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**UNODC Regional Programme Framework  
for East Asia and the Pacific**

2009 - 2012

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# GLOSSARY AND ABBREVIATIONS

ACCT	ASEAN Convention on Counter Terrorism
ADB	Asian Development Bank
AFSN	Asian Forensic Science Network
ANPUD	Asian Network of People Who Use Drugs
ARIN	Asset Recovery Inter-Agency Network
AS	Advocacy Section (UNODC)
ASEAN	Association of Southeast Asian Nations
ATS	Amphetamine Type Stimulants
CEB	Corruption and Economic Crime Branch (UNODC)
CLP	Core Learning Partners
CND	Commission on Narcotics Drugs
CO	Country Office
CP	Country Programme
CPS	Co-financing and Partnership section
CSO	Civil Society Organization
CSS	Conference Support Section
DO	Division for Operations (UNODC)
DPA	Division for Policy Analysis and Public Affairs (UNODC)
DTA	Division for Treaty Affairs (UNODC)
EAP	East Asia and the Pacific
ECOSOC	United Nations Economic and Social Council
ESCAP	United Nations Economic and Social Commission for East Asia and the Pacific
FAO	United Nations Food and Agriculture Organisation
FinGov	Standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime
FRMS	Financial Resources Management Services
GMSR	Greater Mekong Sub-Region
GPML	UNODC Global Programme "Against Money-Laundering, Proceeds of Crime and the Financing of Terrorism"
JCLEC	Jakarta Centre for Law Enforcement Cooperation
HQ	United Nations Headquarters
HRMS	Human Resources Management Services
HTMSS	Human-Trafficking and Migrant Smuggling Section
IDM	Inter-Divisional Mission
IDTT	Inter-Divisional Task Team
IEU	Independent Evaluation Unit (UNODC)
INP	Indonesian National Police
IPA	Integrated Programming Approach
IPB	Integrated Programming and Oversight Branch (UNODC)
IRM	Review Mechanism
ITS	Information Technology Service (UNODC)

JIU	Joint Inspection Unit
JS	Justice Section (UNODC)
MANA	Myanmar Anti-Narcotic Association
MBCA	Myanmar Business Coalition on AIDS
MSI	Marie Stopes International
MoU	Memorandum of Understanding
M&E	Monitoring and Evaluation
NGOs	Non-Governmental Organisation
OCB	Organized Crime and Illicit Trafficking Branch (UNODC)
OHCHR	United Nations Office of the High Commissioner for Human Rights
OIOS	United Nations Office of Internal Oversight Services
PEP	Prosecutor Exchange Programme
QMR	Quarterly Monitoring Report
RC	Regional Centre
RCEAP	Regional Centre for East Asia and the Pacific (UNODC)
RP	Regional Programme
PRF	Regional Programme Framework for East Asia and the Pacific
PSC	Project Support Costs
PSE	Programme Support Unit (UNODC)
SARA	Substance Abuse and Research Association
SASS	Statistics and Survey Section (UNODC)
SGB	Secretariat to the Governing Bodies Section (UNODC)
SOM	Smuggling of Migrants
SPU	Strategic Planning Unit
TIP	Trafficking in Persons
TOC	Transnational Organized Crime
TOCTA	Transnational Organized Crime Threat Assessments
ToR	Terms of Reference
TP	Thematic Programme
UN	United Nations Organization
UNCAC	United Nations Convention against Corruption
UNCTs	United Nations Country Teams
UNDP	United Nations Development Programme
UNDPA	United National Department of Political Affairs
UNEP	United Nations Environmental Programme
UNIDO	United Nations Industrial Development
UNGASS	United Nations General Assembly Special Session
UN.GIFT	United Nations Global Initiative to Fight Human Trafficking
UNPAF	United Nations Press Authority Foundation
UNRTF	United Nations Regional Task Force on Injecting Drug Use and HIV/AIDS
UNTFH	United Nations Trust Fund for Human Security
UNTOC	United Nations Convention against Transnational Organized Crime
UNODC	United Nations Office on Drugs and Crime
WHO	World Health Organisation

# EXECUTIVE SUMMARY

## Rationale for the Evaluation and Methodological Approach

This independent Evaluation of UNODC's Regional Programme Framework for East Asia and the Pacific (RPF) was carried out from September to November 2012, with supplemental information processed through January 2013. It is the conclusive part of an Evaluation Continuum developed by UNODC's Independent Evaluation Unit (IEU) that included three stages each building on the previous ones:

(a) *Stage 1:* The evaluation of the GLOU46 project ("Support for the Integrated Programming Unit to promote multidisciplinary and cross-sectoral technical cooperation").

(b) *Stage 2:* The evaluation of the Integrated Programming Approach.

(c) *Stage 3:* The evaluations of the Regional Programmes, the first one of which being the evaluation of the Regional Programme for East Asia and the Pacific.

The Evaluation comes at an important crossroads for UNODC's regional programming, due to the fact that the RPF for East Asia and the Pacific was the first such regional programme under the new integrated programming approach. The lessons learned, missed opportunities and best practices represented by the implementation of the RPF during 2009-2012 will offer significant opportunities for UNODC to make structural adjustments to its entire approach to programming at the regional level.

The present report is an evaluation of the RPF and not *per se* the RCEAP. However, the detailed questions presented to the Evaluation Team as part of its Terms of Reference necessitated that the RPF (2009-2012) be discussed with frequent reference to the RCEAP, its role in the design of the RPF, its management role vis-à-vis the Country Offices (COs) in the region, and its effectiveness in implementing under the RPF during 2009-2012. Moreover, the evaluation considers the interplay between the RPF and the UNODC strategies and Thematic Programmes.

## Methodology

The Evaluation Team reviewed the evaluation questions suggested in the ToR and refined them with the Independent Evaluation Unit (IEU) in Vienna and the Regional Centre for East Asia and Pacific (RCEAP). A purposive sampling strategy was suggested by UNODC's IEU and taken as the best way to draw conclusions about the Regional Programme in its entirety, based on four objective criteria:

(a) Presence and size of a UNODC office;

(b) Volume of Operations;

(c) Scope of Operations;

(d) Strategic Importance.

The Evaluation Team began its work with a review of the key documents listed in its ToR, which included programme and project documentation, progress reports and evaluations, audit reports, regular monitoring data, regional and national reports on plans and budgets, and relevant legislation. The findings of the Evaluation Team's initial document review appeared in an Inception Report.

The Evaluation Team thereafter refined its preliminary findings, based upon its interviews with stakeholders. Field visits were undertaken in Thailand (Bangkok); Indonesia (Jakarta and field trips); Myanmar (Nay Pyi Taw, Yangon and Shan State) and Cambodia (field trip). The team also interviewed partner and non-partner government officials in those countries where UNODC has a field presence, officials from ASEAN/ASEC, representatives of development partner/donor agencies who are contributing to UNODC's work in the EAP, other UN agencies, NGOs and other civil society stakeholders, field implementers and end-beneficiaries.

The Evaluation team also deployed a small number of questionnaires as a device to obtain the opinion and feedback of some stakeholders who were not available for a direct interview and to pose follow-up questions to UNODC Vienna, RCEAP and the Country Offices within the EAP Region, including 13 donors and 9 recipient countries.

Information obtained through the desk review, interviews and questionnaires was triangulated in order to avoid bias and ensure the objectivity and certainty of the findings.

### Limitations

The evaluation started in a slightly disadvantaged position, as the entire Evaluation Team was contracted by UNODC one month to six weeks following the interview process and within only a few weeks of start of travel to Bangkok. This impeded the team's ability to make informed decisions about meetings and locations to be visited and also meant that the team had to draft the Inception Report concomitantly with conducting stakeholder interviews in SE Asia.

Due to limited time and budget, the Evaluation Team was not able to travel to all field offices falling within the RPF geographic scope. Nonetheless, the team used teleconferencing to remedy this to the extent possible.

An absence of baseline indicators and data was also a limitation for the Evaluation Team. It was challenging for the Evaluation Team to assess changes due to the absence of baseline data. Performance indicators had not been used systematically. The evaluation team had to resort to rebuilding some baseline information through retrospective interviewing techniques. However, these are subjective inputs, which the evaluation team had to use with caution.

Finally, the Evaluation Team was somewhat limited by the fact that its Terms of Reference contained over 150 predetermined and detailed multipart questions that from the outset set the overall format, tone and level of detail of the Evaluation and its report.

### Introduction

The RCEAP was at a point of near collapse in 2007-2008. As confirmed by an audit conducted by external independent auditors in 2008, the Regional Centre in Bangkok had suffered several years of financial mismanagement resulting in a decrease in its volume of activity, a deteriorated working environment and a need to redefine its format in light of a reduction in resources.

RCEAP began developing its new RPF in 2008 in response to a request from UNODC HQ. It covers 34 countries and territories. The initial focus was on ASEAN Member States and Timor-Leste, plus the development of a programme of UNODC support in collaboration with the Pacific Islands Forum and its Member States. RCEAP began implementing the RPF on an experimental/pilot basis in the second quarter of 2009.

The RPF covers two Strategic (thematic) Areas:

- (a) Rule of Law, comprising:

- (i) Illicit trafficking;
  - (ii) Governance; and
  - (iii) Criminal justice.
- (b) Health & Development, comprising:
- (i) Drug demand reduction;
  - (ii) HIV/AIDS; and
  - (iii) Sustainable livelihoods.

The budget planning at the start of the RPF amounted to a total of *circa* US\$ 121 million (the Bangkok Regional Centre at US\$ 41 million and Country/Project Offices at US\$ 80 million). The financial reality is that only US\$ 77,4 million or 64 per cent of the original *programme* budget was secured.<sup>1</sup>

The RPF foresees UNODC engaging in collaboration with partner countries, international organizations as well as other UN agencies. The primary purpose of the RPF is to help UNODC integrate regionally. The UNODC mandates for RPF include conventions and protocols on narcotic drugs and psychotropic substances; transnational organized crime, anti-corruption, counter-terrorism and crime preventions and criminal justice. Human rights and gender are streamlined within various sub-outputs of the RPF.

The UNODC Mandates for the RPF:

- (a) The Single Convention on Narcotic Drugs – 1961 (amended by the Protocol of 25 March 1972);
- (b) The Convention on Psychotropic Substances – 1971;
- (c) The Convention against the Illicit Traffic in Narcotic Drug and Psychotropic Substances -1988;
- (d) The United Nations Convention against Transnational Organized Crime (adopted 2000);
  - (i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
  - (ii) Protocol against the Smuggling of Migrants by Land, Air and Sea;
  - (iii) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition;
- (e) The United Nations Convention against Corruption (entered into force 2005);
- (f) The 16 universal treaties on counter-terrorism and relevant Security Council Resolutions relevant to the prevention and suppression of terrorism;
- (g) and
- (h) UN Standards and Norms on Crime Prevention and Criminal Justice, including with respect to victim protection, violence against women and the humane treatment of offenders.

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<sup>1</sup>The total amount secured, including policy and support amounted to US\$ 86,5 million at the end of 2011.

Map 1. UNODC Field Offices network in East Asia and the Pacific



## Evaluation findings

### *Design*

In 2008, due to the fact that the Bangkok Regional Centre for East Asia and the Pacific (RCEAP) was in a state of near collapse, it had to move very quickly with drafting the RPF. This resulted in a decision on RCEAP's part not to circulate the draft-RPF extensively to Member States in advance of its endorsement.

In many ways, the decision of RCEAP not to circulate the RPF to all national governments prior to its endorsement and to ground most of its situational analysis in the Upper Mekong Region and ASEAN set the tone for its entire delivery during 2009-2012. While the RPF was designed to include the entire East Asia and the Pacific Region comprising 34 countries, it has never managed to service the Pacific to the same degree as it has serviced South East Asia. Going forward, this may argue for UNODC to adjust the RPF's geographic scope and/or subdivide the East Asia Pacific Region into two or more separate regional programmes.

While the RPF was not widely circulated to regional governments in its design phase, subsequently UNODC HQ, RCEAP and Country Offices have had frequent contact with host-governments in the Region. Throughout 2009-2012 RCEAP and its Regional Representative have pro-actively sought to mitigate risks via dialogue and communication with Member States and senior officials of government agencies. For projects developed post-2009, RCEAP has aimed to ensure that project-level risks are indicated in individual project documents. As of end-2012, all projects and country programmes developed under the RPF post-2009 had aligned with the RPF's results framework.

A key questions of this Evaluation is the extent to which the RPF conformed to the UNODC Biennial Framework 2008-2009, other UNODC normative frameworks and the Thematic Programmes. From a *substantive perspective* the RPF has paralleled the objectives expressed in the various Thematic Programmes developed by UNODC HQ during the time period 2008-2012. Yet, there are notable exceptions. For example, the RPF contains no separate sub-programme, outcomes or outputs for Counter Terrorism.

RPF has contributed to several knowledge products; yet, it could have benefited from a dedicated sub-programme for “Policy and Trend Analysis”. A dedicated RPF sub-programme on data collection and analysis would make it easier to attain a critical mass in the region for capacity building and quality assurance.

In order to increase alignment between the Regional Programmes and UNODC policy, the Evaluation Team has recommended that UNODC consider drafting new versions of the Thematic Programmes in stages that would include:

- (a) situational analysis and data gathering;
- (b) drafting by teams of experts;
- (c) circulation to each Regional Office for review and development of a “Regional Note” for each Region to be appended to the Thematic Programmes in Annexes;
- (d) Indicators and Results Frameworks; and
- (e) a process of annual or bi-annual updates and revisions to the Thematic Programmes.

In this way, the Thematic Programmes could become the Overarching UNODC “policy”. A web-based platform could also be developed around each Thematic Programme that would enable legislative updates, etc. to be posted by the Thematic Branches on an on-going and interim basis.

RPF EAP as currently designed is perhaps overly ambitious in proportion to the resources that it has actually had at its disposal. In the next RPF UNODC needs to adjust its programme to the resources that it has available. UNODC should play a catalytic role in the Region that is based primarily upon its ability to deliver technical expertise based upon UNODC mandates. A limited number of strategic and truly regional issues should be the focus of the next RPF. A proposal for an improved mechanism of funding for the next RPF is presented under the Sustainability and Innovation section of this Evaluation

Going forward, UNODC HQ also needs to further clarify what are the respective obligations of HQ, Regional and Country Office managers with respect to the development of Regional Programmes and in particular the extent to which involvement of Member States and national partners is mandated. Member States in the region were not involved in the design of the RPF, yet they are assigned responsibility for delivering outputs and achieving outcomes at programme level. They are thus held responsible for results and indicators that they did not define or agree to.

Member States deserve to be involved at the earliest possible stage of RPF design. Future RPFs should be widely circulated to all Member States that are intended beneficiaries of the Regional Programme.

### ***Programme Oversight and Coordination***

The RPF *itself* does not stipulate management arrangements in great detail. The RPF provides that “oversight and coordination of the overall programme will be the responsibility of the Representative of the UNODC Regional Centre, supported by the management team.” To date, it appears that, despite its best intentions, the RPF could not yet *fully transition* to a system where *all* sub-programmes are overseen by Programme Managers, projects are

combined or "dovetailed" into a broader regional programme or all projects have become subsumed into their respective sub-programmes from a management perspective. Such a system is an important goal of the RPF, because it is the job of the Programme Managers "to ensure that the programme does not fall back into discrete projects which operate independently."

In fairness to the RPF and RCEAP there a number of ways in which UNODC could itself have rendered more support in the early stages. For example, despite the fact that the RPF was the first Regional programme it received no additional funding from UNODC HQ for a Programme Support Unit. This presented a challenge in scaling-up the programme and tracking projects and funds. RCEAP was forced to utilize a special project (*XSPJ18*) as a mechanism to fund the establishment of the RCEAP Project Support Unit.

UNODC HQ-level leadership with respect to the RPF could also have been brought to bear upon the RPF to a greater degree than it was during 2009-2012. To date, meetings of the Inter-Divisional Task Teams (IDTT) at UNODC have largely existed for information sharing and have been mostly attended by junior level staff members. It is highly recommended that going-forward UNODC HQ strengthen the IDTT so that they can lend greater supervision and accountability to the Regional Programmes. The Regional Desk should reinforce the leadership role of the IDTT. IDTT should not be viewed as optional, but as a mandatory process to which parties are to contribute in a professional manner.

UNODC could also have more effectively communicated its normative mandate to Country Offices and UNODC's partners via the RPF and RCEAP. All UNODC field staff—whether or not on UNODC or UNDP contracts and even international experts—need to undergo an induction that firmly grounds them in the corporate culture and normative frameworks of the organization. This could be approached in a standardized way, much like a security briefing.

As regards fund raising, Member States are currently approached and solicited for contributions by too many levels of UNODC. It seems unlikely that donors will provide sufficient soft earmarked funding at programme or sub-programme level in the foreseeable future. Thus, the RPF will continue to be dependent on project-level earmarked funding. UNODC must regain strategic direction on fundraising and encourage donors to soft earmark funding under the RPF (certainly at the sub-programme level and at the programme-level if they are willing to do so).

At present, UNODC Country Managers under the RPF are not on contracts with secure sources of funding. UNODC Regional/Country Representatives under the RPF as the primary representatives of UNODC in the field should be funded from general purpose funds and not have to fundraise for their own contracts. This obviously links to both programme oversight and coordination and sustainability of the RPF.

Bringing the highest possible level of technical expertise to Country Offices, partners and beneficiaries should be a priority for the RPF and UNODC—especially in assisting countries within the RPF to strategically implement those international treaties, covenants and legislative frameworks that form UNODC's core mandate. As of 2012, RCEAP had only staffed a portion of the RPF *regional* Senior Advisors. Nonetheless, Country Offices report that they have received regular technical advice and field visits from RCEAP staff and the Senior Advisors or project coordinators—in particular in the Rule of Law area and HIV/AIDS. Going forward, UNODC should look closely at how the RPF Senior Advisors are funded and operating in practice. Advisors can be based either at RCEAP or in the country or countries of highest priority, but at any rate they must be able to devote their attention to delivering technical expertise, not fundraising or project management.

RPF sets forth a well-articulated M&E system, but has been challenged throughout the programming period 2009-2012 to make this system fully operational. It is often difficult to attribute the relative contributions of UNODC HQ, RCEAP and Country Offices to the RPF.

As mentioned above, a wider circulation of the draft RPF to countries in the region during the design phase of the RPF might have resulted in more specific and realistic indicators for the RPF's M&E frameworks.

Overall, it is also somewhat difficult to get an accurate idea of what is UNODC's human capital with the East Asia and Pacific Region. While an electronic staff directory does exist for the RPF, the organization as a whole could benefit from conducting periodic human capital surveys going forward

### ***Relevance***

According to Senior Management who were directly involved with drafting the RPF, the political, economic and social conditions in East Asia and the Pacific were already well-documented by UNODC and third-parties when the RPF was developed. Therefore, RCEAP did not itself undertake an independent and comprehensive ascertainment of the Regional needs. Member States' national development strategies or partners' master plans were not extensively taken into account.

Nonetheless, it appears that the human security threats profiled in the RPF (situation analysis) and the proposed programme outputs and outcomes (programme description) were largely consistent with Member States' concerns and priorities and UNODC mandates. Moreover, the RPF aligned with other policy frameworks such as the UN Millennium Development Goals and Paris Declaration on Aid Effectiveness. Also, at various points in time subsequent to 2009 RCEAP has discussed RPF priorities and the priorities of other regional cooperation frameworks with countries. For example, the priorities identified in the ASEAN Economic Community Blueprint were discussed in a Partnership Forum organized by UNODC in January 2012 with 12 countries.

Overall, most Country Offices expressed the opinion that by setting a framework, the RPF placed Country Offices in a better position to align the contents of their projects to a common set of goals. Meanwhile, several Country Offices within the East Asia and Pacific Region have developed individual Country Programme Documents (either in draft or published form) that align with the RPF. This is clear evidence of RPF's influence as a programming reference point. All projects at country-level that were developed subsequent to RPF align its results frameworks. Furthermore, under the RPF, RCEAP has been able to argue for greater funding over the years that has increased its ability to address the UNODC mandate.

The Evaluation Team observed that going-forward UNODC (and its sister UN agencies) could benefit from a consistent and strategic approach to engagement with Middle-Income versus Low-Income countries. This is now playing out in Vietnam and Thailand, where the lack of such an approach is impacting upon UNODC (and UNCT) host-government relations. Once a country transitions to Middle Income status, it is very likely that the country will view the UN and UNODC differently with implications for programming modalities. Furthermore, a strategic approach to Middle-Income countries should look at how South-South cooperation could be supported by UNODC.

### ***Efficiency***

Within the context of this Evaluation, "Efficiency" was required to be evaluated with reference to the questions posed by UNODC to the Evaluation Team, as set forth in the Terms of Reference. These questions did not ask the Evaluation Team to demonstrate arithmetically the relationship between the volume of programme delivered during 2009-2012 and the cost of delivering it. Rather, the questions posed to the Evaluation Team focused more on organizational efficiencies as reflected in the translation of policy frameworks into the RPF and the RPF's impact upon the efficiency of working relationships and the development of Country Programmes.

It is very difficult to measure whether the RPF has had any impact upon the efficiency of working arrangements between UNODC HQ, the Regional Centre and the Country Offices. As noted above, most Country Offices feel that RPF has aligned their projects to a common set of goals, but it is not clear that this substantive alignment has made them any more efficient than they were before RPF.

The RPF's implementation arrangements appear to have been designed with due regard to *financial* reporting (i.e. Country Offices reporting to RCEAP, in turn reporting to UNODC HQ). The *substantive/programmatic* reporting under the RPF seems, however, to have been susceptible to varying interpretations. In interviews with the Evaluation Team, UNODC staff at all levels had difficulty articulating the exact lines of reporting that pertained to their office/function and the RPF.

It is also very difficult to establish a link between substantive results achieved and funds disbursed. It does not appear that the RPF's funding structure provides for exit strategies or places any limitations upon expanding the scope of the RPF's mandate.

### ***Partnerships and cooperation***

RPF's partnerships have indeed involved many different entities during the 2009-2012 period including national governments, donors, international organizations, INGOs, local civil society and other entities. RCEAP has been effective at keeping all of the above stakeholders engaged and Member States have consistently continued to fund that have been incorporated into the RPF

RPF has worked well within UN Country Teams (UNCTs). The Evaluation Team held discussions with a number of UN Resident Coordinators during its mission (i.e. Indonesia, Vietnam and Thailand) on the role of UNDOC within their respective UNCTs. These Resident Coordinators were overwhelmingly positive as to UNODC's contributions. Furthermore, several Resident Coordinators mentioned the role of RCEAP in facilitating contacts and dialogue between their offices and host governments.

Responding donors were generally of the opinion that the RPF offered a more coherent framework for UNODC's activities within the region, allowing UNODC to respond better to national priorities, and to strategically position itself in the UN development framework, and to focus on region-wide and/or cross-border challenges. Overall, understanding by donors of the function and use of the RPF was strong. RPF was also generally perceived as having worked well within UN Country Teams and the One UN Plan in Vietnam.

### ***Effectiveness and Impact***

Both the funding levels and project portfolio of the RPF have increased during 2009-2012. In this respect UNODC has been effective at expanding its programme. Yet, expansion of its funding base and project portfolio does not *per se* equate with RPF effectiveness in substantive or normative terms. The effectiveness of UNODC and the impact of its projects from a *substantive perspective* are difficult to measure, principally due to the fact that indicators and baselines in the RPF are lacking or are pitched at such a high level that evaluation and measurement of impact can only be considered as speculative.

Within the *Thematic Area for Rule of Law* progress was noted in several key areas. For example, the RPF support to the process of ratification of the UNCAC and in the adoption of implementing legislation has been highly successful in a number of countries and could serve as a model for legislative support in other areas of the RPF (i.e. such a transnational organized crime and counter terrorism).

All stakeholders under the RPF (both for Rule of Law and Health and Development) currently express an urgent need for continuing technical legal advice and expertise on legislative reforms. In general, the provision of technical legal advice focusing on UNODC's normative mandates remains a weak point across the RPF (with notable exceptions being the RPF's Anti-Corruption and Anti-Money Laundering outputs referenced above). UNODC should, therefore, consider vigorously re-launching a Global "Legal Advisory Programme", with a technical legal advisor assigned to each Regional Programme. While the Senior Advisors based at RCEAP and in the Region (i.e. for Anti-Corruption, AML, Human Trafficking; etc.) have offered excellent substantive advice in their area of expertise, they are not *per se* charged with the duty to comprehensively track legislative developments and broader legal trends in the entire region.

Overall, the RPF approach of strengthening inter-agency cooperation has effectively enhanced the integrity of the justice chain in a number of countries within the Region. To date, however, UNODC's capacity building projects for rule of law have been focused mainly on law enforcement agencies and prosecution services. Going forward, the RPF could pay much more attention to the judicial sector. Countries in the region also need continuing capacity building for adopting implementing legislation in the Criminal Justice sector pursuant to UNODC's normative framework (i.e. UNTOC and its Protocols); and enhanced training on cyber-security and cybercrime issues and enforcement. Additionally, in the next RPF, UNODC should strongly consider creating a dedicated sub-programme for Counter Terrorism as part of its thematic area for Rule of Law.

UNODC also still lacks a clear mandate or concept of its role for environmental crimes. There is a need for a strategic and comprehensive RPF approach to environmental crimes and illegal logging that views these issues as truly regional in nature.

UNODC has contributed to making clear improvement in cross-border communications via its "Partnership against Transnational Crime through Regional Organized Law Enforcement" (PATROL) project and the establishment of Border Liaison Offices (BLOs); but it has the potential to be much more robust if additional funds can be procured—especially in the areas of maritime and airport points of entry. PATROL has produced baseline surveys and reports in Myanmar and Viet Nam that could be duplicated throughout the region in other countries.

Meanwhile, insufficient funding has continued to be a factor in the effectiveness of RPF programming in Trafficking in Persons (TIP). The support to legislative frameworks relating to TIP could be enhanced. Data on Smuggling of Migrants (SOM) could be brought in greater alignment with the Bali Process.

The RPF programme to combat sexual exploitation of children by sex tourists (i.e. Project Childhood) has remained largely in an inception phase to date during which it collected information. Going forward, RPF should make this a priority and implement Project Childhood in collaboration with partners such as INTERPOL.

While the SMART programme has effectively contributed to date to the collection and sharing of information on production, smuggling and use of ATS, as noted below with reference to Health and Development, the ATS problem in the region is rapidly growing. An enhanced approach to this issue is required going forward.

The RCEAP has recently developed a TOCTA for East Asia and the Pacific that has the potential to re-shape UNODC's criminal justice programming in the Region. As of end-2012, however, the TOCTA remained in draft form.

Within the *Thematic Area for Health and Development*, UNODC has a clear comparative advantage in the region over other UN organisations through its close links with drug control agencies. UNODC EAP should continue to support Governments in the region in their endeavours to transform treatment policy, using a palette of support services, including specialised policy advisory support, sharing of best practices, and technical assistance for

capacity and institution building to help bringing treatment programmes in line with ethical standards and human rights in accordance with the 2009 CND Political Declaration. The international drug control conventions allow Member States to apply alternative measures to imprisonment and sanction for drug use, such as education, treatment and reintegration. UNODC should continue to advocate for such alternatives and provide legal technical assistance upon request, including regulation of compulsory treatment and alternatives to incarceration.

The current treatment components of alternative development projects seem weak and isolated from the rest of UNODC's demand reduction activities in the region. Existing drug dependence services in the region focus on opioid users and do not cater adequately to the specific needs of methamphetamine users. Governments are in need of workable solutions to deal with the growing methamphetamine problem. When designing the next regional programme, UNODC EAP should aim at creating comprehensive demand reduction model programmes, covering all areas, from discouraging initial use to reducing the negative health and social consequences of drug abuse. A closer cooperation with relevant regional organisations and mechanisms should be aimed at already during the design stage.

There is a culture of cooperation in the area of HIV/AIDS in Asia and the Pacific, both geographically and across sectors such as governments, UN organisations, civil society and individual experts. The next regional programme should continue to promote human rights as an essential element in preventing the spread of HIV. It should also aim at strengthening regional cooperation on HIV/AIDS and include all three of UNODC's target groups. Interventions targeting ATS users should be developed. UNODC HQ should continue to deploy HIV advisers in the region, independent of specific country projects.

There is a relatively solid knowledge base for identifying needs and gaps. The baseline was set by the UNRTF and the knowledge base needs to be updated regularly. The capacity to collect and analyse data needs to be strengthened both on a country basis and regionally. The next regional programme should give priority to capacity building for data collection and analysis in the region through joint activities by the Drug Prevention and Health Branch and the Statistics and Survey Section at HQ. Information should cover all three of UNODC's target groups (drug users, prisoners and people vulnerable to human trafficking). UNODC should also continue to contribute to global data collection activities related to HIV and injecting drug use.

In several cases, there is no clear distinction between projects labelled as demand reduction and projects labelled as harm reduction, even though they may be listed under any of the two sub-programmes. Policy advice provided by the Demand Reduction Declaration and INCB recommend that the reduction of the negative health and social consequences of drug abuse be part of comprehensive demand reduction programmes. Harm reduction projects should not be set up as stand alone projects but should be part of a continuum of care and encompass as many as possible of the nine core interventions as jointly defined by WHO, UNODC and UNAIDS as a comprehensive package for HIV prevention, treatment and care.

Despite the fact that opium cultivation in the region has increased continuously since 2006, it has been difficult for UNODC to raise funds for the crop surveys and UNODC has therefore no crop survey expert in the region. Furthermore, UNODC had to limit the surveys to the most important components, thereby risking that key information is not gathered and analysed. Continuous monitoring is crucial, given the volatile and fast changing situation in the region. UNODC should give priority to fundraising for crop monitoring in South East Asia to guarantee continuation and relevance, and to provide easy access to high-level technical expertise in the region, preferably a regional adviser based in one of the Country Offices. It should also seek synergy by working with other organisations such as FAO on land-use surveys and land-use modelling. Such information can provide a value added component in the design of alternative development.

Evaluations indicate that alternative development has been successful in targeted villages, but it has not been able to prevent the balloon effect, i.e. cultivation moving to other areas. More knowledge is needed, for example, regarding the effects of forced eradication in areas where no alternative development has taken place. UNODC should study how the balloon effect works in the region and what contributes to cultivation being moved from areas benefiting from alternative development to other areas and how it can be prevented.

UNODC is the lead organisation within the UN system for drug control. As such it has a lead role also in alternative development, but it does not possess technical expertise such as agricultural engineering, road construction, etc. and need therefore to work closely with specialised agencies and development organisations as well as with financial institutions. UNODC COs in Lao PDR and Myanmar as well as the RC should continue to actively take part in the United Nations Country Teams (UNCTs) to pave the way for joint programming for alternative development as part of the post-2015 development agenda. Relevant UN agencies should be involved already at the design stage. UNODC HQ should also develop a strategy for achieving a joint UN programme for alternative development similar to the UNAIDS, although not necessarily with the same organizational set-up. South-South cooperation is becoming increasingly important in the region. There is much to learn from more experienced countries.

### ***Sustainability and Innovation***

A regional programme stretching over four years should have a better chance of ensuring sustainable results than individual projects with limited duration. This would require sustainable financing of activities within the RPF. While the financial situation in the Region has improved considerably since the inception of the RPF in 2009, the funding *system* of UNODC continues to limit the prospects of sustainable financing of the RPF. UNODC relies heavily on voluntary funding, which in most cases is earmarked. Funds go to where there is donor interest and not necessarily to where the priorities are, based on the needs of the countries in the region. Only a few donors have provided soft earmarked funds for the RPF.

