

PPA Annual Review

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Reporting Year	April 2011 – March 2012
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Basic Information

Organisation	Penal Reform International (PRI)						
	2010/11	2011/12	2012/13	2013/14			
Annual Income of Organisation	N/A	3,303,625	3,583,333	3,711,000			
	2010/11 (if applicable)	2011/12	2012/13	2013/14 (indicative)			
PPA funding (£)	N/A	1,081,377	1,081,377	1,081,377			
As % of total organisational income	N/A	33%	30%	29%			
	2010/11	2011/12	2012/13	2013/14			
Other DFID funding (£)	N/A	N/A	N/A	N/A			
Summary of relationship with DFID and other DFID funding							
None.							
Approximate % of total organisational expenditure allocated by sector or theme							
Advocating for prison and penal reform – 15%							
Reducing use of imprisonment – 17%							
Prevention of cruel, inhumane and degrading treatment – 15%							
Abolition of death penalty – 26%							
Incarceration of children as last resort – 20%							
A proportionate and sensitive response to women offending – 4%							
Other – 3%							

Note: Please see Annex I for a full list of acronyms used in this report.

Part A – Output Review and Scoring

Output 1

Key criminal justice stakeholders exposed to best practice in addressing prison overcrowding and alternatives to prison

Assessment of performance of output and progress against expected results

Indicator 1. No. of key stakeholders involved in discussions of evidence-based models of best practice.

Milestone 1. 4 policy papers published; training manual on alternatives developed and tested.

Policy papers: As planned, PRI published 4 policy papers on alternatives; these papers have underpinned PRI's policy, advocacy and programming interventions at national and international levels throughout the programme year. In addition, the findings of the third and fourth papers formed the basis of new PPA-funded programme interventions in Pakistan, Kenya, Uganda and Tanzania (interventions for the latter two countries will be implemented in Year 2). The papers are as follows:

1) *The ten-point plan to address prison overcrowding*¹: this policy guidance document was promoted and disseminated through: PRI's website; PRI's monthly newsletter (circulation to more than 2300 individuals worldwide); PRI's international networks and the networks of its Board members (drawn from a dozen countries); PRI's 4 regional offices covering 15 countries; and the various national, regional and international events detailed in this report.

2) *Paralegals in Rwanda: a case study*²: this paper draws on PRI's programming experience to illustrate how paralegals can be used to address prison overcrowding. By routinely documenting and disseminating the lessons learned through programming, PRI aims to strengthen the sustainability and impact of its interventions. The model of intervention using paralegals to address the issue of overcrowding has been developed by PRI over nearly a decade and continues to be adapted for use in a range of countries particularly in sub-Saharan Africa including Kenya, Malawi, Sierra Leone, Tanzania, Uganda etc. Documenting and disseminating the results of PRI's work in Rwanda is a further contribution to the development of this particular model of good practice for penal reform.

3) *Alternatives to prison in East Africa: trends and challenges*³: this paper identifies challenges to the effective implementation of alternatives in Kenya, Tanzania and Uganda and makes a number of recommendations which PRI is promoting through several new programme interventions (please see Outcome 1 below).

4) *The probation and parole system in Pakistan: an assessment and recommendations for reform*⁴: This paper explores the reasons why probation is not being applied in Pakistan, despite being on the statute books, and provides the rationale for a new joint intervention with DOST Welfare Society, a Peshawar-based Pakistani NGO (please see Outcome 1 below).

Training manual: Capacity building is an essential element of the work of PRI; in this regard, PRI is developing and testing training material to promote alternatives and improve prison conditions including overcrowding. To date, the following have been completed and are being tested: 1) A human rights training manual for prison officers in Sudan (funded directly by the PPA); and 2) A multi-country initiative (starting with the Pacific region but also including sub-Saharan Africa) on human rights training for prison officers. PRI has also developed and tested training material for a manual on alternatives in the following countries: Uganda, Tanzania, Kenya, Pakistan, Georgia, Russia, Ukraine and Kazakhstan. In light of the testing and a review of existing training materials on alternatives, PRI has decided to focus on the various implementation challenges faced in different contexts. These challenges include: punitive public attitudes towards crime, magistrates' lack of confidence in the enforcement of non-custodial measures, and the inadequate resourcing of probation services.

Advocacy: PRI attended the 126th assembly meeting of the Inter-Parliamentary Union (IPU) in Uganda 30 Mar. – 6 Apr. 2012 to gather the required 'insider knowledge' about the functioning of the body and the opportunities it provides for advocacy, and to make initial advocacy contacts. This type of

<p>'information gathering' mission is vital to the realisation of the advocacy results documented in this report. In addition, at this event PRI: 1) launched the briefing 'What parliamentarians can do to work on penal reform'⁵; 2) delivered a statement in plenary on penal reform and the overuse of imprisonment; and 3) organised a side event with the Foundation for Human Rights Initiative (FHRI), one of PRI's Ugandan partner NGOs. The event attracted a wide range of participants including parliamentarians, penitentiary employees, and civil society activists. The lively discussion received national media coverage, thereby contributing to FHRI's profile and PRI's reform agenda.</p>	
<p>Recommendations</p>	
<p>In Year 2, PRI will publish a further 4 policy papers and finalise the manuals following further consultation. No adjustment of the target is required. (2014 target: 600 stakeholders reached; 12 events).</p>	
<p>Impact Weighting %</p>	
<p>30%. No revision required.</p>	
<p>Risk: Low/Medium/High</p>	
<p>Medium. No revision required.</p>	
<p>List any documentary supporting information</p>	
<p>Report of the training seminar for magistrates in Kenya (internal document). Report of the 3-day prisons and human rights training in Pakistan (April 2011).⁶ The other supporting documents are referred to above.</p>	
<p>Actual achievement of expected results. Rate A++ to C</p>	<p>A</p>

<p>Output 2</p>	
<p>Support for advocacy for the prevention of torture and the abolition of the death penalty</p>	
<p>Assessment of performance of output and progress against expected results</p>	
<p>Indicator 2.1. Status of campaign to promote OPCAT.</p>	
<p>Milestone 1. Campaign to promote OPCAT and establish NPM launched in 3 regions/9 countries.</p>	
<p>As planned, the campaign was launched in the following 3 regions/9 countries: South Caucasus (Georgia, Armenia, Azerbaijan); Central Asia (Kazakhstan, Tajikistan, Kyrgyzstan); and other Former Soviet Union countries (Russia, Belarus, Ukraine).</p>	
<p><u>Research papers:</u> To underpin the campaign and advocacy work, PRI drafted research papers on all 9 countries. These examine the definition of torture in the target countries' criminal codes, and look at the existence and effectiveness of monitoring bodies, with a particular emphasis on national preventative mechanisms (NPM). The reports, published in English and Russian, will also form the basis of a synthesis report to be produced in Year 2 of the project (please see Outcome 2 below).</p>	
<p><u>Advocacy and campaign activities:</u> Regional and national advocacy activities including roundtables, conferences and workshops have been conducted in all 9 countries (18 national and 3 regional events in total).⁷ Given the different contexts, specific campaign goals are set at a national level. For example, in Georgia the campaign aims to strengthen the capacity of the existing NPM, as members lack basic monitoring skills, whereas in Russia the campaign focuses on the ratification of the Optional Protocol to the Convention Against Torture (OPCAT). To support the national-level work, PRI has facilitated the development of a regional civil society network which currently has over 200 member organisations. Network members share information and exchange tactics through PRI's English and Russian-language <i>Together Against Torture</i> website (http://tortureprevention.penalreform.org/) which has been actively</p>	

promoted in various ways. For example, PRI printed promotional bookmarks and produced a short video about the website in Russian and English.

The goals of PRI's work on the prevention of torture are also supported through international advocacy and networking. As a result of recognition of PRI's expertise in this sector, PRI is able to operate at a very high level, working with UN Special Rapporteurs, for instance. Examples of specific interventions undertaken in this programme year – many of which highlighted the interconnections between torture and ill-treatment, and concerns relating to the death penalty – include:

Apr. 2011

- At the 20th Session of the UN Commission on Crime Prevention and Criminal Justice (known as the 'Crime Commission'), PRI organised a session on OPCAT with the following high-level speakers: the Deputy Inspector of Prisons for England and Wales; a representative of the Kazakh Ministry of Justice; the Director of the Howard League for Penal Reform; and a representative of the Ludwig Boltzmann Institute of Human Rights.

Aug. 2011:

- PRI submitted observations to the UN Committee Against Torture on the interpretation of the right to redress (article 14 of UN Convention Against Torture) in response to draft comments on the committees' interpretation of that right.⁸

Sept. 2011:

- In its intervention at the Day of General Discussion of the UN Committee on the Rights of the Child, PRI raised the particular hardship faced by children of death row prisoners. PRI's intervention found reflection in paragraph 16 of the committee's report and recommendations.⁹
- PRI attended the Organisational for Security and Cooperation in Europe's (OSCE) Human Dimension Implementation Meeting to advocate on NPM-related issues in Working Session 5 on torture prevention. The session chair thanked PRI for bringing the issue of the exclusion of civil society from monitoring to the attention of the OSCE. In addition, PRI's written statement was included in the OSCE documentation of the event.¹⁰ At the same meeting, PRI organised a side event on the establishment of NPMs in Kazakhstan and Kyrgyzstan with the aim of influencing the draft laws which are pending in parliament in both countries. Despite parallel side events on NPMs taking place, PRI's event attracted around 50 participants.¹¹

Oct. 2011:

- PRI and 6 other leading international NGOs issued a joint NGO statement at the 50th Session of the African Commission on Human and Peoples' Rights (the African Commission) calling for Benin, Burundi and Togo to ratify the Second Optional Protocol to the International Convention on Civil and Political Rights and calling for the African Commission to adopt a resolution calling for abolition in Africa.¹²

Nov. 2011:

- PRI's Programme Development Director was invited to participate as an expert speaker at 2 seminars on the prevention of ill-treatment in places of detention convened by the Council of Europe (COE) and the European Union (EU) in Ukraine.¹³ Approximately 90 people, including senior personnel from Ukraine's prison service and monitoring committees, attended.
- PRI's Policy Director participated as a session rapporteur in the Global Forum on OPCAT which brought together for the first time all OPCAT states parties, NPMs and the Subcommittee on Prevention of Torture (SPT), to take stock of implementation progress. PRI was able to raise the close link between conditions amounting to torture and ill-treatment, and overcrowding, and advocate for overcrowding to be addressed as an underlying cause.¹⁴
- PRI and a group of Belarusian human rights NGOs produced a comprehensive parallel submission to the UN Committee Against Torture, and gave oral evidence at the Committee's 47th session dealing with Belarus' state report.¹⁵ Evidence focused on the need to: establish legal controls to prevent torture including by instituting legal definitions of torture; investigate the illegal use of force by police, prison and other security officials; independently monitor prisons and other places of

detention; strengthen the parliamentary working group on the death penalty to work towards a moratorium; and provide information about the place of burial to the families of those executed. PRI sought to strengthen the advocacy capacity of its partner NGOs during this process.

Dec. 2011:

- PRI submitted input to the UN Special Rapporteur on Torture ahead of his visit to Kyrgyzstan, highlighting: the alarming situation of prisoners on death row and life sentenced prisoners; the situation of female prisoners (PRI flagged the Bangkok Rules to the Kyrgyz government and other interlocutors); and the implementation of OPCAT. The life imprisonment issue was reflected in the Special Rapporteur's subsequent report (paragraphs 69 and 70).¹⁶

Jan. 2012:

- In the framework of the UN Convention Against Torture (UNCAT) Contact Group, PRI contributed to a letter of the Contact Group to the UN SPT, commenting on the SPT's 4th Annual Report.

Feb. 2012:

- PRI attended the session of the UN SPT and was invited to contribute to the sub-committee's work on mental health issues. PRI also contributed by submitting a short written input ahead of the meeting. The gathering in Geneva was also used to set up a meeting of the UNCAT Contact Group, of which PRI is a member.

Mar. 2012:

- At the request of the Special Rapporteur on Torture, Mr. Juan Mendez, PRI co-organised a side event on solitary confinement at the 19th Session of the UN Human Rights Council in partnership with the American Civil Liberties Union (ACLU).¹⁷ Mr. Mendez spoke on the panel, recalling the findings of his 2011 report to the UN General Assembly, and reiterating his call for a ban on prolonged and indefinite confinement. PRI also spoke at the event, highlighting the practice as it is often applied to prisoners on death row and life-sentenced prisoners. The event was well attended with about 50 participants and received good feedback.¹⁸ Mr. Mendez subsequently thanked PRI and the ACLU 'for a great side event.'¹⁹ The UN Human Rights Council session was mentioned in a front page New York Times article on solitary confinement, illustrating that the issue has moved back onto the political agenda.²⁰

Indicator 2.2. No. of publications on the death penalty and alternatives.

Milestone 1. Information pack on death penalty and alternatives published and disseminated.

As planned, PRI published an information pack on the death penalty and alternatives to the death penalty in April 2011 in 4 languages (Arabic, English, French and Russian).²¹ PRI also produced 4 training manuals aimed at building the capacity of prison employees, lawyers, judges, the media and civil society; 3 regional research papers; 1 conference report; and 1 briefing as follows:

- 1) Protecting the rights of those facing the death penalty and life and long-term imprisonment.²²
- 2) Advocacy tools in the fight against the death penalty and alternative sanctions that respect international human rights standards.²³
- 3) Reporting on the death penalty.²⁴ In partnership with Inter Press Services (IPS) (<http://ipsnews.net/deathpenaltyabolition/>), this manual was used to train journalists in Tunisia (October 2011), Lebanon (October 2011)²⁵, Belarus (January 2012),²⁶ and Jordan (February 2012).²⁷ The project evaluation found that: 'The trainings for members of the media, as well as inspiring individual changes in opinions of participants, were reported to have been of significant professional use for participants, and prompted an increased number of articles of a higher quality and beyond the formal project activity. This has meant journalists are now increasingly using PRI and FHRI as an expert resource on these matters. The training of members of the media was consistently described by direct participants and project stakeholders as highly effective.'²⁸
- 4) The death penalty in the Middle East and North Africa: tools, techniques, tactics and strategies for abolition.²⁹
- 5) The abolition of the death penalty and its alternative sanction in Central Asia: Kazakhstan, Kyrgyzstan and Tajikistan.³⁰

- 6) The abolition of the death penalty and its alternative sanction in East Africa: Kenya and Uganda.³¹
- 7) The abolition of the death penalty and its alternative sanction in the South Caucasus: Armenia, Georgia and Azerbaijan.³²
- 8) Report of PRI's international conference on the death penalty.³³ The findings of the conference, which were documented in this report, proved indispensable for PRI's work on life sentences without the possibility of parole in Year 2 and beyond. The expert conference participants, representing 31 countries, confirmed PRI's concern that death penalty abolition across the world has resulted in a marked increase in prisoner numbers and overcrowding due to a) the widespread replacement of the death penalty with the sentence of life without parole b) the widening of offences for which life without parole can be imposed in the context of abolition. PRI's briefing on this issue 'Life after death: what replaces the death penalty?'³⁴ which is based on the conference report, was launched at the UN Crime Commission in April 2012 (Year 2 of the project).

