper will endeavor to answer the questions posed in the introduction on the ground of an inside view and 12 years of clinical experience in order to bring some inspiration in a global context and to leave a mark on CLE history. To this end, the author would like to share the technological insights about the CLE the author gained at the conference dedicated to clinical digital future and COVID-19 reality held in December 2020 (in cooperation with Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) and at the online Global Alliance of Justice Education (GAJE) 2021 held in June 2021. The paper will also use material from the report "The Experience of Legal Clinics in Belarus," (Khvatsik, Salei and Savitskaya, 2020) based on the online research where the author of the paper took a leading part.

III. Clinical Legal Education as a Powerful Pedagogical Model (Clinical Education Methodology)

It is our deep conviction that Clinical Legal Education is a powerful pedagogical model (methodology) which engages students and universities in the life of the community and gives students real practical skills. Also, I agree with Maxim Tomoszek (Tomoszek, 2014, p. 93) that it could be “just a belief of clinical teachers and clinical students,” because of lack of any rigorous empirical evidence-based study.

The edge of clinical teaching methods is based on experiential learning which fosters the growth of knowledge, personal skills and values as well as promotes social justice and human rights by legal means. Clinical work involves an endless variety and freedom of a clinical supervisor training activities, approval and support from the clinical community around the world, inspiration coming from social engagement and positive consequences for professional and everyday life. All these effects create rather strong loyalty and substantive contribution to the advancement of clinical legal education. Finally, they necessitate the need for this type of education activity.

As any other education, the CLE comprises equally important elements:

- knowledge and skills, which includes learning about the legal advocate business model, client typology and methodology of legal advising, legal drafting, legal ethics, *etc.*;
- values, attitudes and behavior, which incorporates developing values and reinforcing attitudes and socially responsible behavior in legal procedures, legal institutions, human rights protection.

Additionally, the CLE keeps a super power — a capacity for action — that is concerned with developing the capacity to defend and promote human rights, civil society values, *etc.* In a broader meaning, in different parts of the world the CLE is presented by “varieties of formal, non-formal and informal educational programs and projects that use practical-oriented, student-centered, problem-based, interactive learning methods, including, but not limited to, the practical

work of students on real cases and social issues supervised by academics and professionals.”¹

In our opinion, diversity is a great CLE advantage. Every clinical teacher or clinical students could find what he/she needs in a basically different form, suitable for a certain legal system, field of law, personal or professional goals of the participants.

International experience of the CLE demonstrates potential for human rights protection, for legal initiative and public advocacy in government bodies, interdisciplinary implementation of clinical models, research activity and collecting legal information, creation of (digital) legal design, *etc.* Furthermore, the CLE is very adaptive and has a great potential for developing a uniform legal curriculum for higher legal education in Belarus and other countries.

III.1. Foundation of Clinical Movement and its Historical Evolution in Belarus

Historically, the CLE in Belarus can be divided into two periods: before 2002 and after 2002. Before 2002, four legal clinics were established in Belarus: law clinic in European Humanities University (EHU) (1998), *Street Law* Legal Clinic in Grodno State University (1999), law clinics in Belarusian State University (2000) and in Belarus Institute of Law (2001). Since 2002, ten more clinics have been created on the basis of all State Law Schools.

For the first time in Belarus the idea of creating a *classical* legal clinic was implemented at the European Humanities University (EHU) in 1998 within the framework of the Legal Consulting for Women project when the Legal Aid Center — Legal Clinic — was created. At that time, Alla Sokolova, Dean of the Faculty of Law of EHU, got acquainted and was imbued with the idea of creating a legal clinic at the university during a working trip to the United States. “She really liked the idea of teaching law students practical skills through working with live clients. However, for a long time the creation of the first law firm was alien to

¹ For more information link to “What is a Legal clinic?” at Palermo University website. Available at: <https://www.unipa.it/What-is-a-legal-clinic/> [Accessed 04.11.2021].

the country's legal community, many professional lawyers disapproved the idea." (Khvatsik and Krasnitskaya, 2012). Nevertheless, the project "EHU Legal Clinic" was implemented. Fourth-year students studied and worked at EHU LC under the guidance of lawyers advising low-income citizens. The work of this clinic was terminated in 2004 due to the closure of the EHU in Minsk. After EHU moved to Vilnius, from 2004 till 2020 there was not any information concerning the clinical program. And only in 2020 the clinical program was revived.