The dominance of project-specific contributions jeopardizes the integrated and regional programming approach. It limits UNODC's ability to plan and prioritize the activities of the RPF based on needs and gaps in the region and may distort overall programme priorities that spring from the mandates and priorities of UNODC as an organization. The evaluation team strongly encourages the governing bodies of UNODC to consider adopting a project support cost formula, which would create incentives for donor countries to increase non-earmarked contributions by offering differentiated cost-recovery rates for such resources, in line with General Assembly resolution A/RES/67/226.<sup>2</sup>

Some of the major donors to the RPF projects have indicated that their financial rules and regulation as well as their reporting requirements force them to earmark their contributions. Others are not willing to provide general-purpose contributions. One way of addressing these concerns would be to initiate a structured goal-setting and financing dialogue, starting with a joint situation analysis shared with and agreed by Member States in the region and by relevant regional organizations. Based on the situation analysis, a limited number of regional priorities, including strategic goals/objectives should be agreed for the next RPF period by UNODC. The final step would be to develop projects for the implementation of the agreed objectives. The project proposals would then be submitted to potential donors. The fund-raising process would be accompanied by a structured dialogue with donors and Member States to identify remaining funding gaps.

Overall sustainability is compounded by the extent to which UNODC funding mechanisms—principally the Full Cost Recovery Policy that was started in 2008 has spun out of control .

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<sup>2</sup>Quadrennial comprehensive policy review of operational activities for development of the United Nations system.

What was designed in theory as a means to recover costs has become distorted. Apart from this, UNODC has in some cases been unable to mobilize limited funds quick enough which has undermined the sustainability of programming.

The piloting of the first UNODC regional programme required the development of a number of new approaches in terms of management, M&E, and overall coordination. RCEAP developed a number of new innovative reporting tools that are now being used by other regional programmes—including its *Dashboard* platform that feeds real-time project-level financial data upwards linking to the RPF frameworks. RPF has also had a number of publications and begun to emphasize data collection to a greater extent. The RCEAP's TOCTA update for East Asia and the Pacific (still technically in draft form as of December 2012, but expected to be officially published in 2013) is representative of RCEAP's efforts to increase and make current its critical threat analysis.

As noted, the countries in the region differ widely in terms of economic, social and political development. Some countries are quite well developed and should therefore be able to share responsibility for the continuation of activities, both in terms of human and financial resources. Others are in need of long-term support, financially and with regard to capacity building.

# SUMMARY MATRIX OF FINDINGS, EVIDENCE AND RECOMMENDATIONS

<b>Findings<sup>3</sup>: problems and issues identified</b>	<b>Evidence (sources that substantiate findings)</b>	<b>Recommendations<sup>4</sup></b>
<p>While designed to include the East Asia and the Pacific Region, the RPF has never managed to service the Pacific to the same degree as it has serviced South East Asia.</p>	<p>Stakeholder interviews at UNODC HQ/RCEAP and field locations. UNODC Strategies in existence at the time of the RPF design. UNODC RCEAP results reports and annual updates.</p>	<p>UNODC should consider adjusting the geographic scope of the RPF either to reduce the number of countries included within the East Asia and Pacific Region under the RPF or subdivide the East Asia and Pacific Region into two or more separate regional programmes (i.e. South East Asia and the Pacific; or South East Asia, East Asia (China, Korea and Japan) and the Pacific.</p>
<p>UNODC has been overly ambitious under the RPF in proportion to the resources that it has had at its disposal, which has forced it to reduce most of the sub-programme budgets, some considerably, towards the end of the RPF cycle. Budgets have not been realistic to date in line with available resources.</p>	<p>Stakeholder interviews. UNODC progress reports. Country Office programme documents. RCEAP Annual Implementation Updates and other documents.</p>	<p>UNODC should have a catalytic role in the Region that is based primarily in its ability to deliver technical expertise and policy advice based according to its mandates and normative frameworks. UNODC should identify a limited number of strategic regional issues and focus the next RPF on these outputs and outcomes.</p>
<p>While the Member States in the region were not involved in the design of the RPF, they are assigned the responsibility for delivering outputs and achieving outcomes at programme level. They are thus held responsible for results and indicators that they did not define or agree to. In addition, the performance indicators are problematic in many cases,</p>	<p>Stakeholder interviews with UNODC HQ and RECEAP/RPF; interviews with UN Agency implementing partners; RPF/RCEAP Project documentation; and Audits.</p>	<p>Future RPFs should be widely circulated to all Member States that are intended partners of the Regional Programme. The RPF project documents should contain detailed risk analysis. It must be possible to assess progress towards achievement of the RPF outcomes; based upon appropriate measurable targets and indicators, taking into account different national circumstances, capacities and</p>

<sup>3</sup> A finding uses evidence from data collection to allow for a factual statement.

<sup>4</sup> 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.

<p>either because they are too general or because there is limited capacity to collect good quality data. The RPF project documents have also tended to lack detailed risk analysis.</p>		<p>levels of development, must therefore accompany the goals.</p>
<p>UNODC has lost its strategic vision on fundraising and currently lacks a coherent approach to fundraising under the RPF and Country Programmes in-line with its mandate. Member States are approached and solicited for contributions by too many levels of UNODC. UNODC must have access to flexible funding for the RPF at programme level. It seems unlikely that donors will provide sufficient soft earmarked funding at programme or sub-programme level in the foreseeable future.</p>	<p>RPF Project documents Quadrennial comprehensive policy review</p>	<p>UNODC should encourage donors to soft earmark funding under the RPF (certainly at the sub-programme level and at the programme-level if they are willing). One possibility would be for the governing bodies to explore the possibility of differentiated project support costs for different kinds of contributions as an incentive to donors to increase general-purpose and soft-earmarked funding.</p>
<p>The dominance of project-specific financial contributions jeopardizes the integrated and regional programming approach and limits UNODC's ability to plan and prioritize RPF activities based on needs and gaps in the region.</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC should initiate a structured goal-setting and financing dialogue with Member States and donors. The governing bodies of UNODC should consider adopting a project support cost formula with differentiated cost-recovery rates for earmarked, soft-earmarked and non-earmarked contributions.</p>
<p>It is often difficult to attribute the relative contributions of UNODC HQ, RCEAP and Country Offices to the RFP. RPF results reporting did not always clearly disaggregate between what were RCEAP and what were Country Office achievements.</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>Results achieved at the Country Office-level should not automatically be attributed to the RPF outcomes or to RCEAP. UNODC needs to better disaggregate relative contributions in its reporting and differentiate reporting of achievements at the Regional and Country office levels.</p>
<p>UNODC staff members in some field locations are unable to explain UNODC's place and role in the UN system and its normative mandates with sufficient clarity.</p>	<p>Site visits; Stakeholder interviews; UNODC mandate (treaties and protocols).</p>	<p>UNODC must more effectively communicate its normative mandate to RCEAP and Country Offices. All UNODC field staff—whether or not on UNODC or UNDP contracts and even international experts—need to undergo an induction that firmly grounds</p>

		them in UNODC corporate culture and normative frameworks.
It is somewhat difficult to get a clear idea of what is UNODC’s human capital within the East Asia and Pacific Region.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should conduct a “UNODC Human Capital Survey” each year as an internal process within the organization. The information collected by the Survey should be available to UNODC down to the level of project managers. Updating and improving the existing UNODC directory could possibly accomplish this.
Middle Income Countries within the East Asia and Pacific Region require different modalities of UNODC programming than Low Income Countries and also may not want to be associated with the UN or UNODC in the same way or to the same degree that a Low Income Country might desire. This has implications across the board for the RPF.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	A coherent approach for Middle Income Countries in the Region needs to be articulated. Once a country transitions to Middle Income status, it is very likely that the country will view the UN and UNODC differently with implications for programming modalities. UNODC should support South-South cooperation in the region.
The Thematic Programmes have not included a mechanism to solicit input from the RPF and could benefit from enhanced political, economic and legislative analysis. At present, the RPF departs from the Thematic Programmes in significant ways. For example, there is no dedicated pillar for Counter Terrorism. The fact that separate Pillars exist under the RPF for “Demand Reduction” (Pillar 4) and “HIV/AIDS” (Pillar 5) is also a departure from the Thematic Programme “Addressing Health and Human Development Vulnerabilities in the Context of Drugs and Crime.”	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	New versions of the Thematic Programmes should be developed in stages that would include: a) situational analysis and data gathering; b) drafting by teams of experts; c) circulation to each Regional Office for review and development of a “Regional Note” for each Region to be appended to the Thematic Programmes in Annexes; d) Indicators and Results Frameworks; and e) a process of annual or bi-annual updates and revisions to the Thematic Programmes. In this way, the Thematic Programmes could become the Overarching UNODC “policy”.

<p>To date, the Inter-Divisional Task Force has proved to be a vehicle for HQ-level information sharing, but has not offered the requisite level of coordination or guidance with respect to the RPF. Inter-Divisional Task Teams have no real authority to make decisions and are in most instances attended by only junior level staff.</p>	<p>Review and analysis of Thematic Programmes; Stakeholder interviews.</p>	<p>It is highly recommended that going-forward UNODC strengthen the Inter-Divisional Task Teams (IDTT)—so that they can lend greater supervision and accountability to the Regional Programmes. The Regional Desk should reinforce the leadership role of the IDTT. IDTT should not be viewed as optional, but as a mandatory process to which parties are to contribute in a professional manner.</p>
<p>Technical and institution capacity for data collection and analysis varies greatly among countries in the region. A dedicated RPF sub-programme would make it easier to attain a critical mass in the region for capacity building and quality assurance.</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC should consider designing a dedicated “Policy and Trend Analysis” sub-programme for the next RPF. The sub-programme should include the development of national and regional information systems as well as a system for quality assurance of UNODC’s own research activities in the region.</p>
<p>The Senior Advisors in the region have in some instances been constrained in the effective delivery of technical advice on a regional level due to donor funding mandates that restrict them to a particular group of countries or due to the fact that the funding sources of their contracts are not secure (i.e. requiring them to devote an inordinate amount of time to fundraising in response to the RPF).</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC should look closely at how the RPF Senior Advisors are funded and operating in practice. Advisors can be based either at RCEAP or in the country or countries of highest priority, but at any rate they must be able to devote their attention to delivering technical expertise, not fundraising or project management.</p>
<p>At present, UNODC Country Managers under the RPF are not on contracts with secure sources of funding. Thus, these individuals who are the “front-line” representation of UNODC are forced to constantly fundraise for their own survival or are funded out of project budgets (thus having to serve both as project manager for one or more projects and Country Manager).</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC Regional/Country Representatives under the RPF as the primary representatives of UNODC in the field should be funded from general purpose funds and not have to fundraise for their own contracts. UNODC HQ should clarify what are the respective obligations of HQ, Regional and Country Office managers with respect to the development of Regional Programmes and in particular the extent to which involvement of Member States and national partners is</p>

		mandated.
All stakeholders under the RPF currently express an urgent need for technical legal advice and expertise on legislative reforms in all of UNODC's areas of responsibility now taking place within the East Asia and Pacific Region. Overall, technical legal advice and a focus on UNODC's normative mandates are a weak point across the RPF (with notable exceptions being the RPF's Anti-Corruption and Anti-Money Laundering outputs).	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should vigorously re-launch a Global "Legal Advisory Programme" so as to establish a Legal Advisor in each Regional Programme with a ToR that includes tracking legislative developments in each region and with principal reporting officer/focal point at HQ-level. It is felt that this would better position UNODC and the RPF EAP to influence national policies, regional policies and global policies.
<b>Sub-Programme Level (Sub-Programmes 1 to 6)</b>		
<b>Sub-Programme 1. Rule of Law: Illicit Trafficking</b>		
UNODC lacks a clear mandate or concept of its role for environmental crimes. Its in-house capacities and knowledge for addressing environmental crimes remains weak and the programming for this area has tended to remain country-specific, rather than truly regional in nature. There is a need for a strategic and comprehensive RPF approach to environmental crimes and illegal logging.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should become more strategic in defining its mandate for environmental crimes, increase its in-house knowledge of the field and develop a truly regional project to deal with this within the RPF with more cross-sectoral training with a larger coverage in the region.
UNODC has contributed to making clear improvement in cross-border communications, but it has the potential to be much more robust if additional funds can be procured—especially in the areas of maritime and airport points of entry.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should make its cross-border efforts on crime control more robust, with increased attention to airport and marine border control could receive enhanced attention going forward.
Legislative reporting and legal analysis as a component of the RPF has remained much lower than it could have been during 2009-2012 (note: this applies to nearly all areas of RPF Rule of Law except UNODC Anti-corruption and Anti-Money Laundering in which the RPF has been more active).	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should increase legal reporting and legal analysis as a component of the RPF going forward.
Funding has continued to be a factor in the effectiveness of	RPF project documentation; Interviews with stakeholders,	UNDOC should develop sustainable funding

RPF programming in Trafficking in Persons (TIP) and the support to legislative frameworks relating to TIP could be enhanced.	including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	mechanisms for the post of the RCEAP Senior Advisor for Human Trafficking going forward.
The RPF programming for sexual exploitation of children by sex tourists (i.e. Project Childhood) has remained largely in an inception phase during the RPF period during which it collected information.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	RPF should continue with programming for sexual exploitation of children by sex tourists (i.e. Project Childhood) and implement in collaboration with INTERPOL.
SMART has effectively contributed to date to the collection and sharing of regional data concerning production, smuggling, and use of Amphetamine Type Stimulants (ATS); but the ATS problem in the Region is rapidly growing.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should adopt an enhanced strategic approach to ATS, drawing upon Self-Monitoring, Analysis and Reporting Technology (SMART) programme data, that continues to emphasize intelligence-based law enforcement.
In practice the RPF indicators for SOM were not optimal as designed, making it difficult to link migrant data with UNODC's strategy and RPF indicators. RPF SOM and Trafficking have not been as aligned with the Bali Process to the extent they could have been.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should revisit its indicators for SOM and better link migrant data with the RPF. A greater alignment with the Bali Process is desirable.
Countries in the region are interested in enhanced training on cyber-security and cybercrime	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should consider building into the RPF dedicated outputs on cyber-security and cybercrime.
<b>Sub-Programme 2. Rule of Law: Governance</b>		
The RPF support to the process of ratification of the UNCAC and in the adoption of implementing legislation has been highly successful in a number of countries and could serve as a model for legislative support in other areas of the RPF (i.e. such a transnational organized crime and counter terrorism).	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should provide more technical legal assistance under the RPF; conduct more legislative needs assessments; and strengthen its focus on central authorities for mutual legal assistance and financial intelligence units. UNODC support under the RPF to the ratification of UNCAC could be taken as a model going forward.
<b>Sub-programme 3. Criminal Justice</b>		
UNODC effectively coordinated demand-driven technical assistance in	RPF project documentation; Interviews with stakeholders, including, RPF donors;	UNDOC should improve the level of in-house regional technical expertise at RCEAP

criminal justice throughout the 2009-2012 programming period.	RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	in Criminal Justice; including enhancing its capacities to address Counter Terrorism issues effectively under RPF.
Many stakeholders perceive that with the restructuring of UNODC HQ, the normative focus has been lost and the responsibility for rendering technical legal advice, legislative guidance and drafting is not being provided in a comprehensive way. There is need for enhanced technical support to the countries in the region with regard to adopting implementing legislation in the Criminal Justice sector pursuant to the normative framework of UNODC (i.e. UNTOC and its Protocols).	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should create a dedicated Regional Legal Advisor for purposes of monitoring legislative reforms in the region, coordinating UNODC response to legislative drafting needs of countries under the RPF; legislative trends and enhancing UNODC's normative focus.
The RPF approach of strengthening inter agency cooperation has effectively enhanced the integrity of the justice chain in a number of countries within the Region.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should ensure that the RPF continues to take an inter-agency approach to criminal justice reforms going forward.
The RCEAP has recently developed a TOCTA for East Asia and the Pacific that has the potential to re-shape UNODC's criminal justice programming in the Region. The TOCTA, however, currently remains in draft form.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should publish the TOCTA for East Asia and the Pacific developed by RCEAP under the RPF and duplicate this exercise as a "best practice".
To date, UNODC's capacity building projects have been focused mainly on law enforcement agencies and prosecution services. More attention could be paid to the judicial sector.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should devote more attention to judicial authorities of the countries under the RPF. These judicial actors remain weak in terms of knowledge, experience and practice to combat Transnational Organized Crime.
<b>Sub-programme 4. Health &amp; Development: Demand Reduction</b>		
UNODC has a clear comparative advantage in the region over other UN organisations through its close links with drug control agencies; often responsible for compulsory drug abuse treatment.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC EAP should continue to support Governments in the region in their endeavours to transform treatment policy and provide legal technical assistance upon request, including regulation of compulsory treatment and alternatives to incarceration. This should be a priority for the

		transition period (2013).
The advantage that UNODC has over other UN organisations in terms of easy access to drug control and law enforcement government branches could be more consistently exploited for the purpose of advocacy.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC EAP should continue, in conjunction with other UN to provide a neutral space to discuss drug abuse treatment and to learn from each other. Where appropriate, such meetings could be held under the Chatham House Rule.
The treatment model that UNODC has developed and piloted through Treatnet II and the Cambodia community-based treatment project offers a viable alternative to incarceration.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	When designing the next regional programme, UNODC EAP should aim at creating comprehensive demand reduction model programmes, covering all areas, from discouraging initial use to reducing the negative health and social consequences of drug abuse.
The treatment components of alternative development projects seem weak and isolated from the rest of UNODC's demand reduction activities in the region.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	The regional programme would benefit from a project-independent demand reduction adviser placed in the region and available to governments and professionals. Such an adviser would also serve as supervisor of UNODC's demand reduction activities to guarantee that they are up to standard.
Existing drug dependence services in the region focus on opioid users and do not cater adequately to the specific needs of methamphetamine users.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	The next RPF should give priority to building capacity in the region to deal with the growing ATS abuse problem, in particular the abuse of methamphetamine.
UNODC should go beyond the MoU countries and also make better use of regional organisations to support demand reduction. In addition, the diversity of the region in terms of development has to be further considered.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	When designing the next regional programme, UNODC EAP and HQ should discuss the modalities of assistance with Member States in the region and potential donors, bearing in mind the on-going debate regarding aid to middle-income countries and the potential of South-South cooperation. A closer cooperation with relevant regional organisations and mechanisms should be aimed at already during the design stage.
<b>Sub-Programme 5. Health &amp; Development: HIV/AIDS</b>		
There is a culture of cooperation in the area of HIV/AIDS in Asia and the Pacific, both geographically	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and	The next regional programme should aim at strengthening regional cooperation on HIV/AIDS and include all three

and across sectors. The focus was on injecting drug use and there is no similar mechanism for ATS users, prisoners and people who are vulnerable to human trafficking.	UNODC Country Office Managers; project staff at locations in the field.	of UNODC's target groups. Interventions targeting ATS users should be developed.
UNODC HIV/AIDS advisers are funded through a global project (GLOG32), which gives the advisers a certain amount of freedom to engage in strategic actions based on an analysis of needs and gaps in the region.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC HQ should continue to deploy HIV advisers in the region, independent of specific country projects.
There is a relatively solid knowledge base for identifying needs and gaps; but, capacity to collect and analyse data needs to be strengthened both on a country basis and regionally.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	The next regional programme should give priority to capacity building for data collection and analysis in the region. Information should cover all three of UNODC's target groups (drug users, prisoners and people vulnerable to human trafficking).
In several cases, there is no clear distinction between projects labelled as demand reduction projects and projects labelled as harm reduction.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	When designing the next regional programme, UNODC EAP should aim at creating comprehensive demand reduction model programmes for the region, covering all areas, from prevention of drug use to reduction of the negative health and social consequences of drug abuse
It is debatable whether the harm reduction projects in Myanmar (J63 and J69) live up to the standards set by the WHO, UNODC, UNAIDS Technical Guide, given the low numbers of people being referred to HIV testing and counseling and to dependence treatment.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	Harm reduction projects should not be set up as stand alone projects but should be part of a continuum of care and encompass as many as possible of the nine core interventions as jointly defined by WHO, UNODC and UNAIDS as a comprehensive package for HIV prevention, treatment and care.
<b>Sub-Programme 6. Health &amp; Development: Sustainable Livelihoods</b>		
Despite the fact that opium cultivation in the region has increased continuously since 2006, it has been difficult for UNODC to raise funds for the crop surveys. Continuous monitoring is crucial, given the volatile and fast changing situation.	RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.	UNODC should give priority to fundraising for crop monitoring in South East Asia. It should also seek synergy by working with other organisations such as FAO on land-use surveys and land-use modeling.
Evaluations indicate that alternative development has	RPF project documentation; Interviews with stakeholders,	UNODC should study how the balloon effect works in the

<p>been successful in targeted villages, but it has not been able to prevent the balloon effect.</p>	<p>including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>region and what contributes to cultivation being moved from areas benefiting from alternative development to other areas and how it can be prevented.</p>
<p>UNODC has a lead role in alternative development, but it does not possess technical expertise such as agricultural engineering, road construction, etc.</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC Country Offices in Lao PDR and Myanmar as well as the RC should continue to actively take part in the UNCTs to pave the way for joint programming for alternative development as part of the post-2015 development agenda. Relevant UN agencies should be involved already at the design stage.</p>
<p>Sustainability and integration into the mainstream of development is an issue that is not entirely in the hands of UNODC. It is dependent on the socio-cultural, economic, political and environmental surrounding and on the contribution of other organisations to poverty eradication, development and growth.</p>	<p>RPF project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC HQ should develop a strategy for achieving a joint UN programme for alternative development similar to the UNAIDS; although not necessarily with the same organizational set-up.</p>
<p>South-South cooperation is becoming increasingly important in the region. There is much to learn from more experienced counties.</p>	<p>UNODC/RCEAP project documentation; Interviews with stakeholders, including, RPF donors; RCEAP project managers and UNODC Country Office Managers; project staff at locations in the field.</p>	<p>UNODC should support the efforts to expand South-South cooperation. The next RPF should promote the sharing of knowledge; experiences and lessons learned in alternative development and explore the possibility of market access for alternative development products.</p>



# I. INTRODUCTION

## Background and Context

The UNODC Regional Centre for East Asia and the Pacific (RCEAP) was at a point of near collapse in 2007-2008. It had suffered several years of financial mismanagement resulting in a decrease in its volume of activity, a deteriorated working environment and a need to redefine its format in light of a reduction in resources. The previous Regional Programme Framework (RPF) had not been updated in four years and there was no communication and public relations unit to promote the Centre's activities and look for donors. These conditions were documented by an external audit of the Regional Centre that took place in Bangkok from 27 November to 7 December 2007.<sup>5</sup> This was the backdrop against which RCEAP began developing its new RPF in 2008 in response to a request from UNODC HQ. The Centre was invited by UNODC HQ to think strategically and innovatively about how it could develop its regional programme.

RCEAP began implementing the RPF on an experimental/pilot basis in the second quarter of 2009. It covers 34 countries and territories.<sup>6</sup> The initial focus was on ASEAN Member States<sup>7</sup> and Timor-Leste, plus the development of a programme of UNODC support in collaboration with the Pacific Islands Forum and its Member States.<sup>8</sup> The RPF covers two Strategic (thematic) Areas:

- (a) Rule of Law, comprising:
  - (i) Illicit trafficking;
  - (ii) Governance; and
  - (iii) Criminal justice.
  
- (b) Health & Development, comprising:
  - (i) Drug demand reduction;
  - (ii) HIV/AIDS; and
  - (iii) Sustainable livelihoods.

The budget planning at the start of the RPF amounted to a total of *circa* US\$ 121 million (the –Bangkok Regional Centre at US\$ 41 million and Country/Project Offices at US\$ 80 million). The financial reality is that only US\$ 77,4 million or 64 per cent of the original programme budget was secured.

The Regional Programme Framework (RPF) foresees UNODC engaging in collaboration with partner countries, international organizations as well as other UN agencies. The primary purpose of the RPF is to help UNODC integrate regionally. The UNODC mandates for RPF include conventions and protocols on narcotic drugs and psychotropic substances; transnational organized crime, anti-corruption, counter-terrorism and crime prevention and criminal justice. Human rights and gender are streamlined within various sub-outputs of the

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<sup>5</sup> Board of Auditors Report 2008.

<sup>6</sup> Australia, Brunei Darussalam, Cambodia, China, Cook Islands, Democratic People's Republic Korea, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Laos, Malaysia, Marshall Islands, Micronesia, Mongolia, Myanmar, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Republic of Korea, Samoa, Singapore, Solomon Islands, Thailand, The Philippines, Timor Leste, Tonga, Tivalu, Vanuatu, Vietnam.

<sup>7</sup> For an overview: please see <http://www.aseansec.org/18619.htm>

<sup>8</sup> For an overview: please see <http://www.forumsec.org/>

RPF in both Rule of Law and Health and Development (i.e. particularly with regard to trafficking in persons, smuggling of migrants, juvenile and child justice; combating violence against Women; HIV/AIDS and drug treatment).

The UNODC Mandates for the RPF:

(a) The Single Convention on Narcotic Drugs – 1961 (amended by the Protocol of 25 March 1972);

(b) The Convention on Psychotropic Substances – 1971;

(c) The Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances -1988;

(d) The United Nations Convention against Transnational Organized Crime (adopted 2000);

(i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

(ii) Protocol against the Smuggling of Migrants by Land, Air and Sea;

(iii) Protocol against the Illicit Manufacturing of and Trafficking in Firearms,

(iv) Their Parts and Components and Ammunition;

(e) The United Nations Convention against Corruption (entered into force 2005);

(f) The 16 universal treaties on counter-terrorism and relevant Security Council Resolutions relevant to the prevention and suppression of terrorism; and

(g) UN Standards and Norms on Crime Prevention and Criminal Justice, including with respect to victim protection, violence against women and the humane treatment of offenders.

### ***The context of this Evaluation, the objective, purpose and focus***

The independent evaluation of the RPF was carried out from September to November 2012, with supplemental information processed through January 2013. Members of the Evaluation Team were Richard Langan (Team Leader), Christina Gynna Oguz (Expert in Health and Development), Tim Bremmers (Expert in Rule of Law) and Alexandra Capello (member of the Independent Evaluation Unit).

This evaluation is the conclusive part of an Evaluation Continuum developed by UNODC's Independent Evaluation Unit (IEU). This included three stages, where each evaluation is to build on the previous one in order to ensure consistency and coherency in adding value and learning:

(a) Stage 1: The evaluation of the GLOU46 project (“Support for the Integrated Programming Unit to promote multidisciplinary and cross-sectoral technical cooperation”)

(b) Stage 2: The evaluation of the Integrated Programming Approach.

(c) Stage 3: The evaluations of the Regional Programmes, the first one of which being the evaluation of the Regional Programme for East Asia and the Pacific.

Accordingly, the evaluations of GLOU46 and IPA provided a conceptual basis for the Evaluation of RPF.

The Terms of Reference for the Evaluation demand substantive findings, clear conclusions and practical recommendations that can inform UNODC as to overall organizational learning,

programme improvement and increased accountability. More concretely, the Evaluation is designed to strategically advise on a potential one-year extension (2013) of the current RPF, as well as on the preparation of a new RPF for 2014-2017. Key challenges for UNODC going forward will be to align the new RPF with the new UNODC programme cycle (Strategic Framework for 2014-15) and respond to recommendations of several audits.

This Evaluation being the first evaluation of a Regional Programme the Evaluation Team seeks to assess:

- (a) The conceptual clarity of the RPF's objective structure;
- (b) The usefulness of the provided framework for on-going Country Programmes;
- (c) The usefulness of the provided framework for sub-programme and project development;
- (d) The framework for monitoring and evaluation; and
- (e) The harmonization and integration both at a country and regional level.

The Evaluation is an evaluation of RPF and not RCEAP. However, the detailed questions presented to the Evaluation Team as part of its Terms of Reference (detailed below) necessitate that RPF (2009-2012) be discussed with frequent reference to the RCEAP, its role in the design of the RPF, its management role vis-à-vis the Country Offices (COs) in the region, and its effectiveness in implementing under the RPF during 2009-2012.

The evaluation considers the interplay between the RPF and UNODC Thematic Programmes and provides recommendations on how the Thematic Programmes and other aspects of UNODC HQ impact upon the RPF. This is a result of the questions posed to the Evaluation Team in the Terms of Reference and the fact that UNODC HQ-level reforms are likely a prerequisite to any future iteration of the RPF.

This Evaluation comes at an important crossroads for UNODC's regional programming. Because the RPF was the first such regional programme under the new integrated programming approach, the lessons learned, missed opportunities and best practices represented by the implementation of the RPF during 2009-2012 will offer significant opportunities for UNODC to make structural adjustments to its entire approach to programming at the regional level. This can inform the drafting of the new RPF 2014-2017. Furthermore, the results of the Evaluation dictate that significant adjustments be made to UNODC's programmatic approach, lines of reporting and accountability, not only at the RCEAP, but also at UNODC HQ (Vienna) and in individual Country Offices.

## Evaluation Methodology

The Evaluation Team reviewed the evaluation questions suggested in the ToR, refined the language of some of the questions and made several additions. The Final List of Evaluation Questions appears in Annex II of this report. The Independent Evaluation Unit (IEU) in Vienna and the RCEAP were given an opportunity to provide in-put on these questions. Both IEU and RCEAP endorsed the final version. The Evaluation Team members further refined these questions in order to address specific questions to Stakeholders to be interviewed in the course of the field visits.

A purposive sampling strategy was suggested by UNODC's IEU and taken as the best way to draw conclusions about the Regional Programme in its entirety, based on 4 objective criteria:

- (a) Presence and size of an UNODC office;

- (b) Volume of Operations;
- (c) Scope of Operations;
- (d) Strategic Importance.

The presence and size of UNODC offices was considered imperative, as the Evaluation sought to incorporate a mix of well-established country offices with Country Programme documents and country offices that were smaller and with newly expanding programmes under the RPF.

The volume of operations was assessed in terms of total number of projects and total approved budget of each country within the Regional Programme as derived from the UNODC mechanism in place (i.e. the finance and results reporting platform ProFi).

The scope of operations was assessed in terms of the diversity of projects within each country, the extent to which it was in alignment with national strategies and plans. The projects were classified by sub-programme, guided by information derived from referred ProFi.

The strategic importance was also assessed in light of the above criteria.

Beyond this, as stated above, the Evaluation Team, with the support of the Regional Centre, continued to refine the site visits and stakeholders to be interviewed for each country selected. The Evaluation Team used both meta-evaluation and direct evaluation techniques and data collection instruments outlined below.

### ***Document Review***

The Evaluation Team reviewed the key documents listed in the Terms of Reference and other documentation delivered to the Team by IEU. These documents included programme and project documentation, progress reports and evaluations, regular monitoring data, regional and national reports on plans and budgets, and legislation of relevance to the actions and reforms. The results of the Evaluation Team's initial document review appeared in its Inception Report and were later refined as a result of its interviews with Stakeholders.

### ***Interviews / face to face consultations with key stakeholders***

The Evaluation Team conducted interviews with identified individuals from the following groups of stakeholders: UNODC staff at HQ, at the RCEAP and at selected Country Office sites in Thailand, Cambodia, Indonesia, Myanmar and, telephonically, Vietnam; partner and non-partner government officials who are directly involved in UNODC's work in those countries where UNODC has a field presence; Officials from ASEAN/ASEC; Representatives of development partner/donor agencies who are contributing to UNODC's work in the EAP; Other UN agencies; INGOs and other civil society stakeholder and field implementers and end beneficiaries.