The abovementioned publications were promoted and disseminated at 4 film festivals organised by PRI in Kazakhstan, Georgia, Belarus and Jordan³⁵ (the Jordan festival was opened by the British Ambassador), and at least 20 national and international workshops, seminars or conferences organised by PRI in 17 countries including the abovementioned international death penalty conference. By working in a culturally sensitive manner through regional offices led by national human rights advocates, PRI has been able to promote death penalty abolition in contexts where this issue is controversial, for example, in Belarus (please see Outcome 2 below) and MENA. For information about the impact of these interventions, please see Outcome 2 below.

Indicator 2.3. No. of capacity building events for CSOs working to prevent torture.

Milestone 1. Network established; briefing paper on torture prevention mechanisms published; workshops in 3 countries.

CSO Network: The civil society organisation (CSO) network was established as planned and now has over 200 members.

Briefing paper: PRI decided to produce 9 briefing papers in this programme year, one for each country represented in the network, instead of 1 multi-regional paper. A synthesis report of the 9 papers will be published in Year 2.

Workshops in 3 countries: The following 10 networking and capacity-building workshops were convened for network members from 9 countries in this programme year:

Regional training of trainers workshops on rehabilitation for victims of torture (delivered by PRI's partner on the project, the NGO 'Freedom from Torture').

- 1) Russia: 24-28 Oct. 2011 – Delivered for experts from Ukraine, Belarus and Russia.³⁶
- 2) Kazakhstan: 31 Oct. - 2 Nov. 2011 – Delivered for experts from Kazakhstan, Azerbaijan and Tajikistan.³⁷
- 3) Georgia: 23-30 Nov. 2011 – Delivered for experts from Armenia, Azerbaijan and Georgia.³⁸

Regional forums

- 4) Kazakhstan: 14 Sept. 2011 – Improvements of the mechanisms for investigation of torture.
- 5) Ukraine: 8 Nov. 2011 – Mechanisms of public control in preventing torture.
- 6) Georgia: 22-23 Mar. 2012 – Regional torture prevention forum.

Training summer school

- 7) Russia: 20-24 Jun. 2011 – This programme included modules on human rights, mechanisms for protecting human rights, independent monitoring, the prevention of torture and human rights law.

Exposure visits and training course at Freedom from Torture in London

This initiative aimed to enable the participants to set up holistic rehabilitation programmes for torture survivors.

8) 11-15 Jul. 2011 – participants from Central Asia.

9) 6-10 Jun. 2011 – participants from South Caucasus

10) 12-16 Sept. 2011 – participants from the other former Soviet Union countries.

PRI also facilitated 15 roundtables for network members, a number of which brought national CSOs together with government agencies (please see Annex V for a full list).

The Standard Minimum Rules Review

In addition, PRI sought to build the capacity of national NGOs to conduct high-level advocacy through the UN Standard Minimum Rules for the Treatment of Prisoners (SMR) Review process, which is also closely linked to the prevention of torture and ill-treatment. (This work area relates to Impact Indicator 1: Milestone 1 ‘Progress made towards the finalisation of guidance relating to...revision of the SMR.’). PRI was at the forefront of building a network of NGOs interested in this process. As well as regularly distributing information by email, PRI convened two vital coordination meetings, one before and one after the January 2012 Inter-governmental Expert Meeting in Vienna. More specifically, PRI persuaded NGOs in Brazil and Argentina to advocate around this issue at the national level; this was very important to the whole process as Brazil and Argentina are key state actors in the SMR Review and took the lead at the Inter-governmental Expert Meeting in Vienna in January 2012.

PPA resources enabled the participation of a participant from an NGO in Brazil at the January 2012 Vienna meeting, who successfully continued advocacy within this region, contributed to the organisation’s capacity with regard to UN process, and aligned them even closer to the advocacy objective at stake. The participant wrote after the meeting to say: ‘I learned a lot with all of you and I would like to express my sincere gratitude...The recognition of our work is the final resolution, we did an incredible job...thank you for conducting this process so professionally.’³⁹

For further information about the SMR Review process and PRI’s role please see Outcome Indicator 1 below and the following joint NGO statement: <http://www.penalreform.org/news/pri-issues-joint-statement-other-ngos-review-un-standard-minimum-rules-treatment-prisoners>

Recommendations

Torture and ill-treatment: In Year 2, PRI will continue to coordinate the campaign to promote OPCAT in the abovementioned 9 countries and target a further 6 countries in 2 regions (2014 target: 15 countries reached). A minimum of 9 roundtables and training events will be hosted in 3 regions/6 different countries (2014 target: the network of CSOs will be established and 12 events implemented). Research conducted in the 9 countries will be summarised and trends will be distilled within a synthesis report which will be published at a cross-regional conference in Tbilisi in June 2012, with the aim of disseminating lessons learned regarding the establishment and methodology of NPMs across the region. Furthermore, work on an evaluative instrument for NPMs will be launched at this conference; this work area will be developed in partnership with the Geneva-based Association to Prevent Torture (APT) over the next 18 months.

The death penalty: PRI will conduct advocacy in at least 15 countries (2014 target: 2 reports and 10 country/regional factsheets will be published) and continue its advocacy at an international level including through the World Coalition against the Death Penalty, of which PRI is a steering committee member. The UN Crime Commission will be used as an opportunity to raise the profile of alternatives to the death penalty. Networking and capacity building of NGOs will continue, both in the regional offices and through PRI’s London headquarters, in particular in the context of the work on the SMR Review.

Impact Weighting%	
30%. No revision required.	
Risk: Low/Medium/High	
High. No revision required.	
List any documentary supporting information	
1) PRI conference report: Progressing toward abolition of the death penalty and alternative sanctions that respect international human rights standards. ⁴⁰ 2) Coverage of PRI in the <i>Economist</i> in the context of PRI's death penalty conference. ⁴¹ 3) Foreign & Commonwealth Office's human rights podcast on the death penalty in which PRI participated. ⁴² 4) London Declaration on the Abolition of the Death Penalty. ⁴³ 5) Death penalty films 6) Video presenting the website "Together against Torture" ⁴⁴ The other supporting documents are referred to above.	
Actual achievement of expected results. Rate A++ to C	A++

Output 3
Restorative justice based measures for children in contact and in conflict with the law promoted
Assessment of performance of output and progress against expected results
<p>Indicator 3.1. No. of key stakeholders reached with evidence-based models of diversion good practice.</p> <p>Milestone 1. 3 factsheets published; 3 consultative roundtables hosted.</p> <p>To support its national and international policy and advocacy work, PRI published the following 3 factsheets in this reporting period:</p> <ol style="list-style-type: none"> 1) <i>The ten-point plan for fair and effective criminal justice for children (Ten-point plan)</i>;⁴⁵ 2) <i>A briefing on the African Committee of Experts on the Rights and Welfare of the Child and fair and effective criminal justice for children</i>;⁴⁶ and 3) <i>Independent monitoring mechanisms for children in detention</i>.⁴⁷ <p>Promoting good practice in the administration of justice for children is a central element in PRI's overall strategy for penal and criminal justice system reform. PRI takes a holistic systems approach to justice for children reform and promotes this through dissemination and discussion of the Ten-point plan (please see below). The plan has been published and widely promoted through PRI's networks as well as through the International Inter-agency Panel on Juvenile Justice (IPJJ). It has been used for advocacy and lobbying purposes at international levels in discussions relating to the adoption of a model juvenile justice law initiated by UNODC (from March 2011 and ongoing currently), for addressing concerns relating to violence against children in juvenile justice systems initiated by the UN Secretary General's Special Representative (January 2012), and as inputs for the report being prepared by the UN OHCHR for the UN Human Rights Council Resolution 18/12 (May 2012). At a regional level the Ten-point plan has been used for lobbying of the African Committee of Experts on the Rights and Welfare of the Child (March 2012). In its lobbying PRI has promoted a twin track approach to improving the administration of justice for children and reducing violence against children through a) promoting diversion and restorative justice based measures and b) advocating for independent monitoring of conditions of detention to reduce and eliminate violence against children in detention facilities. In addition PRI has also focused on the issue of children of incarcerated parents with a view to promoting diversion</p>

measures consistent with the best interests of the children

PRI also drafted a submission ahead of the Day of General Discussion of the Committee on the Rights of the Child on children of incarcerated parents in Sept. 2011 highlighting the need to prioritise alternatives to detention due to the need to consider the best interest of the child.⁴⁸

Grounded in both international law and programming experience in 21 countries, PRI promoted the principles laid out in these documents at numerous national and international events – including the events detailed below – with positive feedback received. For example, an expert group convened to review EU guidelines on child protection has agreed to explore the possibility of incorporating the *Ten-point plan for fair and effective criminal justice for children* into its guidance for EU delegations working on child friendly justice programmes. In addition, as a result of this area of work, PRI has been invited to participate in the drafting committee and will therefore be able to further influence the guidance note.

As planned, PRI hosted 3 roundtables. These reached 202 stakeholders (including 129 women).

Table 1.

Event	Summary
1. At the crossroads of psychology and law: justice for children 4-6 Nov. 2011 (Yerevan, Armenia)	The second day of this international conference – organised by PRI in partnership with the American University of Armenia, the US State Department and UNICEF (the United Nations Children’s Fund), and opened by the Armenian Deputy Minister of Justice – brought scholars, practitioners and students together to discuss: international standards on justice for children, juvenile justice practice in the region, and the rehabilitation of child offenders. Attendees: 177 (56 male and 121 female). ⁴⁹
2. Bilateral consultation: Armenian Parliamentary Committee for Health, Maternity and Childhood 4 Apr. 2011 (Yerevan, Armenia)	At this event, PRI advocated for adherence to regional and international standards on justice for children, and provided technical advice to parliamentarians. Consequently, two parliamentary standing committee chairs committed to extend their support for legislative amendments which will reduce maximum pre-trial and police custody periods for children in line with international law. The new law is expected to be enacted later in 2012. Attendees: 6 (4 male and 2 female).
3. Assessing progress: juvenile justice reform in MENA 5-6 Dec. 2011 (Dead Sea, Jordan)	In partnership with the Jordan Ministry of Social Development, PRI invited senior justice sector practitioners from Algeria, Morocco, Egypt, Yemen and Jordan to take stock of juvenile justice reform in the MENA region. The main recommendations of the participants were to: establish specialised juvenile police departments; appoint full-time juvenile judges; detain children only as a last resort; and set-up effective monitoring systems. Attendees: 20 (14 male 6 female)

PRI also attended and presented at the following high level meetings which addressed some of the same issues (reaching approximately 120 key stakeholders):

Table 2.

Event	Summary
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<p>1. Interagency Panel on Juvenile Justice side event at the 20th Session of the UN Crime Commission</p> <p>11-15 Apr. 2011 (Vienna, Austria)</p>	<p>At this event, PRI gave a presentation on the special needs of and the particularly damaging impact of detention on children, especially given the fact that many detained children are held in overcrowded and unhealthy conditions which present risks to their mental and physical health and well-being.</p>
<p>2. Day of Discussion on Juvenile Justice at the UN Human Rights Council.</p> <p>5-9 March 2012 (Geneva, Switzerland)</p>	<p>PRI also presented at the Day of Discussion on Juvenile Justice at the UN Human Rights Council. At this meeting, many delegations spoke publicly about their reform plans with regard to juvenile justice which will enable civil society to follow-up and hold them to account for their commitments.⁵⁰ PRI also spoke at a side event on children of incarcerated parents.</p>
<p>3. Annual meeting of the Interagency Panel on Juvenile Justice</p> <p>19-29 Apr. 2011 (Vienna, Austria)</p>	<p>At this meeting, which was co-hosted by UNODC and the OMCT, PRI's Executive Director presented on PRI's work in the MENA region to develop specialised police departments to refer children in conflict with the law away from the formal criminal justice system and towards family and community reconciliation.</p>

Indicator 3.2. No. of training materials and events delivered.

Milestone 1. Programme of training established; publication of training manual; training delivered in at least 5 countries.

In light of advances in good practice and developments in international standards on justice for children, PRI has developed a justice for children manual and handbook (published by UNICEF Macedonia in April 2012). The manual and handbook are intended to update and replace the 2007 PRI (and UNICEF) juvenile justice training manual. Discussions are currently underway for a joint global edition to be published in the second half of 2012.

To date, training has been delivered in 7 PPA target countries as detailed below, reaching 257 key stakeholders with a positive gender balance obtained (43% of the trainees were women).

Table 3.

Country and event	Summary
1. Kazakhstan	
Monitoring children's institutions in Kazakhstan (18-22 Jul. 2011)	This workshop, convened in partnership with UNICEF, brought together civil society, ombudsman employees and independent experts to learn about effective monitoring techniques and tools for use in facilities where children are detained. Attendees: 20 (5 male and 15 female).
2. Jordan	
i) Regional training of trainers on justice for children (8-12 May 2011)	This training workshop targeted judges and social workers from Algeria, Morocco, Egypt, Jordan and Yemen, and provided a solid overview of key justice for children principles. Attendees: 20 (15 male and 5 female)
ii) Training workshop	PRI was requested by the Jordanian police service to organise a five-day workshop for the newly established juvenile police department. This

no. 1 for the juvenile police department (20-24 Nov. 2011)	multidisciplinary event brought together social workers and management-level police officers who must establish effective coordination mechanisms in order to apply restorative justice principles when dealing with children. Attendees: 34 (30 male and 4 female).
iii) Training workshop no. 2 for the juvenile police department (4-8 Dec. 2011)	This follow-up five-day workshop focused on interview and conflict management skills for mid management-level police officers working in the juvenile police department. As a result of the training, the police department committed to reviewing internal procedures and guidelines relevant to justice for children to bring them in line with good practice. Attendees: 25 (19 male and 6 female).
3. Algeria	
The role of the juvenile police (2-4 May 2011)	In partnership with the Algeria Ministry of Justice, PRI delivered a three-day workshop aimed at strengthening the investigative and reconciliation skills of the police when they deal with child offenders. The event was attended by judges, juvenile police officers and national gendarmerie. Attendees: 24 (14 male and 10 female).
4. Egypt	
The role of lawyers in child protection and alternatives to prison (26-28 Jun. 2011)	This three-day workshop was attended by lawyers who are members of one of Egypt's child protection networks. As well as providing an overview of relevant international standards, the trainees explored the reasons why children come into conflict with the law and the problems associated with the implementation of the Egypt Child Act. Attendees: 21 (14 male and 7 female).
5. Armenia	
i) Problems and gaps in juvenile justice (13-15 Aug. 2011)	Combining theory and practice, this three-day seminar targeted the police, rehabilitation centre staff, child protection units, special schools and municipalities. It aimed to enable the participants to provide better support for children with special needs. Attendees: 31 (male 10 and female 21)
ii) Alternatives to prison and other coercive measures (22-23 Dec. 2011)	This two-day training seminar brought together NGOs, the police, judges, penitentiary employees and representatives from the Ministry of Justice to discuss international practice, and national perspectives on restorative justice, diversion, mediation and probation. Attendees: 41 (male 17 and female 24)
6. Tanzania	
i) Developing advocacy strategies to promote justice for children in Tanzania (May 2011)	This three-day workshop, delivered in partnership with UNICEF, aimed to build the capacity of the Tanzania Commission for Human Rights and Good Governance (CHRAGG) to promote the recommendations of a report on the detention of children in Tanzania that was prepared (with inputs from PRI) earlier in the year. Launched in August 2011, the report was well-received and as a result of its recommendations, key stakeholders including the Department of Public Prosecutions (DPP) and bodies with a monitoring mandate, agreed to work together to try to create a system of multi-agency monitoring. This agreement led to the establishment of a second phase of the project.
	This workshop was convened in partnership with UNICEF and CHRAGG

<p>ii) Multiagency monitoring of juvenile detention facilities in Tanzania (12-14 Dec 2011)</p>	<p>with the aim of improving the delivery of justice for children in Tanzania by developing a multiagency approach to monitoring all places of juvenile detention. The training constituted part of a project to develop standardised tools to monitor places of detention of children in light of the recommendations of the abovementioned report and an accompanying IT system to collate and analyse the results of monitoring. The participants included CHRAGG; the DPP; the police; prisons and retention home representatives; the Ministry for Constitutional and Legal Affairs; the Ministry for Social Welfare; the Ministry for Community Development; and the Ministry for Gender and Children.⁵¹ Attendees 21 (10 male and 11 female).</p>
<p>7. Ukraine</p>	
<p>Monitoring torture and ill-treatment 18-20 Nov. 2011 (Kiev Ukraine)</p>	<p>PRI was invited to provide expert inputs for a regional (8-country) seminar organised by UNICEF Geneva to mark the start of UNICEF'S EU-sponsored project aiming to reduce torture and ill-treatment of children in juvenile justice systems. Attendees: 20 (12 male and 8 female). PRI's inputs focused on the topic of independent monitoring of places of detention highlighting existing tools and resources developed by PRI through its work in Tanzania and Kazakhstan. The tools have subsequently been adopted by UNICEF as part of the methodology for its project and plans to jointly host an international symposium in September 2012 in Bishkek agreed where findings from both UNICEF and PRI will be presented and next steps agreed.</p>

Indicator 3.3. Status of campaign to address issue of violence against children in police custody and pre-trial detention

Milestone 3. Partners identified in 10 countries; 2 reports prepared and disseminated; 3 seminars.