The situation when it is personal inspiration that promotes legal clinics is well known to the members of the clinical community who demonstrate openness and desire to help both their colleagues and potential socially vulnerable clients of clinics around the world. This also was a real leitmotif for the development of the clinical movement in Belarus.

The first *Street Law* clinic was set up at Grodno University in 1998. But the first meeting of Belarusians (NGO "VIT") with *Street Law* Corporation (USA) and its civic education training materials took place in June 1997.²

In November 1998, "VIT," NGO, hosted the conference "Law for Every Day: New Approaches to Legal Education in Belarus" in Grodno in cooperation with ABA/CEELI, State Law Corporation (USA) and the Polish Association of Legal Education. It was a great impulse, because almost in two months *Street Law* project — *Law for Every Day* program — was launched for law students and law professors at the Law School of Grodno State University (Jan. 1999–2013). The same year in cooperation with the Polish Association of Legal Education a manual on *Street Law* was published for students of secondary schools. Next year (2000) the first in Belarus manual on *Street Law* program (*Law for Every Day*) for school teachers was published. Ihar Kuszminich, a co-founder of "VIT," NGO, worked for the Law School of Grodno State University (GRSU) almost till 2013. On his behalf the clinic was

² Acquaintance with *Street Law* Corporation (USA) and their training materials on civic law education. Available at: <https://vitngo.by/vit-gistoryia/timeline-1997/40-znaemstva-z-karparacyyay-styt-lo-zsha-h-navuchalnym-materyyalam-pagramadzyanskay-adukacy-sfery-prava.html> [Accessed 29.11.2021] (In Belarus.).

oriented to *Street Law* program, it had interesting teaching results and professional publications.

Grodno Clinic resumed its work in autumn 2016 under the supervision of a new clinical director, Natalia Ramult. It is logical that the clinical model complies with its leader's personal interests and specialization. For that reason, a new clinic provided legal consulting with active participation in scientific, educational and social events. GRSU Legal Clinic played an active local community role, posting announcements about their major activities in social media (e.g., VKontakte).³ It also implemented a fascinating project of cooperation with the patients of a hospice in Grodno.⁴ The first steps to integrate legal aspects into the process of providing a comprehensive palliative care for patients and their families is being carried out in cooperation of Legal Clinic of the Law Faculty of Grodno State Yanka Kupala University with a social and charitable institution "Life Assistance Center" (the Center). This cooperation was initially developed as part of volunteer work. Later, that cooperation grew into a permanent project that involved training of clinical students to conduct interviews with clients, to resolve psychological and ethical issues (the course organized by the Center), as well as organizing of students' consulting visits to patients and their relatives in health care institutions (hospices). Based on still limited practice of working in this direction it can be noted that the majority of hospice patients and their families legal concerns and inquiries include: succession and inheritance of real estate; rendering social assistance; social benefits and allowances (in particular, benefits for buying medicines, school meals, equipment for social rehabilitation); establishment, registration and re-registration of the disability group; legal grounds for dismissing an employee due to health conditions; procedure for appealing decisions related to refusal in the provision of social benefits, etc. Additionally, there is a list of legal issues that patients face in the process of provision of medical assistance, for example, issues related to violation of the rights of a citizen to the timely

³ Legal Clinic GrSU im. I. Kupala. Common information. Available at: <https://vk.com/jurclinic>. [Accessed 28.11.2021] (In Russ.).

⁴ Hospice legal advice website. Available at: <https://hospicegrodno.by/yuridicheskaya-konsultaciya-v-hospise.html> [Accessed 28.11.2021] (In Russ.).

provision of medical care, proper performance the duties of medical staff, carrying out of diagnostic tests, providing free medical research, correct diagnosis, *etc.*

It is important to note that the Center is the first place in Belarus (a specialized social and charitable institution) whose staff understands the legal needs of their patients, the importance and necessity of providing equal access to legal aid in association with other types of palliative care. Describing the evolution of GRSU Legal Clinic we could pay attention to the role of the head of the clinic who creates a team, attracts alumni, plays the role of a leader or a representative and determines the clinic's agenda, who is interested in new projects and widening key areas of Clinic's activity.