The relative percentage of RPF Stakeholders that the Evaluation Team was able to interview was a function of the availability of stakeholders, as well as the time limitations of the Evaluation. The Evaluation Team was given little opportunity in advance of its mission to comment upon the draft schedule developed by RCEAP. RCEAP was, however, more than willing to field requests from the Evaluation Team for additional meetings with Stakeholders and interfaced with Country Offices on behalf of the Evaluation Team. In fact, this Evaluation could not have been completed without the support of the RCEAP and the Regional Representative.

### ***Field Visits***

The Evaluation Team was faced by significant time constraints during the Evaluation and undertook field visits only to the countries selected by UNODC in cooperation with IEU, based on the proposed site sampling strategy provided in the annex to the ToR. These locations were as follows: Thailand (Bangkok); Indonesia (Jakarta and field trips); Myanmar (Nay Pyi Taw, Yangon and Shan State) and Cambodia (field trip).

### ***Questionnaires***

The Evaluation team deployed a small number of questionnaires, as a device to obtain the opinion and feedback of some stakeholders who were not available for a direct interview and to pose follow-up questions to UNODC Vienna, RCEAP and the Country Offices within the EAP Region. The Evaluation Team wishes to stress that it used the questionnaires to gather *narrative* responses from a few selected Stakeholders. However, it did not undertake a standardized survey of a target pool. This same model was followed to solicit opinion from RPF donors. A questionnaire was sent to 13 donors and 9 recipient countries (7 donors and 1 recipient country responded).

### ***Feedback on preliminary findings, conclusions and recommendations***

Preliminary findings were presented for feedback to the Regional Representative and Senior Management in Bangkok through an informal exit debrief at the end of the field mission. Following the submission of the Draft Evaluation Report, IEU transmitted the draft evaluation report to UNODC management in Vienna and in the Field for their comments and feedback. The Lead Evaluator, with the support of the Evaluation Team, then finalized the Evaluation Report. A final presentation was scheduled to occur at the Standing open-ended Working Group on Improving the Governance and Financial Situation of UNODC (FIN GOV) in Vienna.

### ***Summary of Evaluation Results***

Following an Inception Report, in accordance with the Terms of Reference (ToR), the Evaluation Team produced the following deliverables:

- (a) An informal exit debrief with Senior Management at RCEAP (Bangkok);
- (b) A Draft Evaluation Report;
- (c) A presentation of evaluation findings, conclusions and recommendations (FinGov Working Group in Vienna); and
- (d) Issuance of the Final Evaluation Report.

### ***Limitations***

There were some inherent limitations in this evaluation as follows:

The evaluation started in a slightly disadvantaged position, as the entire Evaluation Team was contracted by UNODC one month to six weeks following the interview process. This had the effect of essentially losing nearly a month's period when the Lead Evaluator and other team

members were available to perform pre-departure document review, but could not as a result of not having received contracts. In fact, one of the evaluators received a contract only 2 calendar days before the briefing in Vienna, despite the fact that she had been interviewed for the position many weeks prior.

Furthermore, the delayed / late availability of documents for review meant that the Evaluation Team was not afforded an opportunity to conduct the Desk Review prior to the commencement of travel from Vienna to Bangkok. This placed the team at a disadvantage in making informed decisions about meetings and locations to be visited prior to their arrival in Vienna on 19 September 2012 and also meant that the team had to draft the Inception Report concomitantly with conducting stakeholder interviews.

Time limitations were also a factor. On average the Evaluation Team was only able to spend 2 to 5 work days in each of the countries scheduled for field visits (i.e. Thailand (1.5 weeks); Cambodia (2 days); Indonesia (5 days); and Myanmar (5 days). In addition, a field trip was cancelled to the Kalimantan Province in Indonesia due to bad weather conditions.

Beyond this, IEU at HQ had only two professional staff (i.e. one P-3 and one JPO) available to run the entire IEU during the evaluation, which meant that IEU was over-worked and strained in its ability to adequately service the Evaluation Team.

An absence of baseline indicators and data continued to be a limitation for the Evaluation Team. Attempts were made to offset these limitations in several ways: (a) Meta-evaluation: use of prior evaluations, reviews and studies as a means of covering projects and issues that could not be directly assessed by the Evaluation Team; (b) Sampling: careful sampling to ensure that different conditions and situations are sufficiently covered to provide a range if not a cross-section of the issues faced during implementation; and (c) Triangulation: asking similar questions of parties on different sides of the development partnerships and comparing them with monitoring data with a view to determining actual results.

Finally, the Evaluation Team was to some extent limited by the fact that its Terms of Reference contained over 150 detailed and multipart questions that from the outset of the Evaluation set a rather negative and critical posture for the report. These questions were formulated by IEU with significant input from UNODC HQ and RCEAP. The Evaluation Team made slight modifications to the questions during the Inception phase and IEU and RCEAP endorsed the final set of questions prior to the commencement of stakeholder interviews. The overall format, tone and level of detail of this Evaluation are, however, largely a product of these questions and the Evaluation Team's good faith attempt to answer them.

## II. EVALUATION FINDINGS

### Design

Confronted with a situation of near-collapse of the Bangkok Regional Centre in 2008, RCEAP had to move forward very quickly with drafting the RPF. The drafting process took place more or less in parallel with the exercise that began at UNODC HQ in 2008 to move away from a fragmented project-based approach to an integrated programming approach with the core objectives to ensure better consultation with Member States, more effective integration within UNODC's internal planning and implementation, and more effective engagement with the UN system as a whole. The exercise at UNODC HQ resulted in two key documents: i.e.

(a) "Note on UNODC Regional Programmes" (5 December 2008), and

(b) Conference Room Paper for the two Commissions: "UNODC Regional Programmes: a strategic planning and implementation tool" (19 March 2009)<sup>9</sup>.

It is extremely important to stress this key "time factor" faced by RCEAP. The reality is that this RPF for East Asia and Pacific had to be launched while UNODC was moving from the "old" model of its technical assistance to the "new" one; clearly, increasing the challenges for RCEAP.<sup>10</sup> Furthermore, the re-organization of the RC for the current geographical coverage was finalized between 2009 and 2010. This may explain why RCEAP did not adhere to certain basic principles of UNODC's regional programming such as ensuring full consultation with Member States at field level in a "bottom-up" approach to its design as mentioned by the documents above.

The RPF was developed at the request of the UNODC HQ; and RCEAP was "invited to think strategically and innovatively about how it could develop its regional programme of activity."<sup>11</sup> The RPF was intended to provide a strategic guide for the work of UNODC in the region.<sup>12</sup> RCEAP staff interviewed by the Evaluation Team, who were directly involved in drafting in 2009, claim that the document was *intended to be primarily an internal planning document*; and that Member State endorsement—while an optimal scenario—was neither required (under UNODC guidelines), nor practical given the situation in 2009 (i.e. an office on the verge of collapse and an urgent need to have a framework as a "marketing tool" for approaching donors). RCEAP claims that it has continuously and informally solicited Member State feedback in other ways since 2009 such as, for example, via meetings and forums with the six Greater Mekong Sub-region MoU countries.

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<sup>9</sup> (E/CN.7/2009/CRP.6\*-E/CN.15/2009/CRP.6\*).

<sup>10</sup> UNODC's Integrated Programming Approach (IPA), which was introduced in August 2008, had the objective of responding to a range of internal challenges, particularly those related to fragmentation of efforts across the Office, and weak integration of UNODC's normative and operational work. The Regional Programmes as one of the instruments should be a vehicle for integration of the three Sub-programmes as defined by the Biennial Framework. The RPF and the RCEAP appear to have exercised this in the following order: a) Technical assistance and capacity building; b) Treaty adherence, i.e. normative services; and c) Research and analysis.

<sup>11</sup> Management Letter on the Audit of the Regional Centre of East Asia and the Pacific of the UNODC, para 46).

<sup>12</sup> (RPF, p. 1).

RCEAP circulated the RPF to a few Member States for review, but did not circulate the document *extensively* for their approval, nor was the RPF *comprehensively* circulated to the host-governments within the Region. The RCEAP Senior Management states that there was simply not sufficient time available to circulate the RPF to Members States due to the urgency of getting the Bangkok office up and running and the need to obtain funding for project development. Consultations were held between UNODC HQ and the Regional Representative and his senior team and the Senior HQ Management in the form of videoconferences and teleconferences. Additionally, there were some face-to-face meetings held between UNODC and Ambassadors of Missions in Vienna at an end-stage on 12 November 2008 with the participation of the then Director and Deputy Director of UNODC Division of Operations, but there were no meetings held in the region and no extensive involvement of host-country beneficiaries.

This said, over the past four years, RCEAP has attempted to compensate for the lack of involvement of regional governments in the design phase, by interacting extensively with them during the 2009-2012 programming period.

The RPF's design was ambitious in scope—covering a total of 34 countries, each with widely varying legal systems and politics, economies and cultures. Despite this, the situational analysis in the RPF was heavily ASEAN-centric. The 1993 MoU on Drug Control, between UNODC and China, Lao PDR, Myanmar and Thailand, was seen as a foundational document. Other points of reference were the Joint Declaration for a Drug-Free ASEAN (July 1998); the ACCORD Plan of Action (2000); the MoU signed by the six GMS countries in 2004 (the COMMIT Process); the ASEAN Convention on Counter Terrorism (ACCT) (2007); the UN.GIFT process of 2007 and the ASEAN Charter (2007) that set forth a number of regional challenges.

The Pacific Islands Forum Secretariat is mentioned as a point of contact for UNODC to develop a “potential” programme of collaborative work in the Pacific.<sup>13</sup> Thus, RPF's goals as a Regional Programme were much less focused regarding the Pacific. The RPF has continued to remain principally focused on the “Upper Mekong Sub-Region” (i.e. Myanmar, Lao PDR, Vietnam, Cambodia, Thailand), plus Indonesia and China (See Map 1, *supra*). A sub-programme was developed for the Pacific and shared with all the islands at the Pacific Islands Forum Secretariat (PIFS) meeting in June 2010. The Pacific sub-programme represented a version of the overall RPF, which was more narrowly focused on the needs of the islands. It went nowhere because of lack of funds.

Significant differences of interpretation remain until this day across UNODC as to the term “Regional Programming” and what the RPF represents in terms of a strategic framework and the obligations that the document implies. This has given rise to different expectations and perceptions of the RPF scope of mandate, authority, processes and procedures between UNODC HQ and RCEAP.

Few, if any, of the government and NGO representatives that were interviewed by the Evaluation Team for the Health and Development Sub-programmes had any knowledge of the RPF as such, but they were well aware of the projects that they were in any way involved in or linked to. Those who knew about the RPF considered it an internal UNODC matter, without much practical significance. Some NGO representatives expressed disappointment at not being consulted, despite having worked closely with UNODC for a long time before the RPF. Stakeholders in Rule of Law within government and NGOs responded similarly.<sup>14</sup>

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<sup>13</sup> RPF Situational Analysis.

<sup>14</sup> RCEAP conducted a “Client Feedback Survey” in December 2010 at mid-point of the RPF. The questionnaire was distributed to 400 recipients working for governments, NGOs, donor agencies and other UN agencies. The response rate was low. For example, 77 respondents (less than 20 per cent)

As mentioned above, RCEAP should have had access to at least some *published guidance* from UNODC HQ at the time that it developed the RPF in late 2008/early 2009.<sup>15</sup> In addition, the Strategic Planning Unit provided on site support to RCEAP during the initial stages of programme development and helped the RC to develop the first version of the RPF. This was subsequently altered by RCEAP and most of the suggestions regarding baselines and the nature of indicators at the outcome level were not taken on board by RCEAP as they were deemed to be incomplete. As a result, RCEAP hired external expertise to draft its own log frame.

The Regional Programmes are meant to be the main vehicle for translating the UNODC Strategy into regionally relevant actions. While the UNODC Strategy 2008-2011<sup>16</sup> and the RPF are constructed in different ways, the RPF is generally aligned with the content of the Strategy. The UNODC Strategy consists of three themes:

- (a) rule of law;
- (b) policy and trend analysis; and
- (c) prevention, treatment and reintegration, and alternative development.

The RPF, on the other hand, leaves out the second theme and intends to treat policy and trend analysis as a crosscutting issue evident in each of the six pillars of the RPF.<sup>17</sup>

Meanwhile, the UNODC Biennial Framework 2008-2009<sup>18</sup> links the achievement of sustainable development also to the normative framework of UNODC, comprised of the various treaties and protocols on drugs, corruption, terrorism, etc. to which Members States are parties. Of the three Sub-programmes (pillars) set forth in the document, “Research, analysis and advocacy” appears in first position, including the provision of timely and accurate statistics and analysis of the world drug and crime problems, with particular attention to specific regional manifestations of crime. The second Sub-programme is “services for policy-making and treaty-adherence” and the third “technical assistance and advice”. The Thematic Branches at HQ are intended to assist in the design of regional programmes and to provide policy guidance through their Thematic Programmes.<sup>19</sup> HQ has developed six such programmes since 2008. They provide “a global operational framework as well as tools for use in delivery of technical assistance in their respective sectors, integrating the various components of the Office’s expertise in the areas of advocacy, trends and threat analysis, legislative and legal support, norm setting and technical assistance.”<sup>20</sup>

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said that they were aware of the RPF and 77 answered questions about the RPF. While the initiative is commendable, the low response rate together with the fact that it is not possible to attribute responses to categories of respondents limit the value of the survey considerably.

<sup>15</sup> For example, UNODC’s “Note on UNODC Regional Programmes” (4 December 2008, Integrated Programming Unit/Division for Operations), states very clearly that the elaboration of a draft outline of a regional programme “is the subject of consultation at two levels: i) the Permanent Missions from the Regional countries; ii) expert group meetings convened by UNODC Regional Offices with experts from the region and international funding partners (countries/organizations). This consultation process leads to a draft programme which is then finalized and proposed for political endorsement by the regional countries.” [“Note on UNODC Regional Programmes at p.4].

<sup>16</sup> E/CN.7/2007/14 – E/CN.15/2008/5

<sup>17</sup> Note: Subsequent to the drafting of the RPF a new UNODC Strategy is in place, with a different structure (not in three pillars, but by thematic areas) that should avoid some of the gaps identified, in fact, it was because of many of the gaps between HQ and Field Offices that the restructuring of UNODC took place.

<sup>18</sup> Programme 13, entitled, “International drug control, crime and terrorism prevention and criminal justice” of the UN Biennial programme plan and priorities for the period 2008-2009)A/61/6/Rev.1 page. 166 et. seq.

<sup>19</sup> In-depth Evaluation of the Integrated Programming Approach, p. 27

<sup>20</sup> IPA In-depth Evaluation Report (June 2012).

The Thematic Programmes set forth the normative framework governing UNODC's work; articulate UNODC's perceived comparative advantages; and set forth the specific mandates and delivery mechanisms to be utilized by field offices. In addition, each Thematic Programme is results-based, setting forth key results expected, specific outcomes and long-term impacts expected. Some of the same substantive "gaps" that exist between the RPF and the Biennial Programme for 2008-2009 (i.e. lack of data collection as a priority) also exists between RPF and the Thematic Programmes.

The Evaluation Team is of the opinion that the Thematic Programmes in some instances could have contained more detailed situational or conflict analysis, region-specific notes and indicators. If the Thematic Programme documents were more robust and circulated to each region for the appending of a "Regional Note" then this would force the Regional Programmes to have a dialogue with the Thematic Branches at the outset and clearly articulate which parts of HQ normative policy applied to their region and which did not. UNODC might wish to consider revising the Thematic Programmes going forward and in advance of the next round of regional programming, to incorporate more detailed situational and conflict analysis and circulating them to each Region for the appending of region-specific notes and/or indicators.

It is important to note that the Thematic Programme on Terrorism Prevention envisions the role of the regional offices as elaborating regional perspective jointly with the UNODC Terrorism Prevention Branch in close cooperation with other entities.<sup>21</sup> Regional programmes are also to take account of the national priorities of host-governments. In addition, it is stated that, "When these regional perspectives will have been adequately refined and established, they will subsequently be integrated in the thematic programme document, when it is revised."<sup>22</sup>

The RPF is generally aligned with the UNODC Strategy 2008-2011, but with certain gaps as discussed below. From a design point of view the normative framework is clearly stated in several areas of the RPF, notably under a total of seven sub-outputs (i.e. 1.2.1; 1.3.1; 1.4.2; 2.2.2; 2.3.1; 3.2.1; and 5.1.1). A number of projects during the lifetime of the RPF have contributed to UNODC's normative mandate within the region. These are discussed, *infra*, in the section of this report on Effectiveness at the Sub-programme level.

It is the impression of the Evaluation Team that from a *substantive perspective* the RPF has paralleled the objectives expressed in the various Thematic Programmes developed by UNODC HQ during the time period 2008-2012. Yet, there are notable exceptions.

For example, the RPF contains no separate sub-programme, outcomes or outputs for Counter Terrorism, despite the fact that there was a robust UNODC Thematic Programme on Terrorism Prevention (2008-2011) developed by the Division for Treaty Affairs, Terrorism Prevention Branch in April 2008, which would have been fully available to the RCEAP when drafting the RPF in 2009. The RPF by design, however, integrated Counter Terrorism as part of the sub-programme on Criminal Justice. According to RCEAP this decision was reached after much discussion and was based on the Counter Terrorism programme itself that contains many of the same criminal justice elements. An additional influencing factor on this design choice was the fact that donors were reportedly not comfortable with UNODC doing technical Counter Terrorism work in the field. In the opinion of the Evaluation Team, this was perhaps short-sighted on the part of RCEAP. Criminal Justice and Counter Terrorism, while closely related, are separate areas—especially from an "access to justice" perspective. Going forward, UNODC may wish to reformulate the RPF to fully accord with the five programmatic Thematic Sub-programmes in the current UNODC HQ formulation—one of which is Counter Terrorism.

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<sup>21</sup> Thematic Programme on Terrorism Prevention at p. 20.

<sup>22</sup> *Id.*

It remains the finding of the Evaluation Team that the overall approach to data and policy could have been better designed and coordinated, had a dedicated pillar been included for “Policy and Trend Analysis” within the RPF in line with the Thematic Programmes. The absence of a dedicated “Policy and Trend Analysis” sub-programme in the RPF has in a way obscured the need for capacity building in the region. In addition, it has resulted in an approach to data collection that makes quality assurance problematic, since there is no common system of review procedures – with the exception of the crop-monitoring project, which is supervised by the Statistics and Survey Section at HQ.

Despite the lack of a dedicated pillar for “Policy and Trend Analysis”, data collection and analysis have been emphasized more heavily by RCEAP/RPF within the past several years in response to auditors’ recommendations that data collection be strengthened. During the last three years, RCEAP and Country Offices have published a number of reports and participated in HQ-led statistical surveys that informed UNODC policy in a broader sense. For example, the RPF lent support to numerous SMART reports, the Annual Opium Poppy Surveys, a series of Smuggling of Migrants Reports and the RCEAP has recently produced a TOCTA for East Asia and the Pacific that is currently being held in draft form.<sup>23</sup>

According to the RCEAP, the document was not designed to include detailed indicators. At the time, there were no available detailed outcome indicators at the UNODC corporate level in any Thematic Programmes that could be imported or adapted for the development of the RPF. Thus, RCEAP developed its own set of indicators that are pitched largely at the level of broad outcomes. The Logical Framework of the RPF does, however, contain several detailed indicators.<sup>24</sup> In any strategic planning process, the choice of performance indicators is key to the logic and practicality of the design of the programme. They help results management since they hold the ultimate goals clearly in view throughout the implementation. The Evaluation Team is of the opinion that several of the RPF indicators at outcome level are problematic, partly because they are too general, partly because there are limited resources and institutional capacity in the region to collect good quality and statistically reliable data.

Certainly, UNODC will have to consider how it wishes to approach the issue of data collection more strategically going forward and might wish to consider having a dedicated sub-programme with a coordinator/senior advisor, who can work more closely and regularly with Member States and UNODC HQ on policy and trend analysis as well as capacity building in the region. There is no doubt that some of the research and analysis undertaken under the RPF has been used to prompt a call to action and drive policy discussion with governments in the Region.

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<sup>23</sup> RPF Enhanced knowledge of trends is the main purpose of the illicit crop-monitoring project (MYAG43), which runs on an annual basis in Myanmar since January 2003 and which is part of Sub-programme 6. Furthermore, all alternative development projects contain baseline surveys and rural appraisals and most of the Sub-programme 4 and 5 projects also contain some kind of information collection activity. In addition, the Global SMART programme (GLOJ88), which was launched in Bangkok in September 2008, aims at improving the capacity of Member States to generate, manage, analyse, report and use information on illicit synthetic drugs. The East Asia segment is managed from RCEAP. The reports are prepared in close cooperation with field offices and cover trafficking, manufacture, treatment and use of ATS and other drugs in East and South-East Asia.

<sup>24</sup> In November 2012—four years after the RPF—UNODC HQ has finally issued its first set of outcome indicators for the two thematic pillars of Criminal Justice and Anti-Corruption. This means that all Regional and Country Programmes developed prior to 2012, had to develop their own performance indicators that diminished corporate performance.

## Programme oversight and coordination

### ***Management Arrangements within the Integrated Programming Approach***

As noted above, the RPF EAP was designed as the first Regional programme based on the Integrated Programme Approach (IPA) and also at a time when the UNODC Bangkok office was in a state of near-collapse. Yet despite this fact, the RPF received no additional funding from HQ for Programme Support Unit (PSU) within RCEAP at the time of the RPF's development despite the fact that there was a strong mandate for RCEAP to engage in aggressive fund-raising. This presented a challenge in scaling-up the programme, tracking projects and funds and maintaining the integrity of projects. A single staff member was funded to fulfill such functions at the RCEAP and there is clear evidence of an attempt to instill regular financial reporting, M&E, etc. Yet, as of 2012, funding for the "PSU" staff member was not secure. RPF thus chose to use a special project XSP/J18 (discussed below) for this purpose.

The RPF *itself* does not stipulate management arrangements in great detail. It provides that "oversight and coordination of the overall programme will be the responsibility of the Representative of the UNODC Regional Centre, supported by the management team." RPF further states as follows:

"once the overall programme builds sufficient momentum, each of the six sub-programmes will be overseen by Programme Managers. Reporting directly to the Representative, their job will be to ensure that the programme does not fall back into discreet projects, which operate independently. Key to this will be their role in ensuring economies-of-scale by combining or otherwise dovetailing project activities into the broader programme outputs...and to ensure regular monitoring and reporting on the programme's progress and performance. While they will also manage and monitor budgetary and administrative aspects of the programme, their core mandate will be [to] ensure that the overall programme of work is making substantive contributions to the achievement of results.... Until the programme develops sufficient momentum, the overall programme coordination role will be undertaken by the Resident Representative supported by the management team."<sup>25</sup>

To date, it appears that despite its best intentions RPF has been unable to build sufficient momentum to *fully transition* to a system where *all* sub-programmes are overseen by Programme Managers, projects are combined or "dovetailed" into a broader regional programme or all projects have become subsumed into their respective sub-programmes from a management perspective. Rather, it seems that in many ways from an Oversight and Coordination perspective, the RPF never was able to advance beyond the stage that is described as an "interim" arrangement (i.e., that the overall programme coordination role be fulfilled by the Regional Representative supported by a small management team).

Yet, it is questionable whether RPF could ever have been expected to have achieved this transition, given the small amount of UNODC General Purpose or soft earmarked funding available to the RPF at programme level. Moreover, the nature of UNODC's funding model (still heavily project-oriented and done on the basis of voluntary contributions, often strictly earmarked) means that RCEAP has had to rely on specific projects to pay for what are effectively programme-related activities. Donors are reluctant to give UNODC—any office—significant un-earmarked programme slices of funding. As a result, the RPF's level of programmatic coherence is the result of many projects being dovetailed into a programme matrix with a multitude of funding sources. RPF has been challenged with trying to build a *programme* out of *project* funding.

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<sup>25</sup> RPF p. 33.

Supervisory arrangements between HQ, the Regional Center and Country/Programme Offices, while outlined in some ToRs and project documents appear to have been negotiated on a case-by-case/project-by-project basis. The Regional Representative of the RCEAP states that he is the primary reporting officer for financial reporting from the Country Offices and/or projects, as well as RCEAP project managers and staff. The mechanisms for *programmatic reporting* and supervision, however, are not well defined. Beyond this, UNODC Vienna has frequently changed its office structure and lines of reporting, leaving even some HQ staff a bit unclear as to what exactly is *their* responsibility towards the RCEAP and individual Country Offices.

The Thematic Programmes envision a highly collaborative relationship between the regional offices and HQ. In the case of the RPF, it does not appear that this collaborative relationship has been fully operationalized. The Evaluation Team's interviews with the Thematic Branches at HQ revealed both a lack of awareness of RCEAP activities, and a lack of engagement with the regional offices in general. Certainly, part of this is due to high staff turnover at HQ and the fact that many of the staff involved in the original consultations surrounding RPF have since left. It does not appear that the East Asia and Pacific Inter-Divisional Task Team meets regularly enough to discuss regional issues—despite the fact that it is reported to be the most active task team. This is certainly a management issue for HQ to consider. At the moment, the Inter-Divisional Task Team normally only gathers during the time of the Field Representatives Seminar or surrounding several teleconferences organized during the year.

The relative responsibilities of the HQ Thematic Branches vis-à-vis the RCEAP, Country Offices and project managers appear to have been advisory in nature, and their role and responsibilities for RPF “Oversight and Coordination” remains imprecise.<sup>26</sup> Moreover, the Strategic Planning Unit at UNODC HQ was minimally involved in the early stages of drafting of the RPF, but thereafter, its offers to assist were mostly declined by RCEAP and its advice not followed. The Unit was on occasion asked by the RCEAP to give feedback on questions. Based on the Report of the Auditors 2011, it does not appear at first glance, however, that UNODC/RCEAP identified and mitigated risks in regard to management structures for the RPF. The “bridge” funding provided by the PSU under project J18 via soft earmarked funding mitigated these risks to some extent (i.e. Country Managers in Vietnam and Cambodia were from time to time funded through the PSU mechanism to sustain their positions between project funding gap/shortages). Yet, such “bridge” funding cannot be seen as a sustainable mechanism.

### ***The RPF Senior Advisors***

The RPF envisions that “a number of the initiatives listed under the thematic areas of Rule of Law and Health and Development will be technically backstopped by the Senior Advisors (Legal, Law Enforcement, Counter Terrorism, HIV and Demand Reduction) whose contacts with senior-level national counterparts will be the key to laying foundations for a systematic approach for—and expanding upon—the RPF. In particular, these Senior Advisors will guide

<sup>26</sup> The various audits undertaken by UNODC, prior evaluations and numerous stakeholders interviewed by the Evaluation Team attest to this fact. There is evidence of differing perceptions and knowledge of HQ-level staff as to the nature of the RPF EAP and the relative responsibilities of RCEAP vis-à-vis HQ and vice versa. By way of contrast, the CO/Programme Offices seem to be obligated to the RCEAP in terms of both managerial and financial accountability, but the extent to which they are accountable to HQ and/or RCEAP for programmes remained unclear for the Evaluation Team. RCEAP staff state that they travel to the region and regional officers and staff occasionally travel to Bangkok for trainings, etc. The RCEAP has instituted bi-annual meetings of its Country Programme managers as well as having teleconferences as required.

Project Coordinators on emerging threats and new opportunities for action and programme growth.”<sup>27</sup>

The RPF stated that as of August 2009 a total of 34 experts were based in the region. As of 2012, RPF/RCEAP had only staffed a portion of its *regional* Senior Advisors. Nonetheless, Country Offices report that they have received regular technical advice and field visits from RCEAP staff and the Senior Advisors or project coordinators—in particular in the Rule of Law area. For example, Myanmar had received visits from the advisors on Counter-Terrorism; TIP and SOM; Environmental Crime; Communications; Drug Demand Reduction; Programme reporting, design and re-design and ATS trafficking.

These advisors/experts have been able to service the entire EAP Region to varying degrees. For example, the Senior Advisor for Anti-Corruption (based at the RCEAP since 2011) has covered the *entire* Region and is closely working with RCEAP, ensuring a link between HQ and Field Offices on thematic issues for the whole region. As detailed further in this report, the Senior Advisor for Anti-Corruption has in particular recently worked closely with Thailand and Myanmar. Furthermore, the regional HIV/AIDS adviser is also available, in principle, to all countries in the region. Such availability is possible, since it is in line with the ToR for adviser’s position.

Meanwhile, by way of contrast, UNODC’s Regional Senior Advisor for Anti-Money Laundering (AML) who is based in Hanoi has been more restricted in his ability to service the Region. He is funded primarily by the Swiss and the World Bank via earmarked funding to the Global AML Programme at UNODC HQ. While RCEAP has repeatedly requested that he travel throughout the Region, the donors are reluctant for the Senior Advisor for AML to leave the three countries that he primarily covers per the funding MoU (i.e. Vietnam, Cambodia and Laos).

### ***RPF Communication of UNODC mandates and policy to staff in the field***

RPF has not seemed to facilitate a working knowledge of UNODC policies or a strong sense of common purpose throughout all levels of staff under the RPF. The evaluation team spoke with many UNODC staff during the field visits, international and national, with a variety of backgrounds and a variety of contracts.<sup>28</sup> The team came across national staff that had worked for UNODC for many years without any UNODC related training, neither substantive, nor administrative. As a result, the corporate culture is weak and there is a general lack of knowledge among staff about UNODC’s mandates and policies outside the realm of the individual’s expertise. In some cases there is even a lack of knowledge of UNODC’s policy in the individual’s own area of expertise. In this regard, there is a clear disconnect between HQ and the field.

Several staff members interviewed expressed a need for induction training, including about the United Nations and UNODC’s place and role in the UN system, as well as recurrent training and updates on UNODC policy in various fields. Obviously, until such induction training is provided there is a risk that knowledge within the organization may remain at below optimal levels. This could be achieved through a variety of mechanisms including a

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<sup>27</sup> RPF p. 33.

<sup>28</sup> In the staffing tables shown to the Evaluation Team during the mission, some long-term serving national staff appeared as newly contracted, because they are recorded based on the project they are funded from. RCEAP supplied a list of staff working in the Bangkok Office. The Evaluation Team during its mission, however, repeatedly asked for printed lists of staff working in the Field Offices, with information about their contracts, how long they have worked for the organization, whether they are on UNODC or UNDP contracts, etc. Field Offices did not supply the information. The Evaluation Team had the impression that either the information was either not available or was not easily accessible. RCEAP has subsequently informed the Evaluation Team that some of the information is available on its Field Office Staff Inventory database.

dedicated training unit, training materials and financial support and guidance to Field Offices to conduct such training. RCEAP states that it has recently developed such training modules and materials for its own staff.

### ***Adherence to UNODC Financial Frameworks in Programme Management and Fundraising***

The Financial Framework of the RPF (2009-2012) has been thoroughly documented and assessed in several recent audits of the RCEAP conducted by the UN. It is not within the purpose or scope of this Evaluation to repeat that process. Nor, for that matter, does the Evaluation Team as composed possess any technical capabilities in finance, management or forensic accounting.<sup>29</sup> Nonetheless, the detailed list of questions submitted by UNODC to the Evaluation Team in its Terms of Reference included a question on whether the *design* of the RPF was in-line with UNODC financial frameworks.