PRI is working in 8 countries with regional offices in Amman (Jordan), Astana (Kazakhstan), Moscow (Russia) and Tbilisi (Georgia), as well as with the following partner organisations based in 4 countries to address the issue of violence against children: 1) FHRI (Uganda); 2) NOLA (Tanzania); 3) DOST (Pakistan); 4) BLAST (Bangladesh).

To support the campaign and PRI's broader advocacy and policy work on justice for children, the following 3 reports were prepared and disseminated (1 more than planned) in this programme year:

- *Safeguarding Children in Detention: Independent Monitoring Mechanisms for Children in MENA*;⁵²
- *PRI Toolkit for Interviewing Children, their Guardians and Staff of Juvenile Detention Facilities*;⁵³ and
- *An Assessment of Juvenile Justice Systems in Algeria, Morocco, Jordan, Yemen and Egypt: the current situation and future opportunities*.⁵⁴

The following 3 seminars were facilitated reaching approximately 420 key stakeholders:

Table 4.

Event	Summary
<p>1. Juvenile justice in the Arab world: current reality and future prospects</p>	<p>In partnership with the Algerian Ministry of Justice, PRI gathered academics and practitioners from Jordan, Algeria, Egypt, Morocco, Yemen, Kuwait, Oman, Lebanon, Sudan and the occupied Palestinian territory to review juvenile justice reform in light of the Arab Spring. Representatives of the African Committee of Experts on the Rights and</p>

22-23 Jun. 2011 (Algiers, Algeria)	Welfare of the Child, the UN Office of the High Commissioner for Human Rights and the Convention on the Rights of the Child also attended. PRI launched abovementioned report ' <i>Assessment of Juvenile Justice Systems</i> ' at the conference. ⁵⁵ Attendees: 70 (38 male and 32 female).
2. Deprivation of children's liberty as a last resort 7-8 Nov. 2011 (Kampala, Uganda)	At this conference, PRI gave a paper and facilitate a session on independent monitoring mechanisms. The paper focused on the function of independent monitoring in protecting children from violence within the justice system. It also drew attention to the need for children's access to justice in Africa. ⁵⁶ Attendees: approximately 300.
3. Discussion day of the Rights of the Child, 19 th Session of the Human Rights Council. 8 Mar. 2012 (Geneva, Switzerland)	PRI attended this meeting and in partnership with the Open Society Justice Institute and the International Juvenile Justice Observatory, submitted an oral statement highlighting the harmful consequences of extensive periods of pre-trial detention on the social and mental development of children. ⁵⁷ Attendees: approximately 50.

Recommendations

In Year 2, PRI will:

- Convene a further 3 roundtables and publish a further 3 factsheets (2014 target: a minimum of 6 factsheets and 6 roundtables with 120 stakeholders convened);
- Conduct training in an additional 5 countries and develop training materials for ongoing transmission (2014 target: the justice for children training manual will be published and 10 training events with 100 stakeholders); and
- Conduct 2 further studies, identify partners in 15 additional countries and organise seminars in 3 countries (2014 target: 4 reports will be published, 25 partners engaged and 6 seminars convened).

Impact Weighting%

20%. No revision required.

Risk: Low/Medium/High

Low. No revision required.

List any documentary supporting information

Detailed above.

Actual achievement of expected results. Rate A++ to C

A+

Output 4

Tools and capacity relating to special characteristics and needs of girls and women in the criminal justice system developed.

Assessment of performance of output and progress against expected results

Indicator 4.1. No. of guidance notes/reports published

Milestone 1. Publication and dissemination of practical guidance on the Bangkok Rules; research methodology for assessment of compliance finalised and piloted in 3 regions.

Guidance document: PRI has developed a draft practical guidance document on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) aimed at explaining, for each Rule: the rationale behind it; the actions required to implement it; and the stakeholders that must be involved in the implementation. PRI was not able to finalise this document in Year 1 as planned as an external consultant was required to support the drafting process and the strongest candidate (the leading gender expert and penal reformer, Ms. Tomris Atabay) was unable to commence work until December 2012.

The working document will be disseminated as widely as possible in Year 2 and feedback will be gathered in order to obtain suggestions for improvements, ensure the final product reflects the needs of various stakeholders, and build consensus around the importance of implementing the Bangkok Rules.

Methodology for assessment of compliance: In an initial pilot undertaken in Year 1, PRI's Central Asia office engaged in assessing legislation relating to healthcare in prisons against international standards, with a particular focus on the Bangkok Rules. The Index of Compliance tool itself will be based on the finalised text of the guidance document; it will therefore only be completed at beginning of June 2012. Piloting of the methodology in other regional offices has been discussed and is in the process of preparation, but will only be conducted in Year 2 as it became clear in the planning phase that the regional offices require the finalised guidance document and Index of Compliance in order to plan and initiate the pilot assessments.

Initial engagement with key stakeholders around these two documents has been positive. For example, the United Nations Office on Drugs and Crime (UNODC) has expressed an interest in using the Index of Compliance for assessments in its regional offices and has also expressed an interest in formally signing up to the two documents; this would significantly increase their weight and influence within the penal reform community and will be confirmed within Year 2. In addition, PRI has been able to secure the support of the Thai Department of Justice Affairs' newly established Thai Institute for Justice. The Institute has agreed to provide expert input; distribute the documents to other relevant stakeholders for input; support the distribution of the two documents; and support their translation into an Asian language. The involvement of the Thai Institute is particularly significant because of the role of Thailand in the negotiation and drafting of the Rules and will also increase the impact and reach of these tools, especially in South East Asia. In Europe, the COE's European NPM Project has expressed interest in using both of the tools and through this network PRI will be able to distribute the documents to all of NPMs established to date in the COE member states.

PRI's attendance at other meetings, such as the IPU Assembly in Kampala (see above), has also been used to disseminate the tools and to find additional stakeholders who could engage in monitoring implementation of the Bangkok Rules.

Furthermore, PRI has drafted a submission to the UN Working Group on the Discrimination of Women in Law and Practice as input to the working group's February session and in order to advocate for criminal justice issues, including the Bangkok Rules, to be taken on board of this new Special Procedures' work. A preparatory meeting with OHCHR staff of the working group indicated interest.

Indicator 4.2. No. of CSOs engaged in international network

Milestone 1. 1 international and 3 regional roundtables hosted; 2 e-bulletins; 6 roundtables hosted (minimum 5 persons) to discuss plans to advocate for the Bangkok Rules.

1 international roundtable: On 6 Mar. 2012, PRI held a side event titled 'Female Offenders – what difference can the Bangkok Rules make?' at the 19th Session of the UN Human Rights Council in Geneva. PRI was able to secure the participation of the Permanent Mission of Thailand to the UN as a

co-host and the Thai Ambassador and Permanent Representative of Thailand to the UN introduced the event. Despite the holding of a parallel event by the UN High Commissioner for Human Rights, PRI was able to attract approximately 50 participants. At the event, both the Thai Mission and the Swiss delegation affirmed their support for the Bangkok Rules and for bringing the Rules' onto the official agenda of the UN Human Rights Council.⁵⁸ The event was reported on by the CRIN (Child Rights Information) network.⁵⁹

3 regional roundtables: The first regional roundtable was held 20-21 Oct. 2011 in Baku, Azerbaijan, where PRI was invited by the COE to present on the Bangkok Rules to members of detention monitoring bodies based in COE countries at a workshop on vulnerable groups.⁶⁰ The workshop was organised within the framework of the COE's European NPM Project which has created a network of NPMs in the Council of Europe. PRI's engagement with this body is aimed at pressing European NPMs to incorporate the provisions of the Bangkok Rules into their monitoring activities. Approximately 25 persons attended. As noted above, the project has expressed an interest in PRI's Bangkok Rules monitoring and guidance tools.

The second and third regional roundtables were held at PRI's multi-regional capacity building workshop held in Kiev, Ukraine on 26-29 March 2012 with 37 participants (28 female and 9 male) from national women's organisations and human rights organisations from the following 12 countries: Armenia, Azerbaijan, Belarus, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Poland, Russia, Serbia, Tajikistan and Ukraine. The first roundtable explored the role of civil society advocacy in securing the implementation of the Bangkok Rules and the second roundtable, held in the context of a visit to a women's prison, examined the practicalities of employing the Bangkok Rules as a monitoring tool. PRI's Bangkok Rules curriculum was also tested at the regional roundtables (please see below).

6 roundtables:

1) Moscow, Russia (26-27 May 2011): PRI presented on and facilitated a discussion of the Bangkok Rules as they relate to women offenders' reintegration needs at a national vocational training conference. 99 persons attended (65 male and 34 female).

2) Tomsk, Russia (27-30 Apr. 2011): PRI brought together the administration of Tomsk Girls' Colony, local municipality employees and members of the public oversight commissions to discuss plans to rehabilitate girl offenders in the context of the Bangkok Rules. 11 persons attended (9 male and 2 female).

3) Astana, Kazakhstan (15 Sep. 2011): This roundtable was convened in partnership with the Ministry of Internal Affairs and the public organisation 'Credo,' to bring together state agencies, NGOs, academics, international agencies and independent experts to examine the challenges involved in the transfer of medical services to the Ministry of Health in light of the recommendations of the Bangkok Rules. The transfer is planned to take place at the end of 2013. 61 persons attended (27 male and 34 female).

4) Astana, Kazakhstan (6 Sep. 2011): This roundtable was convened in partnership with UNODC and the Ministry of Internal Affairs to discuss the prevention of HIV/AIDS, especially among women drug users, in light of the requirements of the Bangkok Rules. 47 persons attended (14 male and 33 female).

5) Vienna, Austria (11-15 Apr. 2011): At the 20th Session of the UN Commission on Crime Prevention and Criminal Justice, PRI distributed a briefing on the Bangkok Rules in 5 UN languages and presented on the Bangkok Rules at a Thai government-sponsored event chaired by UNODC.⁶¹ 30-40 persons attended.

6) Vienna, Austria (24-25 Oct. 2011): At an expert meeting convened by the OSF's Public Health Programme and OSJI to develop a tool to assist independent monitoring groups with health risk assessments in pre-trial detention, PRI's Executive Director facilitated a discussion of the relevant health provisions of the Bangkok Rules.⁶² 14 persons attended.

2 e-bulletins: PRI published 2 Bangkok Rules e-bulletins as planned.⁶³ Recently, the Secretariat of the

European Committee for the Prevention of Torture (Council of Europe) asked to be added to the list (the current distribution list is 139 persons).

Output indicator 4.3. No. of workshops delivered; no. of key stakeholders trained.

Milestone 1. Curriculum developed based on the Bangkok Rules and tested in 6 countries in 2 regions involving 120 key stakeholders.

The curriculum was developed and tested at the 3 abovementioned regional roundtables in Kiev and Baku as well as at the training events listed below. It has therefore been tested with approximately 167 stakeholders from 12 countries in 5 regions. Following consultations with the Human Rights Education Association (a leading human rights education organisation), PRI is currently exploring the possibility of developing the curriculum as an e-learning tool in order to maximise outreach.

Table 5.

Details	Summary
1. Women in detention and children accompanying their mothers 15 Dec. 2011 (Moscow, Russia)	This training workshop examined women’s specific needs with respect to diet, sanitation, clothing, medical treatment and social reintegration in the context of the standards laid out in the Bangkok Rules and other relevant international guidelines. The event was attended by members of public oversight commissions, NGOs, prison service employees, academics and representatives of the ombudsman’s office. Attendees: 52 (19 male and 33 female).
2. Ensuring equal rights and opportunities for women and men – Ukrainian perspectives 16-17 Jun. 2011 (Kiev, Ukraine)	This training workshop focused on the importance of taking a gender sensitive approach throughout the criminal justice system and brought together psychologists and junior employees of women’s detention facilities. The training was delivered by experienced academics from the public administration and education fields. Attendees 18 (6 male and 12 female).
3. Preserving reproductive health 29-30 Jun. 2011 (Kiev, Ukraine)	In the context of the Bangkok Rules, this training seminar equipped prison personnel with a thorough understanding of women’s reproductive health needs, an often neglected health-care area in prison settings. Attendees: 20 (4 male and 16 female).
4. Human rights monitoring in prisons 2-4 & 10-11 Dec. 2011(Rustavi, Georgia)	This human rights training workshop covered a number of international instruments relevant to independent monitoring and torture prevention, including the Bangkok Rules. The training was designed specifically for employees of the internal inspection units for the Ministry of Corrections and Legal Assistance. Attendees: 15 (2 female and 13 male)

Recommendations

In Year 2 PRI will:

- Continue to disseminate key elements of the Bangkok Rules; conduct further research on compliance in 3 regions; and publish an international report highlighting key compliance issues (2014 target: guidance document and compliance index discussed, developed and published).
- Convene 1 international and 3 regional roundtables; issue 2 e-bulletins in 3 languages; and establish networks in 6 regions (2014 target: 35 members of the network).

- Translate training material into 2 languages, roll out training in a further 12 countries in 4 regions involving 240 key stakeholders (2014 target: training curriculum and manual developed, 12 workshops held, training delivered to 360 key stakeholders).

In order to be able to incorporate input from the various stakeholders involved in the implementation of the Rules and in monitoring progress toward the implementation of the Rules, PRI decided to first produce and distribute the guidance document and the Index of Compliance as a working document. PRI will seek and incorporate feedback during Year 2 alongside pilot assessments, and incorporate this input into amended versions of the tools, which will then be translated and published as final documents by the end of the PPA period.