The Legal Clinic of the Belarusian State University (BSU LC) was established in December 2000 within the framework of the United Nations Development Program in the Republic of Belarus. The UN DP was called "Legal Clinic at the Belarusian State University." The project was financially supported by the Office of the United Nations High Commissioner for Refugees in the Republic of Belarus. Active roles at the first stages of establishing a legal clinic at BSU had been plaid by motivated students, namely: Aleksandr Pivovarov and others. Basically, BSU LC has been playing the role of Belarus clinical center due to its location and the leading role of the BSU Law School. The other reason is that it was only the BSU law school that was able to participate in international grant projects. For that reason, numerous seminars, workshops and conferences were held in the BSU. On the one hand, it was comfortable for both grantees and regional participants who liked the idea to spend some spare time in the capital, without any obligations. On the other hand, this had a negative effect — the passive role of regional clinics did not let them develop and establish regional clinics, as well as law school.

BSU LC management could be characterized as a continuity and consistency of women's representation: Liubov Krasnitskaya (2006–2010), Elena Mikhasieva, Yuliya Savkina (2011–2018), Anna Shalima (2014–2015), Ekaterina Sinyuk, Viktoriya Shilko (2015–2018). Gender questions are interesting in the national clinical community. Women constitute almost 90 percent of clinical instructors, and 80 percent

of clinical students. As to the statistics of clinical clients, 30 percent of clients are men and 70 percent are women (Khvatsik, Salei and Savitskaya, 2020). Why does the situation look like this? Education is almost a women's area of professional activity, because of a low-income rate. Working with students takes a lot of time, it lacks prestige and does not have any short term benefits — this could be the reason for the statistical number of clinical students.

The Legal Clinic foundation at the Belarusian Institute of Jurisprudence (BIJ) was initiated directly by the students back in September 2000. Since February 2001, the BIJ Legal Clinic has been included in the organizational structure of the Institute. This was a successful project of student initiative and power. During the whole Belarus history, this happened only in the BIJ and at Polotsk State University. Engaging students in clinical movement is important not just for the reason of developing students' initiative, but for involving them in the process of teaching and mentoring younger students, involving them in the educational process, initiating the introduction of technical and other innovations.⁵ Since 2002, another ten clinics have been created on the basis of all State Law Schools. Clinical education was still optional and based and developed solely on the personal initiative and support of foreign partners.

Almost all legal clinics had their unique history of creation. They were focused on a personality of clinical activists and proponents. The founders laid down the standards for the clinic's work, passing on the spirit and key focuses of the work. This can be observed up to the present time despite the change of people and school administration. The CLE is an adaptive tool, but as any education it needs some basic assistance and facilities. As Belarus is a country with very modest economical facilities, having a separate office with furniture and computer for clinic was a real luxury at the beginning.

⁵ A brief history of the development of legal clinics. Available at: <https://law.bsu.by/novosti/novosti-yuridicheskikh-klinik-belarusi/1552-2007-07-05%2013-28-28.html> [Accessed 28.11.2021] (In Russ.).

III.2. Types of Legal Clinics in Belarus

In countries like Belarus with a strong state control on all areas of life the legislation plays an important role. It either gives you opportunities or takes them away. The legal regulation of legal clinics in Belarus was initiated by the letter of the Ministry of Education of the Republic of Belarus No 11-04/68 of February 7, 2002, “On the creation of a public reception at the law faculty of the university.” It was not bad, because the formal basis for legal clinics were legalized, and state law schools were given the right to establish legal clinics.

