

UNITED NATIONS OFFICE ON DRUGS AND CRIME
Vienna

Mid-term Independent Project Evaluation of the
Support to Prison Reform in the Kyrgyz Republic

KGZ/T90
Kyrgyzstan

Independent Evaluation Unit

July 2011



UNITED NATIONS
New York, 2011

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ACRONYMS

EU - European Union

GTZ - Deutsche Gesellschaft für Internationale Zusammenarbeit

MoU – Memorandum of Understanding

OHCHR - Office of the High Commissioner for Human Rights

OSCE - Organisation for Security and Cooperation in Europe

SSEP - State Service for the Execution of Punishments

UNIDO - United Nations Industrial Development Organisation

UNODC - United Nations Office on Drugs and Crime

UNDP - United Nations Development Programme

EXECUTIVE SUMMARY

The project “Support to Prison Reform in the Kyrgyz Republic” commenced in 2010 in partnership with the Government of Kyrgyzstan and the European Union (EU). The overall objective of the project is to contribute to strengthening the rule of law in the Kyrgyz Republic, thereby promoting justice, peace and stability in the country. The specific objective of the project is to assist the Kyrgyz Government to reform its penitentiary system, at legislative, policy and management levels, thereby improving the treatment of prisoners and contributing to their social reintegration. The project is complex and comprehensive and addresses well documented needs of the SSEP with the following Outcomes¹.

1. Improved prison reform and alternatives to imprisonment legislative/normative framework, with prison reform policy and strategy established.
2. The Prison administration manages prisons effectively, in line with UN Standards and Norms, promoting the social reintegration of offenders.
3. Prison authorities contribute to the prevention of disease and promoting mental and physical health through establishment of a healthier working and living environment in prisons.
4. Information about prison reform programme is made more available to the public through increased media coverage.

The evaluation focuses on progress in the Component 2.2. which is part of Outcome 2.

The mid-term evaluation of Output 2.2 ‘*Social reintegration and income generating activities developed and functioning*’, from Project KGZT90 “Support to Prison Reform in the Kyrgyz Republic” was carried out according to the Terms of Reference (ToR) attached in annex I. The objective of the evaluation was to measure the achievements, outcomes and overall impact of the activities. During the evaluation, the consultant was able to meet with prisoners in open and closed colonies, and male and female colonies, where group and individual (without SSEP officers) discussions took place. The consultant also met with the project team, other UN and international agencies, government counterparts, other government agencies and non-state Actors. A full schedule of meetings is in annex II. The consultant also undertook a review of project documents, public material from the UN and other international agencies, and media reports, see annex IV.

The evaluation finds in relation to the above component 2.2:

The project is well managed and implemented by a highly committed and experienced project team.

The project team has built excellent relationships with Kyrgyz Government partners, the EU and other key stakeholders.

¹ Outcomes as per project logical framework June 2011 provided by POKYZ.

Delays in the project due to political unrest and recruitment of the project team have placed intense pressure on implementation, however, in consultation with the EU and Government partners, the project team have worked very hard and effectively to overcome the delays.

The activities have been implemented to a high standard though the weakness in budgeting on behalf of the SSEP to develop and/or refurbish production units in colonies has been an obstacle.

The training and study tours to support SSEP in this activity have been appropriate and much valued.

The establishment of the Expert Group on Income Generation has been an efficient mechanism for ensuring broad and expert participation in, and guidance of, the activities.

The planned and agreed State Enterprise is a highly appropriate step but its establishment and operation before the end of the project is very uncertain.

The target of 200 prisoners benefiting from the production activities in the Model Colony is unrealistic due to the fact that very few prisoners are in such colonies.

The evaluation concludes:

Relying upon the improved functioning of prison production activities, (albeit supported by a number of inputs), to deliver the dual output of both increased income generation *and* support to prisoners' reintegration is highly ambitious. Some production units may be efficient at income generation but may not reach many prisoners. However it must be noted that the component has had other positive aspects that can contribute to reintegration and is part of a broad range of project activities that should also facilitate prisoner reintegration.

The inputs of the component are weighted towards improved income generation rather than social reintegration and there remain many other issues that are critical to prisoner reintegration.

The effective functioning of the State Enterprise with its management and oversight roles is critical to the sustained effectiveness of the income generation activities in colonies. At this stage there is no evidence that this will be in place before the end of the project.

The sustainability of the State Enterprise requires sufficient income from the prison production activities; however at this stage, neither the income nor the costs of the State Enterprise are clear. These should be clarified in order to allow consideration of any other arrangements that may need to be put in place.

There is a need to build on the work and achievements of the project component as this will be critical in supporting SSEP in a transitional phase to enhance the likelihood of increasing adherence to improved prison practise and international standards and norms.

The evaluation recommends:

1. UNODC and EU should work in a coordinated approach at suitably high levels within the SSEP and other Kyrgyz Government departments, including the office of the Prime Minister, to ensure the timely establishment of the State Enterprise.
2. The project team should monitor, and respond to, opportunities to support the Kyrgyz Government to commence preliminary budgeting work for the State Enterprise to establish if projected income matches cost of the State Enterprise. As

- part of this, proper and transparent record keeping of prisoners' salaries in closed colonies is imperative.
3. Ongoing monitoring mechanism of activities after the project has ended will be required. This might be through the Expert Group, however, this will require funding, so further and/or new donor support should be urgently considered.
 4. The project team should monitor and respond to opportunities to continue to support SSEP in the development of their Income Generation strategy so it is ready in time and is of optimal quality to feed into the Kyrgyz Government's discussions with other donors.
 5. The project team should monitor and respond to opportunities to continue to support SSEP in the development of their Income Generation strategy so it is ready in time and is of optimal quality to feed into the Kyrgyz Government's discussions with other donors.
 6. The project team, EU and SSEP, should consider reviewing the indicator that 200 prisoners will be beneficiaries in a model open colony in view of the fact that open prisons are consistently under populated and actually hold very few prisoners. Simultaneously, work can commence to assess the reinvestment opportunities of Colony 45 income to extend reach to an increased number of prisoners.
 7. The project team should monitor and respond to opportunities to support the Kyrgyz Government to attend to the wide range of obstacles to prisoners' reintegration under its direct control. This includes ensuring prisoners have identification documents, the provision of basic immediate support under release, and the removal of inhibiting practices such as prisoners having to pay for meals and utilities from their salaries.
 8. The Kyrgyz Government should ensure there is transparent accounting of salaries of prisoners in closed colonies.
 9. The Kyrgyz Government should record and analyse release and recidivism figures to enable targeted reforms in the criminal justice system that involve links with other ministries responsible for prisoners after their release.
 10. The SSEP should plan further initiatives with the garment production at Colony 2 to support levels of quality and levels of custom. They should also ensure there are sufficient numbers of experienced SSEP staff to manage both the sewing production and the soya production.
 11. The project team should monitor and respond to opportunities to meet any gaps that may arise from inadequate provision in the project colonies from the State Agency for Vocational Training.

SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

Findings²: problems and issues identified	Evidence (sources that substantiate findings)	Recommendations³
The planned and agreed (as per MoU) State Enterprise is a highly appropriate step but its establishment and operation before the end of the project is very uncertain.	Records of discussions during evaluation missions	UNODC and EU should work in a coordinated approach at suitably high levels within the SSEP and other Kyrgyz Government departments, including the office of the Prime Minister, to ensure the timely establishment of the State Enterprise.
The sustainability of the State Enterprise requires sufficient income from the prison production activities; however at this stage, neither the income nor the costs of the State Enterprise are clear. These should be clarified in order to allow consideration of any other arrangements that may need to be put in place.	Absence of State Enterprise budgets and absence of clear figures.	The project team should monitor, and respond to, opportunities to support the Kyrgyz Government to commence preliminary budgeting work for the State Enterprise to establish if projected income matches cost of the State Enterprise. As part of this, proper and transparent record keeping of prisoners' salaries in closed colonies is imperative.
The activities have been implemented to a high standard, though the weakness in budgeting on behalf of the SSEP to develop and/or refurbish production units in colonies has been an obstacle.	Project documents including Expert Group meeting minutes including findings and reports of existing monitoring activities.	Ongoing monitoring mechanism of activities after the project has ended will be required. This might be through the Expert Group, however, this will require funding, so further and/or new donor support should be urgently considered.
There is a need to build on the work and achievements of the project component. This will be critical in supporting SSEP in a transitional phase and	Interviews with core learning partners and the NATIONAL STRATEGY for the Development of the Penal Execution (Prison) System of the Kyrgyz	The EU should consider a phase II of the project. This will build on the work and achievements of the project component but will also be critical in supporting SSEP

² A finding uses evidence from data collection to allow for a factual statement.

³ Recommendations are proposals aimed at enhancing the effectiveness, quality, or efficiency of a project/programme; at redesigning the objectives; and/or at the reallocation of resources. For accuracy and credibility, recommendations should be the logical implications of the findings and conclusions.

enhance the likelihood of increasing adherence to improved prison practice and international standards and norms.	Republic for 2012-2016	in a transitional phase to enhance the likelihood of increasing adherence to improved prison practise and international standards and norms.
The strategy for the SSEP income generation is incomplete.	Interviews with Core Learning Partners and Project Team	The project team should monitor and respond to opportunities to continue to support SSEP in the development of their Income Generation strategy so it is ready in time and is of optimal quality to feed into the Kyrgyz Government's discussions with other donors.
The target of 200 prisoners benefiting from the production activities in the Model Colony is unrealistic, due to the fact that very few prisoners are in such colonies.	SSEP records and Umut 2	The project team, EU and SSEP, should consider reviewing the indicator that 200 prisoners will be beneficiaries in a model open colony in view of the fact that open prisons are consistently under populated and actually hold very few prisoners. Simultaneously, work can commence to assess the reinvestment opportunities of Colony 45 income to extend reach to an increased number of prisoners.
The inputs of the component are weighted towards improved income generation rather than social reintegration and there remain many other issues that are critical to prisoner reintegration.	Project documents and records of discussions during evaluation mission	The project team should monitor and respond to opportunities to support the Kyrgyz Government to attend to the wide range of obstacles to prisoners' reintegration under its direct control. This includes ensuring prisoners have identification documents, the provision of basic immediate support under release, and the removal of inhibiting practices such as prisoners having to pay for meals and utilities from their salaries.
The Kyrgyz Govt system for transparently recording	Meetings with Core Learning Partners, Project	The Kyrgyz Government should ensure there is

prisoners salaries is weak.	Team and correspondence with SSEP	transparent accounting of salaries of prisoners in closed colonies.
There are no proper statistics on re-offending of prisoners involved in prison income generating or vocational training activities.	Visits to project sites and meetings with Core Learning Partners	The Kyrgyz Government should record and analyse release and recidivism figures to enable targeted reforms in the criminal justice system that involve links with other ministries responsible for prisoners after their release.
Adequate volume and quality from the production units remains uncertain.	Visits to project sites, meetings with Core Learning Partners and project documents	The SSEP should plan further initiatives with the garment production at Colony 2 to support levels of quality and levels of custom. They should also ensure there are sufficient numbers of experienced SSEP staff to manage both the sewing production and the soya production.
The effectiveness of the vocational training in colonies depends upon the capacities of the State Agency for Vocational Training and the SSEP and the Agency's relationship with SSEP. The capacity of the Agency seems to be limited.	Visits to project sites, interview with the State Agency and interviews with Core Learning Partners	The project team should monitor and respond to opportunities to meet any gaps that may arise from inadequate provision in the project colonies from the State Agency for Vocational Training.