PRI has decided to use the international roundtable in Year 2 of the project to gather input to the guidance document from medical experts, as by working on the tool it became apparent that more detailed and practical guidance to UN member states on implementation would benefit from incorporating medical expertise. Accordingly, this specialised input will be gathered alongside feedback from other stakeholders and incorporated into the final text of the guidance document.

PRI will also use the UN Crime Commission to recall the importance of the Bangkok Rules and inform delegations to the UN in Vienna about PRI's tools. Cooperation with UNODC will continue in this regard. Given the experiences of and contacts made at the first IPU Assembly attended by PRI, PRI will advocate for the forthcoming Assembly meeting in 2013 or 2014 to take up the issue of discrimination against women in the criminal justice system; this will include an opportunity to once again highlight the Bangkok Rules.

Impact Weighting%

20%. No revision required.

Risk: Low/Medium/High

Low. No revision required.

List any documentary supporting information

All available documents are detailed above.

Actual achievement of expected results. Rate A++ to C

B

Part B – i. Results and Value for Money

ii. Relevance

Progress to date against PPA Outcome Statement(s)

- 1. No. of measures relating to alternatives to prison and the use of non-custodial sanctions contributed to PRI.**
- 2. Measures to prevent torture and cruel, inhuman and degrading treatment established and implemented.**
- 3. Restorative justice-based diversion interventions and community based sanctions understood, accepted and implemented.**
- 4. Improved treatment of women and girls in the criminal justice and penal systems.**

Outcome Indicator 1. No. of measures relating to alternatives to prison and the use of non-custodial sanctions contributed to by PRI.

Milestone 1. 2 measures developed and promoted with partial implementation in at least 6 countries.

International Level:

1. Legal aid and the UN Guidelines: After extensive advocacy from PRI and other civil society organisations, the Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems were adopted by the Crime Commission at its 21st Session in April 2012. The adoption of the Principles presents a major step forward for ensuring access to justice for the poorest and most vulnerable. In setting out clear guidance as to how a legal aid system can be adapted to suit different countries' circumstances, the Principles ensure states can no longer argue that their international legal obligation to ensure a defendant's right to representation can be automatically breached due to resource constraints.⁶⁴ According to the secretary general of the Council of Bars and Law Societies of Europe, which represents about one million European lawyers through its member bars and law societies, documents such as the principles and guidelines "are vital...in everyday lobbying."⁶⁵

This process commenced in 2004 when delegates from 26 countries met in Lilongwe, Malawi to discuss legal aid services in criminal justice systems in Africa. After three days of deliberations, the Lilongwe Declaration, which recognised and supported the right to legal aid in the criminal justice system as a basic human right, was made. The Economic and Social Council followed this up with ECOSOC Resolution 2007/24 which, *inter alia*, requested the UNODC to convene an open ended meeting of experts to look at the development of a set of guidelines for strengthening access to legal aid.

2. Standard Minimum Rules Review: The Standard Minimum Rules, adopted in 1955, constituted the first international document to provide detailed guidance on the treatment of persons deprived of their liberty. While the SMR remain an important framework for minimum conditions in detention, since their adoption there have been significant advances in human rights standards. Following UN General Assembly-adopted resolution 65/230 regarding revising the SMR, PRI was able to shape the debate and contribute to discussions during all stages of the process.

At the initial NGO expert meeting, PRI contributed to input submitted to Prof. Andrew Coyle who was commissioned by UNODC to draft a commentary on the SMRs. PRI contributed to discussions on the best way forward by publishing a comprehensive "Food for thought" paper ahead of the Expert Meeting convened by UNODC in October 2011. PRI was able to convince some of the other experts – ahead of and during this meeting – to consider other than either a) the complete redrafting of the Rules or b) the development of a mere commentary. PRI was further able to convince them to consider the option of "targeted changes"; this aims at securing specific amendments to the SMR and avoids opening up the entire document to re-negotiation, which may have negatively affected support for the SMR Review as a whole.

Following this successful advocacy intervention, PRI submitted input on its vision of the "targeted changes" option to UNODC and was able to persuade UNODC to include this option among the four other options detailed in the paper it prepared for the Inter-Governmental Expert Meeting (IEGM) to be held at the end of January/beginning of February in Vienna. Following the expert meeting and ahead of the end of January/beginning of February IEGM, PRI engaged in intensive networking with other interested NGOs and invited them to a coordination phone conference. Within the growing network of civil society, the large majority decided to endorse the "targeted changes" option forwarded by PRI.

At the IEGM, the initial starting point was to support the commentary option, but with the assistance of several state actors, the NGO delegation was able to persuade states to alter their positions and acknowledge that while the SMRs still hold value today, in a number of areas they are outdated and should be reviewed. A recommendation to that end, and a consensus that any such revision must not lower existing standards, was formulated explicitly by the IEGM and a list of areas for consideration by the review was outlined.

As a direct result of this advocacy, a draft resolution to this end was put forward to the Commission on

Crime Prevention and Criminal Justice by Brazil, Italy and Thailand calling on the Commission to adopt a resolution which, *inter alia*, endorses the recommendations of the Intergovernmental Expert Group; recognises the Intergovernmental Expert Group's finding that advances since the adoption of the SMR should be reflected in the resolution; and lists the areas identified by the Intergovernmental Expert Group as requiring review (most of these areas correspond with the 10 points that PRI called for review on).⁶⁶

Throughout this process, PRI worked with national NGOs to strengthen their capacity in UN advocacy.⁶⁷ There was a written and an oral joint statement which PRI initiated as well as a side event; and the content of the resolution reflects PRI's objectives. Proactive support for a targeted revision, as expressed in the list of sponsors and co-sponsors of the resolution, went up from 0 to 16 states within a couple of months. For further information please see Outcome Indicator 1 below and the following joint NGO statement: <http://www.penalreform.org/news/pri-issues-joint-statement-other-ngos-review-un-standard-minimum-rules-treatment-prisoners>

Regional Level:

1. Georgia: In Georgia, PRI has been promoting the activation of community service – which already has a legislative basis – as a non-custodial measure since 2009. In this reporting period, PRI supported the promotion of community service by, *inter alia*:

- Shaping national policy through membership of the Criminal Justice Interagency Coordination Council on Community Service (a government working group);
- Developing tools to strengthen the registration and supervision of offenders at the request of the Ministry of Justice and the National Probation Agency (NPA) – many of these tools are now in general use by the NPA;
- Delivering, in partnership with the NPA and the Penitentiary and Probation Training Centre, 3 two-day training workshops for a total of 43 probation officers. The workshops covered: the principles of community service, national legislation, supervision and enforcement mechanisms, and collaboration with local municipalities; and
- Carrying-out awareness-raising activities through the print, radio and television media (potentially reaching several thousand stakeholders) and with the public and justice sector employees directly through the distribution of informational materials (approximately 600 stakeholders reached through printed materials).

Subsequently, PRI assisted the government, at its request, to develop a 'next steps' action plan and concept paper aimed at promoting community service nationwide. This plan is now in use and the government has committed to rolling out community service throughout the country. While it is too early to assess the impact, the initial indicators are positive: 1) In the period 2010 – 2011, custodial sentences as a proportion of total sentences fell from 46% to 41%, in part due to the activation of community service;⁶⁸ 2) In 2009 as a whole just 9 persons were given community service by the first instance courts as the primary sanction whereas in the first quarter of 2012 alone 143 individuals were sentenced to community service as the main sanction;⁶⁹ 3) The deputy head of the Supreme Court has noted that since the intervention, the courts are less cautious about using community service as a primary sanction; and 4) The Deputy Minister of Corrections has announced a plan to introduce a 'substitution system,' whereby prisoners who have served at least a third of a custodial sentence will be eligible to apply to have the remainder commuted to community service.

2. Kenya: In the 1990s, PRI played a major role in promoting alternatives to prison in East Africa, subsequent to which community service programmes were established in several countries including Uganda, Tanzania and Kenya. PPA funding has provided a vital opportunity to conduct an assessment of the current status of alternatives in the three countries, the findings of which were published in a February 2012 report.⁷⁰ The assessment identified a number of barriers to the effective implementation of alternatives in the three target countries, such as the absence of sensitisation programmes for newly

appointed magistrates. PRI is seeking to implement the recommendations of the assessment in collaboration with its partner organisations where this is feasible (for instance with respect to the delivery of sensitisation seminars) and promote the recommendations which it cannot implement directly with the relevant stakeholders.

For example, in this programme year PRI provided financial and technical assistance to the Kenya Department for Probation and Aftercare Service to convene two high-level sensitisation seminars for 70 magistrates at which senior members of the Kenyan judiciary – including the Director of the Judicial Training Institute, the Head of the Judicial Review Division and a Criminal Division High Court Judge – urged their junior counterparts to lend their full support to the community service programme.⁷¹ Importantly, the seminars provided a space for dialogue and discussion between probation officers and magistrates, enabling them to identify common challenges and devise joint solutions. A further two seminars, targeting the remaining 80 newly appointed magistrates in Kenya who have yet to be sensitised will be convened later in 2012. It is expected that this intervention will result in an increase in the imposition of community service and a corresponding decrease in the imposition of custodial sentences in the districts where the participating magistrates sit; trends in sentencing will be reviewed in September 2012. Should these figures confirm the expected results, the Probation and Aftercare Service will be better able to advocate for the inclusion of community service sensitisation seminars into the general curriculum for new magistrates (this is key to ensuring the sustainability of the intervention). PRI will also support seminars in Tanzania and Uganda in Year 2 of the PPA programme and explore ways in which to facilitate the development of a regional East Africa network on alternatives which could promote the alternatives to prison agenda over the long term.

3. Kazakhstan: The government of Kazakhstan announced its intention to establish a system of probation in February 2011, subsequent to a number of advocacy and research-based interventions by PRI and its partners. Subsequently, in the period Feb. 2011 to Feb. 2012, PRI provided ongoing expert technical assistance to the relevant government bodies at a series of consultation roundtables and conferences, and through participation in the official Ministry of Justice-hosted working group on probation. Throughout this process, PRI advocated for the planned probation service to assume a guidance and assistance role in addition to a control function, in line with international standards. The law was enacted in February 2012 and while it introduces inspection functions which require probation officers to assist probationers to find employment, the provisions of the law fall short of international requirements in a number of respects. For example, the law only applies to offenders on conditional sentences and probation officers are not required to assume a social work role: most of the officers are lawyers and former prison staff.

In the coming year, in partnership with the new probation service PRI will deliver a series of training workshops for probation officers on health and the Bangkok Rules. During this process, PRI will collect information about the functions of and key challenges facing the new service in order to devise an effective strategy for promoting the creation of a probation service that meets international standards.

4. Pakistan: In Pakistan, PRI has been working with DOST Foundation (DOST), a national NGO that works with marginalised and vulnerable groups in the Peshawar area, to promote the use of probation while strengthening human rights compliance in prisons. In the period 12-14 April 2011, PRI trained around 20 probation officers, prison officers, NGO representatives and child protection commission employees on international standards relevant to: torture prevention; vulnerable prisoners including women and children; and health in prisons. While both parole and probation exist in law, neither of these alternatives to prison is used routinely in Pakistan. In order to identify the reasons for their underuse, PRI conducted a qualitative interview and questionnaire-based study titled, *The probation system in Pakistan: a review and the need for reform*⁷².

The study found, *inter alia*, that the proper functioning of the probation system is impeded by:

inadequate infrastructure and equipment; a lack of training for staff; and inadequate collaboration between different agencies. In order to address these issues, PRI has set up a one-year project partnership with DOST aimed at reform of the criminal justice system in Pakistan and in particular promoting the use of alternatives to prison. As part of the project the probation paper will be launched jointly by PRI and DOST in July 2012 and will thereafter be widely disseminated within Pakistan and elsewhere. A seminar of experts drawn from different agencies working in the criminal justice system (Pakistan and international) is planned for November 2012 when the findings of the paper will be discussed and a plan for implementation agreed.

5. Ukraine: In 2008, the Committee on Legislative Issues for Law Enforcement Activity of the Supreme Council of Ukraine and the Ministry of Justice drafted a probation law aimed at introducing a system of probation into the criminal justice system. PRI provided technical expertise on, *inter alia*, the comparative experience of establishing probation services, the usual functions and responsibilities of probation services in different countries, and appropriate institutional arrangements. In this programme year, PRI has been advocating for revisions to the draft law to be made. Unfortunately, however, the legislative reform process has stalled as the government has other priorities and is occupied by internal political infighting. Therefore, limited progress has been made in this programme year. PRI hopes to be able to develop and secure funding for a new project aimed at promoting probation in Ukraine in order to be able to scale up its work on this issue.

6. Russia: In Russia, the issue of probation was raised and discussed at the national level many times over the past six years with no tangible results. However, subsequent to the 2011 presidential announcement of a programme to ‘humanise’ the criminal justice system and introduce alternatives to prison, the Ministry of Justice commenced the process of drafting a probation law. PRI was invited to sit on the inter-governmental working group and it was also the first CSO to be invited to comment on the draft in March 2011. The working group was then transferred to the Presidential Administration after which PRI continued to promote the establishment of an effective probation system by, *inter alia*: preparing a comparative study of probation services which was presented at a Ministry of Justice conference in May 2011 (with at least 50 delegates); speaking on a radio programme about the introduction of probation into the Russian criminal justice system, in partnership with the Moscow Centre for Prison Reform; providing input to the inter-governmental working group; presenting on probation in Russia at a Ministry of Justice conference in October 2011; and facilitating a meeting between the Russia Deputy Minister of Justice, Alexander Smirnov, and Leo Tigges, Secretary General of European Organisation on Probation to discuss the draft’s provisions and international/European standards. The latest draft law has some positive features: it provides for basic social assistance for individuals on conditional sentences in order to help them to obtain employment and/or return to their area of residence; and it increases the number of probation officers from around 5000 to 6000-7000. However, overall, the law fails to provide for the establishment of a system that will be able to deliver the most important services normally delivered by a probation service; PRI continues to press for reform in this regard. The draft will be open for further discussion later in 2012 and it is anticipated it will be enacted in 2013.

Outcome Indicator 2. No. of ratifications to OPCAT and the 2nd Optional Protocol.

Milestone 1. Steady progress towards ratification of OPCAT in 3 countries and 2nd Optional Protocol in 2 countries.

OPCAT (3 countries targeted):

- Tajikistan: In the context of PRI’s campaign to promote OPCAT, 2 important achievements have been realised in this programme year. First, national NGOs in Tajikistan have developed and adopted a joint torture prevention strategy and are now working together on this issue in a comprehensive way for the first time. Second, there has been progress, albeit limited progress, with

respect to national legislation prohibiting torture: a legal definition of the act of torture has been added to Tajik law.

- Belarus: Despite extensive efforts to promote OPCAT (please see Output 2 above), there has been little movement toward ratification in this programme year despite indications during the project design phase that a window of opportunity for achieving progress had opened.
- Russia: As with Belarus, PRI's efforts to promote OPCAT in Russia have yielded little movement toward ratification at the level of government. However, PRI has been able to keep ratification on the agenda of national human rights organisations and facilitate debate among members of Russia's public monitoring commissions.