Between 2002 and 2010, the term “community counselling office” was used to refer to legal clinics. On November 19, 2010, the Regulation of the Ministry of Justice of the Republic of Belarus No 98 “On some issues of legal education of the population” was adopted. This Regulation defines the status of legal clinics created on the basis of higher educational institutions. Legal information and advice to citizens, which is not a professional activity of providing legal assistance, should be carried out in legal clinics under the guidance of law professors of the educational institution by means of advising on legal issues as well as providing assistance aimed at preventing offences (Khvatsik, Salei and Savitskaya, 2020). Legal clinics were formally added to a “system of free legal aid.” Since in reality there is no such a system despite the access to free advocates, the clients are entitled to meetings with advocates once a year, *etc.* Legal clinics that have been working with “real clients” became rather independent and professional and people trust them.

Under the Resolution of the Council of Ministers of the Republic of Belarus No 1771 of December 3, 2010, the organization of the work of legal clinics, free law consulting offices based at higher educational institutions as law disciplines to provide legal assistance to citizens, was included in the Action Plan for legal education of citizens for 2011–2015. In the new Action Plan for Legal Education of Citizens for 2016–2020 (approved by the Decree of the Council of Ministers of the Republic of Belarus No 37 of January 20, 2016), this area of work was also included and expanded with the task of carrying out legal education for citizens on the basis of higher educational institutions.

In 2017, the “Concept for the Development of Legal Education in the Republic of Belarus for the Period until 2025” was adopted. Its provisions concerning legal clinics indicate the increased State’s interest in their activities. The Concept defines clinical legal education as practice-oriented training aimed at developing students’ professional competencies in providing legal information and advice. The document notes that “the presence of legal clinics at the law faculties of higher education institutions provides an integrated practice-oriented approach to the training of legal personnel.” According to the Concept, legal clinics were designed to help improve the legal culture and legal awareness of the population, to provide access to legal assistance to low-income and socially vulnerable groups of the population (Khvatsik, Salei and Savitskaya, 2020). It was a period of *Street Law* clinical program. For example, legal clinics from Brest and Novopolotsk (Polotsk State University is based in Novopolotsk city) founded sustainable clinics, with strong *Street Law* methodologies and fascinated results (numbers of clinical students, quantity of classes and topics, publications).

IV. The Role of International Cooperation in Belarusian Clinical Model

International cooperation plays a significant role in the Belarusian clinical model. The first initial training of supervisors for legal clinics (1998–2006) was carried out as part of international cooperation with such organizations as Street Law (USA), the Polish Association of Legal Education (Poland), St. Petersburg Institute of Law (Russia) and the Representative Office of the American Bar Association (USA) with the participation of international experts in the field of legal clinical education.

In the early 2000s, the first legal clinics (Grodno State University and Belarusian State University) began to train clinical supervisors independently, by transferring their experience and local circumstances as well as engaging graduates of legal clinics as clinical supervisors.

At the same time, international cooperation has remained an important factor in the introduction of innovations and for further training of supervisors of legal clinics. This included training and

internships organized by the New Eurasia Establishment, the Polish Foundation of Legal Clinics, the Raoul Wallenberg Institute of Human Rights and Humanitarian Law and other organizations bringing the CLE leaders to Belarus, setting up workshops and pedagogical sessions. Thus, in 2006, representatives of legal clinics underwent a week-long internship at the legal clinic in St. Petersburg due to the support of the Eurasia Foundation. The author of the paper was one of the participants of the internship and gained lot of impressions and ideas on how to implement Russian experience to Belarusian CLE. The colleagues informed us about the need of CLE social promotion, local clinical and NGO cooperation, setting up conferences and other important activities.

It is important to mention that significant impact to the style and types of clinics was made by the American Bar Association in Belarus. During 2002–2006 representatives of the American Bar Association were the first who organized in Belarus a number of seminars and conferences for future clinical staff and law students. Thanks to the invitation for that event with many key clinical figures (e.g., Arkadiy Gutnikov, Ekaterina Shugrina, and some American law clinicians) Belarusian law clinicians formed clear understanding and basic knowledge of clinical methodology, created a classical vision of two clinical programs: Legal Aid Clinic (Consulting) and Legal Literacy (“Street Law Program”). It was a common desire to try both of them. Basically, many clinics had two programs for a long period of time.