I. INTRODUCTION

Map 1. The Kyrgyz Republic and SSEP Colonies



NB. – СИЗО = Pre-trial detention centre; ИК= penal colony; КП = open type prison; УИИ = criminal executive inspection

Background and context

In December 2009⁴ UNODC, in partnership with the EU, launched a 3-year project entitled “Support to Prison Reform in the Kyrgyz Republic”. The overall objective of the project is to contribute to strengthening the rule of law in the Kyrgyz Republic, thereby promoting justice, peace and stability in the country. The specific objective of the project is to assist the Kyrgyz Government to reform its penitentiary system, at legislative, policy and management levels, thereby improving the treatment of prisoners and contributing to their social reintegration.

The project is made up of the following mutually reinforcing key components:

Reform of the legal/normative basis for prison reform and alternatives to imprisonment, with focus on the provisions for the application of new, humanised criminal legislation;

Policy and strategy development in relation to prison reform;

⁴ Contribution Agreement with the EU was signed on 18 Dec 2009

Building the management capacity of the prison service, with training, training of trainers, development of a training curriculum and support to the training centre of the State Service of Execution of Punishments (SSEP);

Developing a policy and program to generate additional income for the prison service and improving the social reintegration prospects of prisoners, and the implementation of the program in pilot prison colonies;

Improving the physical conditions in selected prisons, with focus on sanitary infrastructure and facilities, which have a direct impact on prison health, thereby promoting a healthier living and working environment for prisoners and staff, and contributing to the prevention of disease.

The project is in line with the UNODC Strategy, particularly results area:

1. Rule of Law,

1.3 Criminal Justice systems: more accessible, accountable and effective,

1.3.1 Enhanced capacity of member states to develop and maintain accessible and accountable domestic criminal justice systems in accordance with international standards and norms; and

1.3.3 Improved capacity of national criminal justice systems to use and apply relevant UN standards and norms in crime prevention and criminal justice.

It is also in line with UNODC's Strategic Programme Framework for Central Asia for the period 2008-2011, which aims at increasing crime prevention and the criminal justice capacities of the governments in Central Asia.

The mid-term evaluation of the income-generating component was foreseen in the project document and UNODC committed to conduct it while signing a Contribution Agreement with the EU. Annual evaluations conducted by the EU have also recommended paying special attention to the income-generating component, considering all the nuances of the current prison situation.

In accordance with the project document, the mid-term evaluation was carried out following the completion of the second year of the project to complement a forthcoming EU project monitoring evaluation scheduled for September 2012 as well as the project's final evaluation.

The objective of the mid-term evaluation is to measure achievements, outcomes and overall impact of the activities implemented under the project's component on income generating activities. The evaluation's conclusions are intended as the basis for improving planning, design and management of the project component during its final year. (NB. A no-cost extension of the project until June 2013 is foreseen.)

The evaluation covered the period from the start of the project (in December 2009) to the completion of the second year of the project (in June 2012, as the project started with a 6 month-delay due to political instability). The geographical coverage of the evaluation encompasses Bishkek, where meetings with relevant project beneficiaries and other

stakeholders will be held, and the Chui region, where prisons targeted by the project's income generating component (i.e. prisons No. 2, 3 and open type prison No.45) are located.

Evaluation Methodology

Considering the mid-term nature of the evaluation, engagement with the broad population of prisoners and former prisoners was not carried out formally. Instead, the sampling mainly consisted of interviews and discussions with targeted key government counterparts and Core Learning Partners. There were, however, opportunities for interaction with prisoners during the evaluation.

It should be noted that in the early stages of the implementation of income generation activities, prisoners have yet to fully benefit from the impact, and therefore there are no former prisoners who can describe their experience of social reintegration benefits. The income generating component evaluated is very much linked to other components of KGZT90. Some key contextual information, from other components, was gathered through meetings and interviews. This evaluation was neither designed nor conducted to assess nor comment on the other components, however, the information gathered enhanced the understanding of the context within which the project component operates and seeks to bring about change.

To provide triangulation and cross referencing, data was collected from various sources:

- documentation from POKYR;
- government documentation;
- reports from other international organisations;
- meetings with the project team;
- meetings with government officials;
- meetings with officials and experts of other international agencies, including the EU (the donor);
- national experts;
- independent individuals and organizations; and
- direct observation of prison facilities.

The complete list of persons met during the evaluation is provided in the Annex.

Data was collected by means of a framework questionnaire, used in individual and group meetings. The framework questionnaire was designed to guide discussion to cover all questions as per section B , though depending upon the meetings, some questions were not used. The questions were developed to seek opinion and experience that could, where possible, be supported by evidence.

The questionnaire used in individual and group meetings is provided in the Annex.

- Data was also collected through:
- the evaluator's attendance at project working meetings, in this case the meeting of the Expert Group on Income Generation;
- visits to prison facilities;
- a desk review of media reports;
- a desk review of international organisations' (e.g. OHCHR) reports;
- a desk review of international non state actor (e.g. Penal Reform International) reports

A complete list of desk review documents can be found in the Annex.

Limitations

The evaluator faced significant time constraints. In particular, the issuance of a contract to the evaluator 24 hours before the mission was meant to start placed intense pressure on the ToR schedule - for example, the delay in the contract meant the desk review and inception report were not finalised until the consultant was in Bishkek. In an effort to accommodate this limitation, the evaluator sought meetings outside of the ordinary working schedule and conducted additional documentation review after the mission had finished.

II. EVALUATION FINDINGS

Design

The design of project component 2.2 included the activity of a detailed assessment of the capacity and needs of SSEP production activity, with plans to be developed from that assessment. This mechanism, a Technical Assessment mission, was a highly appropriate and effective activity in contributing to the relevance of the work of the project component. The Technical Assessment mission was undertaken in December 2010. The assessment team included international experts, the UNODC project team, an expert from UNIDO and the SSEP.

The project established the Expert Group on Prison Income Generating Activities and Vocational Training. This group is both a consultative and decision making body and ensures participation and context analysis for the decisions and actions of the project component.

Following the assessment mission, colonies developed their own business plans – this was innately participatory. The business plans were presented to, and considered by, the Expert Group. The proposed production activities to be supported by the project were agreed by the Expert Group. The analysis and endorsement of the Expert Group is supportive of the relevance of the activities undertaken in the colonies.

The risk as identified in the July 2012 logical framework for component 2.2 was limited to *'The Kyrgyz Government and the Prison Service remain committed to the development of income generating activities, including by setting up a State Enterprise under the Prison Service'*. Through the delivery of project activities and through interviews with officers and senior officials of SSEP, there is evidence of extensive commitment from SSEP to develop income generating activities in the colonies; though it is unclear how much would have happened in this regard in the absence of the project. The risk of the commitment to the establishment of a State Enterprise is harder to clarify. While there has been a process commitment, as documented in the project memorandum of understanding, the minutes of the Expert Group meetings and through follow up actions including interministerial consultation on its establishment, it is clear from the meetings the evaluator conducted that there is not universal agreement in the SSEP on the State Enterprise, and it seems that its establishment may take longer than the duration of the project.

Relevance

The point of departure for this project has been the programme "Umut" ("Hope"), developed by the Kyrgyz government to improve the situation in Kyrgyz prisons. The project addresses the most urgent actions under the Hope programme, which are not covered by other donors. Project activities are based on the results of a UNODC assessment mission to Kyrgyzstan carried out in July 2009 and reflect priorities identified in the Cooperation Agreement between the Government of the Kyrgyz Republic and the European Commission.

There are many very clear and obvious problems for the SSEP. Preparation for the reintegration of prisoners upon their release and the poor performance of the vocational and productive activities are the two problems project component Output 2.2 *'Social*

reintegration and income generating activities developed and functioning' seeks to address.

Since the project document was prepared there has been further reinforcement of the relevance of the project.

Following his visit to Kyrgyzstan in December 2011 the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment recommended⁵:

3. Conditions of detention

82. The Special Rapporteur recommends that the Government:

(a) Appoint a high-level commission of multidisciplinary, credible specialists to conduct an urgent inspection of all detention centres with the aim of closing down immediately all facilities that are declared unfit for human habitation;

(b) Allocate sufficient budgetary resources to improve conditions in detention facilities with a view to provide adequate health care, improve food quality and ensure the separation of minors from adults and of pretrial prisoners from convicts; and design the system of execution of punishments in a way that truly aims at rehabilitating and reintegrating offenders by abolishing restrictive regimes and creating work opportunities and recreational activities for inmates;

The World Health Organisation's 2010 report '*Analysis of the Prison Health System in the Kyrgyz Republic*'⁶ notes:

"In order to control communicable and socially significant diseases, measures should be taken to improve living conditions of the prisoners, in addition to the use of modern diagnostic and treatment methods, regular supply of drugs and medical supplies, adequate nutrition and qualified personnel. This includes addressing the problem of overcrowding, creating conditions for observing sanitary norms and rules of personal hygiene, improving natural lighting and ventilation in rooms, involving prisoners in physical activity and promoting healthy lifestyles".

The Technical assessment of Prison Income Generating Activities in the Kyrgyz Republic⁷ conducted for the project in Dec 2010 noted

The Situation in the colonies and settlements gives little hope for wide scale improvements in the short term. Especially the male prison facilities are in a terrible state. There is a shortage of all kinds of basic needs like proper buildings with water supply, electricity and heating.

In recent years, the SSEP has not received sufficient state funding to cover its budget. In 2009, it received 28.3 % of its estimated needs, in 2010 37.4% and in 2011 31.21%.

⁵

[http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/D3BBC17FFA9FD3EDC125796600489603?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/D3BBC17FFA9FD3EDC125796600489603?OpenDocument)

⁶ <http://www.euro.who.int/en/what-we-do/health-topics/health-determinants/prisons-and-health/publications/analysis-of-the-prison-health-system-in-the-kyrgyz-republic>

⁷ Provided by POKYR

The conditions of detention and stability of the prison system remain poor. Media reports of late 2011 and early 2012 focused on violence and protest movements, largely associated with the corrupt practises and the power exerted by criminal gangs inside colonies.⁸

Other media analysis of these events went further and looked at the absence of productive activities inside prisons:

Kadyr Tokoev, a former head of Kyrgyzstan's Soviet-era prison system and current vice chairman of the State Service for Punishment Execution (SSEP)'s public oversight committee, says Kyrgyzstan's jails are underfunded and dependent on external sources of income to maintain basic living conditions, a factor that strengthens the hand of organized criminal groups.