Second Optional Protocol to the ICCPR (2 countries targeted):

- Mongolia: Mongolia is the only country to ratify the Second Optional Protocol in this reporting period. While Mongolia is not a PRI target country, PRI contributed to the broader international movement for abolition in Mongolia through its active membership in the Steering Committee of the World Coalition Against the Death Penalty (WCADP).
- Belarus: The death penalty continues to be applied in Belarus (the last 2 executions took place in March 2012) making it the only country in Europe that carries out executions. Although Belarus is a long way from ratifying the Second Optional Protocol, PRI has been able to undertake key advocacy activities in Belarus, gain local support and strengthen local civil society organisations. In addition, discussion on a moratorium ground to a halt following the disputed December 2010 presidential elections and PRI has been able to renew debate on this issue through its advocacy and capacity building activities which in this programme year included:
 - 1) Providing oral evidence and submitting an NGO report to the UN Committee Against Torture in the context of the fourth periodic report submitted by Belarus in partnership with a group of independent Belarusian NGOs. The Committee's Concluding Observations call on Belarus, *inter alia*, to take measures to improve the conditions of detention of persons on death row, remedy the secrecy and arbitrariness surrounding executions, and ratify the Second Optional Protocol.⁷³
 - 2) Hosting a national conference and a film festival to discuss prospects for abolition including steps towards a moratorium in January 2012. These events created a forum for local civil society to communicate with MPs and government officials who do not usually attend events organised by local civil society.
 - 3) Training local journalists on the death penalty and techniques for reporting on it. This has increased media coverage of the issue, feeding into increased public awareness of the effects of the death penalty.
 - 4) Publishing a research report on the death penalty and alternative sanctions in the Eastern European region including Belarus which provides key baseline data for advocacy work and sets out very specific recommendations.⁷⁴
- Kenya: Kenya has had a de facto moratorium since 1987. Although the government has made no moves to abolish the death penalty in law or ratify the Second Optional Protocol to the ICCPR, over the last two years PRI and its local partner NGO FHRI have galvanised a very unresponsive civil society to prioritise the death penalty as part of their work. In 2011, a national Working Group on the Death Penalty was developed and started implementing a national advocacy strategy to build up momentum in Kenya towards abolition. Ratification of the Second Optional Protocol is one of their objectives. The members of the Working Group include the International Commission of Jurists-Kenya section, the Kenya National Commission on Human Rights (KNCHR), the Kenya Legal Resources Foundation, and Clear Kenya. The Kenya Working Group has also linked up with the newly established (September 2011) East Africa Coalition, and with the Great Lakes Coalition to share examples, strategies and lessons learned within the region on the abolition movement. PRI, though their work with FHRI and the World Coalition against the Death Penalty have contributed to

the establishment of these regional coalitions, and will continue to support them to ensure their effectiveness.

With respect to the death penalty and alternatives, other results achieved in this programme year are as follows:

- Kyrgyzstan: In Apr. 2011 a National Development Strategy for the Correctional System “YMYT-2” for the period 2011 - 2015 was launched; *inter alia*, it aims to humanise criminal justice policy including as it relates to life imprisonment. In addition, under the strategy a new detention facility with improved conditions is being built for persons sentenced to life imprisonment.
- Tajikistan: In Apr. 2011, Tajikistan’s parliament adopted amendments to the Penal Enforcement Code that provide for improvements in the conditions of prisoners serving a life sentence. *Inter alia*, the amendments aim to relax restrictions on access to supplementary food purchased from the prison shop, and increase eligibility for short and long visits from relatives and friends.
- International - Securing legal amendments to control the export of lethal drugs: PRI was part of the coalition of international NGOs that called on the EC to review and amend Council Regulation No. 1236/2005 which controls the international trade in equipment that could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, to include drugs used in the lethal injection protocol. The EC extended the list of goods subject to export controls to prevent their use for capital punishment in December 2011. This ensures that the export of certain anaesthetics, such as sodium thiopental and pentobarbital, which are used in lethal injections, will now be strictly controlled for all EU Member States.
- International – The UN Special Rapporteur on Summary, Extra-judicial and Arbitrary Executions: As a result of PRI’s advocacy, in terms of its independent activities as well as its work with the World Coalition against the Death Penalty, the UN Special Rapporteur on Summary, Extra-judicial and Arbitrary Executions has taken up the issue of the death penalty. This is a positive trend, keeping in mind the Rapporteur’s mandate, as it represents a step towards the recognition of the death penalty as a human rights violation in itself.
- International – The UN Special Rapporteur SR on torture: The UN Special Rapporteur on torture took up the issue of lifers and death row prisoners in his report on Kyrgyzstan in the context of PRI’s advocacy.
- Middle East and North Africa: According to the May 2012 evaluation of the death penalty project: “One parliamentarian from Middle East and North Africa who attended the interregional conference was so inspired by what was presented, in particular the paper on Islam and the death penalty [that]...she undertook further research and found enough dogma to support her change of view to support the abolition of the death penalty and work on this in her constituency.”⁷⁵

With respect to torture and ill-treatment, other results achieved in this programme year are as follows:

- Ukraine: The legislative reform process in Ukraine stalled after the second draft NPM law was issued for consultation. Through advocacy, PRI and its campaign partners were able to get the draft law back on the political agenda and as a result, a third draft is currently under circulation.
- Kazakhstan: In the context of the interventions made by campaign members, the draft NPM law has passed its first reading and is under the consideration of the legislative.
- Council of Europe: PRI successfully engaged the COE’s European NPM project in its torture prevention activities and as a result, information about PRI’s activities is now published in the European NPM project’s newsletters, allowing it to circulate publications, tools and information within this network including all NPMs established in the COE region (please see Output 4).⁷⁶

Outcome Indicator 3. a) Instances where the incarceration of children is used as a measure of last resort b) Numbers of restorative justice-based measures for children in conflict and in contact with the law.

Milestone 1. Baseline data gathering on numbers of children in detention, especially under 12s

Following a review of available information on the incarceration of children in PRI's target countries, A methodology has been developed focused on gathering baseline data as follows:

- factors and obstacles – including policy and legislation – which contribute to the tolerance of, and impunity for, violence against children in police and pre-trial detention;
- innovative practices to prevent and detect violence, to assist victims and to make perpetrators accountable.

This baseline data will contribute to the campaign against violence against children and is being collected in collaboration with PRI's campaign partners (please see Output 3 above). The output will be one-page 'calls for action' targeted at: states, NGOs and human rights mechanisms. The one-page calls will include clear recommendations for the improvement of legislation, policy and programmes relating to the prevention of and responses to violence against children in police and pre-trial detention in each of the target countries. The 2014 target remains the same: 10 countries achieving locally-set targets for measurable reductions in juvenile detention, increased use of diversion and setting of 12 or higher as the age of criminal responsibility.

Outcome Indicator 4. Status of implementation of the Bangkok Rules

Milestone 1. Internationally agreed norms (Bangkok Rules) widely known.

In this programme year, PRI has raised the Bangkok Rules at national, regional and international levels, realising a number of important achievements. As well as promoting the rules at the advocacy, training and consultation events detailed above (please see Output 4) PRI has:

- Raised the Bangkok Rules in bilateral meetings with the OHCHR, the UN Human Rights Committee, and the UN Sub-Committee on the Prevention of Torture, pressing them to monitor compliance and refer to the Bangkok Rules when considering state reports.
- The implementation of the Bangkok Rules features as one key and overall recommendation in the Committee on the Rights of the Child's report and recommendations published following the Day of General Discussion in January 2012. This is a direct consequence of one of PRI's oral interventions during the Day of General Discussion in November 2011.
- Obtained a commitment from the newly established UN Working Group on the discrimination of women in law and practice⁷⁷ to raise the Bangkok Rules at the Working Group's second session which was convened in October 2011. PRI subsequently submitted a paper outlining issues the Working Group could engage on with respect to discrimination against women within the criminal justice system. PRI was assured that the paper was tabled at the Working Group's February 2012 session (confirmation will be sought when the Working Group reports to the UN Human Rights Council and the Interactive Dialogue in June 2012).
- Secured the commitment of former Special Rapporteur on Torture, Mr. Manfred Nowak, to take on board the Bangkok Rules in his forthcoming revision of the IPU's handbook on human rights for parliamentarians.
- Persuaded the Geneva Centre for the Democratic Control of the Armed Forces (DCAF), through contacts with UN Women, to include a separate chapter on the Bangkok Rules in its forthcoming revised Training Tool on Gender and Penal Reform. PRI was also asked to review the chapter and provide input and suggestions for changes and amendments in the respective section of this tool.
- Secured mention of the Bangkok Rules in the recent resolution on the SMR (please see Outcome 2 above) which 'encourages Member States to promote the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).'⁷⁸
- Raised awareness of the existence of the Rules with various other stakeholders, including through the 2 Bangkok Rules e-newsletters, at the Inter-Parliamentary Union Assembly (Committee session)

and with NPMs in the Council of Europe region;

- Secured the active cooperation of UNODC and the Thailand Institute of Justice with PRI's activities on the Bangkok Rules. This will significantly increase the reach of PRI's tools. PRI has also sought to ensure that the Bangkok Rules are uploaded – alongside the other standards applicable in the context of criminal justice – onto the UN Office of the High Commissioner for Human Rights website where most stakeholders would seek information about international standards. The OHCHR has confirmed that it will upload the Rules, however, further follow-up from PRI may be necessary.

The Bangkok Rules also provided the basis for PRI's submission – titled 'Protecting children in prison with a parent: implement and develop the Bangkok Rules – to the Committee on the Rights of the Child ahead of the Day of General Discussion on children of incarcerated parents held on 30 September 2011 in Geneva;⁷⁹ the rules are the only set of international standards to provide explicit guidance on this issue. The respective references and standards in the Bangkok Rules were raised in interventions during the Day of General Discussion, resulting in the vice-chair of the CRC referring to them in the working group and the plenary. The specific issues raised by PRI were also reflected in the following paragraphs of the report of the Committee published in February 2012: 10 (in relation to making decisions on an individual basis); 15 (in relation to fixing maximum and minimum age limits); 16 (in relation to the children of prisoners on death row); 37 (in relation to determining the best interests of the child); and 48 (calling on states and other relevant actors to implement the Bangkok Rules.) 11 (in relation to the importance of considering alternatives to parental detention); 30 (urging states to consider non-custodial sentences for parents and primary caregivers wherever possible).⁸⁰

PRI has also raised the Bangkok Rules in bilateral meetings with government representatives in the South Caucasus, Central Asia, the Middle East and North Africa and the Former Soviet Union. In the context of this work, in Georgia PRI has been invited to sit on a government working group tasked with developing a new approach toward supporting women inmates due for release.

In addition, PRI has secured media coverage of the Bangkok Rules in several countries:

- *Russia*: 1) On 22 Feb. 2012, PRI discussed the Bangkok Rules in the context of the rights of women incarcerated with their infants on Public Network Television Russia – (from minute 54 <http://www.rusotv.org/tv-shows/rus-sidyaschaya/rus-sidyaschaya-ot-22-02-2012>); 2) In December, PRI published an article about the role of public oversight commissions in implementing the Bangkok Rules in *Human Rights in Russia* on 16 Dec. 2012 (<http://hro.org/node/12729>)
- *UK*: PRI supported an *Independent* journalist to produce the following article: <http://www.independent.co.uk/news/world/politics/forcefed-and-beaten--life-for-women-in-jail-6278849.html>
- *Kazakhstan*: In October 2011, PRI's Regional Director for Central Asia was interviewed for the *Daily Mirror*, a regional newspaper, about the situation of women and children in Kazakhstan (<http://www.penalreform.org/publications/interview-women-and-childrens-imprisonment-kazakhstan>)
- *International*: In May 2011, PRI's Executive Director was interviewed for CNN in relation to a report on mothers imprisoned with their babies in South Africa.

Key Challenges

Insecurity and political volatility: The Arab Spring, while bringing with it unprecedented opportunities for advancing human rights in the region, has also led to heightened political volatility and increased physical insecurity for PRI's employees. The ongoing controversy over the activities of several foreign NGOs in Egypt, for example, related in some cases to the commencement of criminal proceedings against their employees, is indicative of increased hostility towards the operations of international NGOs as a whole. In consequence, PRI has suspended its operations there. Equally, the ongoing conflict in Yemen and the resurgence of conflict between Sudan and South Sudan has prevented PRI from

launching new activities in those three countries.

In Year 1, therefore, PRI has focused on other PPA countries while continuing to monitor the security and political situation throughout the region closely. However, PRI would like to request that for Years 2 and 3 of the programme, Tunisia is added as a PPA country in light of a) the abovementioned difficulties working in Egypt and Yemen and; b) the unparalleled human rights opportunity presented by Tunisia's post-revolution engagement with human rights. To illustrate, following the revolution in 2011, the Tunisian temporary government expressed its willingness to ratify the Second Optional Protocol – a courageous and bold move given the support for the death penalty in the region (please see Annex II for further information about the move toward death penalty abolition in Tunisia).

Political stalemate: As detailed above under Outcome Indicator 1, the current political stalemate and power struggles taking place in Ukraine are threatening to undermine progress attained in recently years towards the development of an effective probation system. Despite these obstacles, PRI's assessment of the political and policy-making environment indicates that windows of opportunity for legislative reform may still arise in the coming months or years. Therefore, PRI has decided to remain engaged in this area while recognising the possibility of being unable to attain tangible results. This decision will be reviewed regularly throughout Year 2 of the programme.

Access: Maintaining access to Belarus in order to press for the ratification of OPCAT and the Second Optional Protocol to the ICCPR continues to present challenges, particularly following the vocal condemnation of the international community of the execution of two men in March 2012. For example, PRI's London-based Death Penalty Programme Manager's recent request for a visa to Belarus was rejected, but for now, PRI is able to continue to operate in Belarus through its Moscow office.

Risks and Assumptions

Risk register review:

PRI has reviewed its PPA risk register and probability and impact of each risk largely remains the same, except for in the MENA region where the possibility of losing government support has risen from 'possible' to 'moderate/high' in the cases of Egypt and Yemen (for further information please see the Key Challenges Section).

Consider any climate or environment risks:

As noted in PRI's Environmental Impact Statement, the activities of PRI do not have a major impact on climate change or the environment as they consist mainly of technical assistance, training and advocacy. PRI's main environmental impact results from international travel. To mitigate the potential impacts, PRI's environmental impact policy requires all staff to use, wherever possible, the least environmentally damaging means of travel, to minimise long haul flights, and to use long distance flights to maximum effect; for example, by using an international visit for more than one purpose where possible. Where shorter distances are involved, trains are used wherever possible as an alternative to air travel.

Please provide any evidence to show how PPA funding allows you to take risks and innovate:

PPA funding has enabled PRI to commence the process of developing its first online training course (to deliver the Bangkok Rules curriculum). This activity could not have taken place in a reasonable timeframe with project funding alone as the nature of the development process prohibits detailed pre-planning: each phase can only be designed subsequent to the completion of the prior 'testing and assessment' stage. PPA funding has also enabled PRI to experiment with the use of audiovisual materials and test whether website traffic increases as a result.

In addition, PPA funding has provided an opportunity for PRI to pilot new ways of 'distance partnership working' in two regions where PRI no longer has regional offices (South Asia and East Africa) and where the establishment of regional offices is unlikely to be financially sustainable in the current

economic climate. The opportunities and risks presented by this way of working will be reviewed throughout Year 2 and evaluated in Year 3.