It appears that the *design* of the RPF was largely in-line with UNODC's own institutional *funding structures* existing in 2009. And, RCEAP remained largely efficient at maintaining and continued to expand its voluntary commitments during the time period 2009-2012<sup>30</sup>. Furthermore, indications are that RCEAP recent efforts to procure "soft ear-marked" funds from such donors as Sweden and Norway may have enabled RCEAP to implement programming on a regional level *despite* overall UNODC funding issues. Such efforts to reducing rigorous earmarking were viewed as necessary to the overall financial survival of UNODC by the JIU Report (2010) and were further supported at the HQ and regional-level by project GLOU46.

As of August 2009, RPF reported to have budgeted a total of US\$ 120,9 million for the total programme spanning Cambodia, China, Indonesia, Lao PDR, Myanmar, Vietnam and RCEAP itself. As mentioned, by the end of 2011 the entire RPF programme budget had been reduced by 31 per cent.<sup>31</sup> As far as the Evaluation Team could ascertain this budget cut was not the result of any new analysis having been performed of needs and gaps within the RPF region. It is also to be observed that the UNODC financial frameworks are largely designed for projects, whereas RPF is a programme. This basic distinction has yet to be sufficiently addressed by UNODC.

Independent field-level fundraising is viewed by UNODC as essential to the organization. In fact, this is where the majority of funds are raised for field-based activities. UNODC's practice is that all projects under US\$ 10 million have to pass through the Direct Approval Process. Mandatory consultations are to take place per email (before submitting the document in ProFi) with the Co-financing and Partnership section (CPS), the Strategic Planning Unit (SPU), the Advocacy Section (AS)<sup>32</sup>, and other relevant substantive offices at HQ and Offices concerned in the field. The responsible office then creates a ProFi submission, requesting clearance from the Financial Resource Management Service (FRMS) and the Human Resource Management Service (HRMS).

Once clearances have been obtained and mandatory consultations have taken place and been recorded in the ProFi Safeguards, designated managers at HQ and Field Representatives are expected to forward the document through ProFi to their respective Division Director or Head of Branch for their assessment (Oversight). The Director will secure agreement from other Division Directors upon which the responsible Director will endorse the submission. Designated managers/Field Representatives then approve the project document and revisions

<sup>29</sup> As stated above, the Evaluation Team comprised (by professional background and training) an international lawyer, a criminal intelligence/policing officer and a social scientist (a former officer of UNDOC). No one on the team possesses an MBA or an advanced degree in financial accounting.

<sup>30</sup> See Intake Power Point presentation of UNODC RCEAP Executive Director to the Evaluation Team (23 September 2012); various RCEAP Implementation Updates; ProFi and Dashboard electronic databases reports).

<sup>31</sup> The baselines by field office and thematic areas appear in tables in the RPF document (2009).

<sup>32</sup> For programmes, but not necessarily for projects.

in ProFi. Any changes in the overall programme/project must be approved through a project revision.

As regards projects above the US\$ 10 million level, those are approved through the Programme Review Committee (PRC), where all substantive and technical units are represented. The PRC is to review thematic, regional and country programmes and issue recommendations to the Executive Director. In addition to projects above US\$ 10 million, also projects/revisions that are controversial, present difficulties or represent significant new directions in UNODC's portfolio should also be submitted to PRC.

The Evaluation Team received opinion, however, that while the *financial* consultation component of this process had taken place, the *substantive* consultation component had not been as robust as it could have been in all RPF projects. This may be due to the fact that mandatory consultations with CPS, SPU, AS, IEU and other relevant substantive offices at HQ and offices concerned in the field are not included in the ProFi process but take place per email outside the system. These offices can point out by email that there has been no consultation and that amendments are needed, but with no possibility to actually stop the approval process. There is a Safeguard Checklist in ProFi where consultations should be indicated in order to submit for Oversight, but it is not a guarantee that it actually took place.

UNODC HQ also expressed frustration that in a few instances RCEAP had committed the organization and then approached HQ after-the-fact for disbursement of General Purpose Funds on an *ad hoc* basis. In the opinion of HQ, this has been due to poorly funded project start-ups (i.e. with less than 30 per cent of the funds received and on account), which have unjustifiably raised partner expectations. Yet, RCEAP maintains that in these cases the advances of General Purpose funds were requested as "bridging" financing only between collections of donor funds that were otherwise pledged, but not available at the time. In particular, EC funded projects have required bridging due to UNDOC corporate (Field office and HQ) inability to report to required EC standards in a timely way. According to RCEAP, this is expected to continue to be the case going forward.

There is no doubt that RCEAP under RPF has aggressively pursued fundraising during 2009-2012. However, at the end of 2011 the initial *programme* budget forecast for the RPF cycle had been reduced by 31 per cent, from US\$ 120,884,000<sup>33</sup> to US\$ 83,830,000.<sup>34</sup> The reductions were not evenly distributed among the six sub-programmes. For example, the budget for alternative development (Sub-programme6) was increased by 8 per cent while the budget for demand reduction (Sub-programme 4) was reduced by 67 per cent and the budget for criminal justice (Sub-programme 3) was reduced by 46 per cent. Yet, it has at the same time rejected some initiatives, because they were not part of the RPF results matrix. For example, this was the case with several initiatives covering firearms, trafficking of weapons, migrant worker repatriation, mapping of asylum policies, data collection on irregular migration and "cybercrime."

In other instances, however, RPF implementing partners for some major projects (i.e. PATROL) informed the Evaluation Team that they had not been adequately consulted on project document revisions that risked exceeding their own institutional mandates. These same partners complained that RCEAP had shown a tendency to try to "stretch" particular funding agreements under the RPF so as to be able to link them to other projects that would not in their opinion be related otherwise. (i.e. RCEAP received funding under UNRED for climate change policy work, but then attempted to link this to its PATROL project and divert funds to PATROL. There were objections to this as having been done on an *ad hoc* basis without full clearance of all project partners with activities that risked overloading the PATROL project itself and deviating from it). Such aggressive "unilateral" fundraising on the part of UNODC RCEAP without consulting other partners has the potential to cause tension between the respective mandates of UN Agencies.

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<sup>33</sup> Total budget (2009-2012) status in January 2009, Implementation Update: 1, p. 45.

<sup>34</sup> The total budget forecast for the region, i.e. including Policy and Support, amounted to US\$ 92,887,000. Implementation Update:3, p. 67.

The UNODC funding mechanism at its core remains fundamentally flawed, because UNODC is still implementing a series of projects, too dependent upon the mandates of its donors. There is virtually zero programmatic donor funding and whatever does exist is virtually all country-project funding pledged in two to four year tranches, at best. As recognized by numerous sources, both the governance and financial frameworks of UNODC are characterized by fragmentation, which impacts on the effectiveness and efficiency of the organization. Furthermore, these same sources report that UNODC has lacked the institutional capacity and financial resources to keep up with an expanding mandate and increased field presence (both at Regional and Country-levels). Moreover, tightly earmarked voluntary contributions are increasing at the expense of non-earmarked contributions.

The UNODC “Full Cost Recovery Policy” (2008) has also had implications for the RPF during the 2009-2012 programming period. Cost sharing is done across all projects in the RCEAP and individual Country Programme portfolios, assessing cost shares against each segment based on percentage portfolio approach. This has led to criticism from donors who do not accept a cost-share percentage charged to their projects but require instead that only 'direct costs' incurred be charged to projects.

For example, in the Myanmar Country Office the current significant reduction in the core budget has recently led to a dozen critical posts (i.e. security, administrative staff, several national fixed term posts) moved from being cost-based to being entirely cost shared across projects. This action was based upon guidance by the Chief of FRMS at the annual Field Representatives Meeting in July 2012. The net result is that project staffing tables have become populated (because, according to direction from HQ, a post cannot be cost shared unless it appears in the project staff table) by many more posts than are realistically used in supporting the project implementation, and several posts not being filled because of inadequate funding being secured.

Currently, UNODC has little in the way of a pro-active mechanism to ensure balance of fund-raising at the regional or country level (other than encouraging donors to be balanced). Although, any project document should theoretically go to HQ for an oversight and approval, projects that are not “owned” by HQ are in some cases not necessarily “cleared” in practice by the Thematic Branches in all instances according to stakeholders interviewed by the Evaluation Team.<sup>35</sup> At present, everything needs to be cleared by FRMS and HRMS. But, not everything is cleared by HQ-level thematic branches to ensure coordination or oversight by the Co-Financing and Partnership Section at HQ.

Meanwhile, Field operations under the RPF are funded through the UNODC voluntary funds (one for drugs and one for crime), while *normative work* should be funded by the Regular Budget. The UNODC Executive Director and Regional Representatives in each region should look for voluntary contributions. A strong belief exists among both HQ and field level senior management interviewed that the General Assembly should ensure that core functions of UNODC are funded via regular budget resources.<sup>36</sup>

At least one Country Office manager opined that UNODC should consider:

<sup>35</sup> Note: According to UNODC HQ, in theory, the procedure differs according to type of funding proposal is at issue. Consultations with Thematic Branches on Regional and Country Programmes do happen. However, the programme set general lines of activity. If a UNODC Representative raises money at the country/regional level for activities that are within the regional programme, they should consult with thematic branches and then have the authority to approve a project by stating that consultations have taken place and there is no conflict. The quality assurance mechanism in IPB only checks that these statements are made, not that they correspond to reality or that the Thematic Branches have been notified. There have been cases of projects approved with no consultation with Thematic Branches (not necessarily by the EAP Region) or in spite of concerns raised by Thematic Branches.

<sup>36</sup> See the 14 recommendations of the JIU Report.

- (a) hiring each Country office director, plus three to five staff on contracts with core funds;
- (b) National staff should be hired on fixed term UNDP contracts, instead of service contracts; and
- (c) UNV use should increase and be facilitated by HQ Regional Desks.

The Roster needs to be communicated and HQ human resources need to map needs of COs for UNVs. This should be prioritized.

This would depend, of course, on what is meant by core funds. There are three sources of income: Regular budget, the UNODC funds for voluntary contributions, and the Project Support Costs. The Funds have two strands of money: Special Purpose Fund (earmarked) and General Purpose Fund (non-earmarked). The Project Support Costs (PSC) is the 13 per cent overhead cost charged to every project – except European Commission that pays 7 per cent. PSC also goes to the Fund(s). Ideally, UNDOC should pay all Country Office representatives from the non-earmarked General Purpose Fund. Unfortunately, the GP money is now only approximately 6 per cent of the total budget.

PSC has been fixed for UN Secretariat organizations (like UNODC) at 13 per cent. A no-exception policy is promulgated from HQ, but the case of EC funding is an exception given the significant nature of the funding and the strategic value of EC partnerships. In this case, the EC allows all direct costs to be built into the project action. The 13 per cent policy creates problems for UNODC when non-Secretariat organizations charge lower support costs, which makes them more attractive on a cost-efficiency basis. Donors therefore often make finance-driven decisions on where to place funds. In the field this often excludes UNODC from important implementation partnerships, when a lower rate of PSC is available but nonetheless direct cost could be recovered. UNODC PSC (13 per cent) is roughly split into three equal portions. One-third of the PSC should, in theory, come to the field through the so-called 112 budget lines and used for ‘core’ running costs. However, this level of funding available is not sufficient to sustain operations in most offices and a cost sharing methodology – the ‘Full Cost Recovery Policy’ referred to on the previous page is utilized with varying degrees of donor acceptance.

### ***Note on Project XSPJ18***

RCEAP designed and utilized a special project—XSPJ18— as a catalytic umbrella project to support the regeneration of the UNODC Regional Centre (RC) and as a means to implement the RPF. The project was funded predominantly by Australia (59 per cent). J18 was viewed as the mechanism to manage soft-ear marked funds and the project brought in soft earmarked funds from Australia and a number of other donors. XSPJ18 funded the establishment of a RCEAP Project Support Unit that pulled together: programme development; finance; communications and other units at RCEAP. These are core programmatic staff that supported the RPF as a whole. RCEAP also used the project to facilitate a number of studies, assessments and micro-projects that by themselves would not have efficiently justified a fully-fledged project document. RCEAP maintains that this flexibility has allowed the Programme to respond quickly to changing conditions on the ground, the needs of beneficiaries and the strategic funding priorities of donors.

In the opinion of the RCEAP, without XSPJ18 or an umbrella project of this nature with soft earmarking of funds, RCEAP would not be able to attract donor interest, bridge contracts, etc. It maintains that J18 effectively allowed RCEAP/RPF to keep staff in place, be flexible and launch many projects. The donors gave RCEAP permission to use the money responsibly, which is what RCEAP maintains it has done. Yet, XSPJ18 was criticised by the Inter-Divisional Mission (IDM) assessment. For example, the report of the IDM (February 2012) notes that project XSPJ18 (initially launched in 2007) has significantly expanded its scope and volume with miscellaneous initiatives such as criminal justice, corruption Bali initiative,

etc. According to the IDM, the initial project purpose was lost along with the ability of proper management and certification. Beyond this, despite the fact the project was well over the US\$ 1 million mark, it has never been presented for approval.<sup>37</sup> Yet, RCEAP views the limit of US\$ 1 million on umbrella projects as out-dated and believes that UNODC is now in a different operational environment.

### ***Reporting and M&E under the RPF***

Nearly all stakeholders interviewed agreed that during the past two-year period of time, the RCEAP had greatly improved its reporting abilities under the RPF. The Annual Implementation Updates for the RPF published by RCEAP for 2009, 2010 and 2011 are an example of RCEAP's efforts and progress in this regard. As stated above, RPF's results reporting at RPF-level continues to be challenged by a lack of data and baseline statistics and because of the choice of performance indicators (see under Design).

RPF sets forth a well-articulated M&E system, to be "based on the structure of objectives contained in its Results Framework." Yet, RCEAP has been challenged throughout the programming period 2009-2012 to make this M&E system fully operational. A single RCEAP-led regional project (i.e., PATROL) conducted a mid-term participatory evaluation with its stakeholders in August 2012 (no other regional projects were the subject of mid-term evaluations during the 2009-2012 period). In addition, during this same time period a number of individual Country Office projects were subject to mid-term or terminal evaluations (these occurred in Myanmar, Vietnam, Indonesia, Cambodia and Lao PDR).

The RPF clearly states that the responsibility for delivering outputs and achieving outcomes at programme level primarily rests with Member States. A consequence of not involving Member States and relevant regional organisations in the design process is that neither of them can be held responsible for results and indicators that they did not define or agree on. In hindsight, RPF set its indicators at too high a level for them to be meaningful.

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<sup>37</sup> See, IDMT Report at p.5. The US\$ 1 million funding mark is the maximum amount that RCEAP can commit to without HQ approval.

Table 1. Evaluations conducted 2009-2012 under RPF

<p><b>2009</b></p> <p>(a) CMBH83 Developing Community based Drug Counseling, Treatment and Rehabilitation Services in Cambodia</p> <p>(b) KHMJ11 Institutional Reform and Capacity Building for Drug Control and Integrated Drug Abuse Prevention in Cambodia</p> <p>(c) FSLAO/04/R76 Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking</p> <p>(d) RASH60 Regional precursor chemical control project for South and South West Asia FINAL EVAL</p> <p><b>2010</b></p> <p>(a) LAOI28 Independent External Evaluation Post-Opium Surpass Poverty Project Oudomxay Province, Lao PDR</p> <p>(b) RASI09 Strengthening Comprehensive HIV/AIDS Prevention and Care for Drug Abusers in Custodial and Community Settings – Final Evaluation</p> <p>(c) RASI13 Improving Access for Young People with ATS Abuse to Effective Treatment - FIBAL EVAL</p> <p><b>2011</b></p> <p>(a) IDNT71 Strengthening the capacity of anti-corruption institutions in Indonesia</p> <p>(b) IDNT80 Support to improved security by provision of capacity building to the Jakarta Centre for Law Enforcement Cooperation (JCLEC)</p> <p>(c) IDNT81 Support to the fight against corruption in Indonesia</p> <p><b>2012</b></p> <p>(a) VIEH68 Technical Assistance to Treatment and Rehabilitation at Institutional and Community Level and VNMJ04 Drug Abuse and HIV Prevention among Ethnic Minorities in Northwest Vietnam</p> <p>(b) VNMS65 Strengthening of the legal and law Enforcement Institutions in Preventing and Combating Money Laundering in Vietnam</p>
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## Relevance

According to Senior Management interviewed by the Evaluation Team at the RCEAP who were directly involved with drafting the RPF, the political, economic and social conditions in East Asia and the Pacific were already well-documented by UNODC and 3<sup>rd</sup> parties when the RPF was developed. Thus, while an extensive amount of existing literature was reviewed in preparation for RPF, RCEAP made relatively little independent ascertainment of the regional needs. Member States' national development strategies or partners' master plans were not extensively taken into account; however, the priorities identified in the ASEAN Economic Community Blueprint were in a Partnership Forum organized by UNODC in January 2012 with 12 countries. According to RCEAP, there was simply insufficient time to do the sort of full baseline review and assessment, which would have been ideal. In late 2008, the office was under threat of closure and an instrument was needed to resuscitate the programme and re-profile the organization in the region.

Nonetheless, despite the lack of a more extensive review of the situation in the Region, it appears that the human security threats profiled in the RPF (situation analysis) and the proposed programme outputs and outcomes (programme description) are largely representative of Member States' concerns and priorities at the time and consistent with UNODC mandates. Moreover, the RPF aligned with other policy frameworks such as the UN Millennium Development Goals.

Relevance is a question not only of the extent to which the objectives of the RPF are consistent with country and regional needs, but also whether or not the RPF responds to global priorities and policies, primarily the relevant international conventions. At the time of the design of the RPF, the main policy documents, in addition to the relevant international Conventions, were the commitments made at the twentieth special session of the General Assembly<sup>38</sup> to address the world drug problem<sup>39</sup> (UNGASS 1998), and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, which was adopted a decade later by the High-level segment of the Commission on Narcotic Drugs (11-12 March 2009).

Of relevance to Rule of Law are the United Nations Convention against Transnational Organized Crime (adopted 2000) and its various Protocols on Trafficking in Persons and Smuggling of Migrants; The United Nations Convention against Corruption (entered into force 2005); the 16 universal treaties on counter-terrorism and relevant Security Council Resolutions; and UN Standards and Norms on Crime Prevention and Criminal Justice, including with respect to victim protection, violence against women and the humane treatment of offenders. Of additional importance were the Action Plans on ATS, precursors, judicial cooperation, and money laundering; as well as the various UN Conventions on Narcotics.

The Rule of Law challenges profiled in the RPF appear to have been accurately stated and well-grounded in analysis across all three Rule of Law Sub-programmes (Illicit Trafficking; Governance and Criminal Justice). The situational analysis correctly noted “East Asia and the Pacific” has the lowest ratification level of the international crime and drug control conventions.”<sup>40</sup> The Evaluation Team observes, however, that the situational analysis for Sub-programme 3 discusses Transnational Organized Crime (TOC) and Terrorism together. While TOC and Terrorism certainly overlap and are often inter-related using similar methods of illicit finance and undermining the legitimacy of legal regimes, at the end of the day, these remain two distinctly different types of organizations with vastly different objectives. Beyond this, is the fact that within the UN and UNODC they are addressed via different normative frameworks. Thus, it is felt that RCEAP should have devoted separate situational analysis to TOC and Terrorism respectively.

The main policy documents of relevance to the RPF Health and Development pillars were the Declaration on the Guiding Principles of Drug Demand Reduction<sup>41</sup>, and the Action Plan on International Cooperation on the Eradication of Illicit Crops and on Alternative Development<sup>42</sup>, both adopted by the 1998 UNGASS. For HIV/AIDS, the main policy documents are the General Assembly HIV/AIDS Declarations 2001, 2006 and 2011.<sup>43</sup>

The RPF Sub-programme 4, Drug Demand Reduction, covers prevention, treatment and reintegration, and aims at addressing the lack of capacity and standards of good practice in the region. This is in line with the Demand Reduction Declaration, which advocates that demand reduction programmes should cover all areas of demand reduction, including the reduction of the negative health and social consequences of drug abuse. It also responds to the requirement for evidence-based interventions. The RPF Sub-programme 5 as designed is aligned with the

<sup>38</sup> See General Assembly resolutions S-20/2, S-20/3 and S-20/4 A to E.

<sup>39</sup> The illicit cultivation, production, manufacturing, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances, including amphetamine type stimulants, the diversion of precursors and related criminal activities.

<sup>40</sup> RPF p. 11.

<sup>41</sup> RES S20/3, annex.

<sup>42</sup> RES S-20/4 E.

<sup>43</sup> 2001 Declaration of Commitment on HIV/AIDS (RES 26/2, annex); 2006 Political Declaration on HIV/AIDS (RES 60/262, annex); and 2011 Political Declaration on HIV/AIDS: Intensifying Our Efforts to Eliminate HIV/AIDS (RES 65/277).

General Assembly goals on HIV/AIDS.<sup>44</sup>

Sub-programme 6 responds to the UNGASS Action Plan on International Cooperation on the Eradication of illicit Drug Crops and on Alternative Development, which defines alternative development as prevention and elimination of illicit cultivation through “specifically designed rural development measures in the context of sustained national economic growth”.

One of the RPF’s key objectives was to ensure thematic consistency across all UNODC activities in the Region; to transform UNODC’s conceptual framework for its work in the Region and to ensure that all projects going forward would be aligned to the RPF Outputs. There is some evidence that this has occurred (i.e. several new project documents make specific reference to the RPF and align with its results framework). Yet, the extent to which the RPF has had significance for the development of activities *on the ground* is difficult to assess with certainty due to the fact that a major part of the projects under both Rule of Law and Health and Development were initiated before the RPF, in some cases even several years earlier. Furthermore, in some cases funds raised post-2009 by RPF were not “new”, but were funds of a traditional donor that had been re-allocated to the RPF in lieu of other regions/activities.

For example, information provided for projects within the Rule of Law indicates that roughly 48 per cent were in existence before the RPF. For example, for Sub programme 1 “Illicit Trafficking”, 47 per cent of the projects started before the RPF.<sup>45</sup> For sub programme 2, Governance, 62 per cent of the projects were developed before the RPF and in sub programme 3, Criminal Justice, the ratio is equivalent to 36 per cent. Meanwhile, in Health and Development 80 per cent of all Sub-programme 4 projects, 60 per cent of the Sub-programme 5 projects, and 69 per cent of all Sub-programme 6 projects were initiated before the RPF. Only a few projects under the RPF are termed “regional”, however, none appear to be regional in the sense of covering the whole region or a sub-region. Yet, certainly the fact that a project is implemented in only a single country does not mean that it is not aligned with the attainment of regionally-agreed objectives and the RPF.

Thus, the extent to which the RPF represented any new *strategic vision* for the region is debatable. The RPF appears to have effectively “captured” the UNODC, ASEAN and UN strategies that were in existence at the time it was drafted, as well as the normative framework governing UNODC’s work (albeit with gaps as noted above). To the extent that the RPF *itself* contains any articulation of new strategic priorities, these would seem to appear in the form of the Outputs supporting each of the Outcomes at the Sub-programme level of the RPF.

<sup>44</sup> The HIV/AIDS Declarations advocate prevention as the mainstay of the response to the epidemic, including so-called harm reduction interventions for injecting drug users. Also the promotion of human rights and sharing of experiences through international and regional cooperation are key areas. In 2006, the General Assembly set the goal of universal access to comprehensive HIV prevention, treatment, care and support programmes. The goal to reduce transmission of HIV among people who inject drugs by 50 per cent by 2015 was agreed by the General Assembly 2011. The CND High-level Segment also reaffirmed the universal access goal in 2009. Both the Demand Reduction Declaration and the 2009 Political Declaration and Plan of Action confirm that harm reduction programmes have a place in demand reduction. Likewise, the International Narcotics Control Board has expressed the view on several occasions that harm reduction programmes should not be considered substitutes for the demand reduction programmes, and, above all, should not be carried out at the expense of other activities to reduce the demand for illicit drugs, for example drug abuse prevention.

<sup>45</sup>Note the words “before RPF” means all projects with starting dates before 2009 + all projects with a starting date in January 2009; Since there is a long design and approval process before a project can start, it is reasonable to count those as initiated “before the RPF” and those starting as from February 2009 knowing a design which was under (some) influence of the RPF/RPF thinking.

Most other components of the document are a reiteration of UNODC strategies already in existence in 2008, plus elements of the Thematic Programme on Terrorism Prevention.<sup>46</sup> Also, the majority of UNODC global projects implemented within the East Asia and Pacific Region were well-established years prior to the drafting of the RPF (although the Global SMART Programme Project and the Global E-Learning Project on Making the World Safer from Drugs, were exceptions to this and specifically designated the RCEAP as the main project site). For example, with specific regard to HIV, it appears based upon UNODC and RCEAP documents and interviews that there was *already* a well-established regional cooperation for HIV response prior to the RPF in 2009 and that RCEAP/RPF likely did not improve upon *regional level* coordination of the HIV response for people who inject drugs and for prisons by government agencies than would have existed otherwise.

It is certainly clear, however, that RCEAP has used the RPF as a framework for implementing a number of regional projects and initiatives (i.e. PATROL project) that have managed to impact to varying degrees in many, if not all, of the 34 countries included in the RPF.<sup>47</sup> Moreover, as the RPF was the first such Regional Programme of the new IPA generation undertaken by UNODC the mere fact of having such a framework, developed around which the RCEAP, UNODC, Members States and donors could coalesce and further integrate programming and funding, was in and of itself strategic.

In general, most Country Offices expressed the opinion that by setting a framework, the RPF had placed Country Offices in a better position to align the contents of their projects to a common framework<sup>48</sup>. Several Country Offices within the East Asia and Pacific Region have developed individual Country Programme Documents (either in draft or published form) that align with the RPF. In particular, the UNODC Country Programme for Indonesia states, “[in] 2009, the Regional Centre designed and began implementing a RPF (2009-2012). This Country Programme is fully consistent with the objectives of the RPF, and is specifically tailored to the needs and priorities of the Indonesian Government.”<sup>49</sup> This is clear evidence of RPF’s influence as a programming reference point.

Since 2009 UNODC HQ, RCEAP and Country Offices have all *utilized* the RPF document and consistently *held it out* to the donor community as *the* strategic planning document around which the RCEAP chooses to organize its work. RPF has been routinely re-issued and reprinted.<sup>50</sup> The very fact that UNODC has managed to increase so dramatically the volume of its operations in the past four years (even if it could not secure a political endorsement of the RP as required by the new UNODC approach), says a lot about the vast potential of the regional approach and its added value.

Furthermore, under the RPF, RCEAP has been able to argue for greater funding over the years that has increased its ability to address the UNODC mandated human security problems of the Region. The RPF has been used during 2009-2012 to guide the identification and selection of project initiatives within the scope of the RPF. It is clear that the RCEAP has negotiated a number of new project documents during 2009-2012 spanning across all pillars of the RPF. Some UNODC HQ staff expressed the opinion, however, that RCEAP was too quick to obligate UNODC to projects without first assessing whether it had the funding or technical expertise to carry the projects to completion. According to Senior Management at

<sup>46</sup> See RPF 2009-2012.

<sup>47</sup> See table prepared by the RCEAP at the request of the Evaluation Team illustrating the geographic coverage by (aggregated) programme/activity for each of the 34 countries included in the RPF.

<sup>48</sup> Interview with UNODC Laos PDR.

<sup>49</sup> Indonesia CP at p. 3.

<sup>50</sup> The RPF has been presented during 2008-2012 to several consultations with Government Counterparts and NGO Representatives. More than 1,000 copies of the RPF were printed and disseminated in 2009 alone. Another 1000, during 2010-2011. In addition, RPF “Implementation Updates” were printed and disseminated in 2010, 2011 and 2012. Several project documents developed post-2009 specifically reference and align with the RPF.

UNODC HQ, this resulted in too many requests from RCEAP for gap funding from the General Fund. It also risked exceeding UNODC's mandate and that of its partners.

UNODC's comparative advantage appears to vary from country to country and region to region. While there is an overarching comparative advantage to be found in UNODC's mandates and its ability to create neutral space for stakeholders to engage, UNODC's relative comparative advantage in a particular country is very much tied to factors such as the political, economic and societal development context.<sup>51</sup> UNODC should take this into account in judging the relevance of its programming.<sup>52</sup> UNODC may also wish to more clearly delineate what is Country Programme impact, as opposed to a RPF impact.

## Efficiency

Within the context of this Evaluation, "Efficiency" was required to be evaluated with reference to the questions posed by UNODC to the Evaluation Team as set forth in the Terms of Reference (See Annex I). These questions did *not* ask the Evaluation Team to demonstrate arithmetically—the relationship between the volume of programme delivered during 2009-2012 and the cost of delivering it. Rather, the questions posed to the Evaluation Team focused more on organizational efficiencies as reflected in the translation of policy frameworks into the RPF and the RPF's impact upon the efficiency of working relationships and the development of Country Programmes. Many of these questions are addressed by the Evaluation Team in other sections of this report.

Stakeholders at UNODC HQ opined that perhaps the RCEAP did not at all times have the capacities to meet its Regional responsibilities in the framework of the RPF during 2009-2012. This criticism was largely raised with regard to RCEAP's requests for HQ to make disbursements from the General Purpose Funds. As discussed above, however, RCEAP maintains that these General Purpose fund advances were made in clear "bridging" cases as permitted by UNODC rules and as a useful backstopping methodology.

To its credit, the RPF has in a number of instances during 2009-2012 improved efficiencies of information flow from the field to UNOD HQ. Under the RPF, RCEAP has requested information and data from Country Offices on HIV, drug demand, and drug related crimes. For example, the Myanmar Country Office prepared a series of drug trafficking maps, based upon data in its projects. These included "Maps of Ethnic Armed Groups of Shan State, (2012) and a map of "New Illicit Labs Identified in Post-Ceasefire in Shan State" (August 2011 - July 2012). The Country Office provided these maps to the RCEAP that used them to spur discussions with UNODC's national stakeholders.

Furthermore, besides research generated in the region and shared with HQ before it is released to the public, there are a number of structural reporting requirements that deliver considerable amounts of reporting to HQ. Most of this is substantive. Examples of this

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<sup>51</sup> For example, Indonesia is a Middle Income Country (a member of the G20) and UNODC's comparative advantage might be much more of a knowledge broker, than a capacity builder. Whereas, Cambodia is one of the poorest countries in the EAP and in urgent need of capacity building and technical expertise. UNODC should begin to draw the line more clearly between governments that can do for themselves and those which cannot. This observation may be relevant to a decision of UNODC as to whether to reduce the number of countries covered by the RPF in the 2014-2017 revision.

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include the following: Annual and Semi-Annual Project Reports; Quarterly Monitoring Reports; and the Annual Implementation Oversight Reports. While the Annual Implementation Updates are not formal reporting elements, the External Audit of 2011 praised them as the only such report in all of the UNODC Field system.

In addition, RPF has generated various *ad hoc* substantive reports, usually done at the request of HQ (e.g., the stream of requests for Briefing Notes from senior management). The responsibility for circulating these reports to the Thematic Sections rests generally with the Regional Section, which has done this; but informal channels also exist where this information is provided to the Thematic Sections directly.

While it is very difficult to obtain a comprehensive picture of HQ-support to the field, Country Offices do report limited contact with the Thematic Branches. For example, again taking the case of Myanmar, the Sustainable Livelihoods Unit visited Myanmar three times in 2012. Meanwhile, an HIV/AIDS expert and a Criminal Justice expert visited Myanmar in 2011. The Anti-Money Laundering Regional expert based in Hanoi will visit Myanmar in 2013. The Justice Section was the only thematic unit at HQ that provided to the Myanmar office a summary of potential technical assistance delivery areas when asked directly to all members of the Inter-Divisional Task Team during a teleconference in March 2012.