“In the late Soviet era, the prisons were self-financing. Every prison had its own production facilities. Inmates worked, and received a small wage. [...] Now the government gives money from the state budget, but this allocation only meets 30 percent of the system's requirements”, Tokoev told EurasiaNet.org, adding that the situation encourages low-ranking prison officials to engage in corrupt and criminal practices, including narcotics trafficking.⁹

Reports of corruption in Kyrgyzstan are not limited to the media. Respected independent analysis, such as that from Transparency International presents a bleak picture, with Kyrgyzstan ranked 164 out of 183 in the 2011 corruption perceptions index. These figures are used by the UN in Kyrgyzstan.¹⁰

While the situation inside the prison system faces immense challenges, the environment outside is also difficult. Of particular importance to note is the employment context. The UN Resident Coordinators' report of 2010¹¹ observes:

Kyrgyzstan's economy has been hit sharply by fallout of the April and June violence. It is difficult to calculate the true economic impact of this year's events at the micro level. Many of those hardest hit by both trade restrictions and the effects of the conflict were working in semi-formal and informal jobs in small business, petty trade and farming. They will not appear in official statistics, and will not be eligible for unemployment benefits.

Many of those in prison will have been involved in the informal job sector, and the increased demand on this sector inhibits the likelihood of resettlement of released prisoners.

SSEP capacity to deliver reform is limited. The evaluator's discussions with Core Learning Partners and documentation describe both the requirement for significant and meaningful ongoing training for existing staff, and the requirement to attract new higher calibre staff. This is critical for SSEP, not only to enable SSEP to deliver its core mandate, but also to progress in realising its new priorities. In addition, interviews and documentation reviewed describe the challenges faced by SSEP in dealing with the very strong influence of criminal gangs inside colonies. These gangs have at times been reported to have taken daily control

⁸ In Kyrgyzstan, Prison Riot Reveals Cracks In System http://www.rferl.org/content/kyrgyzstan_prison_riots_hunger_strikes/24454754.html

⁹ Kyrgyzstan: Organized Crime Flexing Muscles in Prisons <http://www.eurasianet.org/node/64917>

¹⁰ The UN Kyrgyzstan website uses 2009 report figures <http://www.un.org/kg/en/about-kyrgyzstan/basic-statistic>

¹¹ <http://www.undp.kg/en/>

of colonies. While efforts were made to tackle the most notorious of the gang leaders, the power and influence of the gangs, remains a very significant challenge to the SSEP¹².

Efficiency

The project has many characteristics of efficiency. Key elements include assiduous planning and preparation, a very high standard of record keeping to support agreements and activities, and rigorous and frequent monitoring. The project team has a very good blend of highly appropriate expertise for the project component. The project component requires experience in prison reform, colony management, legal reform, civil engineering and administration and procurement, and these experiences and areas of expertise all exist within the project team.

It is a regret that the International Coordinator post was vacant for so long, a total of 17 months out of 36, as this put unnecessary pressure on the implementation.

Considering the delays the project faced, particularly: the serious political upheaval in 2010; two changes in the Chairman of the SSEP between April and June 2010 which required the inception phase to focus on relationship building instead of implementation; the slow resultant rate of expenditure and therefore payment of the second tranche from the donor; and the March 2011 disturbances in all colonies except juvenile and female; the project component has been implemented at an efficient rate in that while there have been delays and adjustments, the activities, once they could commence, have been implemented in rapid succession:

Dec 2010 – technical needs assessment mission

Jan 2011 - Expert Group established

Feb 2011 – Needs assessment report finalised

Feb 2011 - Expert Group meets first time

The efficiency with which the project deals with risks, which can impede reaching the objectives and certainly impeded rate of implementation, is extraordinarily high. Intense efforts to build robust and transparent working relationship with the SSEP have been a highly efficient way of working towards maintaining implementation rate and achieving outcomes. This has required frequent working meetings, joint monitoring activities and the documentation and signing of all agreements, with responsibilities clearly defined and time bound. Every element of this is very carefully filed in a clearly systematic way.

The project team has good expertise to deal with the project component professionally and efficiently. The project team includes a legal expert, (particularly essential for the work on the State Enterprise) a former senior officer of SSEP and an engineer.

Despite these measures and qualities, there has been some divergence from budgeted support to the development of the productive activities. It is the opinion of the consultant that the divergences may have been more if it were not for the corrective action initiated by the project e.g. twice a week joint monitoring missions and the secondment by SSEP Head Quarters of a senior engineer to oversee work in the colonies.

¹² See NATIONAL STRATEGY for the Development of the Penal Execution (Prison) System of the Kyrgyz Republic for 2012-2016 – the unofficial translation of 'Umut 2' available from POKYZ and http://www.crisisgroup.org/~media/Files/asia/centralasia/kyrgyzstan/118_kyrgyzstans_prison_system_nightmare.pdf

Support to the bakery is 126.4% over budget – most of this being an increase in materials for the refurbishment of the premises and an increase in the cost of the equipment.

Support to the sewing workshop is 28.9% over budget – most of this being an increase in materials for the refurbishment of the premises.

Support to the soya milk production is 62.7 % over budget – most of this being an increase in materials for the refurbishment of the premises.

It should be noted that each unforeseen increase is thoroughly and robustly discussed with senior officials of the SSEP and the Expert Group on Prison Income Generating Activities and that the project has not borne the burden of every increase. The net result of this over expenditure is a reduced fund for Colony 45. This is to be addressed, in agreement with the donor, with a view to using underused budget lines to meet the gap in funding. What is key to note is that the plans for works for Colony 45 have been carefully reviewed in light of lessons learnt in Colonies 2 and 3. Moreover, the works in Colony 45 will be completed following a commercial tender which purchases more expertise and quality control, as opposed to using less expert individual SSEP cost estimates and reliance upon prisoner labour.

The project component works well alongside national civil society organisations undertaking similar work in SSEP prison establishments. The project works closely with the EU funded “Chance” Project that is working to improve the capacity of the Agency of Vocational Education of the Kyrgyz Republic, delivering classes inside colonies. The Agency of Vocational Education of the Kyrgyz Republic will provide certificated training for the prisoners involved in the bakery, soya milk, sewing and macaroni activities.

The divergence between project documentation has a negative impact on efficiency, for example the project team has to report internally and to the EU in different formats.

Partnerships and cooperation

The project’s partnerships with the national authorities, particularly with the SSEP, are of an excellent standard. The project component deals with sensitive issues: poor conditions of detention and finances. To deal progressively with either of these demands high degrees of mutual trust and respect, both of which the project team have built.

The relationship with the EU is very good. With close involvement and support, the EU has the characteristic of a partner, as well as a donor. There are regular meetings and a clear mutual understanding of the roles. The project team have ensured that the work of the project is fully coordinated with, and mutually reinforcing of, other EU rule of law work.

The project team has also invested significant time to link with key national stakeholders: the Ministry of Justice, the Ministry of Interior, Prosecutors and Universities. The project team works closely with international agencies including the International Committee of the Red Cross, OSCE, Médecins Sans Frontières, The Soros Foundation, GTZ, UNDP and OHCHR. The latter convenes the Rule of Law group, of which the project is a member.

Civil society partnerships are very strong. The project has enabled increased national civil society work in the field of prison reform at a policy level and at a practical level. The

work of national civil society organisations in prison has benefited through the partnership with the project. One national NGO was told their project would have to construct a new building for their vocational training initiative, but the intervention of the project ensured that the NGO was allowed to use an existing building, meaning quicker and less expensive implementation of their EU funded project.

The Expert Group includes other international agencies, national civil society and other national government agencies.

Effectiveness

There are other outputs under the Outcome 2¹³ which are mutually reinforcing, however the evaluation ToR was to assess only the activities that were part of Output 2.2 *Social reintegration and income generating activities developed and functioning*.

The activities of the project component have so far been implemented to a high standard, though budget divergence is noted above and concerns regarding the timely establishment of the State Enterprise are still to be resolved.

Policy and Strategy for Income Generation

The project aims to establish an enabling legislative and policy framework for the delivery of Output 2.2. While the whole project works under the guidance of the Project Steering Committee and the Prison Reform Working Group, Output 2.2 also required specific documented agreements, strategic plans and mechanisms for delivery and guidance of the activities. To this effect, a detailed Memorandum of Understanding (MoU) was prepared, signed by the International Project Manager and the Chairman of SSEP. The MoU details actions, responsibilities and financial arrangements for the project support to the income generation work. It also records the commitment to establish a State Enterprise for the management of the SSEP's production activities.

The project and the SSEP also agreed to establish the Expert Group. This has broad but specialised membership to engage all relevant national government bodies, national non-state actors and international expert bodies. The evaluator joined the Expert Group for its 8th meeting. It was well attended and very well run, with all documentation necessary for the effective business of the meeting provided, and a focused agenda.. The EU officer responsible for the project was also in attendance and an active participant. The Expert Group has provided a vital monitoring and oversight role not limited to the regular meetings. Members of the Expert Group undertake visits to the colonies to check and support the work of the project.

The Expert Group has commenced consideration of an overall strategy for income generation. Existing SSEP documentation was more of an action plan. With the support of the project team a strategy framework has been agreed.

The work of the project has delivered a major achievement in securing a Government Decree that absolves SSEP income generating enterprises of the standard 50% tax obligation. This is a very important step towards the viability of existing and future income generating activity.

¹³ Outcome 2. The Prison administration manages prisons effectively, in line with UN Standards and Norms, promoting the social reintegration of offenders.

Establishment of a State Enterprise

To enable accountability and good use of the production capacity and potential, it is envisaged, and agreed by all parties as per the MoU, that a separate State Enterprise will be established, independent of the SSEP. According to Kyrgyz legislation, the Director of the State Enterprise is appointed by the Prime Minister. The capacity and budget deficit of the SSEP is noted in the project document, is reported in the Technical Assessment and through visits to colonies by the consultant it is clear that there is under-utilised infrastructure, premises and machinery that have been left to deteriorate. The general environment of the colonies is such that even unskilled maintenance and repair is not taking place. The State Enterprise is the entity and mechanism to address existing capacity and process gaps.

The State Enterprise is also to be established to provide oversight and accountability of the financial matters of productive activity. A number of interviewees mentioned concerns about the accuracy and transparency of revenue flow related to production units of the prison system.

The development of the necessary orders and inter-ministry consultation required for the establishment of the State Enterprise is well advanced. However, it is possible that this may take a long time to reach the final stages. The benefits of an independent State Enterprise, which removes significant responsibility and control from the SSEP, are not universally accepted within the SSEP. It seems highly unlikely that the State Enterprise will be functioning before the end of the project.

The State Enterprise is envisaged to be entirely funded by the production activity within SSEP. The budget for the State Enterprise will only be set upon its establishment.