Are the assumptions identified in the logframe working out in practice? Any modifications required?
The assumptions remain sound. No modifications are required.

Evidence

There is no new evidence available which challenges the programme design or rationale.

Strategy for Achieving Results and Sustainability

Leverage: As a result of PPA funding, PRI has been able to:

- 1) Apply for additional funding from OSI to contribute to the development of an information and communications strategy; and
- 2) Deliver larger scale EU-financed projects that have a match funding requirement.

Strategy: PRI is using PPA funding to combine the delivery of pressing interventions – such as sensitising magistrates on alternatives to imprisonment – with a much needed review and evaluation of several institution-level interventions carried-out by PRI in the past decade. This type of evaluation is impossible to undertake with project funding as interventions aimed at institutional change cannot be rigorously assessed in the short-term i.e. within the life of the project cycle. To provide an example, in Kenya, PRI is promoting the more effective use of alternatives while undertaking a review of the successes and limitations of the current system (PRI initiated and supported the development of community service in Kenya in the period from 1998 to 2005). The lessons learned will be promoted in the coming years and used to inform evidence-based policy formulation in Kenya and elsewhere. In addition to producing a desk and interview-based study,⁸¹ PRI is:

- Documenting the outcomes of a series of high level seminars through which PRI has brought together key justice sector stakeholders – including senior judges, magistrates, probation officers and prison officers – to explore mutual challenges in a neutral space.
- Measuring the impact of delivering sensitisation seminars for magistrates by reviewing sentencing trends in the districts where magistrates have participated in the programme.

PRI is also seeking to ensure sustainability by developing national capacities at each step of the programme, and especially by encouraging and supporting regional networking. Under Output 2, for example, PRI has trained and provided technical expertise to national NGOs working to prevent and combat torture, and brought together NGOs from 9 different countries to share knowledge, strategies and tactics. Similarly, in East Africa, PRI is facilitating the development of relations between the probation services of Kenya, Uganda and Tanzania with the aim of building a regional network that will be able to support the further development of alternatives after the termination of PRI's programme.

Direct Feedback from Beneficiaries

PRI's main beneficiaries are CSOs, government agencies, members of the judiciary, lawyers, human rights activists, prison personnel and other justice sector professionals. PRI seeks direct feedback from beneficiaries on a regular basis through evaluation workshops and seminars, training feedback forms, focus group discussions, and one-to-one interviews. Please see Annex III for a recent evaluation. With respect to training activities, PRI seeks feedback from the target group via questionnaires and interviews. For an example of a recent training report please see Annex IV.

Disaggregated Results

As PRI works at a policy level, rather than directly with individual users of the criminal justice system, most of the evidence it draws on is sourced from official statistics. Where the data is available, PRI monitors country-level trends in the prison population figures and the passing of non-custodial sanctions. Where available, PRI seeks to obtain figures disaggregated by: gender; age (minors and

adults); and the number and types of dependents (including, where possible, the numbers of women incarcerated with an infant). Unfortunately, in the countries where PRI works, data is often missing and/or unreliable and therefore PRI routinely presses governments to strengthen data collection. For example, PRI's 'Ten-point plan to address prison overcrowding' calls on governments to collect, 'Timely and accurate information...[that can] enable a more rational debate about the most effective use of prison and assist advocacy on behalf of policies which meet international standards.'⁸²

Value for Money (VfM)

As PRI's main areas of activity involve advocacy, the provision of technical expertise and training, rather than the delivery of services, PRI's main cost drivers relate to the salaries of its specialised staff and the costs of international travel. The main risk to achieving VfM is therefore the loss of its specialised staff members. The PPA has enabled PRI to seek to avert this risk by conducting a salary review aimed at ensuring that PRI's terms and conditions are in line with those in the sector. PRI strives to implement 'best practice' human resource policies in order to maximise staff retention.

PRI also:

- Benchmarks its per diem allowances to those of the Swiss Agency for Development and Cooperation which has the lowest rates published online;
- Utilises low cost air and train travel options whenever possible;
- Recruits national, rather than international employees at all of its regional offices; and
- Seeks to ensure that PRI's partners' financial procedures are in line with its own.

Part B – ii. Relevance

Representativeness and Targeting

Prisoners in all countries come from the poorest and most marginalised sections of the community. Further, as detailed by the Special Rapporteur on Extreme Poverty and Human Rights, in her report to the sixty-sixth session of the General Assembly (October 2011),⁸³ people living in poverty and vulnerable groups such as children and women are disproportionately subjected to state action which places them at risk of lengthy detention, often in inhumane conditions where their mental and physical health is placed at risk. Moreover, studies show that detention itself has a profound socioeconomic impact, affecting the individuals detained as well as their families, and pushing people living in poverty into even more harmful circumstances over the long-term.⁸⁴ By promoting alternatives to prison and consideration for the special needs of women and children caught up in the criminal justice system, PRI seeks to empower and protect some of the world's most vulnerable groups whose needs and rights are often ignored in mainstream development programmes, thereby contributing to inclusive and participatory development. The standards that PRI seeks to promote are based upon international human rights instruments and as such are basic minimum standards that the international community has determined the target groups must be guaranteed.

Part C – Lessons Learned

What lessons are being learned and shared from this PPA?

PRI is currently exploring the possibilities of further research to map the evidence base for penal reform. Discussions on this issue have been on-going between DFID and PRI and a draft TOR has been developed (April 2012); further work is needed to agree the exact nature and content of the research prior to any decisions being made regarding next steps for implementation.

The PPA enabled PRI to hold its first residential two-day away day for London-based staff and the four regional directors. The away day had a focus on organisational learning and the away day programme provided opportunities for employees to experiment with applying the 'theory of change' approach to PRI's programmes. The programme staff found the approach very helpful, particularly with respect to

identifying the linkages between different causal factors; as a result of these discussions, this approach has now been integrated into PRI's programme design processes. Also as a result of the lessons learned at the away day, PRI has started to better explicate and communicate its decision-making criteria.

The PPA also enabled PRI to commission a media agency (Champollion) to provide advice on internal information and communications capacity development. As a result, PRI is now in the process of developing a communications strategy, has started blogging⁸⁵ and has scaled up its use of multimedia tools. The impact of these developments will be assessed in due course.

Part D – Due Diligence and Transparency

Due Diligence

PRI has taken steps to meet all the recommendations made in the report. It has institutionalised its existing informal policy of only providing funds to civil society organisations with which PRI has a long-term working relationship in order to minimise the risk of inadvertently supporting unlawful or unethical activities. PRI has also put in place a process for recruiting a treasurer with appropriate financial expertise. This process has not yet been satisfactorily concluded as the recruitment process undertaken with a recruitment agency was unsuccessful. Further enquiries are currently being led by the Chair and Board members to identify a suitable candidate to meet this requirement.

Transparency

An implementation plan has been adopted, setting out exclusion criteria, information to be disclosed, frequency of review and dates for compliance agreed.

Accountability

PRI's programme staff collect information about performance and impact, and report this information to the relevant line manager, all of whom are members of the management team. PPA and all other activities are regularly reviewed in a number of ways. The London management team meets weekly (subject to travel schedules) to review progress, and the Regional Directors send monthly progress reports to the Executive Director, which are shared with all staff via the intranet. Approximately three times a year the London staff meet with Regional Directors for planning, information-sharing and learning sessions. The Executive Board meets three or four times a year and receives reports from all management team members (including the Regional Directors) on all activities within the PPA and strategic plan. The whole management team, including Regional Directors, are present at Board meetings to present and discuss their reports. The international nature of the Board ensures that the progress attained is examined from diverse perspectives.⁸⁶ This internal accountability process is supported by conducting independent evaluations where resources allow for this. The findings of these processes are reported externally through PRI's annual reports, monthly newsletters and weekly news updates from PRI's regional offices.⁸⁷

Part E – Additional Information

1. Justice for children and the ACERWC: As a direct result of PRI's advocacy at the 18th and 19th sessions of the ACERWC, convened in November 2011 and March 2012 respectively, the ACERWC has committed to developing a General Comment interpreting Article 30 of the African Convention on the Rights and Welfare of the Child (ACRWC) which provides for 'special treatment' for pregnant women and mothers who are accused or convicted of criminal offences. This follows PRI's written submission to the ACERWC at the 19th Session titled, 'Falling through the Cracks: Guidance on the Implementation of Article 30.'⁸⁸ The General Comment will provide much needed guidance to states around the world as the ACRWC is unique in addressing this issue in detailed terms and the General Comment will therefore have significance beyond the African continent.

2) Developing regional guidelines on vulnerability: In the context of its PPA-funded work on justice for children, PRI has been invited to participate in an upcoming EU consultation intended to develop guidelines on the meaning of ‘vulnerability’ within criminal justice systems.

3) Securing recognition as an expert on penal reform: In this programme year, PRI’s resources and expertise were recognised as being of value to a range of different audiences. For example:

- The United States Institute for Peace (USIP) wrote to request updated versions of several documents for its ‘International Network to Promote the Rule of Law’ commenting that, ‘We want to ensure we get these great resources out to our community.’⁸⁹
- PRI’s flagship publication, titled *Making Law and Policy that Work*, was used to train magistrates throughout Nigeria. A representative of the Nigerian NGO that facilitated the training remarked to PRI, ‘I was at the Ministry of Justice...to see the Head of Prison Congestion and Legal Drafting...I saw two copies of *Making Law and Policy that Work* on the table.’⁹⁰ The same publication, as well as an earlier report titled *Making Standards Work*, were also used by the International Committee of the Red Cross (ICRC) for training in Pakistan in this programme year.⁹¹
- Following a query from the Kazakhstan Constitutional Court to PRI’s Central Asia office, PRI gave input on international standards on the definition of ‘arrest’ and the start of the deadline for judicial sanctioning of detention.

4) UN resolution on human rights in the administration of justice: In October 2011, PRI fed into the drafting of the resolution and followed up during a lobbying meeting with the Austrian Permanent Representative in Geneva. Five out of nine of PRI’s suggestions were taken on board in the final draft and subsequently in the final text adopted by the Human Rights Council. These suggestions related to: promoting the Bangkok Rules (para. 7); using alternatives to prison (para. 9); not setting the minimum age of criminal responsibility at too low an age (para. 12); discouraging status offences (para. 14); and requesting the OHCHR to submit an analytical report to the 21st Session of the HRC on the protection of children deprived of their liberty (para. 25).⁹²

5) Inputs on discussion for Juvenile Justice Model Law: PRI was invited to present expert inputs for the UNODC initiative on drafting a model Juvenile Justice (JJ) Law (March 2011). PRI’s particular contribution related to methodologies for monitoring and improving conditions in detention including the setting up of Independent Monitoring Mechanisms either as part of the process of ratifying and implementing OPCAT and/or as a separate initiative through explicit provisions set out during the process of developing a National JJ Law / Act. While recognising the complexities involved in developing such a Model Law given the differing requirements of civil, common and sharia law systems, PRI is nevertheless convinced that such a Model Law would significantly enhance efforts to improve the delivery of justice for children. Currently the draft text is being revised by UNODC and a final version is expected in 2012.

Additionality Case Study (2000 word limit)

1) How has DFID funding improved PRI's delivery of activities in terms of quality, efficiency, scope, scale and/or timeliness?

Quality:

- As a relatively small organisation, PRI is unable to employ full-time internal high-level experts for all of its thematic areas unlike larger organisations. PPA funding has enabled PRI to contract thematic experts as required for input into key work areas in a timely manner; this has significantly strengthened the quality of PRI's outputs.
- PPA funding has also enabled PRI to carry-out 'information gathering' advocacy missions which are vital to achieving advocacy results over the long-term and are rarely supported by project-funding due to their 'exploratory' nature. Attendance at the 126th Assembly meeting of the Inter-Parliamentary Union is an example of such a mission (please see pg. 2 of the annual review) as is attendance at the 18th Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).

Timeliness:

- PPA funding has enabled PRI to respond quickly to opportunities as they arise which is not possible with project funding. For example, upon realising that the ACERWC had become more open to advocacy, PRI was able to respond rapidly and secure a commitment from the Committee to develop a General Comment which will, if developed, provide much needed guidance to states around the world as the African Convention on the Rights and Welfare of the Child is unique in addressing the issue of women offenders who are pregnant or mothers in detailed terms (please see Part E above).

Scale:

- PPA funding has enabled PRI to respond rapidly to external requests to utilise PRI's resources for capacity building purposes, thereby enabling PRI to reach a greater number of beneficiaries. For example, PRI was able to print and send several hundred copies of its flagship publication, titled *Making Law and Policy that Work*, to Nigeria where it was used to train magistrates throughout the country.
- DFID funding has also enabled PRI to significantly expand its work on its newest thematic area 'promoting the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules)'. The results detailed under Outcome Indicator 3 in the annual review and summarised below can be attributed solely to DFID funding.

2) How has DFID funding improved the organisational framework or enabling environment, leading to enhanced results and positive changes in the lives of the poor and marginalised?

As explained in the Value for Money section above, the main risk to achieving VfM is the loss of its specialised staff members. PPA funding has enabled PRI to retain project staff in the period between the end of a particular project and the commencement of a related follow-on project. The PPA has also enabled PRI to seek to avert the risk of losing expert staff members by conducting a salary review aimed at ensuring that PRI's terms and conditions are in line with those in the sector. PRI strives to implement 'best practice' human resource policies in order to maximise staff retention.

- PPA funding has enabled PRI to try innovative new approaches.
 - To illustrate, PPA funding has enabled PRI to commence the process of developing its first online training course (to deliver the Bangkok Rules curriculum). This activity

could not have taken place in a reasonable timeframe with project funding alone as the nature of the development process prohibits detailed pre-planning: each phase can only be designed subsequent to the completion of the prior ‘testing and assessment’ stage. PPA funding has also enabled PRI to experiment with the use of audiovisual materials and test whether website traffic increases as a result.

- In addition, PPA funding has also provided an opportunity for PRI to pilot new ways of ‘distance partnership working’ in two regions where PRI no longer has regional offices (South Asia and East Africa) and where the establishment of regional offices is unlikely to be financially sustainable in the current economic climate. The opportunities and risks presented by this way of working will be regularly reviewed throughout Years 1 and 2 and evaluated in Year 3.
- PPA funding has enabled PRI to bring key members of the organisation together to consider how PRI can become more of a ‘learning organisation’. For example, the PPA enabled PRI to hold its first residential two-day away day, which had a learning focus, for London-based staff and the four regional directors. The away day programme also provided opportunities for PRI to experiment with applying the ‘theory of change’ approach to PRI’s programmes, which should strengthen the programme design process within the organisation. Programme staff found the approach very helpful, particularly with respect to identifying the linkages between different causal factors; as a result of these discussions, this approach has now been integrated into PRI’s programme design processes. Also as a result of the lessons learned at the away day, PRI has started to better explicate and communicate its decision-making criteria.
- The PPA also enabled PRI to commission a media agency (Champollion) to provide advice on internal information and communications capacity development. As a result, PRI is now in the process of developing a communications strategy, has started blogging and has scaled up its use of multimedia tools. The impact of these developments will be assessed in due course.