According to RCEAP, in some areas cooperation between HQ and the field has been particularly strong. For instance, in terms of Criminal Justice, cooperation has been strong when working on the establishment of ARIN (Asset Recovery Inter-Agency Network)—especially with the Global Programme on Money Laundering. Positive cooperation was also developed with the Criminal Justice Section to provide legal advice to Timor-Leste on the implementation of the drug conventions. RPF has worked closely with the HIV/AIDS Unit and the teams in Research, Forensics and Alternative Development.

The HIV section at HQ has relatively frequent contacts with RCEAP and country offices, including through field missions. The support includes data collection as part of global reviews, normative support through the provision of global guidelines and standards and their adaptation to local conditions, direct technical advice on programme portfolio management, programme development as well as monitoring and evaluation. It also provides or participates in training on substantive issues. The support is possible since the HIV advisers in the region and the technical experts at HQ are paid through the same global project (GLOG32) and the advisers in the region report directly to HQ on all technical matters.

It is very difficult to measure whether the RPF has had any impact upon the efficiency of working arrangements between UNODC HQ, the Regional Center and the Country Offices. The RPF's implementation arrangements appear to have been designed with due regard to financial reporting (i.e. Country Offices reporting to RCEAP, in turn reporting to UNODC HQ). The substantive/programme reporting under the RPF EAP seems, however, to have been susceptible to varying interpretations. In interviews with the Evaluation Team, UNODC staff at all levels had difficulty articulating the exact lines of reporting that pertained to their office/function and the RPF EAP.

It is also very difficult to establish a link between substantive results achieved and funds disbursed. It does not appear that the RPF's funding structure provides for exit strategies or places any limitations upon expanding the scope of the RPF's mandate.<sup>53</sup> For example, the project "Community-Based Treatment for Drug Users in Cambodia (KHMK51) has a budget

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<sup>53</sup> For example, the report of the IDMT (February 2012) notes that project XSPJ18 (initially launched in 2007) has significantly expanded its scope and volume with miscellaneous initiatives such as criminal justice, corruption Bali initiative, etc. According to the IDMT, the initial project purpose has been lost along with the ability of proper management and certification. Beyond this, despite the fact the project was well over the US\$ 1 million mark, it has never been presented for approval. (See IDMT Report at p.5) Thus, this would indicate to the Evaluation Team that XSPJ18 funds allocation may not have been decided in an efficient manner.

of almost US\$ 10 million over five years. While the project document indicates awareness of the “highly constrained resource environment”, the remedial measure to be taken in case of “insufficient and or delayed provision of donor funding” was not to “...commence until at least all Phase 1 and 2 funding requirements (were) secured”, i.e. not until at least 3.6 million had been secured. The risk management strategy was not followed and the project started with a budget of approximately US\$ 200,000 and there is no prospect of achieving the shortfall.

The RCEAP has, however, implemented other working arrangements and management processes designed to impact upon operational efficiency. RCEAP generated “Annual Implementation Updates” for the years 2009, 2010 and 2011. The RCEAP also prepares updates that are entered into the ProFi database regularly. According to RCEAP, Monitoring has occurred regularly under the RPF as follows:

(a) Detailed Annual Costed Workplans – established with each Project Manager and monitored with a face to face interview (telephonically for non RC projects) twice a year;

(b) Monthly financial implementation monitoring and analysis linked to delivery forecasts (Undertaken by PSU staff and narrative prepared / circulated by the Regional Representatives);

(c) Quarterly Monitoring Reports (QMR) submitted to HQ;

(d) Semi – annual Heads of Office meetings to monitor and review progress, and

(e) Annual Internal Oversight Reports submitted to HQ. It is the perception of the Evaluation Team, however, that more M&E could be done on a *Regional-level*, rather than projects and workplans.

## Partnerships and Cooperation

Key partners contemplated by the RPF include: Member States; UN Agencies—particularly WHO and UNAIDS; NGOs/civil society; the private sector and bilateral and multilateral donors.<sup>54</sup> The RPF’s partnerships have indeed involved all these entities during the 2009-2012 period.

### ***RPF Relations with Partner Governments and Regional Frameworks***

The RPF seeks to adhere to the commitments of the “Paris Declaration on Aid Effectiveness” (2005) which main elements include: ownership by partner governments and other stakeholders; alignment of donor assistance with national development policies and plans; donor coordination and results focus and mutual accountability.

The RPF assigns responsibility for achieving results (outcomes and outputs) at programme level to Member States (implying ownership by partner governments—despite the somewhat paradoxical fact that RPF was not extensively circulated to partner governments in a participatory manner during the design phase). UNODC’s task is to provide relevant and high quality services which “directly and demonstrably contribute to programme outputs and, at a higher level, to programme outcomes”.<sup>55</sup>

The Evaluation Team’s interviews with RPF partners revealed a range of opinion about UNODC. While most Partners praised UNODC for its comparative advantage and expressed a continued desire to work with UNODC and directly with RCEAP under the RPF.

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<sup>54</sup> RPF pp. 18-20.

<sup>55</sup> RPF. P. 23.

While RPF/RCEAP engagement with regional frameworks could have been much more robust during 2009-2012, RCEAP did engage with ASEAN during this time period. For example, RCEAP under the SMART Programme (GLOJ88) prepared a report for the ASEAN Secretariat on the drug landscape in preparation for the “First ASEAN Summit for 2012”—the official gathering of ASEAN officials on political, social and security issues. The ASEAN Secretariat embraced the report and shared it with leaders from ASEAN Member States during the summit. UNODC/RCEAP has organized inter-agency meetings in countries throughout the region to facilitate strategies.

### ***RPF partnerships with NGOs and CSOs***

RCEAP and the Country Offices under its supervision have engaged with a wide range of NGOs and CSOs since 2009 via the RPF. The reactions among these NGOs were mixed as to the extent to which to the RPF has increased partnerships between UNODC and relevant civil society entities. Some NGOs, such as the drug users networks in Indonesia and Myanmar, were very positive and felt that UNODC had opened up doors for them to decision makers and also helped them get access to resources they needed to organize themselves and make their voices heard. Meanwhile, other NGOs said that their relationship with UNODC had been severed, because UNODC had designed the RPF without consulting them. On the other hand, some CSOs said they felt that they had gotten “nothing back” from UNODC, which only wanted to solicit information from them for its own purposes. They also criticized UNODC for being “over-promising and under-delivering”. A few NGOs interviewed were so critical of UNODC performance that they said they did not wish to collaborate with UNODC going forward.

### ***RPF/RCEAP Engagement with UNCT’s***

UN agencies credit RPF—and to no small degree the personal leadership and engagement of its Regional Representative—as having continued to build bridges and dialogue between UNODC, other UN agencies, donors and Government partners. The E-groups that RCEAP has developed under the RPF are small, but generally well appreciated and seen by partners and RCEAP staff as building communication and a sense of team-work. These and other such initiatives could be employed to greater effect in order to fully regionalise programming.

With regard to HIV/AIDS the RPF built on pre-existing partnerships, in particular the UN Regional Task Force on Injecting Drug Use and HIV/AIDS (UNRTF), which consisted of representatives of UN organisations, civil society, individual experts, etc. The UNRTF was dissolved in 2011 and has not been replaced by any other coordination or consultation mechanism. Instead, the HIV/AIDS advisors have sought to maintain partnerships in their day-to-day work. In some cases, the closing down of the UNRTF has resulted in some scepticism vis-à-vis UNODC on part of some NGOs (see below).

Likewise, the advocacy efforts to move away from compulsory drug dependence treatment to voluntary and evidence-based treatment is to a large degree the result of a joint venture by UNODC, ESCAP and UNAIDS, which was initiated before the RPF. Technical experts and government representatives that were interviewed during the evaluation commonly stressed the importance of a close working partnership between UNODC and WHO on the ground. They saw WHO as the UN health agency with entryways to the health ministries while UNODC had the ear of drug control agencies – and the two needed to be brought together to better understand each other. RPF also contributed to UN-wide mechanisms in the region (e.g. UNCTs in Myanmar, Laos, Thailand, Cambodia and Indonesia) and One-UN (Vietnam) and the Task Force on TOC/DT. The engagement with UNCTs varied from country to country.

For example, in Myanmar there was a partnership with WFP to distribute emergency food in remote areas under the aegis of UNODC's Alternative Development projects, but there was no strategic involvement of partners for sustainable development. Furthermore, UNODC

Myanmar has had strategic partnerships with: OHCHR and ILO to deliver technical assistance to the Government in revision to the Myanmar Prison Law; IMF in delivery of technical assistance on AML and Counter-Terrorism to the Government in relation to development of a new Counter-Terrorism Law and revisions to the existing AML Law. UNODC has also cooperated with UNDP in supporting Myanmar pre-ratification processes for UNCAC, as well as in revising the draft Anti-Corruption Law. The Myanmar office also cooperated with WHO in revisions to existing Methadone Guidelines and, UNAIDS and WHO on technical assistance to Government for development of the National Strategy on HIV/AIDS. UNODC Myanmar has also had strategic partnerships with NGOs Marie Stopes International (MSI), Substance Abuse and Research Association (SARA), Myanmar Anti-Narcotic Association (MANA), and Myanmar Business Coalition on AIDS (MBCA) in delivery of HIV prevention services to drug users.

In Cambodia, UNODC was the driving force in the UNCT for the development of a joint government/UNCT community-based treatment for drug users with UNODC as lead executing agency and WHO, UNAIDS and UNICEF as sub-executing agencies. UNODC also took the lead with ESCAP and UNAIDS to organize the first regional consultation on compulsory centres for drug users (Bangkok December 2010; Kuala Lumpur October 2012). FUNODC in the region is actively involved in the work of the UN Development Group-AP.

In Lao PDR, UNODC collaborated with the Asian Development Bank (ADB) through the National Growth and Poverty Eradication Strategy. It has also worked with UNIDO in a project funded by the UN Trust Fund for Human Security (UNTFH). Recently, a Letter of Intent was signed between the Royal Project Foundation Thailand, the Highland Research Development Institute and UNODC to jointly promote technical cooperation for food security and sustainable alternative development in Lao PDR.

Meanwhile, UNODC Vietnam as a member of the “One UN” team does not have a country programme, but is run primarily on the basis of projects. The One Plan for Vietnam<sup>56</sup> was designed to be a consultative process that draws upon the various UN agencies and the strengths of government partners. The One UN team reached a consensus on the outcomes under the One Plan (2006-2010 (with extension for 2011); 2010-2012); after which UN agencies individually undertook their own consultations. With Vietnam graduating to a Middle Income Country status, the One UN team found that it needed to focus on high-level policy advice and move away from service delivery. It was important to lower the UN’s overall profile as well.

UNCT has “implementation groups” that have programmatic responsibility for implementation of certain Outcomes. The groups meet regularly and have joint meetings. The programme implementation groups do not go into the level of detail that individual agencies would, but attempt to focus on cooperation.

Funding for the overall One UN Plan in Vietnam is pooled in a “One Plan Fund”. Donors allocate money to the “One Plan Fund” and then the One UN team decides how best to fund its agencies and projects. Significantly, the only person authorized to fund-raise for the One Plan Fund is the UN Resident Coordinator—individual agencies are not to approach the Donors themselves for One Plan Fund contributions. Donors are increasingly earmarking their funds, but One UN does not permit them to earmark to the project level. Other Donors who wish not to use the “One Plan Fund” still make bilateral contributions to individual agencies, which they are still doing. The One UN is at the moment looking to complete a more detailed mapping of which Donors are “One Plan Fund” donors and which donors UNCT agencies are free to approach individually.

All Donors in Vietnam must accept the UN One Plan template as sufficient reporting. Although, the Resident Coordinator for Vietnam has received a number of requests from

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<sup>56</sup> The One Plan is the common programmatic framework for participating UN system agencies in Vietnam.

Donors for more individual reporting, his office has consistently pushed back and refused such requests.

The One UN Plan substantively governs everything that the UNCT executes in terms of programme, but it is supposed to represent only 30 per cent of any individual UN agency's total funding (i.e. with the remainder being supplied from the core funding of that particular agency). UNODC, however, has no corps funding available, thus it has proved difficult for UNODC to mobilize resources in Vietnam and adhere to the One UN plan. UNODC is forced to supplement the 30 per cent received from One UN with contributions from the individual donors. Even within the 30 per cent budget amount supplied by One UN, there is a substantial shortfall.

The UN RC has developed 13 different criteria under the One UN Plan that individual UNCT members must meet or address in order to obtain an allocation from the "One Time Fund". In terms of the allocation itself, the individual agencies submit proposals to the Independent Review Panel for what they want to do and then when this is done the UNCT comes back with a rating and the money is allocated by the Independent Review Panel on this basis. The Independent Review Panel makes the initial rating and then the UNCT reviews the rating. The feedback from Donors and Government is that they value the One UN Approach and cite it as enabling the UN to move ahead on some issues more effectively (i.e. methadone and heroin addiction in Vietnam).

The Evaluation Team also held discussions with a number of UN Resident Coordinators during its mission (i.e. Indonesia, Vietnam and Thailand) on the role of UNODC within their respective UNCTs. These Resident Coordinators were overwhelmingly positive as to UNODC's contributions. Resident Coordinators observed, however, that UNODC currently lacks a consistent and strategic approach to engagement with middle-income versus low-income countries. This is playing out in Vietnam and Thailand where the governments no longer necessarily want to be seen in the press as needing the UN. There is a need for UNODC to adopt different model of engagement, geared more to legislative support and policy advice.

### ***Donor Opinions of RPF Effectiveness and Donor Willingness to Continue Funding RPF***

RCEAP Senior Management cites the fact that the office was able to evolve from a "near-collapse situation" in late-2008/2009 to donor pledges of US\$ 86,5 million for the entire RPF period<sup>57</sup> as an indicator that Donors endorse the programme.

In addition to its interviews, the Evaluation Team solicited the opinions of UNODC's donors on the RPF by way of a questionnaire submitted to 13 donors that are/had been major donors to the EAP region during the RPF period and to 9 recipient governments. Seven donors and one recipient responded. Only one donor had provided soft earmarked contributions to the RPF, from 2010 onwards as a signal of support for this conceptual change towards an Integrated Program Approach. Other donors reported that their financial rules did not allow soft earmarking or they preferred to fund projects directly, either because the RPF could not satisfy their reporting requirements for funding that demanded a level of detail that only projects with specific outcomes could provide, or because the projects better addressed their concerns in the region. One donor responded that their funding at programme level was directed at other geographic regions.

Four donors responded that they had funded projects in the region. The preference for most donors lies in the fact that projects can directly respond to the specific needs/outcomes of donors within the region such as counter narcotics; anti-corruption; illegal logging and criminal justice and counter-terrorism. Funding at the project level also provided donors with the ability to meet their own strict criteria for funding.

<sup>57</sup> As of end 2011.

The question was asked if the donors would be willing to do soft earmarking at sub-programme level. One donor thought that it could be an alternative to earmarking at project level for donors that could not do earmarking at programme level. Three responded that it would not be impossible but not very likely, given their own reporting requirements or because SEAP was not their priority region. Two donors responded that they would not provide such funds. Funding at outcome level was also not likely for the responding donors, partly because less detailed project bids will potentially be uncompetitive in funding decisions or financial rules did not allow soft earmarking.

Donors were also asked whether their Government's contribution to RPF was expected to increase or decrease during 2013; but none of the donors were able to provide a definite answer on their anticipated contributions due to a variety of factors.

Responding donors were generally of the opinion that the RPF offered a more coherent framework for UNODC's activities within the region, allowing UNODC to respond better to national priorities, and to strategically position itself in the UN development framework, and to focus on region-wide and/or cross-border challenges.

Overall, understanding by donors of the function and use of the RPF was strong. 4 of 7 donors responding believe that RPF offers a framework to organize projects systematically, offering clarity on outcome and a means to capture economies of scale. These donors believe that RPF offers a more coherent framework for UNODC activities in the region and an opportunity to move away from project-based activities to integrated programme.

One donor, however, was highly critical of RPF for not having been fully integrated and not being able to attract sufficient soft earmarking funds to back an integrated programme approach well-enough. That donor stated,

“RPF has been criticized, probably rightly so, for not having been fully integrated and not being able to attract sufficient soft earmarked funds in order to back the integrated programme approach well enough. Ideally the RPF should be the main donor channel and funds should trickle down to all levels of the programme, including, through PSC, cover core functions of the UNODC at HQ. However, as it doesn't seem to work that way, it is possible to perceive the RPF as a channel for soft earmarked funds at the programme level used to subsidize hard earmarked funds at the project level. This is hardly a sustainable function of the RPF seen from a (soft earmarking) donor perspective.”

Meanwhile, according to donors, the main strengths and weaknesses of the RPF included the view that it had improved UNODC transparency, efficiency and project systemization and had provided strategic guidance and cost efficiencies via integrated activities and results-based management. The main weaknesses/failures of the RPF included the fact that little information was supplied to donors and that RPF is not a uniform standard within UNDOC.

The fact that RPF had not worked well enough as a channel for soft earmarked funds was also viewed as a criticism. Meanwhile, another donor criticized RPF as having been overly-ambitious.

“Programmes are routinely massively over-valued and seldom achieve the headline figure meaning that claims of being under-funded always ring hollow as the original value was too high. Programmes do not actually capture the administrative benefits yet. Programme support requirements remain as high for programmes as for projects. No-one ever answers the question: what would happen if you received x% of the funding you are seeking.”

Finally, donors made a number of suggestions for improving the functionality and performance of the RPF going forward including:

- (a) Communicating more effectively with donors;
- (b) Lifting the IPR-approach to the highest management level;
- (c) Placing more realistic values upon the projects and being prepared to explore alternatives when funding is not received;
- (d) Addressing the fact that the RPF has still not fully made the leap from project to programme level;
- (e) Improving results-based reporting at the outcome level with regard to each of the programmes and the use of general purpose funding in order to attract more flexible funding; and
- (f) Increasing RPF's focus on Counter Terrorism.

The donor responses show a mixed picture. On the one hand they see the RPF as a possibility not only for a more coherent framework and a more strategic positioning of UNODC in the UN development framework but also cost-efficiencies via integrated activities and results-based management. On the other hand, they are either not willing or able to provide funds above project level, or they prefer to earmark funds for projects that respond to their own priorities in the region. There was also the view that the RPF was a compilation of original projects.

The evaluation indicates that the RPF has served as a tool for both RCEAP and Country Offices to “market” themselves to donors. This resulted in increased voluntary contributions between the beginning of 2009 and end-2011 from US\$ 38 million for the RPF period to US\$ 86,5 million, an increase by 128 per cent, facilitating an expansion in RPF programme during this same time period. Almost all of this has been in the form of earmarked funding for projects.

It is clear to the evaluation team that strictly earmarked funding for projects limits UNODC's ability to plan and prioritise the activities of the RPF based on needs and gaps in the region and may distort overall programme priorities that spring from the mandates and priorities of UNODC as an organisation. For example, the budget for Sub-programme 4, Demand Reduction, was reduced by 67 per cent. The reduction was not a result of changes in priorities based on an analysis of changing needs in the region but on the availability of funding.

This is not a problem for UNODC only; it is a problem for the entire UN development system. Almost all of the increase in contributions for UN operational activities for development in the period from 1995 to 2010 was in the form of non-core resources, resulting in the core ratio for operational activities for development declining from 53 per cent in 1995 to 26 per cent in 2010.<sup>58</sup> UNODC needs to find ways to address the concerns of those donors who are not able or willing to provide non-earmarked contributions while optimizing the chances of attracting funding for UNODC's priority activities in the region. For the next RPF, the Evaluation Team proposes a step-by-step approach, combining situation analysis, priority setting and financing dialogues along the following lines:

- (a) A joint situation analysis is carried out, led by UNODC and involving Member States in the region to be covered by the RPF as well as regional organizations, with the purpose of identifying a limited number of strategic issues common to the region;
- (b) A limited number of relevant and realistic goals/objectives are agreed by UNODC, concerned Member States, regional organizations and interested donors;

<sup>58</sup> Quadrennial comprehensive policy review of operational activities for development of the United Nations system: recommendations. Report of the Secretary-General, 15 August 2012.

(c) UNODC develops project proposals for the implementation of the agreed goals/objectives with realistic resource requirements; and

(d) Initiates a structured financing dialogue with Member States and donors, making sure that all parties have clear information on funding needs, available resources and funding shortfalls. This step should be repeated with regular intervals throughout the RPF period to make sure that everybody has the most recent financial update, including resource requirements, secured funding and funding gaps.

In addition, the evaluation team strongly encourages the governing bodies of UNODC to consider adopting a project support cost formula, which would create incentives for donor countries to increase non-earmarked contributions by offering differentiated cost-recovery rates for such resources, in line with General Assembly resolution A/RES/67/226.

In the meantime, it is clear that RPF has served as a tool for both RCEAP and Country Offices to “market” themselves to donors. This resulted in increased earmarked voluntary contributions between end-2008 and end-2011, facilitating an expansion in RPF programme during this same time period, mainly through projects. While pledges do not necessarily indicate true partnerships and spending more money per annum does not necessarily indicate successful implementation or impact, these trend lines do indicate that overall RPF has achieved a level of efficiency at fundraising under the RPF.

An estimate of (cumulative) amounts pledges for the RPF by year is as follows:

Table 2. An estimate of (cumulative) amounts pledges for RPF:

Year	Amount pledged (Voluntary Contributions) (US\$)
End-2008	38 million
End-2009	56 million
End-2010	73 million
End-2011	86.5 million

Source: RCEAP Annual Implementation Updates 2009-2011

The UN Board of Auditors Report (11 August 2011) of the Audit of RCEAP noted that while RCEAP/RPF had only limited involvement of stakeholders in the design phase, “RCEAP does use the RPF extensively in discussions with stakeholders.”<sup>59</sup>

## Effectiveness

Both the funding levels and project portfolio of the RPF have increased during 2009-2012. In this respect UNODC has been effective at expanding its programme despite the budget cuts noted above. Yet, expansion of its funding base and project portfolio does not *per se* equate with RPF effectiveness in substantive or normative terms. The effectiveness of UNODC and the impact of its projects from a *substantive perspective* are somewhat more difficult to measure, principally due to the fact that the indicators and baselines in the RPF are lacking or are pitched at such a high level.

<sup>59</sup> Board of Auditors Report pp. 14-15.

The questions posed to the Evaluation Team on Effectiveness in the Terms of Reference seek to measure the extent to which the RPF has achieved its substantive objectives and outcomes and how these are contributing to the attainment of the results contained in the UNODC strategy and the relevant UNODC thematic, regional and country strategic frameworks; how the RPF has changed UNODC implementation and highlight major constraints and problems that have impacted the implementation and delivery of the RPF.

Questions relating to the overall effectiveness of the RPF at the RPF-level are addressed throughout this report, as they tend to overlap with almost every other section. Overall, the objectives of the RPF during 2009-2012 have been largely achieved. Many results can be attributed to UNODC interventions (as detailed below) in the substantive areas. As discussed elsewhere in this report, Country Programmes such as Lao PDR, Indonesia and Vietnam have greatly contributed towards achieving the objectives of the RPF and are aligned with its results framework.

Moreover, as discussed in the Design section above, the RPF has contributed to the objectives of the UNODC Medium-Term Strategy and UNODC Strategic Frameworks, but with notable gaps (i.e. the lack of a separate Counter Terrorism sub-programme, etc.). There is no doubt, however, that the RPF has helped clarify UNODC's strategic and operational focus in the region in the eyes of UNODC staff, government partners and donors—although the Evaluation Team found that levels of awareness of the RPF and UNODC's normative mandates remained at less than optimal levels.

According to stakeholders interviewed, RPF has also helped improved UNODC's focus in the region on delivering substantive results (i.e. the management meetings held by RCEAP and the Dashboard tools, etc.) As discussed above, the RPF has integrated many existing projects and Country Programmes into its programming, but in some instances this proved to be a challenge.

Finally, according to stakeholders interviewed, the data and reports produced by UNODC in the region under RPF or with its assistance have contributed to changed policies and programmes in some instances, but it is difficult to trace this directly to the RPF. RCEAP project staff also opined that RCEAP could do a better job of performing risk analysis tied to the RPF and build this into project documents. Such risk analysis performed upfront may enable RPF to better identify opportunities for regionalizing its programming.

### ***Effectiveness at Sub-Programme Level***

As stated above, the RPF is comprised of six (6) sub-programmes or “pillars”. These are illustrated below, along with their respective Outputs and Outcomes. To the extent that certain sub-programme Outputs had not been yet served by RCEAP as of 2012, this was mostly due to lack of funding.

The RPF states, “At the programme level, responsibility for delivering outputs and achieving outcomes rests primarily with members states”. This begs the question, however, that in the absence of Member State-specific situational analysis, much less having circulated the RPF to Members States, how could UNODC properly assess whether or not Member States had the *capacity* to deliver outputs and achieve outcomes? Such an analysis is beyond the scope of the instant Evaluation.

Similarly, this Evaluation is not a succession of project reviews. The RCEAP Annual Implementation Updates for 2009, 2010 and 2011, respectively, set forth RCEAP's reported Outputs per each Sub-programme. It is not the purpose of this Evaluation to re-state all outputs of all projects for 2009-2012. Rather, the Evaluation attempts to assess RPF Effectiveness against the broader Outcomes of the RPF and makes mention of specific project-level Outputs in our analysis below in order to illustrate patters of RCEAP/RPF

implementation/efficiency, major successes and significant shortcomings during 2009-2012. We have also attempted to validate the results that RCEAP has attributed to itself.

### **Rule of law**

#### *Sub-programme 1: Illicit Trafficking*

Table 3. Sub-programme 1: Outcomes and budget

<p><b>Outcomes</b></p> <p>1.1. Border control: Improved border security</p> <p>1.2. Trafficking in persons: TIP operations identified and effectively acted on</p> <p>1.3. Drugs and precursors: Trafficking of ATS and other drugs identified and effectively acted on</p> <p>1.4. Natural resources and hazardous substances: Trafficking of illicit natural resources and hazardous substances identified and effectively acted on</p> <p>1.5. Smuggling migrants: Smuggling of migrants identified and effectively acted on</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p>Budget forecast 2009 US\$ 30,758,000</p> <p>Budget forecast end 2011 US\$ 25,473,000 (17 per cent reduction)</p> <p><b>Secured Budget 2009-2012</b></p> <p>US\$ 21,956,000 (86 per cent)</p>
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The situational analysis for Sub-programme 1 articulated in the RPF (2009-2012) outlines a disturbing catalogue of illicit trafficking in persons, narcotics, amphetamine type stimulants (ATS) and their chemical precursors and natural resources, wildlife and timber in East and South East Asia and the Pacific. The region has seen an alarming increase in the incidences of all these crimes since 2009. For example, ATS and chemical precursor growth has been exponential, resulting in a cascading chain of threats to human security. Opium poppy cultivation has been resurgent, especially in Myanmar and Lao PDR. This is intricately tied to recent economic growth of the East Asia and Pacific Region and the increase in cross-border trade, traffic, demand for labour and migration that has accompanied it.

The RPF points out that law enforcement authorities in the region have lacked the ability to effectively respond to organized criminal groups involved in illicit trafficking “due to a) inadequate technical capacity and inadequate operating resources; and b) insufficient cooperation among law enforcement agencies within and across borders.”<sup>60</sup> Thus, the RPF chose to focus the UNODC programme in illicit trafficking on “those crimes that by their very nature tend to have a strong transnational character and are highly damaging to security and sustainable development.”<sup>61</sup>

By design, RPF Sub-programme 1 was supposed to assist Governments to strengthen their legal and technical capacities to prevent and stop the trafficking of people, drugs, natural resources and smuggling of migrants. UNODC’s added value was envisioned as assisting

<sup>60</sup> RPF.

<sup>61</sup> RPF.

governments to capitalize upon the collective resources of state authorities and become more effective at combating illicit trafficking. Furthermore, at a national level the RPF sub-programme was organized to assist governments in developing an integrated approach to fight illicit trafficking and organized crime, and overcome fragmented and uncoordinated agency responses to this challenge.<sup>62</sup>

Development of appropriate legislative and policy frameworks was seen as key for the Region. In addition, the RPF sought to address gaps within the criminal justice system to enable arrest and prosecution of end-exploiters and to secure justice for victims. UNODC as custodian of the UNTOC and related protocols also wanted to support regional efforts to counter trafficking (i.e. COMMIT and the Bali Process). Similarly, RPF sought to support states to interdict ATS and chemical precursors across and within borders.

When the RPF was drafted, Southeast Asia was undergoing the fastest rate of deforestation in the world. Countries particularly affected were: Indonesia, Philippines, Cambodia, Myanmar, Vietnam, Lao PDR and Timor-Leste. Papua New Guinea and the Solomon Islands in the Pacific were also struggling to effectively manage the exploitation of their forest resources. The rates of illegal logging and deforestation have continued to increase since 2009; as has demand within East and South East Asia for illicit commerce in exotic wildlife used as pets, foods and traditional medicines—particularly China.

Finally, linked to a demand for labour within ASEAN countries combined with more restrictive migration policies and boarder monitoring have increased migrants' vulnerability to illicit smuggling operations often run by transnational organized crime. Thus, an objective of RPF Sub-programme 1 was to increase the capacities of countries in the region to develop joint strategies and legislative frameworks in compliance with the core objectives of the Bali Process. An overall objective of the RPF is stated as supporting the UN Smuggling Protocol.<sup>63</sup>

RPF Sub-programme 1 is one of the largest sub-programmes. A key component was to foster increased statistical knowledge of Trafficking in Persons, ATS and Smuggling of Migrants by contributing to UNODC's "Global Report on Trafficking in Persons"; UNODC's existing Global SMART Programme to track the synthetic drug situation in the Region; studies on criminal networks and UNODC research on Smuggling of Migrants.

Additional objectives were the establishment of Border Liaison Office mechanisms; joint port control units and airport specialist response units; developing legislative frameworks on TIP and promoting information and enforcement mechanisms to promote cooperation on TIP. RPF was also supposed to assist countries with passing domestic legislation and gather information on ATS and other drug trafficking and its use by law enforcement, prosecutors and judges; develop clandestine lab investigation teams; and promoting the adoption of codes of conduct by the chemical industry on ATS precursors.

Combating the trafficking of illicit natural resources and hazardous substances identified and effectively acted on is also a priority of Sub-programme 1. Key outputs were to include developing a regional strategy to prevent and suppress trafficking in illicit natural resource and hazardous substances; developing environmental governance policies; training law enforcement and promoting cooperation between responsible agencies within and across borders and reducing demand for illegal forest products.

Sub-programme 1 also included outputs to combat the Smuggling of Migrants (SOM). Key outputs include developing systems to report and use migrant smuggling information; broadening the mandate of BLOs to cover crimes related to irregular migration; front line law enforcement officers, prosecutors and judges better informed and research on irregular migration used as part of the Bali Process.

<sup>62</sup> RPF Sub-programme 1.

<sup>63</sup> See, RPF at p. 2 and p.8.

As referenced above, UNODC had a clear mandate to programme in this area as custodian for the United Nations Convention Against Transnational Organized Crime (UNTOC) (the only global international convention relating to organized crime)<sup>64</sup>; its Protocol “to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children” (Trafficking in Persons Protocol) and its Protocol “against the Smuggling of Migrant by Land, Sea and Air (the Smuggling of Migrants Protocol) and General Assembly resolutions relating to this. Other drug conventions and protocols pertaining to Sub-programme 1 include the Single Convention on Narcotic Drugs of 1954 and its 1954 Protocol; the Convention on Psychotropic Substances of 1971 and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and a 1998 UN General Assembly Special Session (UNGASS) Political Declaration and Action Plan.