Further professional development was mostly individual, i.e., through attending international educational events (in Russia, Ukraine, Turkey, USA, Poland and other EU countries). Representatives of Belarusian legal clinic movement visited legal clinics in Poland (Warsaw, Lublin, Poznan, and Lodz) on November 22–27, 2011, to familiarize with the rules for organizing the activities of clinics and communicating with clinical supervisors and students. Also, Belarusian experts undertook educational training for the clinical supervisors “Program of legal clinical education based on the concept of human rights: recommendations for implementation” organized in Lund by the RWI in 2018. Additionally, training clinical supervisors acquired crucial importance for the newly created legal clinics in Belarus. Beside the inter-university legal clinic in Minsk (2015), trainings for supervisors

of legal clinics by the Public Association “VIT” and “Vitebsk State University named after P.M. Masharov” were implemented in 2016 and 2017 within the framework of program “Strengthening the potential of joint initiatives” under the auspices of the Eurasia Foundation. Trainings covered various topics. For example, on March 14–15, 2014, the training course co-organized with the Belarusian Union of Lawyers “Belarusian lawyers improve their mediation skills” aimed to popularize the mediation procedure, dissemination of knowledge and integration into the resolution of civil disputes. Subsequently this procedure was adopted by several legal clinics (e.g., Belarus State Economic University, Grodno) in their services to citizens. Another example represents “Academy of Human Rights” organized in 2015 in St. Petersburg provided training for students and supervisors of legal clinics. Finally, under the inter-university legal clinic (December 2014 — May 2016), clinical supervisors of all law faculties in Minsk developed their capacities at Summer School, methodological seminars and other training. Basically, CLE events focused on clinical supervisors (teachers) as a most sustainable group. Another key point was students. For them they organized summer schools (Lund, 2018), workshops on mediation, human rights courses, gender study, *etc.*

V. Networking in Belarusian Clinical Legal Education

In 2011, Belarusian clinical supervisors attended the conference of Global Alliance of persons committed to achieving Justice through Education (GAJE), had presentations there and became active participants of the Conference. This participation gave a great impulse for the participants. It is an absolute truth that during the promotion and the exchange of information and experience among persons involved in Justice Education around the World, the GAJE members working to advance other forms of socially relevant legal education involving practicing lawyers, judges, non-governmental organizations, and the lay public.⁶ The GAJE materials contain reviews on different aspects of CLE, diverse experience and reflection of CLE components

⁶ Welcome to GAJE. Available at: <https://www.gaje.org> [Accessed 26.11.2021].

from different angles and in different publications (e.g., the book “The Global Clinical Movement: Educating Lawyers for Social Justice” (Bloch, 2011)). Due to international support Belarusians were able to visit the latest conferences that were held at Valencia, Spain (July 2011); New Delhi, India (December 2013); in Eskişehir, Turkey (July 2015); in Puebla, Mexico (December 2017); and in Bandung, Indonesia (December 2019).⁷

Belarus is not a participant of European Union. However, geographically we are Eastern Europeans and representatives of the Belarusian clinical community were engaged in the process of creation of European Network of persons committed to achieving justice through education (ENCLE)⁸ at the end of 2012.

It is clear that CLE was created and has been developed by many enthusiastic people from all over the world. Eastern European legal clinics have always been close to the top of progressing teaching despite ambiguous and special political and social conditions. That was done just because of international cooperation and comprehensive support on behalf of the CLE community.

Participation in international CLE events needs financial support. From 2002 till 2006, American Bar Association in Belarus had provided strong institutional support for the clinics. Since 2007, the Eurasia Foundation (Belarusian office of the New Eurasia Institution) has been supporting and coordinating legal clinical education in Belarus. With the support of the Eurasia Foundation at the expense of funds provided by the United States Agency for International Development (USAID) and the Ministry of Foreign Affairs of the Kingdom of the Netherlands, several projects were implemented during this period: 1. “Development of the idea of legal clinical education in Belarus” (2003); 2. “Coordination and development of regional legal clinics in Belarus” (2007); 3. “Creation of a new direction ‘Social Security Law’ and ‘Environmental Law’ in the Legal Clinic of BSU and improving the program of the legal clinic in the Republic of Belarus” (2010–2011).

⁷ Conferences for GAJE members. Available at: <https://www.gaje.org/conferences> [Accessed 26.11.2021].