3) How has DFID funding enabled PRI to leverage additional funding or undertake activities which influence other stakeholders and partners to change their behaviour for the benefit of the grantees’ target groups?

3.1. Leverage: As a result of PPA funding, PRI has been able to:

- Apply for additional funding from OSI to contribute to the development of an information and communications strategy; and
- Deliver larger scale EU-financed projects that have a match funding requirement.

3.2. Influencing other stakeholders: Nearly all of PRI’s work has an influencing component, as detailed throughout the annual review. At a national level, PRI’s influencing work is carried-out in the context of its programme interventions. However, at the regional (European and African) and international levels, PPA funding has enabled PRI to significantly expand its activities – especially the activities that could not be planned far in advance – to achieve the following results:

- *Justice for children and the ACERWC:* As a direct result of PRI’s advocacy at the 18th and 19th sessions of the ACERWC, convened in November 2011 and March 2012 respectively, the ACERWC has committed to developing a General Comment interpreting Article 30 of the African Convention on the Rights and Welfare of the Child (ACRWC) which provides for ‘special treatment’ for pregnant women and mothers who are accused or convicted of criminal offences. This follows PRI’s written submission to the ACERWC at the 19th Session titled, ‘Falling through the Cracks: Guidance on the Implementation of Article 30.’⁹³ The General Comment will provide much needed guidance to states around the world as the ACRWC is unique in addressing this issue in detailed terms and the General Comment will therefore have significance beyond the African continent.
- *The Bangkok Rules:* With PPA funding, PRI has been able to:

- Secure a recommendation from the UN Committee on the Rights of the Child's to implement the Bangkok Rules in its report and recommendations that were published following the Day of General Discussion in January 2012. This was a direct consequence of one of PRI's oral interventions during the Day of General Discussion in November 2011.
- Obtain a commitment from the newly established UN Working Group on the discrimination of women in law and practice⁹⁴ to raise the Bangkok Rules at the Working Group's second session which was convened in October 2011. PRI subsequently submitted a paper outlining issues the Working Group could engage on with respect to discrimination against women within the criminal justice system. PRI was assured that the paper was tabled at the Working Group's February 2012 session.
- Secure the commitment of former Special Rapporteur on Torture, Mr. Manfred Nowak, to take on board the Bangkok Rules in his forthcoming revision of the IPU's handbook on human rights for parliamentarians.
- Secure mention of the Bangkok Rules in the recent resolution on the SMR (please see Outcome Indicator 1 above) which 'encourages Member States to promote the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).'⁹⁵
- Raise awareness of the existence of the Rules with various other stakeholders, including through the 2 Bangkok Rules e-newsletters, at the Inter-Parliamentary Union Assembly (Committee session) and with NPMs in the Council of Europe region;
- Secure the active cooperation of UNODC and the Thailand Institute of Justice with PRI's activities on the Bangkok Rules. This will significantly increase the reach of PRI's Bangkok Rules tools.
- *Standard Minimum Rules*: Secure the support of 16 states for a targeted revision of the Standard Minimum Rules within a couple of months. For further information please see Outcome Indicator 1 and the following joint NGO statement: <http://www.penalreform.org/news/pri-issues-joint-statement-other-ngos-review-un-standard-minimum-rules-treatment-prisoners>

4) What would have happened if DFID funding had not been provided?

Without DFID funding, PRI would have not been able to:

- Obtain additional external high level expertise as required which would have had an overall negative effect on the quality of its outputs and outcomes;
- Carry-out information gathering advocacy missions such as the one which led to obtaining a commitment by the African Committee of Experts on the Rights and Welfare of the Child to develop a much-needed General Comment.
- Respond to the request of a Nigerian NGO for training resources which were then used to train magistrates throughout the whole country.
- Achieve any of the results detailed above under Outcome 4.
- Retain highly qualified staff members in between project periods.
- Commence the process of becoming a 'learning organisation.'
- Develop an information and communications strategy.
- Deliver larger-scale EU-financed projects which have a match funding requirement.
- Secure support for a targeted revision of the Standard Minimum Rules.
- Obtain any of the abovementioned advances on the implementation of the Bangkok Rules.

To what extent are the 'additionality effects' attributable to DFID funding?

The above additionality effects can be solely attributed to PPA funding. PRI's other core donor, the Open Society Institute (OSI), has not contributed to these effects as OSI funding has been allocated to overhead costs (office rent etc.) and internal governance costs (board meetings, heads of regional

office meetings etc.). Impacts obtained through separate project funding are not detailed in this case study.

Changing Lives Case Study (2000 word limit)

Reducing ill-treatment and torture of children in detention and promoting the use of alternative and non-custodial measures in administering justice for children in Tanzania

The goal of the intervention outlined in this case study was to reduce ill-treatment and torture of children in places of detention in Tanzania. PRI's intervention strategy focused on developing and strengthening multi-agency monitoring of all places of detention in the first instance with a further input to build advocacy capacity amongst relevant agencies to influence and bring about the desired change.

The intervention was implemented over an 18-month period from December 2010- April 2012 and was based on the following key inputs;

- a) Building capacity of relevant actors
- b) Strengthening the evidence base
- c) Promoting direct interactions with beneficiaries
- d) Developing strategies for change
- e) Implementing plans for next steps

a) Building capacity of relevant actors

Between 2008 and 2010, Tanzania's national human rights agency the Commission on Human Rights and Good Governance (CHRAGG), with the support of UNICEF Tanzania, undertook monitoring visits to a range of detention facilities in Tanzania.¹ Their visits revealed that there were an increasing number of children being held in adult detention, and that the conditions and treatment within the facilities where they were held fell far short of international standards. This was despite the fact that the Tanzanian Law of the Child Act 2009 strictly prohibits the detention of children under 18 in adult prisons.²

As CHRAGG lacked the expertise needed to ensure monitoring visits adhered to international standards of good practice and to present the findings of the visits in a convincing and compelling manner, in late 2010 UNICEF commissioned PRI to work with and build the capacity of the monitoring and research team of CHRAGG to conduct monitoring visits. PRI's first substantial intervention was carried out in December 2010 and included the design and delivery of a 5 day training workshop on monitoring and inspection skills including visits, planning, preparing relevant tools needed, developing special skills required to interact directly with children, and methodologies for reporting and follow up.

These skills were used by CHRAGG to carry out an in-depth and comprehensive assessment of the situation of children in all detention facilities in Tanzania. This assessment involved an extensive desk review and inspection visits to 65 detention centres where children are held in fourteen regions of Tanzania. During the inspection visits, 144 detention facility officers were interviewed (73 officers) or took part in group discussions (71 officers), and overall 491 children were involved in

¹ Section 6 (1) (h) of the Commission for Human Rights and Good Governance Act No.7 of 2001 gives the commission the mandate "to visit prisons and places of detention or related facilities with a view to assessing and inspecting conditions of the persons held in such places and making recommendations" in relation to protecting their human rights."

² In Tanzania, the Law of the Child Act 2009 strictly prohibits the imprisonment of children under 18 years in any of the 130 adult prisons or Wami Young Offenders Institute for 18-21 year olds. Children in conflict with the law in Tanzania are held in a variety of detention institutions including police stations (often for longer than the 24 hours maximum period allowed); 5 retention homes which detain children under 18 years who are on remand and one Approved School which receives children sentenced to an approved school order (capacity of 300 boys).

the assessment either through one to one interviews (179) or through focus group discussions (312). The figures were extrapolated to estimate that there were approximately 1400 children held in adult detention in Tanzania in 2011.³

b) Strengthening the evidence base

Subsequent to the assessment undertaken by CHRAGG and using the findings generated as a result, PRI worked closely with CHRAGG to develop a methodology and framework for, and final editing of, the first ever comprehensive report highlighting the situation for children in all places of detention in Tanzania.

The report, entitled Inspection Report for Children in Detention Facilities in Tanzania 2011, presented the following key findings and recommendations:

The report highlighted a number of instances of abuse with 34.64% of children interviewed reporting experience of ill-treatment in prisons and 31% in police custody. The report included recommendations to prison authorities and the Ministry of Health and Social Welfare (which runs the Retention Homes and Approved School) to develop child protection procedures to safeguard children from all forms of abuse and to increase staff capacity to implement procedures. Further, it was recommended that a transparent and accessible complaints mechanism be established and allegations of torture and inhuman treatment be investigated.

Of the 441 children interviewed in adult prisons 64 had been sentenced and were detained with adult prisoners in direct contravention of the Law of the Child Act 2009 and international standards.⁴ In the medium term it was recommended that all children be removed from adult facilities and in the short term children have separate sleeping quarters from adults which would be regularly monitored at night. It was recommended that the police prioritise creating juvenile cells.

78% of children surveyed had not been given access to legal assistance while in police custody.⁵ The report recommended that police, prison authorities and those managing Retention Homes and Approved School cooperate with organisations that provide legal assistance. Additionally, police should ensure that a legal representative or appropriate adult is present during interviews with children and that resources be specifically allocated for the safe transfer of children to court to minimise the time they spend in detention pre- and post-trial.

With regard to alternative sentencing it is recommended that the Ministry for Health and Social Welfare increase the funding for, and number of, Social Welfare Officers to provide comprehensive social investigation reports for the courts that fully explore alternatives to custodial sentences. Judges and magistrates should be closely involved in the design and implementation of non-custodial sanctions and measures for children and their awareness raised that the Law of the Child Act 2009 prohibits imprisonment of children and therefore, all convicted under-18s who are currently in adult detention should be transferred to the Approved School.

All facilities where children are held need to bring conditions in line with international standards including provision of basic necessities, improvements in sanitary conditions and access to

³ Inspection Report for Children in Detention Facilities in Tanzania, 2011 page 10 fn 26. “[T]his was estimated by extrapolation from the figures gathered during the assessment. On average, 15 children were found in each of the 29 adult prisons visited. In Tanzania there are a total of 130 prisons. Of these nine are central prisons, 85 are district prisons, 35 are open prisons and one is Wami Prison for Young Offenders. In most cases it is very rare to find children in open prisons. Therefore it is estimated that an average of 15 children will be found in the 95 prisons making an overall total of 1,425”

⁴ Article 49(3) of the UNCRC and Rule 13.4 Beijing Rules

⁵ Art 37(d) and 40(2)(b)(ii) of the Convention on the Rights of the Child requires states to provide children with prompt access to legal aid services. Section 99(1) of the Law of the Child Act 2009 also provides for this

educational, rehabilitation and reintegration programmes. It is recommended that in all facilities specific policies and programmes aimed at girls be developed and implemented.

Proper training for all those coming into contact with children in conflict with the law on child rights, the Law of the Child Act 2009 and friendly methods of dealing with children is necessary. The report recommended that resident magistrates should be specially trained to preside over juvenile cases, which would include training on the CRC, the social and other causes of juvenile offending, psychological and other aspects of the development of children and the available non-custodial measures for dealing with children in conflict with the law under the Law of the Child Act 2009.

Researchers met 12 children living with their mothers in prison. Recommendations included ensuring that children are provided with all the necessary conditions for their protection, survival and development.⁶

c) Promoting direct interactions with beneficiaries

A key element of PRI's intervention included providing training to CHRAGG monitors in working directly with children in conflict with the law and ways of interviewing children in detention. As a result the report records the voices of a number of children directly conveying experiences consistent with the larger findings contained in the report. Examples from the report highlighting the ill-treatment of children in places of detention as expressed by the children themselves are given below:

Physical punishment and solitary confinement are used as disciplinary measures

39% of the 179 children interviewed said that confinement and restraint mechanisms were common when disciplinary actions are taken...common punishments include solitary confinement for disobedience. Children also experience physical punishment. Two boys interviewed in Tukuyu Prison reported: "*Officials tend to use force, beat using belts, use corporal punishment and use abusive language to children in cells.*"

Account of a child tortured in a police station

A 16 year old in Moshi Retention home reported that "At the Majengo Police station I was brutally treated...they tied my legs with metal strings and stretched them between two tables. Then they started beating me and ... afraid that they would kill me, I decided to admit I had stolen a radio so that they would leave me alone."

Conditions in police detention

A 14 year old boy in Moshi Retention home described how he "... [s]pent one week in the police cell...which was dirty; a bucket full of urine and faeces in the corners. We were six children; we were sleeping on the floor, with nothing to cover our bodies. For the entire week I neither washed myself nor changed my clothes. We were being given three slices of bread once a day, at 8 p.m., if one was thirsty, he could ask for water, but he might not be given it."

Excessive delays in justice

A 16 year old boy explained that "On October 12, 2010 I appeared in court for trial. Since I had no one to bail me out I was sent to Moshi Retention Home. On October 21, 2010 I was supposed to appear again in court for trial but this didn't happen because the police could not come to pick me up. On February 3 2011 I appeared for the second time in court for trial. I was supposed to return there again on February 10, 2011, but the police failed to come and pick me up." In Segerea prison,

⁶Section 144 of the Law of the Child Act 2009 and Section 63(3) of The Prison Act 1967 allow for admission of an infant child with their mother to a prison and requires prisons to provide necessary child care including adequate diet, nutrition, health care and immunisation

the inspectors interviewed a 17 year old boy charged with murder who has been in pre-trial detention since he was 14. His case was at a preliminary stage at Kinondoni District court because the investigation was still on-going.

d) Developing strategies for change

Following completion of the report, PRI in partnership with UNICEF Tanzania conducted a three day workshop in May 2011 on *Developing Advocacy Strategies to Promote Justice for Children*. The workshop trained twenty research and policy staff from CHRAGG in preparation for the launch of the report and advocacy techniques to ensure adequate follow up of key recommendations. The workshop aimed to increase participant's knowledge and understanding of the role of advocacy in achieving change, to develop practical skills and an advocacy strategy to lobby key stakeholders to implement recommendations of the report.

Following the workshop the report was launched in August 2011 and there was general support for its findings and recommendations and commitment by stakeholders to address the issues highlighted in the report.⁷ This represents a significant success for PRI's intervention in that the widespread recognition of the soundness of the recommendations and the commitment to implement them by all key stakeholders including the Ministry of Justice, the Police and the Prisons Department will ensure improvements in conditions for children in detention in Tanzania in the coming years.

One example of the success of PRI's intervention is the commitments obtained from the office of the Director of Public Prosecutions (DPP). Speaking at the launch he said his office will work on the recommendations outlined in the report. He made a commitment that his office will issue a circular on giving priority to children's cases. They will also review the role of social welfare and probation officers and intend setting up an initiative in relation to seeking alternative sentencing. An example of this is using non-custodial sentences for juvenile offenders and related bail conditions that could keep children out of prison and pre-trial detention.

e) Implementing plans for next steps

Going forward, a major challenge identified by CHRAGG and UNICEF has been the fact that although a number of agencies in Tanzania have a mandate to monitor places of detention, no single organisation has the human capacity or sufficient resources to monitor progress on the commitments made.

To address this challenge, in late 2011, CHRAGG supported by UNICEF took the lead in proposing the development of multi-agency joint monitoring and invited all mandated bodies including the Boards of Visitors (Approved Schools), Welfare Committees and Commissioner for Social Welfare (Retention Homes) and the DPP to explore the possibility of collaborating in the monitoring of all places of detention of children in Tanzania. To assist in this plan PRI were contracted by UNICEF to develop standardised monitoring tools and a system for the collection, collation and analysis of data. This work is currently on-going.