RCEAP and Country Offices have, in coordination or separately programmed throughout 2009-2012 to nearly every output within Sub-programme 1. Yet, as will be discussed throughout this section of the Evaluation, the fact that UNODC already had a well-established Global and Country-level catalogue of individual projects in the area of Illicit Trafficking makes the job of attributing outputs to the RPF 2009-2012 somewhat difficult.

The only UNODC Global Projects pertaining to Sub-programme 1 that were implemented within the East Asia and Pacific Region during 2009-2012 were in fact in the area of Drug Control and Crime Prevention (i.e. “Global SMART Programme”- GLOJ88 and “Global eLearning-making the world safer from drugs, crime and terrorism”- GLOU61).

*Regional* activities under RPF Sub-programme 1 have taken place mostly under several UNODC Regional Projects (i.e. most notably the “Partnership Against Transnational crime through Regional Organized Law enforcement- PATROL-Project” (XAPU59) that spans both “Border Control” and “Smuggling of Migrants” sub-outputs; “Various Technical Assistance for Regional Cooperation and Interagency Collaboration” (JSPJ18) that services sub-outputs on Drugs and BLOs; and more recently, “Enhancing law enforcement capacity for national and transnational action to identify and effectively act upon travelling child-sex offenders in the Mekong”(Project ‘Childhood’) (XSPT33). *There is as yet, no truly Regional project for countering illegal logging or trafficking in wildlife.*

Meanwhile, individual Country Offices have effectively responded to the RPF outputs and have programmed directly in the areas of Border Control (Vietnam); Trafficking in Human Beings (Lao); and Countering Illegal Logging, Forest Crime and Corruption (Indonesia) and Forest Protection (Vietnam). RCEAP has been effective at ensuring that those few Country Office project documents under Sub-programme 1 developed post-2009, incorporate reference to RPF (i.e. VIEH65 and VNMS79). Furthermore, the Vietnam Country Office reported that it had good support from the RCEAP and the Senior Advisors on such initiatives as PATROL, AML and Smuggling of Migrants.

Border control (improved border security)

Improved Border Security has been realised under the RPF principally through the UNODC “Partnership against transnational crime through regional organised law enforcement” (PATROL Project), (XAPU59). This is a follow-on project to similar projects that UNODC had within the Region since 1999. PATROL has effectively brought together law enforcement agencies, border and customs units and military authorities—predominantly within the

<sup>64</sup>The UN Convention against Transnational Organised Crime has been signed by all countries in the region as members, though still require ratification, e.g. Thailand, the Republic of Korea, and Japan. A range of countries ratified since the start of the RPF, though the relationship between this ratification and functioning of the RP 2009 - 2012 was not established (i.e. Indonesia, Marshal Islands, Nauru, Niue, Timor-Leste, Vietnam); on a range of countries no information could be retrieved (i.e. Fiji, French Polynesia, New Caledonia, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tivalu).

Greater Mekong sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand, Vietnam). It spans all sub-outputs of Sub-programme 1.

The PATROL project is very unique. It is one of the few examples of UN Agencies and NGOs working together at the same level of cooperation. UNODC HQ has contributed expertise on enforcement and the BLO platform is crucial to PATROL. RCEAP has contributed leadership and strategic vision and information on crime. PATROL represents a sustained effort on UNODC's part. Within PATROL and generally, UNODC is still struggling to carve out a mandate/role for itself for environmental crimes. NGOs have helped tremendously in the area of wildlife smuggling. UNODC/RCEAP has effectively fulfilled the role as the lead agency for the BLO platform.

The BLO platform has effectively provided strategic and operational information in the Region. With the recent creation of 4 new fully-fledged BLOs along the Vietnam - Cambodia Border, the Greater Mekong Sub-Region now counts 78 BLOs. 19 BL's were created by the various Governments while as 5 were established jointly between Governments and the UNODC; the remaining 54 through UNODC projects. This growth, combined with an on-going process of agreeing on templates and procedures as well as UNODC's success in fostering meetings between various agencies speaks favourably to PATROL's effectiveness. PATROL also made significant contributions in terms of the several strategic surveys and reports that it sponsored in several countries in the region during 2009-2012.<sup>65</sup>

Admittedly, the RPF's effectiveness must be judged against the context within which UNODC operates. Cross border cooperation in the area of law enforcement touches upon many elements of security and sovereignty. Relationships between counterparts often evolve slowly over time. UNODC has contributed to making clear improvement in cross-border communications, but not much more than in the form of equipment delivery at this stage. It has the potential to be much more robust if additional funds can be procured. Moreover, most of the trainings held by the BLOs have included only participants from single countries, rather than being multi-lateral in character. There is a need for increased cross-border training and ensuring that those trained remain in their posts for a certain range of years following the training. Airport and marine border control should also receive enhanced attention going forward.

#### Trafficking in Persons (TIP operations)

A number of countries in South East Asia have recently developed legislative frameworks to meet international obligations in the area of TIP. Yet, it is not clear to what extent RCEAP/RPF was responsible for this and most activity appears to have been done primarily at the Country Office-level. For example, in Vietnam, the National Assembly passed the law on Preventing and Combating Human Trafficking in March 2011 (effective 2012), but the RPF does not appear to have been a fundamental driving factor. More recently, however, the influence of the RPF and "Project Childhood" has been seen in identifying gaps in the legislative framework relevant to child sex tourism in Cambodia, Lao PDR, Thailand and Vietnam. As stated elsewhere in this report, legislative reporting and legal analysis as a component of the RPF has remained much lower than it could have been during 2009-2012.

UNODC's Regional contribution to TIP under the RPF has primarily taken the form of a Senior Advisor for Human Trafficking based at the RCEAP. RCEAP has managed to effectively develop a strong relationship with government counterparts in the region (i.e. Royal Thai Police, customs, etc.) Funding has, however, continued to be a factor in the effectiveness of programming in Trafficking in Persons. There is no sustainable funding

<sup>65</sup> See, e.g., "PATROL Baseline survey and training needs assessment in Myanmar" (17-21 October 2011); "PATROL Baseline survey and training needs assessment in Viet Nam" (17-19 August 2010) and "Sub-regional PATROL Monitoring Workshop Report" (2-4 April 2012).

mechanism for the post of the RCEAP Senior Advisor for Human Trafficking.<sup>66</sup> Nonetheless, the Senior Regional Advisor for Human Trafficking has managed to effectively develop a strong relationship with government counterparts in the region (i.e. Royal Thai Police, etc.).

RCEAP interaction with the Human-Trafficking and Migrant Smuggling Section (HTMSS) at HQ has recently grown. UNODC HQ (HTMSS) has regularly informed RCEAP of funding opportunities advertised at the global level and supported the submission of such proposals (esp. GTIP and EC call for proposals). The numerous global tools developed at HQ by HTMSS, often with input from field experts and RCEAP have regularly been adapted to the local needs or used as guidance to implement the Protocols coherently throughout the world. Activities developed by RCEAP on TIP are regularly advertised by HQ on UNODC TIP website, to give the web-stories a higher visibility.

As well as directly supporting RCEAP activities, HTMSS has delivered expert assistance in one-off activities in the region under the Global Programme against Trafficking, where RCEAP did not have the resources or had not prioritized the beneficiary countries and/or activities in their Regional Programme.<sup>67</sup>

The Regional Project “Enhancing law enforcement capacity for national and transnational action to identify and effectively act upon travelling child-sex offenders in the Mekong (Cambodia, Lao PDR, Thailand, Vietnam)” (“Project Childhood”) (XSPT33) contributes to several sub-outputs of Sub-programme 1. Project Childhood has, however, remained largely in an inception phase during the RPF period during which it collected information in preparation for its implementation in collaboration with INTERPOL. Background research on child-sex tourism in Cambodia, Lao PDR, Thailand and Vietnam was completed; including a legislative review/gap analysis, institutional profiling and a review of current training programmes for law enforcement officials on combating child-sex tourism. Project Childhood has established its operational capacity/structures and is commencing implementation of support activities to help combat child-sex tourism in Vietnam, Cambodia, Thailand and Lao PDR.

Meanwhile, at the Country Office-level, both UNODC Lao PDR and UNODC Vietnam have effectively programmed in the area TIP. HTMSS provided support in relation to legislative assistance at the country office level (TIP in Laos - LAOX26). Projects in both countries devoted to TIP reported that RCEAP under the RPF had been very effective at working with the country offices to align projects with the RPF.<sup>68</sup> All stakeholders interviewed emphasized the important role that RPF/RCEAP had played in bringing technical expertise closer to the Region and aligning various Country Office projects to a common strategy.

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<sup>66</sup>The initial appointment for one year was co-funded with the Global Programme against Trafficking in Persons, under which the Human Trafficking Adviser contributed to the development of a global database of human trafficking case law, in close cooperation with the then Anti-Human Trafficking and Migrant Smuggling Unit. The Senior Advisor has had a succession of one-year contracts and is forced to constantly devote attention to fundraising for the RCEAP.

<sup>67</sup>Representative activities included two international training workshops held in Japan in 2012 (UNODC costs covered by UNAFEI - most participants from outside the region); a national anti-trafficking in persons training workshop for criminal justice practitioners held in Fiji in 2011 (one beneficiary country in our global training initiative); and a national and inter-regional training workshop in Mongolia in 2010 (UNODC costs covered by OSCE).

<sup>68</sup>For example, the project, “Strengthening Criminal Justice Responses to Human Trafficking in Lao PDR” (LAOX26) and the project “Strengthening Vietnam’s Criminal Justice Response to Human Trafficking and Migrant Smuggling Through Enhanced Border Control Capacities and International Cooperation” (VNMS79).

Drugs and Precursors (Trafficking of ATS and other drugs identified and effectively acted on).

Since 2009, a number of countries in South East Asia have made progress in harmonizing national domestic legislation with international instruments and UN Conventions on drugs and crime. Several UNODC Country Offices have supported this process and conducted legislative gap analysis. For example, UNODC Lao PDR identified a number of areas in which national law differed from UNODC mandates. Yet, it is not readily apparent what role, if any the RPF played in this process. Furthermore, overall, legislative reporting and legal analysis as a component of Sub-programme 1 has remained much lower than it could have been during 2009-2012.

The UNODC Global SMART Project (GLOJ88) is the leading project devoted to Drugs and Precursors and ATS. SMART started in September 2008, *before* the RPF. Yet, significantly, East Asia was the first region in which SMART was implemented. Thus, in this regard, the RPF/RCEAP has played a key role in the SMART project's evolution.

Indications are that SMART has effectively contributed to date to the collection and sharing of regional data concerning production, smuggling, and use of Amphetamine Type Stimulants (ATS) and other drugs and Stakeholders interviewed report that the data generated by SMART is being used in policy making. This was confirmed through interviews with the PATROL Project, which offered anecdotal evidence that SMART outputs have directly contributed to operational results. It is however also observed that the ATS problem in the Region is growing, despite these operational improvements (i.e. enhanced (e.g. through CBT), capacity building and cooperation mechanisms, and expanded use of forensic capacities).<sup>69</sup>

At the same time, it appears that reporting lines of staff to RCEAP Regional Representative and UNODC Vienna under SMART are well structured. The Regional Representative provides day-to-day supervision and the HQ programme manager provides substantive supervision. Meanwhile, SMART has faced funding constraints and gaps in staff.<sup>70</sup>

RCEAP project staff opined that going forward, RCEAP could do a better job of performing risk analysis tied to the RPF and build this into project documents. Strategic advice in the framework of this outcome has also remained limited and there is a need for an enhanced strategic approach to ATS that continues to emphasize intelligence-based law enforcement.

#### Natural resources and hazardous substances

Within the UNODC universe of programme documents, the RPF for East Asia and the Pacific is the only regional programme that explicitly contains reference to environmental crime. RPF has developed functional partnerships with UNEP, FAO, UNDP, CITES and INTERPOL in this area, as well as a significant number of NGOs. The Evaluation Team interviewed a number of stakeholders involved in the area of environmental crimes enforcement in Indonesia and Myanmar—all were in agreement that UNODC was contributing to an enhanced dialogue and legislative development for environmental crimes and enforcement.

The RPF has effectively responded to natural resources and hazardous substances through two projects the Regional PATROL Project (discussed above) and the Indonesia Country Office's "Countering illegal logging and the linkage between forest crime and corruption in Indonesia (IDN X14). The Vietnam Country Offices had earlier programmed on Illegal

<sup>69</sup>No information could be gathered on output 1.3.6: chemical industry associations adopt codes of conduct on precursor diversion; no single relevant project document could be found referring to this

<sup>70</sup>For example, the project was designed to be staffed by 2.5 persons and it is now staffed by 1.5 persons; contracting and human resources have taken a long time and it is perceived by UNODC that the staff contracts managed by UNDP may not be accorded as high a priority by UNDP as UNDP core contracts and staff.

Logging and Forest Management. (i.e. VNMT30, “Strengthening the Capacity of Forestry Protection Department’s task force on Forest Crime). Meanwhile, the Indonesia Country Office produced two reports in 2011 on the implications of REDD-Indonesia on corruption and law enforcement funded by Norway. The Myanmar Country Office is currently anticipating outputs in the area.

The PATROL project (XAPU59) has synergized effectively with other UNODC HQ-level projects such as the “UNODC Container Control Programme” which has communicated with XAPU59 directly as well as UNEP’s “Green Customs Initiatives”. UNODC/RCEAP cooperated with “Green Customs” to produce a workshop in China. Officers from UNODC HQ’s Container Control Programme attended the workshop.

Meanwhile, UNODC Indonesia has begun to strengthen law enforcement and civil society to combat illegal logging using forest regulations via its project INDX14. The Indonesian Country Office has provided specialised trainings to various law enforcement agencies, including KPK, prosecutors and judges; equipment procured and delivered, an SOP developed for law enforcement institutions, and is expected to lead to institutionalisation of coordination and communication, a coordination mechanism convened to be established.

UNODC Indonesia also appears to have been strategic in its choice of project sites. The Illegal Logging project has focused on Papua and Kalimantan primarily, because there are still good forests there. Whereas, the Sumatra and Java forests have already been decimated. Stakeholders report that before UNODC’s intervention, it was difficult for agencies to speak to each other. UNODC has thus effectively provided a neutral space for dialogue amongst various law enforcement agencies to occur. UNODC has effectively identified key points of contact in each law enforcement agency. The Indonesia Country Office has itself taken on a regional approach to combat illegal logging, mining, wildlife crimes, etc. and establishing partnerships.

Such regional programming on environmental crime should be a priority for the next RPF. Overall, stakeholders believe that RCEAP needs to increase its in-house knowledge of environmental crimes and develop a truly regional project to deal with this. The recent TOCTA assessment for EAP designed by RCEAP includes environmental crimes.

UNODC delivery is generally viewed as effective, as it is perceived to have increased investigative capacities and quality, motivated officers within the various agencies and created a platform for shared experience and knowledge via the trainings. Interviewees noted, however, that trainings in the future should be more cross-sectoral, and also are to have a larger coverage in the region. It is suggested that ASEANS’s Wildlife Enforcement Network could play a triggering and facilitating role here.

#### Smuggling Migrants (Smuggling of migrants identified)

UNODC RCEAP activities in the area of Smuggling of Migrants have effectively supported the Bali Process throughout 2009-2012 under the UNODC Regional Project “Smuggling of Migrants (SOM): Establishment and Operation of a Coordination and Analysis Unit (CAU) for East Asia & the Pacific” (XSPT78).

The UN Protocol “against the Smuggling of Migrants by Land, Sea and Air (the Smuggling of Migrants Protocol) has entered into full force in most countries in the Region. Yet, data sharing at the national level has continued to present a challenge involving border, police, etc. Immigration data is often with four or five different agencies. The objective of the Regional SOM Project is to improve evidence gathering on migrant smuggling, conduct research and provide assistance to Member States on how to use knowledge.

The success of the SOM project (XSPT78) can be found in the fact that law enforcement officers from 19 countries and 4 relevant international organizations (Europol, Frontex, INTERPOL PIDC) contributed to the development of a what is now called – the Voluntary

Reporting System on Migrant Smuggling and Related Conduct (VRS-MSRC) in Support of the Bali Process. Creating a multi-lateral data collection and exchange mechanism in such short time-span is evidence of RCEAP's effective performance in this sector. Beyond this, another measure of UNODC's success is that a number of countries in the EAP Region have signed the Convention, protocol and are actively harmonizing their legislation to it. Additional outputs have been achieved such as the publication of a major research report on "Migrant Smuggling in Asia".

According to the Evaluation Team's interviews with staff at RCEAP, Project XSPT78 fit nicely into UNODC's overall plan. UNODC's effective performance in SOM has bolstered intelligence-based law enforcement as a fundamental approach. But, SOM data remains less systematized than UNODC drug data (i.e. SMART). SOM data remains scattered within the Region—largely due to the fact that illegal migration is a taboo topic politically in many countries. Definitional problems also continue to present themselves. For example, in cases of TIP, the status of the victim is absolutely clear, whereas cases of SOM have much more to do with the push-pull of labour and a particular migrants' status as "victim" is less clear. In fact, some states within the Region continue to view SOM as a legitimate practice with willing participants on both sides of the equation.<sup>71</sup> Staff at RCEAP felt that UNODC could have moved its SOM data collection process closer to the Bali Process at a much earlier stage.<sup>72</sup>

A good two-way communication exists between RCEAP and HQ/HTMSS through regular updates on progress on publications and technical assistance activities, recommendations of experts from HQ and the field, as well as substantive support. This cooperation also provided visibility with donors, partners and in other field offices at regional and global level to some activities lead by RCEAP, especially the data collection mechanism in support to the Bali Process, but also the e-learning tool. In the framework of GLOU61 (UNODC Global e-learning tools), HTMSS provided direct substantive support and quality control in the development of the 3 modules of the Smuggling of Migrants e-learning tool.

Yet, RCEAP staff stated that in practice the RPF indicators had not been so helpful with regard to SOM due to the fact that it is difficult to link migrant data with UNODC's strategy and RPF indicators. The lack of a baseline for these indicators has made them non-relevant. RCEAP staff stated that "It is difficult to link our work to the direct operations on the grounds in terms of 'result will be a decreased number of smuggled migrants and increased number of

<sup>71</sup> The first time UNODC received funds for SOM was in 2008 from the EU. RCEAP mobilized funding from AUSAID for SOM in 2009. XSPT78 was originally designed for 8 countries, but to date, the project document has only been signed by 2 countries. Staff at RCEAP felt the office had focused too much on getting a formal endorsement from countries that were reluctant to sign the project document. RCEAP found that by offering these countries something concrete (i.e. training in Laos) eventually, they were willing to endorse the project. In January 2010, RCEAP began the XSPT78 project with a partnership forum where the project was reviewed and welcomed by criminal justice practitioners from the targeted beneficiary countries. Since then, the project obtained solid endorsement from Cambodia and Indonesia. Also, the fact that the key component of the project (setting up a data collection and sharing mechanism in form of the VRS-MSRC) was welcomed and supported by the Bali Process represents a significant success in creating regional ownership.

<sup>72</sup> In March 2011, UNODC/RCEAP was successful at meeting of the Bali Process to obtain an endorsement for a pilot phase of XSPT78's data collection component. (UNODC has partnered effectively with UNHCHR, which is a member of the Bali Process and an active participant in its decision-making). XSP178 has developed a database on migrant status and the system is easy to use. In this respect, the project worked very closely with UNODC HQ ITS and the SASS (Statistics and Survey Section). But, at the moment there is not data in the system. ITS developed software and SSAS lent expertise in collecting data in substantive thematic areas. A number of stakeholder meetings were held with Member States that were eventually sent a copy of the survey. All countries of the Bali Process were invited. The template will be used in EAP Region and RCEAP believes that UNODC can transport it to other regions.

convictions’; it is also difficult to claim results as the success depends on a chain of actions and not all actions are handled / attributable to UNODC.”

#### Note on Cybercrime

Though not formally part of any of the Sub-programmes within the RPF Rule of Law Thematic Area, RCEAP address Cybercrime in the context of information gathering for the comprehensive study on cybercrime mandated by GA Resolution 65/230. RCEAP supported DTA/OCB/CSS with the substantive organisation of a two-day regional workshop on cybercrime, bringing together law enforcement, prosecution, and court representatives from over 20 countries in the region.<sup>73</sup> The Workshop resulted in a meeting outcome statement that encouraged countries to undertake a comprehensive assessment of cyber-security and cybercrime at the national level, and to adopt a holistic approach to fighting cybercrime, including through capacity building, establishment of legal frameworks, cooperation, and public awareness. In interviews with the Evaluation Team countries in the Region expressed a desire for enhanced technical support on Cybercrime linking to RPF Sub-programmes 1, 2 and 3. This should be incorporated in the next RPF.

#### *Sub-programme 2: Governance*

Table 4. Sub-programme 2: Outcomes and budget

<p><b>Outcomes</b></p> <p>2.1. Public Sector: Corrupt practices identified and investigated by state agencies</p> <p>2.2. Asset Recovery: Illegally acquired assets identified and actions initiated to recover them</p> <p>2.3. Anti-Money Laundering: Money laundering activities identified and effectively acted on</p> <p>2.4. Advocacy – Civil society and Business: Improved corporate governance and enhanced engagement of civil society in implementing anti-corruption strategies</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p><b>Budget</b> forecast 2009 US\$ 10,587,000</p> <p>Budget forecast end 2011 9,727,000 (8 per cent reduction)</p> <p><b>Secured Budget 2009-2012</b></p> <p>US\$ 9,623,000 (99 per cent)</p>
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<sup>73</sup>Sessions of the workshop focused on: (i) supporting participants to understand and to complete a questionnaire designed for information gathering for the cybercrime study, (ii) providing an opportunity to exchange experience on challenges and good practices in preventing and combating cybercrime, and (iii) commencing a process of national self-assessment in the area of cybercrime by providing a framework for core elements of the cybercrime response. In this respect, information on technical assistance needs from each country was gathered during the workshops. RCEAP was integral to the organisation of the workshop through assistance with identification of a venue and administrative and logistical support, in addition to substantive inputs on cybercrime challenges and opportunities faced by countries in the region.

The situational analysis for Sub-programme 2 articulated in the RPF (2009-2012) highlights the fact that insufficient institutional and procedural safeguards against corruption and lack of cooperation in recovery of stolen public assets are endemic to the East Asia and Pacific Region. UNODC's main outputs under the RPF were to support partner countries to meet the requirements of the UN Convention Against Corruption (UNCAC), through "providing technical support to translate the provisions of the convention into sustainable institutions and procedures." UNCAC's provisions relating to bribery of national public officials and corruption of the judiciary, as well as provisions on stolen asset recovery (asset forfeiture) are particular areas of focus.

By design, the RPF was supposed to broaden the agenda for Anti-Corruption in the region by assisting countries to focus not only on investigation and conviction of corruption, but also upon "building capacity and institutions for good governance, enhancing integrity, transparency and accountability of the public sector, improving the management of public resources and official development aid and addressing the demand side of corruption through strengthening private sector integrity."<sup>74</sup> RPF Sub-programme 2 Outcomes included the development of national anti-corruption strategies as part of the UNCAC review process and the development of ethical environments in public sector institutions (codes of conduct, ethics training, requirements for asset declaration and internal and external audits and inspections) and inter-agency working arrangements.

In the area of Asset Recovery, RPF intended to strengthen Financial Intelligence Units via intelligence sharing, investigations, mutual legal assistance and extradition). Legislation was to be developed and implemented in support of asset recovery, including enhanced banking regulation and training of judiciary, as well as the introduction of asset recovery software for criminal justice and law enforcement officials.

Citing the vulnerability of East Asia and the Pacific to money laundering, the RPF seeks to support a sound AML regime, with strong enforcement and regulatory frameworks to act as a deterrent to money launders and transnational organized crime groups. RPF's Anti-Money Laundering outputs included the development and implementation of legislation, policies and procedures on money laundering and making public and private institutions aware of their responsibilities in regard to proceeds of crime, money laundering and asset recovery. Mechanisms for more effective international cooperation in money laundering investigation and prosecution of cases were also included.

Finally, RPF sought to improve corporate governance and enhance the engagement of civil society in implementing anti-corruption strategies. This supported UNCAC provisions on corporate integrity.

These RPF Outcomes stood upon an already well-established history of UNODC engagement in Anti-Corruption. Numerous resolutions of the Conference of States Parties to the UNCAC had recognized UNODC's global impact over the years. At its different sessions, besides regularly calling States parties and signatories to adapt their laws and regulations to bring them into conformity with the provisions of UNCAC, the Conference of the States parties to UNCAC has adopted far-reaching resolutions on wide range of issues (prevention, asset recovery, implementation review mechanism) and has mandated UNODC to implement them, including through the development of technical assistance projects. Besides the mandates emanating from the Conference of the States parties to UNCAC and its subsidiary bodies, mandates on action against corruption are also established by the General Assembly and

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<sup>74</sup> RPF p. 9.

Economic and Social Council of the United Nations and by the Commission on Crime Prevention and Criminal Justice.<sup>75</sup>

RCEAP's Regional activities in Anti-Corruption and Anti-Money Laundering have taken place mostly under several UNODC Global projects that were already in existence before RPF was born.

In particular, since August 2011, UNODC Global "Anti-Corruption Mentor Programme" (GLOS48) has funded the Senior Advisor for Anti-Corruption who is based at RCEAP and has responsibility for providing technical assistance to countries in the effective implementation of the provisions of UNCAC and assist countries with UNCAC's Independent Review Mechanism (IRM) in Thailand, Cambodia and Myanmar. The Project Revision (extending the project until 2016) has added a new position of Mentor for the Pacific for duration of four years, with secured funding.

Similarly, the UNODC Global Programme "Against Money-Laundering, Proceeds of Crime and the Financing of Terrorism" (GPML) (GLOU40) has funded a Regional AML Advisor based in Vietnam that covers Vietnam, Lao PDR and Cambodia.

Meanwhile, UNODC's Global project "Towards an effective Global Regime Against Anti-Corruption" (GLOT58) supported activities in Indonesia and Laos. The project document for GLOT58 (as revised) specifically states that the UNODC Regional Programmes "provide a framework for engaging partners in the implementation of activities related to corruption at the level of developing projects for execution by Field and Regional Offices."

At the level of individual Country Offices, Indonesia<sup>76</sup> and Vietnam<sup>77</sup> stand out within the Region for a number of projects targeted to Anti-Corruption and Anti-Money Laundering, respectively.

RCEAP and Country Offices have, in coordination or separately programmed throughout 2009-2012 to nearly every output within Sub-programme 2. Yet, disaggregating the relative contributions of RCEAP versus Country Offices under the RPF for particular outputs presents challenges. In other words, it is not clear to the Evaluation whether the above results would have been achieved at the country or regional level had RPF not been in existence. The fact that the UNODC Global and Country Office projects for AC and AML were well established prior to RPF presents a challenge to identifying the "added-value" of RPF to these projects.

Overall the area of Anti-Corruption represents one of the most successful and effective areas of UNODC/RCEAP engagement under the RPF through the Global Programmes. As mentioned below, the continuing lack of political will in the Region for anti-money laundering, asset seizure and anti-corruption initiatives has presented challenges for the RPF during 2009-2012 and continues to do so.

UNODC/RCEAP's effectiveness in "regionalizing" its Anti-corruption and AML outputs has also been hindered to some extent by lack of funding and donor ear-marking. For example,

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<sup>75</sup>See various General Assembly and ECOSOC resolutions cited in the UNODC Thematic Programme on Corruption at pp. 5-6.

<sup>76</sup>See, projects, IDNT71, "Strengthening the capacity of Anti-corruption institutions in Indonesia"; IDNT81, "Strengthening the Rule of Law in Indonesia Programme: Support to the Fight Against Corruption"; and IDNX27, "Supreme Court Strengthening Judicial Integrity and Capacity in Indonesia (Phase III).

<sup>77</sup>See, project, VNMS65, "Strengthening of the legal and law enforcement institutions in preventing and combating money laundering in Vietnam".

the Senior Advisor for AML is fundamentally restricted to three countries (Vietnam, Lao PDR and Vietnam) under World Bank and Swiss funding agreements for the project GLOU40. This has resulted in the Senior Advisor for AML having to decline RCEAP requests that he travel to other countries covered by the RPF. Going forward, effectiveness may be further challenged as a result of some Donors discontinuing their direct soft-earmarked funding to RCEAP.

Most countries covered by the RPF have now ratified the UNCAC. (See table of the principal countries covered by RPF below). Of the Upper Mekong Delta countries that are the principal beneficiaries of the RPF, only Myanmar has not yet ratified the UNCAC. Thailand only recently ratified in 2011 with the support of UNODC.

Table 5. Principal countries covered by RPF

Cambodia	---	5 Sep 2007 (Ratified)
China	10 Dec 2003 (Signed)	13 Jan 2006 (Ratified)
Lao PDR	10 Dec 2003 (Signed)	25 Sep 2009 (Ratified)
Indonesia	18 Dec 2003 (Signed)	19 Sep 2006 (Ratified)
Myanmar	2 Dec 2005 (Signed)	
Thailand	9 Dec 2003 (Signed)	1 Mar 2011 (Ratified)
Vietnam	10 Dec 2003 (Signed)	19 Aug 2009 (Ratified)

UNODC HQ and RCEAP supported this process with great effectiveness. UNCAC ratification by Thailand is widely acknowledged by the Thai Anti-Corruption Commission and other stakeholders to have been the direct result of advocacy by UNODC/RCEAP. UNODC's support to the Thai Anti-Corruption Commission in the form of technical expertise and trainings strengthened the ability of the Commission to implement UNCAC, including with respect to asset recovery.<sup>78</sup>

Meanwhile the UNODC Country Office in Indonesia programmed significantly on Anti-Corruption during 2009-2012.<sup>79</sup> These efforts were funded primarily by Norway and the EU that expressed satisfaction with UNODC's support to the Indonesian Anti-Corruption Commission and the Anti-Corruption Forum that was organized by UNODC and led by the RCEAP Senior Advisor for Anti-Corruption. RCEAP also provided input to the Indonesian Country Office on its draft project documents for Anti-Corruption. In addition, Transparency International and other NGOs active in the Anti-Corruption sector in Indonesia report that UNODC's work with the Anti-Corruption Commission and AGO has been instrumental in

<sup>78</sup> Interview with Thai Anti Corruption Commission; UNODC Annual Implementation Update 2009. The Thai Commission stated that the overall quality of the partnership with UNODC was strong, but raised the strong complaint that effectiveness had been in-part hampered due to UNODC HQ's lack of flexibility with regard to permitting modifications to the UNODC proprietary Anti-Corruption software. According to the Thai Commission, all States Parties to UNCAC have expressed the opinion that the software should be provided to countries free of charge.

<sup>79</sup> Source: UNODC Indonesia Country Programme document 2015-2017, Para. 23 at p. 7.

fostering intra-institutional communication and partnerships and preparing Indonesia's National Anti-Corruption Strategy with the State Planning Agency. Finally, UNODC Indonesia organized a side event at the Conference of State Parties of UNCAC in Marrakesh on *Corruption and Environment in Indonesia* (thus representing an example of coordination between UNODC HQ and the field).

In Myanmar, UNODC/RCEAP and the Myanmar Country Office have recently begun work in concert to promote ratification of UNCAC. Myanmar is emerging as a new democracy, but remains challenged by a cumbersome process of legislative drafting and a lack of technical legal expertise with regard to UNCAC and other implementing legislation. In the Pacific, UNODC supported Cook Islands, Marshall Islands and Vanuatu to ratify UNCAC.