⁸ European Network for Clinical Legal Education. Available at: <http://encle.org> [Accessed 24.11.2021].

All these projects were aimed at the qualitative development of legal clinical education in Belarus, dissemination and implementation of the ideas of practice-oriented education in the system of higher legal education in the Republic of Belarus. The website of BSU LC a page “Belarusian Legal Clinics” was created where it was possible for a long time to collect information about the Belarusian national clinical community. One was able to find publications about the entire period of existence of legal clinics in the Republic of Belarus, their leaders had the opportunity to study the international experience of clinical training of lawyers, visit legal clinics in such countries as USA (New York, DC, Seattle, Ithaca); Russia (Moscow, St. Petersburg); Poland (Warsaw, Lublin, Krakow, Lodz, Bialystok); Sweden (Lund); Ukraine (Kiev, Donetsk); Spain (Valencia). International cooperation has opened new horizons for Belarusian specialists in effective teaching of students’ practical skills.

Raoul Wallenberg Institute started cooperation with Belarusian universities in 2012. Legal clinics constituted a part of the projects from 2013 till 2020. As a result, Belarusian clinical community got another important partner from Sweden. Thus, seeing advantages and disadvantages of our work and prospects of proficiency, understanding community relationships, teaching clinicians to be competitive in the global academic community (research in Russian and in English, interdisciplinary research approach, *etc.*), being collaborative (team research skills, team organizing events (summer school for clinical students)), thinking broadly and in more long term were carried out to support sustainable responsibility. Financial support had extremely important goals to provide attendance of important international clinical events (conferences, workshops, summer schools, *etc.*), to participate in events’ activities, to feel more self-assured and independent.

VI. Trends Describing Next Developments for Legal Education in Belarus

Until 2016, aspects of human rights and gender equality were not in the focus of attention of Belarusian legal clinics. Cases dealt with by legal clinics were not looked at through human rights approach. Within

sessions on legal awareness only a few of the sessions dealt with human rights issues.

At the same time, training and work of students in legal clinics was initially based on the fundamental principles of human rights (respect for human dignity, equality, non-discrimination), but at the same time it was not directly correlated and analyzed in connection with human rights. Moreover, the study of human rights is not a compulsory course at the majority of law faculties of Belarusian universities.

Integration of human rights and gender equality aspects into the clinical legal education system has taken place over the past five years with the institutional support of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law.

Among the key developments, we can highlight the following:

1. Blended Learning Course for Legal Clinics 2016.⁹ The course is aimed at teaching theoretical concepts of human rights, a human rights-based approach and gender equality to legal clinic participants (mentors and teachers). The mixed course format combines online and face-to-face training, meetings with experts, discussions.

2. Joint development of the Model Curriculum “Legal Clinic (Professional skills of a lawyer)” (2017). This has allowed all faculties to use a unified curriculum to integrate clinical education into the legal education curriculum. A typical program for law faculties is adapted for the educational process, it meets the requirements for the design of the corresponding programs, includes two clinical areas (legal consulting and legal education). The purpose of teaching this academic discipline is to form professional legal competencies of a student that meet the requirements of the labor market and the role of a lawyer in the society, taking into account the principles of human rights and gender equality. This program is innovative, based on understanding, integration and development of understanding of human rights, the importance of gender equality.

3. Manual for curators of legal clinics (2019–2020).

This is a unique textbook that contains the pedagogical experience of the teachers of legal clinics in Belarus. The methodology for this

⁹ Blended learning course on “Human rights and educational activities of legal clinics.” Available at: <http://blendedlearning.rwi.lu.se/flow/module-i---international-human-rights-standards.aspx?FlowCategoryID=896> [Accessed 24.11.2021].

toolkit is based on a human rights-based approach that aims to educate for human rights and is now recognized as one of the most promising and effective ways to train lawyers. The introduction of human rights in the direction of legal education is one of the ways to present the content of such a special discipline from a different angle, to find special aspects that directly affect a person.

The material presented in the manual is designed to focus students' attention on understanding human rights, develop their skills of critical and independent thinking, the skills of analyzing and interpreting legal norms taking into account human rights.