The annual income generated from all current existing SSEP production activities in all prison/colony/settlement facilities is approximately 8,000,000.KGS (147,000). It is worth noting that for resettlement colonies, 90% of the income generated is used for the individual colony and 10% goes to the SSEP Headquarters¹⁴.

If this formula is used for all colonies, with 10% of the income going to the State Enterprise (as opposed to going to SSEP Headquarters budget), accounting for the production of soya milk (approx income 6,400 USD) bread (approx income 28,500 USD) and macaroni (approx income 9,000 USD), the estimated annual income available for the running of State Enterprise would be 58,000 USD. This sum seems quite small for a fully staffed and operational body with a serious management and oversight role.¹⁵

Following submission of the draft report, the SSEP replied with detailed comments, which are included in full in annex VI. The SSEP endorsed most of the findings and recommendations. In their response they emphasised: the need for additional financial support to production activities; further exposure to other prison services experiences on prison industries; and more training opportunities for SSEP staff. They propose in future to address the needs in vocational schools in colonies, especially as these are deemed to have reduced government support. They note the gap between establishment of the State Enterprise and the end of the project and propose consideration of an interim arrangement

¹⁴ This percentage should increase, the level is now known, see annex VI for SSEP comment.

¹⁵ Income is used here as remaining revenue once all expenditure has been made. Figures for bakery and soya milk are provided from SSEP via POKYZ. The macaroni are figures based on direct interview. Figures for the sewing work are not included as this will be dependent on external orders.

for a system of strengthened SSEP oversight supported by regulation. They draw attention to Government Decree On Approval of the Regulation on Special Fund for Development and Material Rewards for Agencies and Institutions under SSEP MoJ KR” as of 30 December, 2008, Ref. no. 742, that will increase from 10% the funds available to the State Enterprise. Their response challenges the relevance (in this evaluation) of comments on other factors that inhibit reintegration, as these require complex legislative amendments. The evaluator recognises that these inhibiting elements may be beyond the scope of the specific activities, however they remain very important influences on the likelihood of reintegration, and are important to note. SSEP will also invite and welcome guidance on the transparent accounting of prisoners’ salaries.

Re-establishing production activities in colonies

Initially, the project documents planned for the establishment of five small income generating activities such as plumbing and carpentry.. The budget was 10,425 EUR per colony in 5 colonies, four closed and one open type model. The Expert Group discussed that in order to establish profitable income generating activities and to reach as many of the prisoners as possible, it was important to adjust this approach. As a result, the project team launched a competitive process among all colonies. The Expert Group selected the best business plans submitted and eventually three colonies were supported: Colony 45 – open; Colony 2 – female colony; and Colony 2 – closed strict regime. The refurbishment of the premises and the installation of the equipment have been fraught with difficulty. The weak capacity of the officials in prison establishments to benefit from the project, and to absorb and manage the inputs, has lead to delays and increased expenditure. The project responded quickly and effectively as soon as these problems became apparent, by working with the SSEP to establish and implement twice weekly monitoring visits to the Colonies. These visits are all documented and issues arising, most often to do with budget or delays, were discussed at weekly meetings between the Project Manager and the Deputy Chair of the SSEP. This commitment, and the investment of time and resources, has maintained the implementation rate and facilitated a higher quality of work in the colonies.

Some produce – soya milk, bread and macaroni - will be produced for purchase and use by the SSEP. The soya milk will initially supply TB units in colonies 27 and 31, and go on to supply all colonies in Chui Oblast 1, 3, 8, 14, 16, 19 , 27, 31 and 47.

The bakery will initially supply Colony 2 and pre trial detention Colony 50 and go on to supply Colonies 1, 27 and 31, and there is a fixed term agreement for this. However, the next step of producing for consumption and purchase in the open market requires further work.

Ensuring competitiveness through costs and quality

The performance of the production units requires the heads of production units having adequate skill sets and developing experience to run the production units *and* market the produce. This also requires an enabling environment from the SSEP and eventually the State Enterprise, the heads of production unit remaining in post for a suitable duration, and any future heads being adequately experienced and skilled. The SSEP has agreed that the Director of Colony 45, who is also the head of production, will remain in his post for at least two years.

The project has made significant investment in exposing SSEP personnel to good practice with regards to prison industries, including planning and managing prison production activities. In total, 66 SSEP staff members were trained. The University Of Central Asia

developed and provided a bespoke course: “Practical Training for Employees of the Penitentiary System”. The University of Central Asia has a renowned professional training body in its School of Professional and Continuing Education. The School provides post-secondary, short-cycle education giving young people and adults professional and vocational qualifications in a flexible learning format that improve employment and income generating opportunities. The training had a much-needed focus on business skills, and was a multi-faceted course that included work placements with commercial companies to experience first hand a business operation and environment. The impact of the training was much evidenced by the standard of the business plans submitted by colonies, proposing support for the refurbishment and reequipping of their production units. The training was also accompanied by the production of a training manual. A delegation of 7 senior SSEP staff undertook a visit to Turkey (October 2011), where there are prison industries that have greatly improved in the last decade.

The soya milk production at the moment depends upon one individual, who is competent in running and maintaining the plant machinery. The machinery is old, was produced in South Korea and has been very carefully restored to working condition. The one competent operator currently spends time using South Korean web resources to ensure the machinery will be operational.

The sewing production will run on a slightly different business model, with outside clients placing commercial orders and providing the raw materials. SSEP also plans to get state orders from the Ministry of Interior and Ministry of Defence for the production of uniforms.

The colonies involved have already taken several significant steps to ensure the produce for consumption will pass the required national registration processes.

Social reintegration

Involvement in production activities contributes to reducing the harm done to individuals while in prison. The vast majority of prisoners, as well as being deprived of their freedom, face widely reported appalling conditions of detention and virtually no activity throughout the day¹⁶. The production units in Colonies 2 and 3 are likely to involve over 100 prisoners, though this will in part depend upon independent demand for the services of the sewing unit in the Colony 2. The project has made connections with external private garment production companies who will offer advice, but may also sub contract orders to the colony in an important initiative which would keep demand high and consistent, and prisoners involved. The project also plans to conduct training for prisoners when income generating programs are functional.

The number of prisoners involved in Colony 45 is problematic. The Colony has a total population of 165 prisoners, however 80 prisoners are registered as escaped¹⁷. The macaroni production will involve up to 20 prisoners. This context means that the target involvement of 200 prisoners in a ‘model colony’ will not be achieved. What is worth reflecting upon is the nature of a ‘model colony’ which in the case of resettlement means offering gainful and meaningful employment opportunities for prisoners prior to their release in a SSEP facility that has self sustaining industries. Colony 45 is making progress towards that aim. The work available in the premises is not limited to the new macaroni production; there is already barley, beetroot and hay production. The environment is sound,

¹⁶ See reports in ‘Relevance’ section

¹⁷ Cumulative total since 1993

with prisoner accommodation of a good standard. The Director of the Colony is rapidly taking steps to make more changes, such as digging wells to ensure a more regular and improved quality water supply, which will improve conditions and aid further production activities. These factors show a high degree of promise in the establishment of a colony with some model characteristics.

Vocational Training

The project plans for the appropriate vocational training to be provided by the State Agency. The State Agency has schools in colonies and provides certificated vocational training in 150 courses (not all 150 courses are taught in colonies though) and they develop and adapt new courses according to demand. The effectiveness of the vocational training in colonies depends upon the capacities of the Agency and the SSEP and the Agency's relationship with SSEP. The capacity of the Agency seems to have diminished in recent years, an indicator of this being their decision to want to start charging SSEP for vocational training services. The facilities of the Agency inside colonies are run down, and the project has invested in refurbishment of classrooms to improve this. The Agency has also been part of the Expert Group to ensure that they are fully in line with the aims of the project and able to plan their interventions. The Agency also benefits from direct support from the EU funded project 'Chance', which provides training for the teaching staff of the Agency and provides them with teaching aids and materials. The SSEP controls prisoners' attendance and provides guards during the training.

Impact

It is too early in the implementation of the project to fully consider the impact; however the project has been influential in the following areas:

To ensure public monitoring of assets procured in the framework of the project for prison income generating activities, the project submitted a full inventory to the Public Oversight Council and requested to conduct regular monitoring of prison industries to ensure that assets are properly used and prisoners receive decent payment for their work. This has contributed to a strengthened culture of prison monitoring and oversight.

The project was key in the development of the Strategy for Social Protection of Population for 2012-2014 (adopted by the Government Decree in December 2011) and prisoners and ex-prisoners were for the first time included as vulnerable groups of the population and covered by the Strategy. The project has secured the Government decree exempting SSEP production activity from a 50% tax. The commentaries developed by the project which contributed to the draft strategy are available from the POKYZ. Six out of eleven recommendations made were incorporated into the final legislative documents.

There has been considerable constructive media coverage as a result of the project, bringing an authoritative and independent voice to an issue of significant and polarizing concern (see annex V for details of publicity and media).

Sustainability

Key to sustainability is the establishment and effective functioning of the State Enterprise. This will be the body that provides effective management of the activities and the resources.

Another influence on sustainability is the capacity of the SSEP to manage the power exerted by criminal gangs inside the prisoner population. This phenomenon was reported in considerable detail by the International Crisis Group's 2006 report *Kyrgyzstan's Prison System Nightmare*.¹⁸

Guards no longer control the prisons, which are run by criminals, who enforce a strict and sometimes violent caste system. An informal treasury, the *obshchak*, is used to meet the prisoners' needs when the authorities cannot or will not; the influence of the *obshchak* has grown to the point where its power exceeds that of the authorities. At the centre of the system until mid-2005, one inmate, Aziz Batukayev, controlled a criminal empire within the prison walls. The dangers became apparent in October 2005, when riots broke out in several prisons simultaneously, and a member of parliament, Tynychbek Akmatbayev, was murdered while visiting Batukayev's prison camp.

With this criminal network having such influence and playing an increasingly important role in meeting prisoners' basic needs, the extent to which production activities can flourish in closed colonies is a concern. The risk to activities from this influence in the Colony 45 (open system) and Colony 2 (women) is almost non-existent, however in Colony 3 (closed, male and for serious offenders and re-offenders) the risk is present. The comprehensive approach of the whole project is supportive of the SSEP in managing this risk to sustainability.

¹⁸http://www.crisisgroup.org/~media/Files/asia/centralasia/kyrgyzstan/118_kyrgyzstans_prison_system_nightmare.pdf

III. CONCLUSIONS

Support to the SSEP is much needed, the project component's relevance is well documented by both national and international reports and reiterated in interviews with SSEP officials and the project component addresses some of the high priority needs. The tradition of productive activity in prisons is well established, though deeply damaged through inadequate management and investment in the last two decades. However, this tradition provides a fertile platform from which new and more effective activities can be developed. The analysis and reports of international and national organisations and media, as well as observations from the evaluation mission, find the project component highly relevant.