Since the establishment of UNCAC Implementation Review Mechanism (approved by the Conference of the States parties to UNCAC in Doha, in 2009), UNODC/RCEAP has been involved with UNODC CEB in the different steps of the countries reviewed in the region covered by RCEAP, including in the follow-up activities related to TA needs identified through the reviews, thereby creating a clear framework for action.

The predominant part of UNODC's work in AML has taken place in Vietnam, Lao PDR and Cambodia as a result of the Senior Advisor for AML being based in Hanoi. The Vietnam Country office had been active in AML since 2005 under project VNMS65—but had never able to achieve a sustained impact. With the assistance of the Senior Advisor for AML, UNODC Vietnam prepared Implementation Guidelines for anti-money laundering investigations and prosecutions, removing one of the last barriers to the conduct of such work. The Senior Advisor also provided highly effective mentoring to the Financial Intelligence Unit (FIU) in Lao PDR, which has referred a number of Suspicious Transaction Reports to law enforcement for investigation. UNODC's effectiveness continues to be subject to political will in the three countries.<sup>80</sup> As stated above, an additional factor impacting RPF effectiveness for AML is the fact that the Senior Advisor for AML is largely restricted under donor funding agreements to Vietnam, Lao PDR and Cambodia.

In terms of advocacy with civil society and business, high-visibility anti-corruption campaigns were undertaken in Indonesia, Vietnam, Cambodia, Myanmar and Thailand to mark the International Day against Corruption (9 December 2011).

Stakeholders were in agreement that the RPF Sub-programme 2 was very useful for purposes of demonstrating a vision with government officials; giving government officials an idea of what UNODC was capable of doing and where individual projects would fit within a more strategic vision. Overall, however, there is room for much more technical legal cooperation on a regional level and within the Greater Mekong Sub-Region (GMSR) (S. China, Vietnam, Thailand, Cambodia, Lao PDR and Myanmar). All stakeholders interviewed reported an on-going need for technical legal assistance. There is a need to conduct legislative needs assessments in the Region and explore mechanisms for delivering such technical legal expertise. Some stakeholders believe that UNODC could strengthen its focus on central authorities for mutual legal assistance and financial intelligence units.

Certainly, RPF's success with supporting ratification and implementation of UNCAC and should be taken as a best practice and duplicated in the next RPF in other areas of UNODC's normative framework.

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<sup>80</sup> For example, Vietnam had improved, but as of 2012 had been placed back on the FATF AML "Black list". Cambodia is currently on the FATF "Grey list" and is struggling not to slip onto the "Black list." By way of contrast, Lao PDR recently had the worst evaluation in the history of the FATF APG. Yet, Laos has rejected the offers of assistance of international community (IMF, APB, US State and WG/UNODC), including the RCEAP Senior Advisor for AML. Laos is currently expected to be placed on the AML "Blacklist".

*Sub-programme 3: Criminal Justice*

Table 6. Sub-programme 3: Outcomes and budget

<p><b>Outcomes</b></p> <p>3.1. Ratification: Member states ratify international conventions and instruments on drugs, crime and terrorism</p> <p>3.2. Legal Framework: Legislative and regulatory frameworks established and operational</p> <p>3.3. Justice System: Integrity-based and accountable criminal Justice systems established which also address needs of vulnerable groups</p> <p>3.4. Transnational Organized Justice: More efficient and effective transnational cooperation on criminal justice matters</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p>Budget forecast 2009 US\$ 24,241,000</p> <p>Budget forecast end 2011 US\$ 13,102,000 (46 per cent reduction)</p> <p><b>Secured Budget 2009-2012</b></p> <p>US\$ 12,457,000 (95 per cent)</p>
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The challenges outlined by the RPF 2009 - 2012 for Sub-programme 3, Criminal Justice, are ambitious. The region -and more specifically its Golden Triangle- have known drug related crime and its effects on society and governance for decades. Environmental crimes (addressed by RPF Sub-programme 1) put strain on law enforcement and criminal justice mechanisms. A lack of implementing legislation and inadequate legal frameworks; a lack of strong, independent and fair justice systems, and inadequate cooperative mechanisms between the judiciary, the prosecution services and the law enforcement agencies (i.e. the Chain of Justice<sup>81</sup>) to tackle transnational organised crime and terrorism were key elements identified to be addressed under the RPF 2009 - 2012.

The RPF noted that, “as a region, East Asia and the Pacific has the lowest ratification level of the international crime and drug control conventions.” The RPF also noted that the current approach to combating TOC consists of each country attempting individually, or in small groups, to combat distinct types of crime – human trafficking, drug trafficking, corruption, terrorism etc. This latter note stresses that cooperation between the countries remains at a very low level. Meanwhile, inadequate protection of vulnerable groups as a component of judicial system reform is also referenced.

The overarching normative frameworks for Sub-programme 3 are the UN Convention against Transnational Organised Crime and the numerous UN Counter Terrorism Instruments. As with other Rule of Law Sub-programmes, the RPF analysis is heavily ASEAN-centric. Also cited are the July 1998 Joint Declaration for a Drug-Free ASEAN 2020, reiterated and advanced in 2000 to 2015 and in October 2000, under auspices of the UNODC in its pursuit resulted in the ASEAN and China Cooperative Operations in Response to Dangerous Drugs, ACCORD, 2000; the COMMIT Process, in which six countries in the Mekong Region (Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam) have set out a

<sup>81</sup>For example, the whole chain includes Crime Prevention, Prisons and Re-socialisation and Re-integration.

comprehensive framework of cooperation on addressing trafficking among the countries, October 2004.

While a Thematic Programme on Terrorism Prevention was already available during the RPF's design phase, the RPF did not approach Countering Terrorism as a separate Thematic Area, but integrated the work of Counter Terrorism within the broader mandate of the Criminal Justice sub-programme.

It is common sense that efficiently tackling TOC requires a holistic approach, which effectively starts with the solid normative basis; joint and integrated strategic and operational efforts are required throughout the entire Chain of Justice. The efforts to realise this *in the entire region* face significant challenges such as variety in speeds of economic development, the variety in socio-political development and the differences originating from the different legal systems applied.

There are significant hurdles to be overcome in the endeavour to build a transnational organized justice system in the region. These include the very different legal regimes in place (civil law, common law, Islamic law, socialist law, etc.); the different levels of socio-economic development and skills in different countries; different cultures and languages and strong sensitivities about sovereignty.

Updates to the RPF Situational Analysis have recognized that despite general improvements in the region in terms of countries' legislative frameworks to counter drugs and crime threats, some jurisdictions still show substantive gaps between their national legislation and the requirements of international law. The related—and subsequent—development and implementation of procedural rules and standard operating procedures by these national jurisdictions is viewed as an on-going and long-term endeavour. In the same sense, curriculum development and training programmes, as well as other follow up measures ensuring effective application of enacted legislation such as (cooperation and) coordination-mechanisms require continued efforts by RPF.<sup>82</sup>

RPF Sub-programme 3 Outcomes sought to increase the awareness of and response by Member States to the need for ratification of international treaties dealing with drugs and crime. RPF also sought to help countries draft and enact legislation in line with relevant international law obligations; and develop substantive law, legal measures and rules of procedure related to transnational crime, corruption and terrorism.

A key component of RPF Sub-programme 3 is support to the justice system in the form of establishing and implementing professional standards and oversight mechanisms in law enforcement agencies and the judiciary; establishing coordination and cooperation mechanisms between law enforcement agencies, prosecutors and the judiciary; enhancing forensic capacities, services and regional integration; developing specialised witness protection programmes; and enhancing prison management regimes, juvenile as well as child justice systems and measures to prevent violence against women.

Finally, Sub-programme 3 sought to combat Transnational Organised Crime by establishing regional networks of prosecutors; joint investigation teams and judicial liaison networks (including extradition and asset recovery team) in line with international treaties on drugs, crime and terrorism; and to create baseline data on transnational organised crimes.

*RPF support to ratification of UNODC mandates and implementing national legislation in Transnational Organized Crime and Counter Terrorism*

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<sup>82</sup> RCEAP Annual Implementation Updates 2010-2011.

While UNODC HQ, RCEAP and Country Offices under RPF had various outputs during 2009-2012 geared towards ratification of UNODC mandates and support to national implementing legislation, overall, it is perceived by the Evaluation Team that RPF support to UNODC normative frameworks in Criminal Justice could have been delivered in a much more *strategic* way.

Under Sub-Programme 3, UNODC has fostered alignment with UNODC's normative framework on Counter Terrorism and the UN Global Counter Terrorism Strategy) and policies as laid down in the ASEAN Convention on Counter Terrorism and the Treaty on Mutual Legal Assistance in Criminal Matters among like minded ASEAN member countries. UNODC's outputs 2009-2012 comprised legislative reform, co-drafting, advice, on official translations, development of training manuals, holding consultations held for CT Country Programmes, promotion of full adherence to and ratification of both crime and terrorism conventions.

Predating the RPF, the UNODC Global "Legal Advisory Programme" (1994-2009) (GLO900), that had been based at UNODC Bangkok, provided legal advice to Member States on the ratification and implementation of international drug, crime and terrorism control conventions through conferences, seminars or workshops. According to the 2009 Project Progress Report for GLO900, it supported conferences where Member States were encouraged to ratify the International Convention and Protocols on TOC and 16 international terrorism instruments and implement their provisions within their respective domestic frameworks. GLO900, among other outputs, also developed a UNODC field presence in Timor Leste. The GLO900 Senior Legal Advisor was responsible for conducting many seminars on legal strategies on criminal law including on disrupting criminal drug trafficking activities.

From 2003-2010, the *UNODC global* project "strengthening the legal regime against terrorism" (GLOR35) assisted several countries in the region to ratify international treaties against terrorism and to modify national legislation in compliance with the provisions of those instruments and the requirements of CT-related resolutions of the Security Council. This was a joint effort of staff of the Terrorism Prevention Branch in Vienna (responsible for overall management) and the regional and country offices (responsible for most aspects of implementation).

Stakeholders interviewed by the Evaluation Team, however, noted that RCEAP could have established better in-house capacities to address Counter Terrorism issues effectively under RPF Sub-programme 3. It was noted that while RCEAP been successful in attracting funds to RPF for Counter Terrorism (i.e. 2 million from EU); at the same time, RCEAP had lacked the requisite knowledge and expertise to implement programmes. This had effectively placed HQ in the position of implementing certain aspects of the programme in the form of providing experts. RCEAP was, however, highly effective in coordinating this effort and liaising with HQ whenever necessary.

For example, following a request from the Government of the Philippines for input from UNODC in the context of legislative reform related to cybercrime and use of the internet for terrorist purposes, RCEAP liaised closely with the UNODC Senior Focal Point on Cybercrime, DTA/OCB/CSS, and HQ Terrorism Prevention Branch, in order to identify the most effective support that could be provided. The initial scope of the request from the government for assistance was not entirely clear, and RCEAP were instrumental in assisting OCB/CSS and TPB to identify that UNODC support should be limited, in this particular case, to advice on countering use of the internet for terrorist purposes, rather than cybercrime more broadly. RCEAP facilitated discussions with government counterparts and provided expert advice on local legislation and procedures related to the passage of new legislation.

UNODC HQ credited UNODC for having effectively coordinated demand-driven technical assistance throughout the 2009-2012 programming period; but noted that the level of in-house

regional technical expertise at RCEAP had not yet fully achieved expectations. For example, as of 2012, the position of Regional Counter Terrorism Advisor under the RPF was being held by the RCEAP National Programme Officer on Counter Terrorism *ad interim*. Yet, both UNODC HQ and RCEAP reported having recently intensified their efforts in 2011 to enhance the RPF Counter Terrorism components of Sub-programme 3. Transitional steps were underway as of mid-2012 for commencing a Counter Terrorism sub-programme under the RPF, with two separate but parallel components for East Asia (XAPX37) and the Pacific (XSPX47).

In other areas of Sub-programme 3, UNODC Regional projects implemented by RCEAP or country contributed to legislative reforms in Cambodia, the Federated States of Micronesia, Fiji, Indonesia, Kiribati, Lao PDR, Nauru, Niue, Papua New Guinea, the Philippines, Samoa, the Solomon Islands, Tonga, Tuvalu, Vanuatu and Vietnam. On-going country projects integrated in the RPF, such as development of the Drug Law Enforcement Strategy (LAO I95) and Strengthening Capacity of Law Enforcement and Justice Sectors to prevent and respond to Domestic Violence in Vietnam (VNMT28) have substantially brought progress, the latter specifically in terms of awareness-raising, ToT courses, pilot and follow up trainings, capacity and quality research.

Progress was realised on CT adherence and ratification in Indonesia, Lao PDR, Nauru, Niue, the Solomon Islands and Tuvalu (output 3.1.1). Meanwhile, legal frameworks developed, drafted and enacted (output 3.2.1) has been achieved in Cambodia, the Federated States of Micronesia, Fiji, Indonesia, Kiribati, Lao PDR, Papua New Guinea, the Philippines, Samoa, Solomon Islands, Thailand, Tonga, Tuvalu, Vanuatu.

With UNODC technical expertise, Thailand developed a prosecutor's manual on extradition. Lao PDR reviewed its drug law enforcement strategy and launched an inter-agency agreement on the application of the relevant law. Vietnam developed National Strategies and National Target programmes on prevention and suppression of drugs (approved), crime (approval pending) and human trafficking. Furthermore, Indonesia, Thailand and the Philippines Lao PDR drafted legislation on the countering of financing of terrorism, while as in Lao PDR efforts were undertaken successfully UNODC to decrease the existing gaps between ratified treaties and national legislation (e.g. defendants right to silence, judicial corruption, money laundering). UNODC Vietnam, with the assistance and input from the HQ Justice Section, has also done extensive work, both from a legislative and a capacity building point of view, in the area of preventing and responding to domestic violence.

Overall, it was perceived by Rule of Law stakeholders that UNODC had taken an effective "whole of government" approach to legislative reforms throughout the region. There continues, however, to be a strong need of all COs and Regional offices for Technical Legal Advice. Many stakeholders perceive that with the restructuring of UNODC HQ, the normative focus has been lost and the responsibility for rendering technical legal advice, legislative guidance and drafting is not being provided in a strategic and comprehensive way.

For example, UNODC Vietnam has recently received several requests from the MoJ and Ministry of Public Security. Meanwhile, Myanmar is currently making a transition to democracy and has an urgent need for technical legal advice—particularly in the area of Criminal Justice. In 2012 alone, UNODC has been asked by Myanmar for technical advice on drafting the Prison Law, Anticorruption laws, Counter Terrorism laws, Narcotics Control laws (also impacts upon treatment of drug users and stipulates compulsory treatment) and Anti-money laundering laws. It appears that in the near future UNODC will be asked to assist with the regulations that will implement these laws.

While the Senior Advisors based at RCEAP and in the Region (i.e. for Anti-Corruption, AML, Human Trafficking; etc.) may offer substantive advice in their area of expertise, they are not per se involved in keeping track of legislative development and broader legal trends in the region. A dedicated Regional Legal Advisor could serve this function.

### *RPF's Strengthening of Law Enforcement and the Criminal Justice Chain*

Criminal Justice is a logical chain of actions, realised by a range of actors. A weak actor/action at some point in the chain has an effect on the following actor(s)/action(s) and in the end on the result and impact of the functioning of the entire system. The RPF approach of strengthening inter agency cooperation has effectively enhanced the integrity of the justice chain in a number of countries within the Region.

At the Regional level, UNODC supported trainings for prosecutors via two projects (XAPT70 funded by the Government of the Republic of Korea, and XAPT84 funded by the Korean Institute of Criminology). Outcomes 3 and 4, Justice System and TOC, show similar progressive implementation results, though the areas of witness protection, prison management, juvenile and child justice systems and joint investigation teams and judicial.

Some results have also been achieved under the RPF in terms of increasing host government law enforcement agencies' forensic capacities. These have taken place under Sub-programme 1, however, and have reached only a limited number of beneficiaries to date. For example, the following areas were enhanced through UNODC Scientific and Forensic Programme at the regional level: Regional cooperation; establishment of the Asian Forensic Science Network (AFSN) (<http://www.asianforensic.net/>) and strengthen of the illicit drug working group. Quality Assurance: promotion and use of international standard setting and active participation of labs in the ICE programme (20 labs currently). Specifically, activities included the provision of technical support in drug analysis, provision of reference standards of controlled substances, promotion of quality management in forensic science, training of scientists including participation in meetings on clandestine laboratories investigation.

UNODC's regional programme "Towards Asia Just" – consists of two areas:

- (a) establishing transnational justice scheme as a multilateral approach;
- (b) providing legal assistance as a bilateral approach.

In the first area, UNODC is focusing on three sub-topics, which are Mutual Legal Assistance network, Asset Recovery Inter-agency Network (ARIN) and Prosecutor Exchange Programme (PEP). In this regard, a regional senior-level Mutual Legal Assistance workshop was organized in Bangkok, July 2012; an informal expert meeting to develop ARIN in this region will be organized in Seoul, December 2012; the first PEP case was completed by a Lao Prosecutor's on-site research in Seoul, May-June 2012. In the latter area, UNODC is providing legal assistance to Timor Leste for its implementation bill for drug conventions; to the Philippines for its mutual legal assistance bill; to Thailand for its efforts to coordinate relationship between prosecutor and police; to Indonesia for its anti-terrorism bill.

A major success on CT for the region is excellent buy-in that UNODC/RCEAP garnered from five countries in South East Asia. Consequently, Regional implementation on CT has been very positive both quantitatively (substantial) and qualitatively (highly relevant to national priorities and producing results). This success is a result from excellent teamwork among a Senior Programme Manager (P-5 who is keen and active on programme development, with experience working many years with UNODC, TPB) sent from HQ to RCEAP during 2010-early 2012, the Regional Representative's leadership and support from the Senior Advisor.

At regional level in South East Asia, UNODC's overall impact since it has worked in close partnership with national counterparts since the beginning was in conceptualising programming, sub-programme development, planning, designing and implementing.

At the Country-office level, UNODC was effective at supporting law enforcement in Indonesia through its "Support to improved security by provision of capacity building to the Jakarta Centre for Law Enforcement Cooperation (JCLEC)" (IDNT80). The overall objective

was to improve the rule of law and security in Indonesia by strengthening the investigative and management capacities of the Indonesian National Police (INP) and other law enforcement agencies. The project created an immersive simulation training platform (called KERIS) at JCLEC specifically for police.

JCLEC was set up in response to the Bali bombings in 2002. The donors wanted to create a training centre to give expert knowledge. JCLEC has effectively trained law enforcement officers across Indonesia *and* from various agencies. Although, it cannot be stated that outputs have contributed *directly* to a reduction in incidences of transnational crime, there is some evidence that training received at JCLEC has enabled law enforcement to do a better job of drug interdiction and enforcement. Also, several innovations emerged from the IDN T80 project, such as the KERIS training platform.

Yet, in terms of effectiveness, the UNODC project at JCLEC was plagued by the fact that the Project Manager's contract took an inordinately long time to process. In fact, it was a near 10 months, after being successfully interviewed for the position that the Project Manager finally arrived on site. During the interim period, UNODC's donors had themselves to assume the duties of the project manager. Moreover, UNODC had not made good on its 5 per cent of the project budget as of October 2012. The fact that the beneficiary (i.e. JCLEC) has had to carry UNODC's costs is troubling.

To date, UNODC's capacity building projects have been focused mainly on law enforcement agencies and prosecution services. Prosecutors are, for example, the main target group of the regional project "Towards Asia Just". Several stakeholders interviewed by the Evaluation Team were of the opinion, however, that more attention should be given to the judicial authorities, which are weak in terms of knowledge, experience and practice to combat Transnational Organized Crime in many countries in this region.

The RCEAP has recently developed a TOCTA for East Asia and the Pacific that has the potential to re-shape UNODC's criminal justice programming in the Region. The TOCTA currently remains in draft form. It is nonetheless, viewed as a "best practice" by the Evaluation Team.

## Health and Development

At the time of the design of the RPF, cannabis, opiates and amphetamine type stimulants were reported as the most widely abused drugs in the region, with the increasing use of methamphetamine giving rise to particular concern across the region. An estimated 4.9 million people in Asia were living with HIV, including 360,000 who became newly infected that year. After years of decline, illicit opium cultivation had again started to rise.

*Sub-programme 4: Demand Reduction*

Table 7. Sub-programme 4: Outcomes and budget

<p><b>Outcomes</b></p> <p>4.1. Prevention: Reduction in new users and delayed onset of drug use</p> <p>4.2. Treatment: More effective treatment of drug users/dependents</p> <p>4.3. Reintegration: Recovering drug users effectively supported back into the community</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p>Budget at beginning 2009 US\$17,411,000</p> <p>Budget at end 2011 US\$5,831,000 (67 % reduction)</p> <p><b>Secured Budget 2009-2012</b></p> <p>\$5,726,000 (98 % of revised budget)</p>
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The RPF Sub-Programme 4, Demand Reduction, aims at addressing the lack of capacity and standards of good practice in the region. Activities are concentrated primarily in Cambodia, Indonesia, Lao PDR, Myanmar and Vietnam.

Heroin abuse continues to be a significant problem in the region. On the other hand, interviews that the Evaluation Team held with government representatives as well as experts and NGOs in the region clearly indicate that the widespread abuse of methamphetamine among young people is of great concern. The trend is upward and both government experts and treatment staff feel at a loss about how to deal with the problem, which causes violence and crime in the family and in the community.<sup>83</sup> This is consistent with the RPF that identifies ATS as a problem; both in terms of insufficient prevention efforts and in terms of treatment that does not meet quality standards.

## Prevention

Based on information provided to the Evaluation Team regarding the consolidated programme budget for the RPF period, the updated prevention budget amounts to approximately US\$ 2,1 million. Some projects listed in the prevention budget would, in fact, be more appropriate to categorize as treatment or HIV/AIDS projects. One of the projects (with a budget of US\$ 300,000) was indeed moved to sub-programme 5 (HIV/AIDS) later in the programme cycle. Furthermore, some treatment projects are comprehensive demand reduction programmes with prevention components. This illustrates the challenge of trying to estimate how much is actually spent on drug prevention activities as compared to treatment and reintegration, given the project-based budget structure of UNODC's activities.

The lack of donor interest in demand reduction and the resulting limited funding has seriously restricted UNODC's ability to support evidence-based prevention in the region.<sup>84</sup> A two-year

<sup>83</sup>Methamphetamine is a central nervous stimulant that is similar in structure to amphetamine. It is snorted or taken orally, by smoking or injection. Long-term use has many negative consequences, including weight loss, dental problems, anxiety, confusion, insomnia, mood disturbances and violent behavior. Chronic users can display psychotic features, including paranoia, hallucinations and delusions.

<sup>84</sup> Prevention programmes can be divided into (a) universal programmes to reach the entire population,

project in Vietnam, “Support for Developing Effective ATS Prevention Strategies and Measures for East Asia: A Pilot in Vietnam” (VIEJ93)<sup>85</sup>, with a budget of approximately US\$ 300,000 was designed to develop and implement pilot ATS programmes in selected sites, based on a situation assessment. According to the 2011 annual project progress report, the project has delivered some of its outputs. While those who participated in the project seem to be satisfied, it is not possible to determine if the project has made any contribution to the RPF prevention outcome as such. It would anyhow be unrealistic to expect that a small stand-alone pilot project, limited in time and geographic scope, would make a difference for the region in terms of the number of people who abstain from starting to use drugs.

As mentioned, several treatment projects (especially in Cambodia) contain prevention components. These projects are described under the sub-heading *Treatment*. Based on site visits and interviews, the Evaluation Team found that the Cambodia component of *Treatnet II* (GLOJ71) and the project “Community-based Treatment for Drug Users in Cambodia” (KHMK51),<sup>86</sup> together constitute a comprehensive demand reduction programme, covering both universal and selected prevention (targeting those at risk) as well as indicated prevention (individuals with early signs of drug use) and a continuum of care, focusing on methamphetamine use.

There is a host of information available about ATS in the region through the global SMART<sup>87</sup> programme, launched in Bangkok in September 2008. The intention behind SMART is to improve the capacity of targeted Member States to generate, manage, analyse, report and use information on illicit synthetic drugs. The programme publishes a number of research reports, which could be used as a baseline for the development of prevention programmes, if combined with lessons learned from the Vietnam ATS prevention project and comprehensive community based demand reduction projects targeting the abuse of methamphetamine.

## Treatment

The updated treatment budget for the RPF cycle amounts to circa US\$ 3,8 million. This includes reintegration, since the treatment model that UNODC advocates consists of a continuum of care that also covers reintegration. One of the major problems in the region is insufficient community-based voluntary treatment as an alternative to imprisonment or compulsory treatment in closed settings. Compulsory drug treatment centres are the dominant approach to people with drug abuse problems. UNODC estimates that more than 238 000 people are detained in over 1 000 compulsory treatment centres in East and South East Asia. According to the RPF, some of the practices “challenge drug dependence principles endorsed by UNODC and WHO” (RPF p. 30). Human Rights Watch has later corroborated the practice of compulsory treatment without due process (July 2012) in a report, which highlights the widespread use in the region of compulsory treatment.<sup>88</sup> There have also been allegations of other human rights violations such as forced labour.<sup>89</sup>

UNODC’s approach to treatment include, *inter alia*, investments based on scientific knowledge, dependence treatment mainstreamed in public health and social care services, service delivery based on screening, assessment, diagnosis and individual care planning, treatment as an alternative to or in addition to incarceration, and treatment services in compliance with human rights.<sup>90</sup> UNODC has engaged in a policy dialogue in the region in

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such as school-based prevention; (b) selective programmes targeted at subgroups that are identified as being at risk for substance abuse; and (c) indicated programmes targeting individuals showing early signs of substance abuse or other related behavioural problems associated with substance abuse.

<sup>85</sup> Funded by Japan, One UN – Vietnam and Sweden.

<sup>86</sup> Funded by Sweden.

<sup>87</sup> Synthetics Monitoring: Analysis, Reporting and Trends.

<sup>88</sup> [<http://www.hrw.org/node/109078/section/1>].

<sup>89</sup> <http://www.unodc.org/eastasiaandpacific/en/2012/10/ccdus/story.html>

<sup>90</sup> See Thematic Programme “Assessing Health and Human Development Vulnerabilities in the

an attempt to influence treatment policies to move in the direction towards internationally recognised good practices, away from compulsory detention and rehabilitation centres to voluntary community-based treatment and rehabilitation. This work, which UNODC is carrying out in close cooperation with other UN agencies, is on-going. Promotion of human rights is key also to successful HIV prevention, treatment and care. Therefore, the policy dialogue concerns both Sub-programmes 4 and 5.

The first Regional Consultation on Compulsory Centres for Drug Users in Asia and the Pacific was convened in December 2010 in Bangkok.<sup>91</sup> The event was organised jointly by UNODC RCEAP, ESCAP and UNAIDS Regional Support Team for Asia and the Pacific with funds from Sub-programme 5. Senior officials from eight Governments attended the consultation together with resource persons in the field of drug dependence and HIV/AIDS. The consultation offered a forum for Governments to share information and experiences on effective drug dependence treatment approaches, including community-based treatment and HIV services for people who use drugs. Among other recommendations, the meeting called upon the United Nations system, particularly UNODC, UNAIDS, WHO and ESCAP, to enhance dialogue with policy makers to consider evidence-informed, community-based treatment and to incorporate the results of the consultation into relevant intergovernmental processes.<sup>92</sup>

The evaluation found that the consultation meeting was well received by Government officials in the region. It was a common view among interviewed Government officials that they needed such a neutral space to discuss the issue and to meet not only colleagues from other countries but also colleagues from other branches in their own Governments. UNODC's close contact and interaction with the drug control and law enforcement government branches was seen as particularly valuable, since in many countries in the region they are the ones responsible for compulsory drug abuse treatment. Some interviewees meant that UNODC could use its advocacy power better and more systematically, particularly by teaming up with relevant regional organisations such as the Colombo Plan. UNODC being a neutral and respected UN entity with a special "shortcut" to the control side had a comparative advantage over other organisations, which it did not always use to its full potential. It was suggested that UNODC should make better use of opportunities such as the launch of the World Drug Report and the SMART reports to raise the profile of demand reduction.

Professionals and NGOs in the region shared the view that UNODC had an important role to play in convincing drug control and law enforcement government branches of the need for a policy shift. Some NGOs were of the opinion that UNODC was missing out on advocacy and that it could better communicate what was being done in terms of "silent diplomacy". Others described UNODC as an honest broker and "a gate opener to another world", i.e. the government institutions. In Myanmar, for example, the fact that methadone maintenance treatment had been introduced was described by the Drug Users Network as a major UNODC achievement.

In March 2012 a "Joint Statement on Compulsory Drug Detention and Rehabilitation Centres" was issued by twelve UN entities, including UNODC. In the statement they called upon States to close compulsory detention and rehabilitation centres "without delay". The statement caused some resentment among Government officials, also among those who appreciated UNODC's advocacy work towards a change in treatment policy. The argument by Government representatives was that it would be unrealistic and inhumane to close the compulsory treatment centres without having an alternative to offer. It was also pointed out that it was not unusual that relatives of methamphetamine users called the police, in desperation, to request that the drug user be taken away from home to a compulsory treatment centre because of erratic and violent behaviour. As a result of the Joint Statement, UNODC

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Context of Drugs and Crime"; and "From Coercion to Cohesion: Treating Drug Dependence Through Health Care, Not Punishment".

<sup>91</sup> A second took place in Kuala Lumpur in September 2012, outside the time frame of the evaluation.

<sup>92</sup> <http://www.unescap.org/sdd/meetings/CCDU-Nov2010/outdoc.pdf>

HQ had to assure some of the Governments in the region of its continuing support for the on-going reform process. In retrospect, it seems that the negative reaction was temporary and that the wish for UNODC to continue to provide a neutral space for dialogue, to share best practices and to provide technical assistance for legislative reform is stronger than the resentment.

Community-based treatment is a new modality for many countries in the region. The global project “*Treatnet II*” (GLOJ71)<sup>93</sup> has a South East Asia component encompassing Cambodia, Myanmar and Vietnam, and a project coordinator placed in Bangkok. It builds on “*Treatnet I*”, during which a network of drug treatment resource centres across the world developed a comprehensive training package on evidence-based treatment methods and good practice documents on key topics. It operates through three lines of action:

- (a) Advocacy for understanding drug dependence as a health disorder;
- (b) Capacity building of trainers and practitioners; and
- (c) Demonstration and expansion of evidence- and community-based drug dependence treatment services.

The efforts have – to date – focused on the provision of outpatient services not yet available or insufficient, such as community mobilization and awareness, outreach and peer interventions, early identification and brief intervention, assessment and treatment planning, medical care, counselling and relapse prevention, vocational training and support to livelihoods and income generation. It also provides referral to methadone maintenance treatment, HIV testing and antiretroviral treatment where such services are available through primary health care, government institutions or NGOs. Close to 1,500 drug users were reached by such UNODC-supported services in eight sites in Cambodia, two in Myanmar and three in Vietnam. The health and social conditions of those who accessed the services have improved as reflected in surveys for self-assessment of quality of life.

The capacity building package has been translated to the three official local languages and has also been culturally adapted. A total of 675 staff (394 male and 281 female) working in health and social services and NGOs has been trained. Pre-post training assessment surveys indicate an overall high level of satisfaction and significant knowledge improvement. With the support of UNODC, authorities in Cambodia, Myanmar and Vietnam are currently finalizing a model for community-based drug treatment service delivery, standards of care and guidelines.