Teaching methods presented in the manual are adapted to specific pedagogical attitudes. The structure of the lessons is based on the elements of human rights education (education "for," "about," and "through" human rights), they represent a clear expected outcome. The implementation involves the joint activities of teachers and students on a contractual basis with due regard to the principles of differentiation and individualization, as well as the optimal use of human and technical potential. The use of interactive teaching methods allowing all students to engage in work equally and avoid discrimination, to develop critical thinking that will help them learn to be more accountable and cooperative. Released in early 2021, this guide is authored by representatives of the legal clinics from multiple regions of Belarus.

Additionally, a legal clinic at the Belarusian State University founded "Internet Center for Legal Issues of Gender Equality."¹⁰ The Center was created under the project "Legal guarantees and implementation of the principles of gender equality in the Republic of Belarus," with the support of the United Nations Educational, Scientific and Cultural Organization UNESCO (2016–2017). However, there are no publicly available details of the implementation of this project and information about its work after the completion of the project.

¹⁰ Internet Center for Legal Issues of Gender Equality. Available at: https://law.bsu.by/index.php?option=com_content&view=article&id=10684&catid=23 [Accessed 04.11.2021] (In Russ.).

VII. Digitalization of Clinical Legal Education in Belarus

The problems of applying innovative technologies and methods in modern education are extremely relevant — modern universities are becoming digital educational platforms to create and develop new practice for integrating classical types of educational interaction and self-educational activity of students. Confirmation of this fact is the increasing number of conferences, seminars, and round tables devoted to this topic in the field of clinical legal education.

On December 16, 2020, an online conference “Digital transformation of Belarusian legal clinics: Innovation. Inspiration. Interaction” organized by the Raoul Wallenberg Institute for Human Rights and Humanitarian Law was held. The conference was attended by 50 participants from Belarus and abroad and featured polls and assessments conducted by participants. A few conclusions can be drawn based on the Conference:

Digitalization affects many aspects of the activities of legal clinics: from organizing training to receiving citizens, conferences and technical support (opportunities).

The clinics expressed their readiness for digitalization. However, the starting conditions (technical and human) for this are different for clinics. Regional clinics are in a more vulnerable position compared to those in the capital.

More than 60 percent of respondents expressed their interest and readiness to learn how to use digital tools for organizing training and work of clinics, more than 70 percent consider the online format of clinics to be acceptable and effective, and more than 66 % believe that digitalization is expanding the boundaries of legal clinics.

At the same time, answering the question of how the COVID-19 and distance learning affected the format of the clinics’ work, some refrained from answering, others replied that it did not affect (but the number of clients decreased significantly), if the clinics that were able to offer clients an online service, and to student clinicians online or blended.

Obviously, the direction of “Legal Consulting” is more adaptive for the online format. At the same time, the section “Legal Education” of Polotsk State University demonstrates innovative formats of work

and education: remote organization of students' work on collection of information and legal materials, online lessons for schoolchildren, the creation of educational courses in prison (2020).

The legal clinic at Belarusian State University constitutes a good example of innovations. In 2019, a section of legal education "Technological Entrepreneurship" was organized where 3rd-year students studying Commercial Law developed a series of interactive presentations of the course "Technological Entrepreneurship" (on the possibilities and prospects of doing business in the field of information technology) for students of the Faculty of Radio-physics. For example, during the first meeting, students discussed the possibilities of starting their own business, the peculiarities of the High-Tech Park environment and the possibilities of using a freelance exchange.¹¹ Since September 2020, the legal clinic has broadened its activities beyond legal advice and responses to letters. They conducted thematic workshops and practical seminars with the participation of practicing lawyers; trainings on the development of soft skills; interactive lectures and seminars of law faculty teachers on issues not included in the main curriculum of the course. Subsequently, the legal clinic was transformed into a Center for Practical Training of Lawyers.

The innovative training for Belarusian legal clinics, in our opinion, presupposes a timely implementation and development of the pedagogical model of blended learning and the training of curators in new digital competencies.