The project component 2.2 has been well designed and planned, and the activities implemented to a high standard, particularly when taking into account early obstacles. This is founded in a highly appropriate, expert, well organised and committed project team who have worked tirelessly and with great integrity to build a robust and mutually respectful relationship with SSEP and other key stakeholders, both national and international.

The project component 2.2 has addressed policy, legislative, operational and practical issues. This combination has been essential for the good standard of activity and the rate of implementation.

The reintegration of released prisoners depends upon a vast array of factors, some which should happen inside the prison, before release: a stable environment and humane treatment; vocational and recreational activities; good diet and healthy living conditions; and family visits. It also depends upon administrative arrangements upon release (e.g. prisoners having their identification documentation returned), and the system of transferring prisoners back to their families or communities being fully in place. Prisoners' livelihood security upon release is linked to work and accommodation. The project component can only address some of these. The project's comprehensive approach, which focuses on some other key issues e.g. professional training of staff, and refurbishment of prisons, contributes to improved possibilities of reintegration.

The project component makes a positive contribution through:

Improving the prison environment

Work to develop the production units has not just been about refurbishment of production units. Whole areas of the colony premises have been improved, these small changes can make a real difference to the environment in the colony, and can catalyse other similar initiatives in the colony.

Providing the opportunity to work

This offers for some a welcome distraction from an often damaging state of inactivity. It offers those involved the chance to break harsh routines, and for those who seek it, the opportunity to assume some responsibility. This has occurred through both the refurbishment and will occur through prisoners' involvement in workshops and production units.

Work experience

The opportunity to work in a well organised work environment is an experience that prisoners can put to effect upon release. Some prisoners will not have had such exposure prior to their incarceration.

Skills development

Some prisoners will have the opportunity to acquire different skills, offering them greater employment opportunities upon release.

Qualifications

The formal vocational training will in some cases be prisoners' first certificated training experience.

Accumulating income

Some prisoners will have the opportunity to have some earnings at their disposal upon their release. This can make a very significant difference to immediate resettlement opportunities.

It needs to be noted that income generation and reintegration, while not at all mutually exclusive, are two very diverse objectives. In some cases, the best activities for income generation may not be the ones that have the most impact on social reintegration and vice versa. The project has sought to manage this by finding appropriate responses that contribute to both objectives, but this is a deep challenge and in some cases cannot be achieved e.g. in Colony 45 the good business case does not reach many prisoners.

Other key aspects of reintegration need to be noted.

According to the SSEP, more than 90% of prisoners do not have formal identification documentation (ID). This makes the process of vocational training and employment problematic. Moreover, it limits prisoners' chances for reintegration after release because they encounter similar employment problems without ID. Without proper IDs, prisoners cannot receive social allowances that could help them to maintain their living while finding a permanent job.

There is poor co-ordination between the prison services and state social services, and there is no clear state policy or budget available for proper social reintegration of prisoners before and after release.

According to legislation, prisoners should receive some small funds after release to allow them to get to their homes, but this legislation is not fulfilled and many prisoners encounter serious problems immediately after release. With no funds available, they are at risk of falling into conflict with the law.

According to article 71 part 4 of the Penal Code of the Kyrgyz Republic, prisoners who are employed or receive a pension have to pay for their meals, clothes and utility costs. This is a repressive and unfair norm that hinders the process of reintegration.

Currently there are no proper statistics on reoffending of prisoners who were involved in prison income generating activities and vocational training. This seriously inhibits evidence based planning.

There is an existing solid working relationship and cooperation between the UNODC project team and the SSEP that has already delivered positive results. The project has initiated positive developments, and the project team is appropriately influential with SSEP

on matters going beyond the project's scope. The component on income generation and vocational training has faced delays and a series of problems, yet it should be reinforced. Continuous support at this stage is of utmost importance to ensure sustainability. The SSEP is now in a transitional stage and further support is essential to ensure that this crucial transitional stage will move forwards¹⁹.

¹⁹ See NATIONAL STRATEGY for the Development of the Penal Execution (Prison) System of the Kyrgyz Republic for 2012-2016 – unofficial translation available from POKYZ

IV. RECOMMENDATIONS

1. UNODC and EU should work in a coordinated approach at suitably high levels within the SSEP and other Kyrgyz Government departments, including the office of the Prime Minister, to ensure the timely establishment of the State Enterprise.
2. The project team should monitor, and respond to, opportunities to support the Kyrgyz Government to commence preliminary budgeting work for the State Enterprise to establish if projected income matches cost of the State Enterprise. As part of this, proper and transparent record keeping of prisoners' salaries in closed colonies is imperative.
3. Ongoing monitoring mechanism of activities after the project has ended will be required. This might be through the Expert Group, however, this will require funding, so further and/or new donor support should be urgently considered.
4. The project team should monitor and respond to opportunities to continue to support SSEP in the development of their Income Generation strategy so it is ready in time and is of optimal quality to feed into the Kyrgyz Government's discussions with other donors.
5. The project team should monitor and respond to opportunities to continue to support SSEP in the development of their Income Generation strategy so it is ready in time and is of optimal quality to feed into the Kyrgyz Government's discussions with other donors.
6. The project team, EU and SSEP, should consider reviewing the indicator that 200 prisoners will be beneficiaries in a model open colony in view of the fact that open prisons are consistently under populated and actually hold very few prisoners. Simultaneously, work can commence to assess the reinvestment opportunities of Colony 45 income to extend reach to an increased number of prisoners.
7. The project team should monitor and respond to opportunities to support the Kyrgyz Government to attend to the wide range of obstacles to prisoners' reintegration under its direct control. This includes ensuring prisoners have identification documents, the provision of basic immediate support under release, and the removal of inhibiting practices such as prisoners having to pay for meals and utilities from their salaries.
8. The Kyrgyz Government should ensure there is transparent accounting of salaries of prisoners in closed colonies.
9. The Kyrgyz Government should record and analyse release and recidivism figures to enable targeted reforms in the criminal justice system that involve links with other ministries responsible for prisoners after their release.

10. The SSEP should plan further initiatives with the garment production at Colony 2 to support levels of quality and levels of custom. They should also ensure there are sufficient numbers of experienced SSEP staff to manage both the sewing production and the soya production.
11. The project team should monitor and respond to opportunities to meet any gaps that may arise from inadequate provision in the project colonies from the State Agency for Vocational Training.

V. LESSONS LEARNED

The joined up nature of the current prison portfolio, supported by the EU, has enabled the projects and activities to make good progress, and the informal overarching role of the UNODC project has worked well for national non-state actors.

Independent monitoring of the colonies has been critical to the work of the project, This needs to be continued in any future work. The monitoring has mainly been concerned with the oversight of activities, but it also fosters a culture of transparency and prompts accountability.

SSEP business planning skills require ongoing assessment and updating. The requirements for SSEP staff to run commercial enterprises are very different from the pool of skill sets and experience widely held in SSEP.

ANNEX I. TERMS OF REFERENCE OF THE EVALUATION

TERMS OF REFERENCE

EU - UNODC project “SUPPORT TO PRISON REFORM IN THE KYRGYZ REPUBLIC”

Evaluation of the project component on prison income generating activities and vocational training

1. BACKGROUND AND CONTEXT

Project number:	KGZT90
Project title:	Support to Prison Reform in the Kyrgyz Republic
Duration:	2009 – 2012 (3 years)
Location:	Bishkek, Kyrgyzstan
Linkages to Country Programme:	UNODC Integrated Country Programme for Kyrgyzstan (2012-2015)
Linkages to Regional Programme:	UNODC Strategic Programme Framework for Central Asia for the period 2008-2011 EU Central Asian Regional Strategic Paper (RSP) for 2007-2013
Executing Agency:	UNODC Programme Office in Kyrgyzstan
Partner Organizations:	State Service of Execution of Punishments of the Kyrgyz Republic Ministry of Justice of the Kyrgyz Republic
Total Approved Budget:	2, 323, 610 USD
Donors:	European Union, Sweden
Project Manager/Coordinator:	Ms. Vera Tkachenko
Type of Evaluation (mid-term or final):	Mid - term Evaluation
Time period covered by the evaluation:	2009-2012
Geographical coverage of the evaluation:	Bishkek, Kyrgyzstan
Core Learning Partners²⁰:	Kyrgyz Prison Service, European Union, UNODC PO in Kyrgyzstan, Expert Group on development of prison income generating activities

²⁰ The **Core Learning Partnership (CLP)** encourages a participatory evaluation approach by allowing its members to participate in and provide feedback on key steps of the evaluation process. CLP members are the key stakeholders of the subject evaluated (project, programme, policy etc.) who have an interest in the evaluation. The CLP works closely with the Evaluation Manager to guide the evaluation process. The list of CLP members is to be found in Annex.

	and vocational training, and others.
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a) Project overview and historical context

In January 2010, UNODC, in partnership with the EU, launched a 3-year project entitled “Support to Prison Reform in the Kyrgyz Republic”. The overall objective of the project is to contribute to strengthening the rule of law in the Kyrgyz Republic, thereby promoting justice, peace and stability in the country. The specific objective of the project is to assist the Kyrgyz Government to reform its penitentiary system, at legislative, policy and management levels, thereby improving the treatment of prisoners and contributing to their social reintegration.

The project is made up of the following mutually reinforcing key components:

- Reform of the legal/normative basis for prison reform and alternatives to imprisonment, with focus on the provisions for the application of new, humanised criminal legislation;
- Policy and strategy development in relation to prison reform;
- Building the management capacity of the prison service, with training, training of trainers, development of a training curriculum and support to the training centre of the State Service of Execution of Punishments (SSEP);
- Developing a policy and program to generate additional income for the prison service and improving the social reintegration prospects of prisoners, and the implementation of the program in pilot prison colonies;
- Improving the physical conditions in selected prisons, with focus on sanitary infrastructure and facilities, which have a direct impact on prison health, thereby promoting a healthier living and working environment for prisoners and staff, and contributing to the prevention of disease.

The project seeks to address a number of key challenges Kyrgyzstan faces in this area. These are a legacy of a hierarchical and punitive prison system, the function of which was, historically, to contribute to the economic growth of the Soviet Union. Challenges include very poor material conditions, difficulties in separating and controlling the prison population, acute overcrowding, and breakdown of prison industries and lack of prison staff training, which corresponds to the needs of a modern, civil prison system. Despite some efforts to improve its financing, the prison administration remains desperately underfunded. Poor pay and dangerous working conditions make it hard to attract qualified staff to the service. Violence among prisoners is a major concern. Provision of adequate healthcare in prisons is a serious challenge, and tuberculosis (TB) among prisoners is widespread, prevalence being 40 times higher than in the general population. The spread of infectious disease is exacerbated by the very poor living conditions, especially sanitary facilities. While there are certain positive trends in developing prisoner rehabilitation and income-generating activities, as a rule, prisoners are inactive, not engaged in any productive activities, which has a very negative impact on their mental wellbeing and on the general climate of the institutions, contributing to prisoner tension and violence.

b) Justification of the project and main experiences / challenges during implementation:

The point of departure for this project has been the program "Umut" ("Hope"), developed by the Kyrgyz Government to improve the situation in Kyrgyz prisons. The project addresses the most urgent actions under the Hope programme, which are not covered by other donors. Project activities are based on the results of a UNODC assessment mission to

Kyrgyzstan carried out in July 2009 and reflect priorities identified in the Cooperation Agreement between the Government of the Kyrgyz Republic and the European Commission;

Since the start of the project, the Prison Service of the Kyrgyz Republic has provided full support and strong commitment towards implementation of all project activities. This has led to the development of a draft National Strategy for Prison Reform in Kyrgyzstan for 2011-2015, a revision of secondary penal legislation, increased institutional capacity of the prison service and establishment of a healthier working and living environment in selected prisons. Through the establishment of a Working Group on Prison Reform collaboration and coordination among all stakeholders involved in prison reform has been ensured.