In parallel to this work, PRI through the PPA with DFID are undertaking training with magistrates in Tanzania on alternatives to imprisonment. PRI will use this opportunity to promote the results of

⁷ Media coverage of the report launch is available in [Detained children complain of abuses, rights violations; Report defends children in detention](#) ; [Migiro to launch report on child abuse](#) which references the Inspection Report as well as the State report on violence against children in Tanzania. See also [Tanzania acts on widespread child abuse](#) (last accessed 29/05/12)

the 2011 report and improve magistrates' understanding of the Law of the Child Act 2009 to ensure the detention of children in Tanzania is always a measure of last resort.

Annex I: Acronyms

ACLU	American Civil Liberties Union
COE	Council of Europe
CSO	Civil society organisation
DPP	Department of Public Prosecutions
EU	European Union
FHRI	Foundation for Human Rights Initiative
ICCPR	International Covenant on Civil and Political Rights
IPU	Inter-Parliamentary Union
MENA	Middle East and North Africa
NPA	National Probation Agency (Georgia)
NPM	National Preventative Mechanism
OPCAT	Optional Protocol to the Convention Against Torture
OSCE	Organisation for Security Cooperation in Europe
SPT	Subcommittee on the Prevention of Torture
UN CAT	UN Convention Against Torture
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
WCADP	World Coalition Against the Death Penalty

Annex II: Death penalty abolition and the revolution in Tunisia

Following the revolution in 2011, the Tunisian temporary government expressed its willingness to ratify the Second Optional Protocol – a courageous and bold move given the support for the death penalty in the region. Positive steps have also been taken which indicates that there is political will to ratify the Optional Protocol in the future. For example, the Higher Political Reform Commission included abolition of the death penalty in their draft constitution (Article 1, Chapter 1 stated “Human beings have the fundamental Right to life. This right should be protected by law. Death Penalty should be abolished.”). A statement was made by the Minister of Human Rights and Transitional Justice to PRI that the government will study the ratification of the Second Optional Protocol in the future as part of its compliance with international human rights obligations. On 14 February 2012, a presidential pardon was issued that commuted the sentences of the 140 prisoners on death row to life imprisonment. On 25 February 2012, PRI signed an MOU with the Ministry of Justice in Tunisia which stipulates direct cooperation and partnership with the Tunisian government and NGOs including the Tunisian Organisation for Penal and Security Reform. One of the recommendations of the MOU was for Tunisia to ratify the Second Optional Protocol. Through PRI’s capacity building activities, civil society organisations are working more effectively and efficiently in a coordinated manner, and a popular campaign was launched in 2011 in Tunisia to bring the public’s attention to abolition.

**Annex III: Evaluation of PRI and SDC Project: Support to Penitentiary Reform in Ukraine
2009-2012 (August 2011)**

Annex III was sent as an attachment with this report.

Annex IV: Workshop Report for Tanzania (May 2011)

Annex IV was sent as an attachment with this report.

Annex V: List of national roundtables related to torture prevention

- 1) Tajikistan: 24 Jun. 2011 – Roundtable dedicated to international day in support of victims of torture.
- 2) Kazakhstan: 18-20 Oct. 2011 – Working group meeting on torture with a focus on monitoring in south Kazakhstan.
- 3) Kyrgyzstan: 28 Oct. 2011 – Roundtable on the NPM with a focus on law reform.
- 4) Georgia: 29 Apr. 2011 – Roundtable on issues of concern raised in Georgian Ombudsman’s NPM report.
- 5) Georgia: 10 May 2011 – Roundtable meeting to follow-up on issues raised in Georgian Ombudsman’s NPM report.
- 6) Armenia: 9 Sept. 2011 – Roundtable on NPMs.
- 7) Azerbaijan: 28 Sept. 2011 – Roundtable on torture and existing monitoring mechanisms.
- 8) Azerbaijan: 27 Oct. 2011 – Roundtable on torture and legislative gaps.
- 9) Armenia: 18 Nov. 2011 – Roundtable on monitoring mechanisms and prospective monitoring initiatives.
- 10) Russia: 12 Aug. 2011 – Roundtable on situation in pre-trial detention centres.
- 11) Russia: 15 Sept. 2011 – Roundtable on torture and law enforcement agencies.
- 12) Ukraine: 24 Jun. 2011 – Roundtable on prevention of torture.
- 13) Ukraine: 7 Sept. 2011 – Roundtable on police and public control.
- 14) Belarus: 10 Feb. 2012 – Roundtable on preparation of an alternative report for UN CAT (no. 1)
- 15) Belarus: 2 Jun. 2012 – Roundtable on preparation of an alternative report for UN CAT (no. 2)

END NOTES (all of the website links were last accessed 30 May 2012).

- ¹ <http://www.penalreform.org/publications/10-point-plan-address-prison-overcrowding>
- ² <http://www.penalreform.org/publications/paralegals-rwanda-case-study>
- ³ <http://www.penalreform.org/publications/alternatives-imprisonment-east-africa-trends-and-challenges>
- ⁴ While this report was ready for publication in February 2012, PRI decided to postpone publication in order that it can be published as a joint report with DOST Welfare Society as part of a joint project to be implemented in 2012/2012.
- ⁵ <http://www.penalreform.org/publications/what-can-parliamentarians-do-work-penal-reform>
- ⁶ <http://www.penalreform.org/files/Pakistan%20Training%20Report%20PRI-RI.doc>
- ⁷ <http://www.penalreform.org/news/pri-host-regional-forum-georgia-prevention-torture-9-cis-countries>
- ⁸ <http://www.penalreform.org/news/pri-submits>
- ⁹ <http://www.penalreform.org/news/pri-submission-crc-day-general-discussion-children-imprisoned-parents>
- ¹⁰ <http://www.osce.org/odihr/84756>
- ¹¹ <http://www.penalreform.org/news/pri-attends-osce-hdim-meeting-discuss-role-civil-society-prevention-torture-and-ill-treatment>
- ¹² <http://www.fiacat.org/oral-statement-50th-ordinary-session-of-the-achpr-oral-statement-of-the-world-coalition-against-the-death-penalty-on-the-death-penalty-in-africa>
- ¹³ <http://www.penalreform.org/news/pri-participate-council-europe-seminar-ukraine-prevention-ill-treatment-places-detention>
- ¹⁴ <http://www.penalreform.org/news/pri-attends-opcat-global-forum-organised-apt>
- ¹⁵ <http://www.penalreform.org/news/pri-un-committee-against-torture-review-belarus>
- ¹⁶ http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-61-Add2_en.pdf
- ¹⁷ <http://www.penalreform.org/news/week-human-rights-council-blog-pri-policy-director>
- ¹⁸ Reports of the Special Rapporteur can be found here:
<http://www.ohchr.org/EN/Issues/Torture/SRTorture/Pages/SRTortureIndex.aspx>
- ¹⁹ Email correspondence (11 March 2012)
- ²⁰ http://www.nytimes.com/2012/03/11/us/rethinking-solitary-confinement.html?_r=1
- ²¹ <http://www.penalreform.org/death-penalty-publications>
- ²² <http://www.penalreform.org/death-penalty-publications>
- ²³ <http://www.penalreform.org/death-penalty-publications>
- ²⁴ <http://www.penalreform.org/death-penalty-publications>
- ²⁵ <http://www.penalreform.org/news/pri-conducts-workshop-abolition-death-penalty-lebanon-and-tunisia>
- ²⁶ <http://www.penalreform.org/news/pri-roundtable-death-penalty-belarus>
- ²⁷ <http://www.penalreform.org/news/pri-mena-hosts-consultative-meeting-reality-and-prospects-abolition-death-penalty-jordan>
- ²⁸ Draft Death Penalty Project Evaluation (May 2012) on file with PRI.
- ²⁹ <http://www.penalreform.org/death-penalty-publications>
- ³⁰ <http://www.penalreform.org/publications/abolition-death-penalty-and-its-alternative-sanction-central-asia-kazakhstan-kyrgyzstan>
- ³¹ <http://www.penalreform.org/publications/abolition-death-penalty-and-its-alternative-sanction-east-africa-kenya-and-uganda>
- ³² <http://www.penalreform.org/publications/abolition-death-penalty-and-its-alternative-sanction-south-caucasus-armenia-azerbaijan>
- ³³ <http://www.penalreform.org/pri-multi-regional-conference>
- ³⁴ <http://www.penalreform.org/files/Life%20after%20death.pdf>
- ³⁵ <http://www.penalreform.org/news/pri-launches-new-documentary-films-abolition-death-penalty-and-alternatives-sanctions-life-impr>
- ³⁶ <http://www.penalreform.org/news/pri-moscow-conducts-expert-meetings-holistic-rehabilitation-and-torture-prevention>
- ³⁷ <http://www.penalreform.org/news/pri-conducts-expert-meetings-holistic-rehabilitation-and-torture-prevention-tbilisi>
- ³⁸ <http://www.penalreform.org/news/pri-conducts-expert-meetings-holistic-rehabilitation-and-torture-prevention-tbilisi>
- ³⁹ Email correspondence 26 April 2012
- ⁴⁰ <http://www.penalreform.org/news/pri-conference-report-now-available>
- ⁴¹ <http://www.economist.com/node/21530098>
- ⁴² <http://www.penalreform.org/news/pri-statement-world-day-against-death-penalty>
- ⁴³ <http://www.penalreform.org/files/London%20Declaration.pdf>
- ⁴⁴ <http://www.penalreform.org/multimedia/together-against-torture-website-induction>
- ⁴⁵ <http://www.penalreform.org/publications/ten-point-plan-fair-and-effective-criminal-justice-children>
- ⁴⁶ <http://www.penalreform.org/files/ACERWC%20briefing%20FINAL.pdf>
- ⁴⁷ <http://www.penalreform.org/files/Justice%20for%20Children%20monitoring%20briefing%20FINAL.pdf>
- ⁴⁸ <http://www.penalreform.org/files/Penal%20Reform%20International%20Submission%20for%20CRCDCGD%20FINAL.pdf>

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- ⁴⁹ <http://www.penalreform.org/news/pri-conference-and-un-submission-armenia>
- ⁵⁰ <http://www.penalreform.org/news/week-human-rights-council-blog-pri-policy-director>
- ⁵¹ <http://www.penalreform.org/publications/pri-project-supporting-multi-agency-monitoring-places-detention-children-tanzania>
- ⁵² <http://www.penalreform.org/files/Safeguarding%20Children.pdf>
- ⁵³ <http://www.penalreform.org/publications/toolkit-interviewing-children-their-guardians-and-staff-juvenile-detention-facilities>
- ⁵⁴ Hard copies available on request.
- ⁵⁵ <http://www.penalreform.org/news/penal-reform-international-held-regional-conference-juvenile-justice-algiers>
- ⁵⁶ <http://www.penalreform.org/publications/deprivation-children%E2%80%99s-liberty-last-resort-independent-monitoring-mechanisms-safeguard->
- ⁵⁷ For a copy of the submission and further information please see: <http://www.penalreform.org/news/pri-participates-annual-day-rights-child-19th-session-human-rights-council>
- ⁵⁸ <http://www.penalreform.org/%E2%80%9Cfemale-offenders-%E2%80%93-what-difference-can-bangkok-rules-make%E2%80%9D-%E2%80%93-room-xxiv-palais-des-nations>
- ⁵⁹ <http://www.crin.org/resources/infodetail.asp?id=27832>
- ⁶⁰ <http://www.penalreform.org/publications/bangkok-rules-baku>
- ⁶¹ <http://www.penalreform.org/news/pri-uses-un-crime-commission-session-highlight-smr-review-bangkok-rules-and-opcat>
- ⁶² www.penalreform.org/files/Vienna_and_BR%5B1%5D.doc
- ⁶³ <http://www.penalreform.org/e-news-bulletin>
- ⁶⁴ <http://www.penalreform.org/news/pri-welcomes-new-legal-aid-guidelines> and <http://www.unodc.org/unodc/en/frontpage/2012/May/crime-commission-takes-another-step-to-protect-human-rights-in-the-criminal-justice-system.html?ref=fs3>
- ⁶⁵ <http://www.lawgazette.co.uk/blogs/blogs/euro-blog/legal-aid-now-underpinned-international-principles>
- ⁶⁶ <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/V12/527/85/PDF/V1252785.pdf?OpenElement>
- ⁶⁷ <http://www.penalreform.org/news/pri-issues-joint-statement-other-ngos-review-un-standard-minimum-rules-treatment-prisoners>
- ⁶⁸ Georgia National Statistics Office www.geostat.ge
- ⁶⁹ Statistics made available to PRI by the Supreme Court of Georgia (on file with PRI South Caucasus office)
- ⁷⁰ <http://www.penalreform.org/publications/alternatives-imprisonment-east-africa-trends-and-challenges>
- ⁷¹ <http://www.penalreform.org/news/community-service-seminars-magistrates-kenya>
- ⁷² Please see end note 4
- ⁷³ <http://www.unhcr.org/refworld/publisher,CAT,,BLR,,0.html>
- ⁷⁴ <http://www.penalreform.org/death-penalty-publications>
- ⁷⁵ Death Penalty Project External Evaluation (May 2012) on file with PRI.
- ⁷⁶ The newsletters are distributed by email. Copies are on file at PRI's London office.
- ⁷⁷ <http://www2.ohchr.org/english/issues/women/WGW/index.htm>
- ⁷⁸ <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/V12/527/85/PDF/V1252785.pdf?OpenElement>
- ⁷⁹ <http://www.penalreform.org/publications/protecting-children-prison-parent>
- ⁸⁰ <http://www2.ohchr.org/english/bodies/crc/docs/discussion/2011CRCDGDRReport.pdf>
- ⁸¹ http://www.penalreform.org/files/Alternatives%20in%20East%20Africa_Trends%20and%20Challenges.pdf
- ⁸² <http://www.penalreform.org/publications/10-point-plan-address-prison-overcrowding>
- ⁸³ <http://www.ohchr.org/EN/Issues/Poverty/Pages/PenalizationOfPoverty.aspx>
- ⁸⁴ http://www.soros.org/initiatives/justice/articles_publications/publications/socioeconomic-impact-detention-20110201/socioeconomic-impact-pretrial-detention-02012011.pdf
- ⁸⁵ For an example of a recent blog please see: <http://www.penalreform.org/news/training-magistrates-tanzania>
- ⁸⁶ Details about the members of the board can be viewed here: <http://www.penalreform.org/publications/board-member-biographies-november-2011>
- ⁸⁷ All of these documents are available on www.penalreform.org
- ⁸⁸ <http://www.penalreform.org/news/african-committee-experts-rights-and-welfare-child>
- ⁸⁹ Email correspondence (27 March 2012)
- ⁹⁰ Email correspondence (28 January 2012)
- ⁹¹ <http://www.penalreform.org/publications/making-law-and-policy-work> and <http://www.penalreform.org/publications/making-standards-work-international-handbook-good-prison-practice>
- ⁹² http://ap.ohchr.org/documents/E/HRC/d_res_dec/A_HRC_18_L9.doc
- ⁹³ <http://www.penalreform.org/news/african-committee-experts-rights-and-welfare-child>

⁹⁴ <http://www2.ohchr.org/english/issues/women/WGW/index.htm>

⁹⁵ <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/V12/527/85/PDF/V1252785.pdf?OpenElement>