First, a curator of a legal clinic is to act as *a student management specialist*. There is an active introduction of technical interactive teaching methods, elements of blended learning (e-learning). Now a curator organizes various forms of their educational work, the change of activities, the distribution of groups and subgroups depending on

¹¹ Technological entrepreneurship "is a new direction of legal education conducted by the Legal Clinic of BSU in cooperation with the EU" APPLE Program (FMO BSU) (October 19, 2018). Available at: <https://law.bsu.by/novosti/novosti-yuridicheskoy-kliniki/11270-tekhnologicheskoe-predprinimatelstvo-novoe-napravlenie-pravovogo-prosveshcheniya-provodimogo-yuridicheskoy-klinikoj-bgu-v-ramkakh-sotrudnichestva-s-eu-apple-program-fmo-bgu-19-oktyabrya-2018-g.html> [Accessed 04.11.2021] (In Russ.).

various parameters, the recording of students' achievements and their monitoring. The need for managerial competencies is obvious.

Secondly, it is the role of a *pedagogical designer* who collects or designs his own curriculum, distributes and links the types of students' work with a particular piece of educational material (for example, using the LMS MOODLE). Now the curator searches for and adapts the necessary information and communication technologies for classes, the course dealing with their gamification (for example, using the KAHOOT resource).

Thirdly, this is a *specialist in the analysis and development of educational activities* of students, an expert in analyzing the field of individual and group training, capable of using software products (including those based on the possibilities of attracting Big Data and Data Mining methods) to analyze and predict the features of training and development of a specific teaching, identifying difficulties in his educational activities on the basis of an evidence-based approach. The success and adaptability of the graduate of the Law Code to modern professional realities will depend on how much the curator is trained in digital skills.

The Center for the Development of Legal Clinics of Russia has recently announced the launch of an online course platform for students of legal clinics. The authors of the courses are the curators of the clinics who are specially trained to do this. It is also an important factor in the development of educational content and forms of education in legal clinics, as well as increasing the competitiveness of teachers at legal clinics in the academic environment.

To summarize, there is an innovative and technological component of legal clinics, there is also the potential for the development of blended and online learning, the provision of information and legal services in a distance format. All this requires motivation and material support from law faculties and partners.

Digitalization affects the work of legal clinics in many ways: organizing training, receiving citizens, or facilitating opportunities for their development through conferences and technical assistance. The legal clinics in Belarus are keen on expanding their work with digital opportunities. However, preconditions (technical and human) for doing

so differ from clinic to clinic. Regional clinics are in a more vulnerable position compared to those in Minsk. Application of innovative technologies and methods in modern education is becoming extremely relevant with modern universities turning into digital educational platforms to create and develop new practices for innovating traditional ways of educational interaction and self-educational activities. While many clinics mentioned that the number of clients decreased significantly, some were able to offer clients an online service, and online or blended options to students. Although the area of free legal advice is more adaptive for the online format, there are also some promising examples in the area of public legal education, i.e., street law.

A conservative nature of the education system as a whole in Belarus is the USSR heritage that has not transformed in the last 25 years. Until the education system is transformed, it approaches the Bologna process, until market mechanisms in higher education begin to work, it is difficult to talk about the development and strengthening of practical and clinical components in the legal education system of Belarus.

VIII. Conclusion

Summarizing all points, the Belarusian clinical movement challenges additional options:

- special legislation of legal representation and advocacy (no court representation, just consulting);

- a weak professional support (small and undeveloped local legal market) needs to be adopted;

- a legal Pro Bono movement is just setting up in Belarus;

- a lack of cooperation among stakeholders (government, law schools, NGO, civil and professional society, representative target groups).

Considering the perspective of legal clinics in Belarus, further innovation presupposes the use of blended learning and teaching of clinical supervisors new digital competencies. This reflects increased demands for supervisors. We see the development agenda of Belarusian CLE in capacity building, networking, international cooperation and technological capacity.

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Information about the Author

Yuliya A. Khvatsik, Cand. Sci. (Law), Associate Professor, Department of Business Law, Law School, Belarusian State University, Minsk, Belarus
8 Leningradskaya ulitsa, Minsk 220030, Belarus
yuliya.khvatsik@gmail.com
ORCID: 0000-0001-5073-5628