Challenges faced by the project include a 6 month delay at the start of the project due to the political and security situation in Kyrgyzstan in 2010, which was marked by political instability and ethnic clashes; reorganisation of the prison service resulting in frequent changes in the prison service's senior management and a high rate of staff turnover; and major prison disturbances in 2011.

c) UNODC strategy context, including project's main objectives and outcomes and project contribution to UNODC country, regional and thematic programme

The project is in line with the UNODC Strategy, particularly results area:

1. Rule of Law,
 - 1.3 Criminal Justice systems: more accessible, accountable and effective,
 - 1.3.1 Enhanced capacity of Member States to develop and maintain accessible and accountable domestic criminal justice systems in accordance with international standards and norms; and
 - 1.3.3 Improved capacity of national criminal justice systems to use and apply relevant UN standards and norms in crime prevention and criminal justice.

It is also in line with UNODC Strategic Programme Framework for Central Asia for the period 2008-2011, which aims at increasing crime prevention and criminal justice capacities of the governments in Central Asia.

2. DISBURSEMENT HISTORY

(1) Project Budget

Overall Project Budget (time period)	Total Approved Budget (time period)	Project Expenditures (time period)	Project Expenditure in % (time period)
USD 3,995,600 January 2010 – December 2012	USD 2,323,610 January 2010 – April 2012	USD 1,921,104 January 2010 – April 2012	48% January 2010 – April 2012

(2) Budget for project component on development of income generating activities and vocational training in prison service.

Overall Project Budget	Total Budget for project component	Expenditures (time period)	Expenditure in % (time period)
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(time period)	on development of Income Generating Activities		
USD 3,995,600 January 2010 – December 2012	USD 183,941	USD 72,780 January 2010 – April 2012	39.6% January 2010 – April 2012

3. Purpose of the Evaluation

The objective of the evaluation is to measure achievements, outcomes and overall impact of the activities implemented under the project's component on income generating activities. The evaluation's conclusions will serve as the basis for improving planning, design and management of the project component during its final year. (NB. A no-cost extension of the project until June 2013 is foreseen.)

A separate evaluation of the income-generating component is foreseen in the project document and UNODC committed to conduct it while signing a Contribution Agreement with the EU. Annual evaluations conducted by the EU have also recommended paying special attention to the income-generating component, considering all the nuances of the current prison situation.

In accordance with the project document, the evaluation should be carried out following the completion of the second year of the project. The project component evaluation will complement a forthcoming EU project monitoring evaluation scheduled for July 2012 and the project's terminal evaluation.

Please refer to the attached Project Document and EU monitoring /evaluation reports in Annexes for more details.

4. Scope of the Evaluation

The evaluation will focus on the project's component related to social reintegration and income generating activities. The evaluation should cover the period from the start of the project (in December 2009) to the completion of the second year of the project (in June 2012, as the project started with a 6 month-delay as mentioned). The geographical coverage of the evaluation encompasses Bishkek, where meetings with relevant project beneficiaries and other stakeholders will be held, and the Chui region, where prisons targeted by the project's income generating component (i.e. prisons No. 2, 3 and open type prison No.45) are located.

5. Evaluation criteria and key evaluation questions

(1) Relevance

- Are the objectives/outputs of the prison income generating activities and vocational training in line with defined needs and priorities of the Kyrgyz Prison Service?
- To what extent have the needs of project beneficiaries - prisoners and prison personnel - been met?

(2) Effectiveness

- To what extent have the objectives of the project component on development of prison income generating activities and vocational training been reached?

-
- To what extent was the project component on development of prison income generating activities and vocational training implemented as envisaged by the project document? If not, why not?

(3) Efficiency

- Have inputs (funds, expertise, time etc.) been converted into outputs of the project component in a timely and cost effective manner?

(4) Sustainability

- To what extent have the income generating activities and vocational training established processes and systems that make it likely that capacity building in the prison system will continue after the project ends?
- Are the involved parties willing and able to continue the income generating activities and vocational training on their own (where applicable)?

(5) Impact

- To what extent has the project component on development of prison income generating activities and vocational training contributed to long-term changes in the Kyrgyz prison system?
- To what extent has the project component had a long term impact on the targeted beneficiaries, including the prison service, prison staff, prisoners and society at large?

(6) Project component design and performance assessment

- Was the project component design appropriate? If not, why not?
- Were risks appropriately identified? How appropriate are/were the strategies developed to deal with identified risks?

(7) Partnership

- What was the role played by the implementing agency in leveraging internal or external resources and expanding partnerships with other actors to support and expand the project component on prison income generating activities and vocational training?

(8) Lessons learned and best practices

- What are the best practices (if any) documented during the implementation of the project component?
- What specific lessons (if any) can UNODC draw from its experience with the project component for future directions, especially keeping in mind possible further support to the development of the State Service of Execution of Punishment under Government of the Kyrgyz Republic?

6. Evaluation methodology

The evaluator will develop and propose a thorough evaluation methodology prior to undertaking the field mission that will include i.a.:

1. A desk review of relevant project documents and project progress reports, including publications related to the development of prison income generating activities and vocational training and evaluation reports produced by outside experts;
2. Interviews with relevant representatives from the national counterpart, including the Kyrgyz Prison Service, relevant stakeholders working in the same area, such as OSCE, UNIDO, Public Association "Resource Centre for the elderly people", members of the Expert Group on development of prison income generating activities and vocational training and others.
3. Interviews with the head of prisons No. 2, 3 and open type prison No.45 as recipients of the technical assistance, especially those who have received training, and who use standard operational procedures.

7. Timeframe and deliverables

Timeframe for the evaluation process

#	Dates	Responsible Party	Tasks	Location	Total days
1	27– 29 June 2012	Evaluator	Desk review of all related documentation	Home – based task	3
2	30 June 2012	Evaluator	Inception Report	Home based	1
2	03 July 2012	UNODC PO in Kyrgyzstan	Briefing meeting	Bishkek, Kyrgyzstan	1
3	04 July 2012	UNODC PO in Kyrgyzstan	Meetings with donor, stakeholders, and project beneficiaries	Bishkek, Kyrgyzstan	1
4	05-06 July 2012	UNODC PO in Kyrgyzstan	Field visits to the prisons No.2, 3 and open type prison No.45	Chui region of Kyrgyzstan	2
5	08 – 15 July 2012	Evaluator	Drafting and submission of final evaluation report	Home-based task	7
	TOTAL working days				15
6	16 – 25 July 2012	UNODC PO in Kyrgyzstan, CLP	PM/CLPs provide feedback to report.		10
7	26 July 2012	Evaluator	Incorporate comments where appropriate, revise and submit to IEU for review and feedback		1
8	27 July – 05 August 2012	IEU	Reviews draft and provides feedback		10
9	06 August 2012	Evaluator	Incorporate comments where appropriate, finales report and submit to IEU for final clearance		1
10	07 – 11 August 2012	IEU	Reviews final report for clearance and posting to website		5

Expected deliverables

The evaluator will submit an inception report, prior to the field mission, to UNODC's Independent Evaluation Unit in Vienna for review and clearance.

After data collection and analysis has been conducted, the evaluator will submit draft evaluation report for comments to UNODC's Programme Office in Kyrgyzstan, and to all "Core Learning Partners". When considering the comments provided on the draft, the evaluator will use his/her independent judgment in preparing the final report. Once the report is fully revised and checked for general editing (spelling, grammar, punctuation) by the project management team, the evaluator will submit the draft to UNODC's Independent Evaluation Unit in Vienna. The report will contain the draft findings, conclusions and recommendations of the evaluator as well as a recording of the lessons learned during project component implementation. The evaluator will follow the instructions provided by the Evaluation Handbook of UNODC regarding the content, structure and annexes of evaluation reports.

The final report should be submitted to UNODC Headquarters (Independent Evaluation Unit) and to UNODC's Programme Office in Kyrgyzstan no later than one week upon completion of the mission and should be no longer than 10 pages, excluding annexes and the executive summary. (The UNODC standard format and guidelines for evaluation reports and Evaluation assessment questionnaire are attached in Annexes). UNODC will be responsible for further distribution of the final report.

8. Evaluation team composition

The evaluation will be carried out by an independent evaluator appointed by UNODC HQ. The project's main donor may provide an expert to participate in the evaluation as observer. Costs associated with the UNODC expert will be borne by the project. All costs for the expert appointed by donor will be borne by the donor government directly.

The Evaluator shall act independently in his/her individual capacity, and not as a representative of the government or organization, which appointed him/her. The independent evaluator should adhere to the independence and impartiality of the evaluation process discussed in the UNODC guiding principles for evaluation. The Evaluator should have the following qualifications:

A minimum first-level university degree in a relevant field and a minimum of 10 years of professional experience in the following areas:

- Developing evaluation methodologies and carrying out evaluations (if possible, within the UN system), including the drafting and finalization of evaluation reports;
- Rule of Law / Criminal Justice / Crime Prevention issues (with knowledge of the requirements of the relevant UN Conventions).

In addition, the evaluator should have:

- Expertise in the area of prison reform;
- Fluency in English, including oral and writing skills. Knowledge of Russian will be considered an asset;
- Knowledge of and working experience in Central Asia countries;
- Up-to-date knowledge and practical experience of UN programmes, policies and guidelines will be considered an asset.

9. Management of evaluation process

The process and logistics of the evaluation will be managed by the UNODC Programme Office in Kyrgyzstan. Below is the "Roles and Responsibilities in Independent Project Evaluations":

Project Manager:

-
- Draft TOR, shares them with IEU.
 - Timing of the evaluation ought to be in line with the evaluation plan.
 - Selects Core Learning Partners (CLP) and informs them about their role.
 - Shares draft TOR with CLP.
 - Integrates comments from IEU and CLP and finalizes TOR.
 - Interviews Evaluator(s) and proposes selection to IEU according to guidelines.
 - Follows up with Human Resources (HR) and administration (VISA, etc) in order to complete recruitment of international/National Evaluator(s).
 - Provides relevant information and desk review materials to Evaluator(s).
 - Comments on inception report.
 - Gives logistical support to consultant(s).
 - Arranges meetings with key informants, etc, for consultant(s).
 - Liaises with CLP, ensuring ownership.
 - Checks the draft report for factual errors.
 - Develops an Evaluation Follow-up Plan (EFP), in consultation with Field Representative or Director – signature required - shares it to IEU.
 - Organizes a presentation of evaluation results, e.g. debriefing in the field and/or at Headquarters (HQ).

Independent Evaluation Unit (IEU):

- Reviews ToR and provides quality assurance.
- Provides clearance of final TOR
- Reviews information provided on proposed evaluators against the criteria set down in the ToR and approves selection of proposed Evaluator(s) or suggests other Evaluator(s).
- Liaises with Evaluator(s), if requested.
- Comments on inception report.
- Provides methodological support throughout the evaluation process.
- Provides quality assurance on draft report
- Reviews final report, provides quality assurance and final clearance.
- Places final evaluation report on the evaluation website.
- Ensures MS²¹ are informed of evaluation

Evaluator:

- Carries out a desk review.
- Drafts inception report and shares it with PM and IEU for comments.
- Finalizes inception report, incorporating relevant comments.
- Conducts first hand research (interviews etc.).
- Ensures that all aspects of the TOR are fulfilled
- Drafts evaluation report in line with UNODC evaluation policy, handbook and formats² and shares it with IEU and PM for comments.
- Following clearance from IEU, shares report with CLP.
- Finalizes evaluation report on the basis of comments received and attaches any remaining disagreements as an Annex.

²¹ Major Stakeholders (MS), e.g. project team, UNODC substantive offices, implementing partners, government counterparts, NGOs, representatives of beneficiaries, steering committee members, donors, etc

- Presents evaluation results to internal / external stakeholders, i.e. debriefing in the field and – in case of strategic importance - also at HQ.

Core Learning Partners (CLP):

- Comment on TOR, refine evaluation questions, if needed.
- Take note of Evaluator (s) proposed.
- Provide support and insights throughout the evaluation process, as applicable.
- Comment on draft report.
- Take note of the final report.
- Attend presentation of results (if possible).
- Agree on implementation of recommendations.

10. Payment modalities

The Evaluator will be issued a consultancy contract and paid as per the common UN rules and procedures. The fee for the services will be defined according to the UN rules and procedures and depending from the qualification of the candidate, but shall not exceed 500 USD per day. The fee will be paid as a lump sum (100%) only after the final report is accepted by UNODC.

The project will cover all the cost related to travel and DSA for the evaluator based on the UN rates established for each location to be visited.

ANNEXES:

1. List of background documents for the desk review
2. List of Core Learning Partners
3. Standard format and guidelines of the United Nations Office on Drugs and Crime for Evaluation Reports; and
4. Evaluation assessment questionnaire.

ANNEX II. LIST OF PERSONS CONTACTED DURING THE EVALUATION

**PROGRAMME OF THE EVALUATION MISSION
OF MR. PAUL ENGLISH TO THE KYRGYZ REPUBLIC
WITHIN THE FRAMEWORK OF THE EU AND UNODC PROJECT
“SUPPORT T PRISON REFORM IN THE KYRGYZ REPUBLIC”
02 – 06 July 2012**

02 July 2012, Monday

02.45 Arrival (via Turkish airlines) to Bishkek, Kyrgyzstan – *pick up will be arranged by office vehicle at the airport “Manas”, Bishkek, Kyrgyzstan*

03 July 2012, Tuesday

09:00 -09:45 Meeting with **Taru Kernisalo**, Attaché, Projects Manager
Delegation of the European Union to the Kyrgyz Republic
*21, Boulevard Erkindik, Bishkek, Kyrgyz Republic
Tel: +996 312 261007*

10:00-12:00 Participation at Expert Group meeting on prison income generating
activities and vocational training
*Venue: Kyrgyz Prison Service
106, Ibraimov Street, 720021 Bishkek, Kyrgyz Republic
Tel: +996 312 683929, 431159*

12:00-14:00 *Lunch*

14:30-16:00 Meeting with **Mr Baitoloev Kalmurat**, Deputy Chairperson and **Mr. Victor Yakovlev**, Head of Production Department of the State Service of Execution of Punishment under Government of the Kyrgyz Republic (Kyrgyz Prison Service)
*Venue: Kyrgyz Prison Service
106, Ibraimov Street, 720021 Bishkek, Kyrgyz Republic
Tel: +996 312 683929, 431159*

16:30-18:00 Meeting with relevant project staff of the EU and UNODC Project on Prison Reform in the Kyrgyz Republic
Ms. Vera Tkachenko, International Project Manager
Mr. Koen Maquering, International Project Coordinator
Mr. Batyr Saparbaev, Legal Expert
Ms. Madina Sarieva, National Project Officer
Mr. Kuban Ismailov, Senior Administrative Assistant
*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*

04 July 2012, Wednesday

08:30-12:00 Visit to Prison No 2 – soya milk production and garment manufacture
Meeting with:
- **Mr. Minbaev Mirbek**, Head of Prison No 2
- **Mr. Mambetov Tursunbek**, Deputy Head
- **Mr Fan Men Gun**, Head of soya milk workshop
- Prisoners working in soya milk workshop and garment manufacture

Venue: Prison No 2, Stepnoe Village, Chiu oblast, Kyrgyz Republic

12:30-14:00

Lunch

14:00-16:00

Visit to Prison No 3 – modernization of bakery

Meeting with:

- **Mr. Enteriev Oroz**, Head of Prison No 3
- **Mr. Jonguchkaev Kainarbek**, Deputy Head
- Prisoners working in bakery

Venue: Prison No 3, Novo-Pokrovka Village, Chiu oblast, Kyrgyz Republic

16:30-17:30
issues

Meeting with **Mr Nurlan Alymbaev**, project expert on economical

*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*

05 July 2012, Thursday

08:30-12:30

Visit to Open Type Prison No 45 – macaroni production

Meeting with

- **Mr. Otunchiev Nurbek**, Head of open type prison No 45
- **Mr. Isakov Fakhruddin**, Deputy Head

Venue: Open Type Prison No 45, Belovodskoe Village, Chiu oblast, Kyrgyz Republic

12:30-13:30

Lunch

14:00-15:00

Meeting with **Ms Gulnara Djunushalieva**, Director of School of professional and continuing education under University of Central Asia

*Venue: University of Central Asia
138, Toktogul Street, 720001 Bishkek, Kyrgyz Republic
Tel: +996 312 910 822 (ext. 200)*

15:30-16:30

Meeting with **Ms Orozakunova Begayim**, Chief specialist of Production and Training Department of the Agency of Vocational Education of the Kyrgyz Republic

*Venue: Agency of vocational education of the Kyrgyz Republic
22 A, Manas avenue, 720010 Bishkek, Kyrgyz Republic
Tel: +996 312 45 40 21*

17:00-18:00

Meeting with **Ms Alexandra Khoudokormoff**, Expert of OHCHR

*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*

06 July 2012, Friday

10.30-11.30
Centre

Meeting with **Ms Asel Yusupova**, Project Coordinator of Resource
for Elderly People

*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*

- 11.30-12.30 Meeting with **Mr Sergey Shumskoi**, “Chance” Project
*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*
- 12:30-14:00 *Lunch*
- 15.00- 17.00 De-briefing meeting with **Ms Vera Tkachenko**, International Project
Manager of the EU and UNODC Project on Prison Reform in the
Kyrgyz Republic
*Venue: UNODC Programme Office in the Kyrgyz Republic
31-2, Razzakov Street, 720040 Bishkek, Kyrgyz Republic
Tel: +996 312 321732*

07 July 2012, Saturday

- 13.50 Departure (via Turkish airlines) from Bishkek, Kyrgyzstan – *drop in to
the airport “Manas”, will be arranged by office vehicle*

ANNEX III. EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES

The following questions are developed to provide discussions points for all those interviewed and to enable the evaluator to provide well founded answers to the evaluation questions as per section B. The questionnaire is not prepared for interviewees to complete, but is prepared as a guidance for discussion.

Not all questions are appropriate for all those to be met. And some questions while they are appropriate for a different range groups, may need to be asked in a different way to account for the nature of the meeting.

During interviews, the evaluator will expect that discussions lead to other important opinions and experiences, it is the evaluators intention to ensure the interviews are conducted in such a way as to make the most of these opportunities.

Any discussions with prisoners will adhere to the principles of *do no harm* and these discussions will be conducted in full privacy and confidentiality. .The evaluator will have to judge if engagement with prisoners and the types of questions asked are appropriate and safe for the prisoners. This is an essential standard when visiting and working with prisoners.

The data provided and the analysis of this data will be collated and summarised on the understanding that the final report is a public document, in that is for UNODC, Kyrgyz Prison Service, the EU and will also be available on the project web site and on *profi*.

While all those met will be listed in the annex, unless there is exceptionally good cause, responses from interviewees will be non-attributable

Framework Questionnaire

1) How relevant is the project to defined needs and priorities of Kyrgyz Prison Service?

To what extent are the prison income generating activities and vocational training in line with documented and defined needs and priorities of the Kyrgyz Prison Service?

To what extent have the needs of project beneficiaries - prisoners and prison personnel - been met?

2) How effective has the project been in responding to those needs?

To what extent have the objectives of the project component on development of prison income generating activities and vocational training been reached?

How adequate was the activity for the planned result?

To what extent was the activity well implemented?

3) How efficient was the implementation of the project?

To which extent have inputs (funds, expertise, time etc.) been converted into outputs of the project component in a timely and cost effective manner?

Did the project make good use of resources in terms of people's expertise, time and the budget (including coordinating with or complementing others' activity)?

Was there efficient financial control and management? Is there anything that could have been done better to improve financial control and management?

Describe how the project team worked with you?

What worked particularly well in the management of the project?

What could have been done differently or in addition to enhance the project?

How efficient were recruitment and procurement?

4) What is the likelihood of the projects sustainability?

To what extent have the income generating activities and vocational training established processes and systems that make it likely that capacity building in the prison system will continue after the project ends?

To what extent are the involved parties willing and able to continue the income generating activities and vocational training on their own (where applicable)?

What is the legal policy framework that enables the change promoted by the project to be sustained? Are there further changes to this framework required? If so, what steps are required and by who to ensure that this happens?

5) What is the likely impact of the project?

To what extent will the project component on development of prison income generating activities and vocational training contributed to long-term changes in the Kyrgyz prison system?

To what extent will the project component had a long term impact on the targeted beneficiaries, including the prison service, prison staff, prisoners and society at large?

What is now different as a result of the activity?

To what extent Is that difference stable and entrenched?

What is required to ensure continuation of change?

6) How appropriate were the project component design and performance assessment?

To what extent were the project component design and indicators appropriate? To what extent were risks appropriately identified and how appropriate are/were the strategies developed to deal with identified risks?

7) How effective are/were the partnerships?

What was the role played by the implementing agency in leveraging internal or external resources and expanding partnerships with other actors to support and expand the project component on prison income generating activities and vocational training?

8) Towards which lessons learnt or good practice has the project component lead to?

What are the best practices (if any) documented during the implementation of the project component?

What specific lessons (if any) can UNODC draw from its experience with the project component for future directions, especially keeping in mind possible further support to the development of the State Service of Execution of Punishment under Government of the Kyrgyz Republic?

ANNEX IV. DESK REVIEW LIST

Project Materials

Project Document

Project Logical Framework & Project Component Logical Framework
Action Plan

Project Inception Reports

Needs assessment on prison income generating activities and vocational training report

EU Monitoring Evaluation Reports

Project budget

EU budget

EU project document

Legal documents related to prison income generating activities

Memorandum of understanding between EU/UNODC project and Kyrgyz Prison Service

Expert Group on development of prison income generating activities and vocational education
(Minutes of the meetings, relevant supporting documents)

Statistics on prison Income Generating Activities

NATIONAL STRATEGY for the Development of the Penal Execution (Prison) System
of the Kyrgyz Republic for 2012-2016 – unofficial translation

Other sources

Media

In Kyrgyzstan, Prison Riot Reveals Cracks In System

http://www.rferl.org/content/kyrgyzstan_prison_riots_hunger_strikes/24454754.html

Kyrgyzstan: Organized Crime Flexing Muscles in Prisons

<http://www.eurasianet.org/node/64917>

International Organisations

United Nations Special Rapporteur On Torture Calls For An End To Impunity In The Kyrgyz Republic

[http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/D3BBC17FFA9FD3EDC125796600489603?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/D3BBC17FFA9FD3EDC125796600489603?OpenDocument)

Freedom House Calls on Kyrgyzstan to Reform Prison System

<http://www.freedomhouse.org/article/freedom-house-calls-kyrgyzstan-reform-prison-system>

Analysis of the Prison Health System in the Kyrgyz Republic 2010, WHO

http://www.euro.who.int/_data/assets/pdf_file/0005/126473/e94437.pdf

The abolition of the death penalty and its alternative sanction in Central Asia: Kazakhstan, Kyrgyzstan and Tajikistan

<http://www.penalreform.org/publications/abolition-death-penalty-and-its-alternative-sanction-central-asia-kazakhstan-kyrgyzstan>

ANNEX V. PROJECT MEDIA AND PUBLICITY ACTIVITIES

Project Communication and Visibility Plan was revised and approved by the EU in November 2011. Additional activities have been added to the communication and visibility plan. Target groups of the plan included high level government officials, prison administration, prison staff training centre, prisoners, civil society organizations and public in large.

Sufficient quantity of project visibility items with EU/UNODC and Prison Service logos such as folders, jackets, T-shirts, notebooks and other items were produced and distributed among Action's beneficiaries, partners and other stakeholders.

Project team widely distributed EU-UNODC prison reform project publications among key decision makers in the Government and the Parliament.

Photographs from all major project activities and visits of professional photographers to prison were submitted to the EU. Picture Archives updated on a quarterly basis to facilitate reproduction on the web sites and other information materials.

Public photo exhibition, 'Parallel' on prisoners and prison staff in the penitentiary facilities of the Kyrgyz Republic was organized in October 2011. It was based on visits to the majority of prisons in different areas of Kyrgyzstan by three photographers, including Mr. Alessandro Scotti (Italy), Mr. Alimjan Zhorobaev (Kyrgyzstan) and Mr. Maxim Shubovich (Kyrgyzstan). They presented unique insights into the ordinary life of prisoners as well as prison staff in the penitentiary facilities of the Kyrgyz Republic.

Project Case study was developed and uploaded on the EU website
http://eeas.europa.eu/delegations/kyrgyzstan/projects/case_studies/index_en.htm

Four handbooks developed by the UNODC HQs on prison management to prison staff were translated into Russian and disseminated among respective prisons administration in all regions of Kyrgyzstan. They are: a) Handbook on Prisoners with Special Needs; b) Handbook for Prison Leaders, c) Handbook on Prisoner File Management d) Handbook on Women and Imprisonment

Contest among Kyrgyz media representatives on best coverage of prison reform conducted to draw media attention to the prison reform and challenges faced by the prison service of Kyrgyzstan. Three winners of the contest selected by the independent Jury (1 prize – Erlan Satybekov, 2 - Tatyana Orlova and 3 – Erkin Ryskulbekov). Awarding ceremony was organized in the prison service premises in the framework of the regular press briefing with participation of the EU Projects Manager and project team. First prize holder of the contest was awarded with lap top, second winner with a video camera and third winner with dictaphone.

Number of interviews on project activities/achievements were initiated and published by the on-line media as well as popular news agencies such as 24kg, AKI press, newspapers such as —Vecherny Bishkek, —Slovo Kyrgyzstana, Kyrgyz Tuusu and others.

Five radio programs on prison issues were developed and broadcasted through popular FM radio stations from September to November 2011. Radio stations were selected based on the USAID mass media rating report (March 2011). They were: Kyrgyzstan Obondory in Kyrgyz language and Radio Retro (former Russkaya volna) in Russian language. Heroes of radio programs (5 min. each) were: young prisoner, middle age female prisoner, their family members (daughter of female prisoner, mother of prisoner) and prison director.

Two Kyrgyz photographers were selected to document project activities and progress made. They visited six selected prisons and made a photo reportage which was widely used by project beneficiaries and partners. Photos were also presented at the photo exhibition —Parallel’.

On 01-15 August 2011 photographer Mr. Alessandro Scotti (Italy) visited fourteen prisons in different regions of Kyrgyzstan to document the progress of actions and events related to prison life. 120 photos (80 black and white and 40 coloured photos) were produced and later presented at the photo exhibition —Parallel’.

Presentation of the Training Curriculum for Prison Service Training Centre for the period from 2011 until 2015 was organized on 28 October 2011 in the Training Centre of Prison Service. Representatives of the EU, Prison Service, civil society, mass media and international organizations participated in the event.

Press releases on all key project activities were issued on regular basis and published by the on-line media outlets. All press releases were approved by the EU and published on UNODC Regional Office for Central Asia (ROCA) maintained web site.

Regular press briefings were organized by the project to raise awareness about challenges faced by Prison Service of Kyrgyzstan and to strengthen public support for prison reform activities in the country.

ANNEX VI. SSEP COMMENTS OF DRAFT REPORT

STATE SERVICE FOR EXECUTION OF PUNISHMENT

Under the Government of the Kyrgyz Republic

as of 27/07/2012, Ref. no. 100/03-2487

Re. POKYR 553 as of 25/07/2012

To Mr. Koen Maquering,
International Coordinator of the
EC and UNODC Project
“Support to Prison Reform in Kyrgyzstan”

Dear Mr. Koen Maquering,

The State Service for Execution of Punishment under the Government of the Kyrgyz Republic (SSEP) expresses its respect to the EC and UNODC project and extends high appreciation for provided support to penal system reform and herewith is honoured to report the following.

Following the consideration of the Independent Evaluation of the Project “Support to Prison Reform in the Kyrgyz Republic”, SSEP expresses its endorsement of the recommendations and conclusions drawn in the report and provides its feedback as follows below.

The expert was focused on the Component 2.2 of the Project “Support to Prison Reform in the Kyrgyz Republic” (hereinafter referred to as Project), concerning social reintegration of prisoners through development and functioning of income generating activities. Whereby, the expert draws conclusions that the intended production units potentially can generate income but fail to engage sufficient number of prisoners which represent certain shortcoming in addressing the objective of prisoners’ reintegration foreseen within the Component 2.2.

In view of this it is proposed to consider the issue of additional funding of Project components, in particular, those related to reintegration of prisoners through labour, i.e. development of new types of production units in closed colonies since it enables to engage the large number of prisoners in production activities. The SSEP on its part is considering the scope for motivation of prisoners to engage in paid works; the law-making efforts are taken to draft legislative regulation which provides for preferences to working prisoners, hereby it is necessary to note, that the draft law as one of the options is already elaborated which provides for preferential release of prisoners engaged in production .

The Report further reads the that effective functioning of the State Enterprise under SSEP is imperative to the sustained effectiveness of the income generation activities in colonies, however, at the initial stage the newly established enterprises will not be able to ensure self-sustained funding of management staff of State Enterprise under SSEP. With respect to this issue the evaluation quite rightfully suggests to implement other arrangements and mechanisms.

As far as this issue is concerned it is proposed to introduce the interim measure, i.e. to develop the internal regulation of SSEP which enforces oversight and control over the performance of production units in open colonies, responsibility on the part of prison administration staff, take preventive actions, i.e. regular inspections of prisons with operating production units, herewith it is necessary to note that this regulation will remain valid until the State Enterprise is established.

In addition, it is possible to make amendments and supplements to the Decree of the Government of the KR “On Approval of the Regulation on Special Fund for Development and Material Rewards for Agencies and Institutions under SSEP MoJ KR” as of 30 December, 2008, Ref.

no. 742, which shall make prison enterprises under SSEP liable to transfer higher rate of net profit to the settlement account of the State Enterprise under SSEP than it is foreseen currently (10 % of prison production units profit is transferred to the special account of SSEP).

Within the Project the staff members of SSEP were exposed to operation of penal systems in foreign countries. However, herewith it is proposed to arrange additional similar study tours to Republic of Kazakhstan and Russian Federation, in particular, with regard to income generating activities in prison systems, as the penal executions systems in these countries are similar to our system.

Within the Project various workshops were conducted on different topics which were quite beneficial for participants who are engaged in prison production activities. In order to extend these efforts it is proposed to consider the opportunity to support the qualification upgrading courses for SSEP staff members on the topic of production management involving professional experts.

It is also important to mention that during the implementation of the Project Component 2.2 the issue of prison vocational schools under SSEP (VS) was closely addressed; they are scarcely financed from the government budget. However, bearing in mind the plight condition of VS in other colonies the training processes are conducted without proper logistical support, it is proposed when implementing other projects in future to pay closer attention to operation of VSs in colonies under SSEP, in particular with regard to logistical and technical support, refurbishment of training classes, etc.

As far as the recommendation on removing inhibiting practices is concerned, such as having prisoners to pay for food and utilities from their earnings please be advised that changing this practice is deemed difficult since it requires amendments in legislation which is extremely challenging procedure and in view of this context the relevance of this recommendation in the report is challenged.

As far as transparent accounting of salaries accrual of prisoners in closed colonies is concerned it is proposed to propose in the report some arrangements, ideas to address this issue which will be of great help to SSEP for its further reflection and finding solutions.

As far as other parts of the report are concerned there are no comments.

SSEP taking this opportunity is reassuring of its deep respect to you and looking forward to further fruitful cooperation.

With respect,

K. Baytoloiev

DEPUTY CHAIRMAN