The Evaluation Team also encountered the view that follow-up to the training was not consistent or strong enough. Travel abroad and payment of DSA made participation attractive and it was not always the right people in terms of professional background and function that were nominated for training. It was suggested that this weakness could be rectified by screening of training candidates and by organising training locally. Such a model would be less costly and would allow funds to be set aside for incentives to do more work after the training, e.g. case studies and small scale projects within the ordinary health or treatment services.

*Treatnet II* is implemented through a system of (often small) grants to national institutions. The grant system is HQ-heavy and procedurally slow since every decision is taken at HQ. This limits the flexibility to adapt to changing local conditions and creates difficulties and delays in project implementation. In addition, a grant system assumes that there is sufficient initial capacity of counterparts to develop and implement the grants. In most countries this is not the case. On the contrary, the national institutions need much support, both in terms of substance and in terms of project/grant design and implementation. Grants may work in countries where the institutional basis is relatively well equipped. Even in such cases,

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<sup>93</sup> Funded by Canada, OFID, Spain, Sweden and USA (Sweden and USA for Southeast Asia).

decision-making must be moved closer to the field to avoid substantial delays, when circumstances require changes.

As mentioned, *Treatnet* and the project “Community-based Treatment for Drug Users in Cambodia” (KHM K51) together constitute a comprehensive demand reduction programme, involving the community, civil society, local police, social workers and personnel at selected health clinics. Implementation of project K51 started in January 2012 in the eight sites where the global project *Treatnet* is active. It operates through health clinics and community mobilisation for prevention, treatment and rehabilitation. A review of data based on medical records indicates that most of the patients referred to the health clinics for assessment are not dependent in a clinical sense and can therefore be treated at the health clinic at a low cost. Patients who are diagnosed as dependent are referred to hospital for dependence treatment. In less serious cases of methamphetamine use (the dominant drug of abuse), education about the negative consequences may be sufficient to deter continuation of use.

The project KHM K51 builds on a previous project in Cambodia, “Developing Community-based Drug Abuse Counselling, Treatment and Rehabilitation Services in Cambodia” (CMB H83) that ended in the beginning of 2011. While the H83 objective to create drug treatment centres was not realised, the external mid-term evaluation concluded that by locating the project at community level, the project had opened new grounds.<sup>94</sup> The follow-on project K51 was planned as a five-year programme with a budget of US\$ 9,73 million and has been able to raise approximately US\$ 200,000. This is in contrast to the project H83 that had a budget of US\$ 1,44 million.

Based on interviews, observations at a community meeting and site visits, the Evaluation Team draws the conclusion that the UNODC supported treatment programme in Cambodia has resulted in a change of attitudes to drug users, who were increasingly being looked upon as patients rather than offenders. Drug users were encouraged to seek treatment. If they did, they were not arrested, even though drug use remains a criminal offence according to law. UNODC’s key role, politically and technically, in integrating drug treatment in health centres, was recognised. It was mentioned that without the combined UNODC coordination at national and provincial levels and local leaders’ commitment to create a model that works for the drug users and their families, the shift towards community-based treatment would not have been possible. There was, however, disappointment at the lack of funds for rolling out the treatment model to 350 health clinics. While UNODC claims that no promise was made to fund the roll out, the fact remains that the project budget amounts to US\$ 9,73 million and that there was no distinct strategy for how the expansion would happen, if the whole amount could not be raised.

In addition to the projects that are defined as demand reduction in the RPF<sup>95</sup>, there are demand reduction components in the alternative development projects, mainly responding to opiate abuse problems in opium poppy growing areas. Two alternative development projects in Lao PDR (LAOK44 and LAOK46) have drug prevention and treatment objectives, which are quite ambitious. Project K44 claims to have detoxified and monitored 130 addicts, who now have “better health as per observation during monitoring visits”. The professional qualifications for undertaking detoxification seem to be limited to a study visit to learn about home-based detoxification and one-week training on counselling and treatment of opium, amphetamines and heroin addiction. The project has also published posters for the purpose of drug prevention and awareness-raising.<sup>96</sup> Project K46 reports to have treated 44 opium

<sup>94</sup>Midterm Evaluation CMBH83, UNODC, September, 2009.

<sup>95</sup>There is some confusion as to which sub-programme individual treatment projects belong. Ten projects were listed as demand reduction projects under Sub-programme 4. Of these, one had been reoriented to Sub-programme 5 (HIV/AIDS) and one was listed as Sub-programme 5 in the semi-annual project report. Of the remaining eight projects, seven were designed before the RPF or already under implementation when the RPF started.

<sup>96</sup>2011 Annual Project Progress Report.

addicts; 37 of them relapsed.<sup>97</sup> There is no built-in mechanism for quality control of the demand reduction components of the two projects, nor is there any involvement of UNODC treatment expertise in the projects. It is recognized that alternative development requires a comprehensive approach, including treatment of drug dependence. It would thus be important for UNODC to invest in proper training of local health staff in poppy-growing areas, preferably through partnering with WHO and by involving UNODC's own treatment expertise in the region.

Individual projects in the region have been successful in terms of delivering at least some, if not all, of their project specific outputs. Some have also been successful in terms of raising skills and knowledge. For instance, in Indonesia service providers that were trained on drug dependence treatment by the project "Integrated Drug Treatment and HIV Prevention, Treatment and Care Services" (IDNK29, described under Sub-programme 5) indicated a change in attitude towards drug users and increased knowledge in pre- and post-training assessments, similar to the results of *Treatnet II*.

Even though it is not possible to disaggregate the contribution of individual projects to the RPF outcome 4.2, it became clear to the Evaluation Team that UNODC plays a strategic role in transforming treatment policy from compulsory treatment - in many cases without due process - to voluntary and evidence-based comprehensive treatment, including HIV prevention and - to a certain degree - rehabilitation and reintegration into the community.

### Reintegration

The original consolidated budget for reintegration amounted to US\$ 900,000. When the budget was revised, no specific budget was assigned to reintegration (outcome 4.3). It does not mean that UNODC has done nothing in the area of reintegration. UNODC advocates a continuum of care and both *Treatnet II* and the Cambodia treatment project are designed according to the principle of a continuum of care, which means that relapse prevention, rehabilitation and reintegration into society are integral parts of the treatment concept. The alternative development demand reduction projects are based on the same principle. Thus, all demand reduction activities that are not purely prevention are funded through the treatment budget.

### Concluding remarks

UNODC has developed a comprehensive community-based demand reduction model encompassing prevention, treatment, reintegration and prevention and reduction of the negative consequences of drug abuse. UNODC has been successful in advocating for the understanding of drug dependence as a health disorder and in demonstrating the effectiveness of the comprehensive model in a limited number of sites. The model could easily be adapted to local conditions and disseminated throughout the region. However, the Demand Reduction Sub-programme had only US\$ 5,8 million at its disposal for the entire RPF period, which restricted its activities and reach considerably. With the sub-programme budget reduced by 67 per cent<sup>98</sup>, neither the RCEAP, nor the individual country offices in the region have the financial or human resources to support Governments in the development of demand reduction strategies to respond to the growing methamphetamine problem in the region. This is regrettable, since there are important lessons to be learnt - at low cost - from projects like *Treatnet II* and Community-based Treatment in Cambodia.

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<sup>97</sup>2011 Annual project Progress Report.

<sup>98</sup> Reduced by US\$ 11,6 million.

*Sub-programme 5: HIV/AIDS*

Table 8. Sub-programme 5: Outcomes and budget

<p><b>Outcomes</b></p> <p>5.1. Coverage: Universal access goals achieved among people who inject drugs, in correctional settings, and for people vulnerable to human trafficking</p> <p>5.2 Strategic knowledge: Information effectively developed and shared to inform the design and implementation of HIV and AIDS programmes</p> <p>5.3 Mainstreaming: Governments, UN agencies and other stakeholders implement a comprehensive HIV programme including harm reduction</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p>Budget at beginning 2009 US\$ 20,356,000</p> <p>Budget at end 2011 US\$ 10,824,000 (47 per cent reduction)</p> <p><b>Secured Budget 2009-2012</b></p> <p>US\$ 10,534,000 (97 per cent of revised budget)</p>
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Sub-programme 5 (HIV/AIDS) aims at halting and reversing the HIV epidemics, in line with Millennium Development Goal 6,<sup>99</sup> UN General Assembly commitments made in 2001, 2006 and 2011, and in the areas where UNODC is the lead organization amongst the co-sponsors of the Joint UN Programme on AIDS (UNAIDS), namely injecting drug use, correctional settings and victims of human trafficking. Target countries have been identified based on presence of injecting drug use or opiate use: Cambodia, China, Indonesia, Myanmar, Malaysia, Lao PDR, Philippines, Thailand and Vietnam.

The programming situation was relatively favourable for Sub-programme 5, when the RPF was developed, in the sense that there was a clear strategic direction through global commitments at the highest level – the General Assembly - to halt and reverse the spread of HIV and to achieve universal access to HIV prevention, treatment, care and support. Furthermore, UNODC's areas of responsibility were clear-cut, partnerships among the UNAIDS co-sponsors well established, and there was a funding mechanism through the UNAIDS Unified Budget and Workplan<sup>100</sup>, which did not earmark funds to specific projects but allowed a certain amount of freedom to engage in strategic actions based on an analysis of needs and gaps in the region. The staffing situation was, and still is, more generous than for example the situation for Sub-programme 4.

Cooperation on HIV/AIDS has a long history in the region. The United Nations Regional Task Force on Injecting Drug Use and HIV/AIDS in Asia and the Pacific (UNRTF) was established in 1997 – two years before UNODC became a UNAIDS co-sponsor – originally to support the UN agencies in their work on injecting drug use and HIV. It was co-chaired by UNODC and UNAIDS from 2002 till it was dissolved in 2011, mainly due to lack of funding. Its membership had been broadened gradually and towards the end of its existence it brought together a diverse range of stakeholders, including representatives of governments, UN agencies, donor partners, civil society, including the Asian Network of People Who Use Drugs (ANPUD) and technical advisers. The coordinator was funded by UNAIDS and based in the RCEAP office.

<sup>99</sup>To halt and begin to reverse the epidemic by 2015, and to achieve universal access to treatment for HIV/AIDS by 2010.

<sup>100</sup> Now Unified Budget, Results and Accountability Framework

The work of the UNRTF was exemplary in many ways. For instance, a joint exercise was undertaken on a country-by-country basis to attempt to cost needle exchange programmes, methadone maintenance treatment, condom provision, etc. as an indication on how much it would cost to reach universal access. Other examples of work in the area of strategic information was a questionnaire distributed to nine governments in 2010, and repeated in 2012, to gather information on the number of compulsory treatment/detention centres for drug users and the number of inmates, and an assessment in 15 countries in Asia of policies, resources and services for people who inject drugs. Such exercises provided a solid factual basis for advocacy to influence policy change in line with the UNAIDS Outcome Framework, including removing punitive laws, policies, practices, stigma and discrimination that block effective responses.

“A strategy to halt and reverse the HIV epidemic among people who inject drugs in Asia and the Pacific, 2010-2015” was agreed by the UNRTF. The strategy was designed to provide a practical tool for use by national governments and development agencies to guide their strategic planning process. The objectives are consistent with Sub-programme 5 outcomes and some key activities feature both in the RPF and in the strategy, for example advocacy for national legislation and policies to support harm reduction, and assessment of legislative and policy frameworks.

The fact that there was already a well-established culture of regional cooperation and on-going research and advocacy work, makes it difficult to determine to what extent the RPF itself contributed to the development or adaption of national legislation and policies that are conducive to reaching the universal access goal (Outcome 5.1). More people than before have access to HIV services, but most countries are still a long way from achieving universal access among drug users, in correctional settings and for people who are vulnerable to human trafficking. The same difficulty pertains to assessing the contribution of the RPF to Outcome 5.2, strategic knowledge, given that the UNRTF already contributed significantly to regional monitoring.

As to outcome 5.3 – mainstreaming – it is not possible, given the information available to the Evaluation Team, to assess if and to what extent the RPF has contributed to governments, UN agencies and other stakeholders implementing comprehensive HIV programmes. Individual projects may have had a positive influence. For example, in Indonesia, the Government acknowledges UNODC’s contribution to specific parts of the national HIV/AIDS strategy, in particular the integration of HIV services into community based dependence treatment and its contribution to the development of the programme for HIV prevention in prisons.

Compared to the resource situation before the RPF, resources for regional cooperation and coordination have shrunk. At the inception of the RPF, the UN Regional Task Force was active and there were two professionals and one support staff in RCEAP for regional HIV work funded by the global project G32, in addition to the UNRTF coordinator funded by UNAIDS. Since then, the resources have been reduced to one regional adviser and one support staff. The same adviser also works as country adviser, in particular for Lao PDR, Thailand and Vietnam.

In addition to the HIV team in Bangkok, at inception of the RPF, the HIV regional team included seven professionals and six support staff. Over the years, staffing has been more or less constant but the composition of the teams in individual countries has changed, reflecting resources as well as needs. In 2012 there was one country adviser in Indonesia and one under recruitment for China, and a junior professional in Cambodia. The advisers are funded by the global project (GLOG32)<sup>101</sup> with the main objective to support Member States with regard to evidence-based and human rights focused legislation, policies and strategies. It also aims at supporting the provision of comprehensive HIV prevention, treatment and care. The Myanmar Country Manager is partly financed from the same global project. The HIV section

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<sup>101</sup>Funded by several donors.

at HQ provides both technical guidance and support for project management, also to staff working for specific projects.

Stigma and discrimination are key factors that need to be addressed to create an effective and sustained response to the HIV epidemics. They represent obstacles for all three of UNODC's target groups to being tested and seeking HIV prevention, treatment, care and support. The promotion of human rights and sharing of experiences through international and regional cooperation are key areas for reaching the goal of universal access (Outcome 5.1). One of the outputs listed for this outcome is that "national legislation and policies related to drug control and HIV are consistent with the harm reduction approach" (5.1.1). From a UNODC perspective, this is a question of providing specialised policy advisory support and legal technical assistance.

As mentioned under Sub-programme 4, Demand Reduction, UNODC was a co-organiser of the first Regional Consultation on Compulsory Centres for Drug Users in Asia and the Pacific in December 2010 in Bangkok.<sup>102</sup> The meeting - a result of several years of work on the issue of compulsory treatment by the HIV team - considered both benefits and limitations related to compulsory treatment centres for drug abusers. The concerns included the potential of negative impacts on public health, particularly on the transmission of HIV and other blood-borne diseases, as well as on governments' efforts to ensure universal access for people who use drugs and for people living with HIV and AIDS. One of the recommendations by the meeting was to address stigma and prejudice as well as legal and policy barriers to universal access to prevention, care and treatment for drug users affected by HIV and AIDS.<sup>103</sup>

UNODC together with UNAIDS and the Resident Coordinator's Office in Bangkok have actively engaged in policy advisory support in Thailand for scaling-up of evidence-informed HIV prevention, treatment and care for people who use drugs, especially after the launch of the "Third Phase" of the Thai national drug control strategy in 2011. The strategy reaffirms the principle of drug abusers/addicts as patients who should be given a second chance to reintegrate into society.<sup>104</sup> In this context, the UN has advocated the importance of distinguishing drug use from drug dependence as different conditions requiring different sets of interventions. This is an example of specialized policy advisory support and sharing of best practice in collaboration with middle income countries that may not need or want development aid but are searching for cost-effective approaches to drugs and HIV that have worked in other countries with similar conditions.

When the RPF was initiated, three UNODC projects were in operation, one in China, "Strengthening the Role of Law Enforcement in China's HIV Response (CHN J42)<sup>105</sup> and two in Myanmar: "UNODC Partnership for the Reduction of Injecting Drug Use, HIV/AIDS and Related Vulnerability in Myanmar" (MMRJ63)<sup>106</sup> and "Reducing the Spread of HIV/AIDS among Drug Users through the HAARP Country Flexible Program for Myanmar" (MYAJ69)<sup>107</sup>. Two projects were initiated in 2010: "Reduce the Spread of HIV Harm Associated with Injecting Drug Use amongst Men and Women in the Lao PDR"<sup>108</sup> (LAO K18),<sup>109</sup> and "HIV Prevention, Care, Treatment and Support in Prisons, Including Pre-trial

<sup>102</sup>The consultation was funded by the Australian National Council on Drugs (ANCD) through pledges to the global HIV project.

<sup>103</sup><http://www.unescap.org/sdd/meetings/CCDU-Nov2010/outdoc.pdf>

<sup>104</sup> ONCB website and interviews with Thai Government officials.

<sup>105</sup> Funded by Sweden, UK and UNAIDS.

<sup>106</sup> Funded by Three Diseases Fund (3DF), a consortium of donors comprising the European Commission, Australia, Denmark, the Netherlands, Norway, Sweden and the UK.

<sup>107</sup>Funded by Australia.

<sup>108</sup>HAARP Country Flexible Programme Lao PDR.

<sup>109</sup> Funded by Australia.

Detentions Centres in Vietnam” (VIEK16).<sup>110</sup> There is no project directed at UNODC’s third target group, people vulnerable to human trafficking.

Drug users and people living with HIV are vulnerable inside prisons. Stigma and fear of AIDS often place affected prisoners at risk of social isolation, violence and human rights abuses. UNODC Indonesia has contributed knowledge of best practices to the development of the country’s HIV/AIDS programme for prisons and provided support to assessments on HIV in prisons.

The only RPF project to address this problem was project K16 in Vietnam. A survey was designed to assess risk behaviours and the possibility to implement the comprehensive package in prisons settings, among other things. The survey was prematurely halted because of sensitivities surrounding sexual behaviour and drug use in prisons. Also, a planned training needs assessment could not be carried out. Instead, prison officers were introduced to harm reduction through various activities such as a study tour, a regional seminar, workshops, etc. Key reference documents were translated into Vietnamese.<sup>111</sup> The project has not been evaluated and it is therefore not possible to draw any conclusions as to its effectiveness. The above mentioned regional seminar was organised by UNODC and hosted by Vietnam with the purpose to develop recommendations regarding HIV and drug use in prisons. It was attended by delegations from Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam with speakers/observers from Malaysia and Brunei.

As mentioned, there is an overlap between drug abuse treatment projects and HIV projects. Most drug treatment projects have a HIV component and vice versa, which reflects the comprehensive package of nine interventions recommended by the “WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users”. One project in Vietnam (VIE J04)<sup>112</sup> was reoriented from Sub-programme 4 to Sub-programme 5. Another project, in Indonesia (IDNK29),<sup>113</sup> was originally listed as Sub-programme 4 and then as Sub-programme 5 in a semi-annual report, but is relevant to both Sub-programmes.

In Indonesia, UNODC has complemented a large HIV/AIDS programme financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria, which has the provision of drug treatment services, including methadone maintenance treatment, as one of its priorities. The project “Integrated Drug Treatment and HIV Prevention, Treatment and Care Services” (IDNK29), which started in March 2010, has three strategies, namely advocacy for promoting the understanding of drug dependence as a health disorder; capacity building of practitioners on drug dependence treatment; and expansion of community-based integrated drug dependence treatment and HIV prevention, treatment and care services in five provinces. The project K29 had not been evaluated at the time of the independent evaluation, but the 2011 annual and the 2012 semi-annual project progress reports indicate that, *inter alia*, a training package for drug dependence treatment workers had been developed and piloted and 164 people trained in counselling, HIV prevention and overdose prevention.

Government officials in Indonesia who were interviewed by the Evaluation Team stressed that UNODC’s added value was policy support and sharing of best practices. UNODC’s involvement with regard to harm reduction and HIV prevention in prison settings was mentioned as particularly valuable. The collaboration with UNODC was intensified with the introduction of the Swedish funded K29 project, which had made it possible to start integrating HIV prevention into drug dependence treatment at community level.

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<sup>110</sup> Funded by One UN – Vietnam and UNAIDS.

<sup>111</sup> 2011 Annual Project Progress Report

<sup>112</sup> Funded by Australia, Luxembourg, one UN – Vietnam, Sweden, UNAIDS, UNDP.

<sup>113</sup> Funded by Sweden.

It is the understanding of the Evaluation Team that the emphasis on policy support and the sharing of best practice should be seen in light of Indonesia being a middle-income country and a G20 member. The joint organisation by UNODC, the Narcotics Control Agency (BNN), the Ministry of Health and the International Drug Policy Consortium (IDPC) of a workshop on drug policies and diversion and treatment, which took place when the Evaluation Team visited Indonesia, serves as an example of specialised policy advisory support and sharing of best practices. Given UNODC's long-standing experience and expertise in drug laws and alternatives to incarceration, it would have been appropriate for UNODC Indonesia to involve UNODC HQ in such endeavours to guarantee quality and impartiality of the advisory support rather than relying on an international NGO with advocacy for policy change at the heart of its mission.

The two projects in Myanmar have been subject to an external evaluation.<sup>114</sup> The projects target injecting drug users and provide a refuge in the form of drop-in centres, which offer some medical services, including referral to voluntary HIV testing, health education and referral to government run methadone treatment, and anti-retroviral therapy. Distribution of clean needles and syringes take place mainly at injection sites with limited face-to-face contact. The 2011 annual progress report for J63 mentions a recollection rate of 78 per cent of used needles and syringes, but according to interviewed outreach workers the rate is 30 – 50 per cent. This is not surprising since, according to the independent project evaluation, the distribution of clean needles and syringes takes place at least partly via unattended boxes. The project evaluation also found that in some locations outreach workers leave clean equipment at the site, or give it to drug users and drug dealers to distribute.

The RPF Evaluation Team visited the drop-in centre in Yangon. Of the registered visitors, less than half were injecting drug users, while the rest used ATS orally, mainly methamphetamine. ATS was easily available and cheaper than heroin, which made it attractive to young people, who had little knowledge of the adverse effects of the use of ATS, such as aggression and in some cases mental disorders. Medical staff at the centre said that they had no counselling skills and referral to drug abuse treatment was mainly in the form of information about what was available.

The provision of comprehensive HIV services is meant to be an essential part of the projects. Based on the 2012 semi-annual progress report for J69, the project reached 13,565 people during the reporting period. While 53 per cent received health education about HIV/AIDS and drug related harms and 30 per cent received basic health care, only 0.4 per cent received HIV counselling and testing, 0.2 per cent were referred to methadone maintenance treatment and 0.2 per cent to unspecified drug treatment and rehabilitation. The number of individuals referred to methadone treatment was slightly higher for project J63 – 3 per cent – but still very low.<sup>115</sup> The low numbers of individuals referred to HIV testing and counselling and to drug dependence treatment is not surprising given the way that clean needles and syringes are being distributed and the lack of counselling skills among staff, and, of course, limited availability of methadone maintenance treatment as well as virtually no treatment for ATS abusers. It should be added, however, that recently, outreach workers had been included in training provided by *Treatnet*.

The Myanmar projects exemplify risks associated with seeing HIV/AIDS as separated from demand reduction. Such a split, for whatever reason, may result in harm reduction being implemented in isolation, or even in a perilous way. Whether it is in line with the comprehensive package of (nine) services for injecting drug users as recommended by WHO, UNODC and UNAIDS is debatable. Furthermore, as illustrated by the RPF projects under Sub-programmes 4 and 5, there is no clear demarcation line between comprehensive drug

<sup>114</sup> Independent evaluation of UNODC Partnership for the Reduction of Injecting Drug Use, HIV/AIDS and Related Vulnerability in Myanmar (MMRJ63) and Reducing the Spread of Injecting Drug Use, HIV/AIDS among Drug Users through the HAARP Country Flexible programme in Myanmar (MMRJ69), Independent Evaluation Unit, UNODC, September 2012. Unpublished.

<sup>115</sup> Numbers refer to the reporting period as per the 2011 annual progress report.

dependence treatment and comprehensive prevention of HIV/AIDS. On the contrary, it is often a coincidence if a project becomes aligned with the RPF Sub-programme 4 or with Sub-programme 5. It may also be determined by the availability of special purpose funds rather than actual content of the project.

#### Concluding remarks

The well-established regional cooperation on HIV/AIDS is an advantage in terms of advocacy, especially with regard to risks associated with injecting drug use. In addition, the widespread use of amphetamine type stimulants across the region and the related risk of contracting sexually transmitted diseases, including HIV, call for more attention. Harm reduction projects should not be set up in isolation but should be part of comprehensive demand reduction programmes as recommended by the Demand Reduction Declaration and cover the comprehensive package of services as identified by WHO, UNODC and UNAIDS.

#### *Sub-programme 6 – Sustainable Livelihoods*

Table 9. Sub-programme 6: Outcomes and budget

<p><b>Outcomes</b></p> <p>6.1. Illicit crop monitoring and assessment: Illicit crop cultivation in each concerned country is annually monitored, verified and reported</p> <p>6.2. Alternative livelihoods: Illicit crop cultivation communities have access to alternative livelihood programmes</p> <p>6.3. Sustainability and integration: Illicit crop elimination efforts are sustained and integrated into the mainstream of development</p> <p><b>Consolidated Sub-programme Budget 2009 – 2012</b></p> <p>Budget at beginning 2009 US\$ 17,531,000</p> <p>Budget at end 2011 US\$ 18,873,000 (8 per cent increase)</p> <p><b>Secured Budget 2009-2012</b></p> <p>US\$ 17,123,000 (91 per cent of revised budget)</p>
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The RPF Sub-programme 6, Sustainable Livelihoods, aims at supporting Members States to sustain the reduction/elimination of opium poppy cultivation and prevent its expansion to high-risk areas. Activities are concentrated to Lao PDR and Myanmar.

Opium poppy cultivation in the South East Asia region has increased by more than 70 per cent since 2009, from approximately 3,400 to 5,800 hectares. Myanmar is the world's second largest opium grower after Afghanistan, accounting for 25 per cent of global opium poppy cultivation, with Lao PDR accounting for 3 per cent.<sup>116</sup> While cultivation has increased by 61 per cent in Myanmar since 2009, illicit cultivation more than tripled in Lao PDR during the same period, albeit from a lower level. In Thailand, cultivation is limited and has been stable since 2009 (approximately 210 hectares). The regional increase is part of an upward trend since 2006.

#### Illicit crop monitoring and assessment

<sup>116</sup> South-East Asia Opium Survey 2012, Lao PDR, Myanmar, UNODC

According to information provided to the Evaluation Team, the RPF budget (2009-2012) for crop monitoring and assessment was estimated at US\$ 1,363,000 (end 2011). Nonetheless, UNODC staff interviewed by the Evaluation Team claims that there were frequent funding shortages over the RPF cycle, which made it necessary to limit the surveys to include only the most important components.

Assessments have been carried out – albeit with certain limitations - and published on a yearly basis as a result of a long-standing cooperation between UNODC and the Governments of Lao PDR (since 1992) and Myanmar (since 2002). Thailand has established its own monitoring system. Due to insufficient funding, UNODC has no crop survey expert in the region and UNODC had to conduct the surveys with technical support from the Crop Monitoring Programme run by the Statistics and Survey Section at UNODC HQ.<sup>117</sup> Furthermore, government staff in Myanmar and Lao PDR has been trained to conduct crop surveys. Hence, UNODC has been able to deliver with good quality on outcome 6.1 throughout the RPF period, although not with the coverage and content that would be desirable given the continuous increase in illicit cultivation since 2006.

#### Alternative livelihoods

The RPF budget (2009-2012) amounts to US\$ 16,063,000 (2011), of which 91 per cent had been pledged (US\$ 14,636,000).

There are many drivers behind opium cultivation in the region, such as lack of security, poverty, high prices for opium, limited market access for licit products, poor quality of life in terms of food shortage, limited access to health care and education, etc. In some vulnerable areas food insecurity is high, both among opium-growing households and among those that do not grow opium.

There is general recognition that illicit opium cultivation cannot be stopped by crop substitution alone. An integrated sustainable rural development approach, adapted to the specific conditions in the country and the geographic area in question, is required. In South East Asia opium is cultivated in remote and hard to reach areas, in many cases characterised by instability, poor basic infrastructure and insecurity. This is the backdrop against which the effectiveness of UNODC's alternative livelihoods activities should be assessed.

Alternative development is an open and flexible concept that must be adapted to local conditions, since the drug problem and local conditions vary from country to country and can change rapidly. Projects can take very different forms and shapes and can have various objectives, such as:

- (a) Creating alternative income-generation opportunities in or outside agriculture;
- (b) Safeguarding the natural resource base on which livelihoods depend;
- (c) Improving infrastructure;
- (d) Supporting health and education services;
- (e) Strengthening community institutions and self-help groups;
- (f) Promoting strategies to prevent or reduce drug use (since many times consumption is high in drug producing regions);
- (g) Reducing illicit crop cultivation;
- (h) Reducing the months of food insecurity.

<sup>117</sup> MYA G43 Illicit Crop Monitoring in Myanmar

Alternative development is by nature a long-time endeavour. When the RPF was designed, several alternative development projects were already on-going<sup>118</sup> and projects were retrospectively linked to the RPF outcomes. The projects that were developed after the launch of the RPF<sup>119</sup> are basically of the same character as the previous ones.

Evaluations and project progress reports indicate that the projects, generally speaking, have been successful in achieving their objectives, such as contributing to increased food security and poverty eradication as well as improved infrastructure, factors that are essential for farmers' decisions on whether or not to continue opium cultivation. In some of the targeted villages opium poppy cultivation was nearly eliminated and the number of people dependent on opium was reduced.

Outcome 6.2 does not set a target number of villages "receiving development interventions". UNODC projects have been and still are implemented in very hard to reach areas. For example, in Myanmar, UNODC has been one of few UN organizations with a presence in some remote and insecure areas of the Shan State. This is in itself laudable. The Evaluation Team visited two of the beneficiary areas in Myanmar and interviewed villagers, UNODC staff and donors.<sup>120</sup> The project sites are illustrative of the many difficulties that the project teams have to overcome, such as poor infrastructure with some villages difficult to reach even under favourable weather conditions, no mobile networks and no satellite or radio communication available to the project teams. Local languages vary, sometimes from village to village. The work that dedicated staff carries out under such conditions is admirable. The impression remains, however, that the projects would benefit from high-level technical agricultural expertise as well as strategic management support, given that the focus should be on the long-term objective of improving the economic basis of the beneficiaries, which in turn requires that the alternative development activities be incorporated into national development strategies.

Even though UNODC's alternative development projects in the region in many cases can be described as successes for the targeted villages, there is no information available to assess whether illicit opium cultivation has moved to neighbouring villages ("balloon effect") or whether the villages at the receiving end have reverted to illicit cultivation, thus not producing sustainable results. These are relevant questions, given the far from positive broader picture of illicit opium cultivation in Lao PDR and Myanmar. As mentioned, opium poppy cultivation has gone up by more than 70 per cent since 2009, when the RPF was launched. During the same period, the number of households involved in poppy cultivation in Myanmar rose from 192,000 to 300,000<sup>121</sup>, an increase by 56 per cent.<sup>122</sup>

Following its field visits in Myanmar, the Evaluation Team assessed that the level of development of the various benefiting communities was very varied. Some communities were well organised and had the necessary infrastructure to access the markets and grow cash crops. Some others were not in a position to access any market and were dependent on emergency food assistance provided by WFP with support from UNODC to compensate for food shortage as a result of a surge in eradication. In addition, the Evaluation Team found that in some villages, where model farming was supported, there was not a very clear strategy for how the demonstrated alternatives would be disseminated to the wider farming population in order to improve the economic basis of the villages.

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<sup>118</sup>RAS C 25 1998-2010; GLOI44: 2007-2010; LAOH98: 2007-2010; LAOI28: 2007-2010; LAOI32: 2007-2010

<sup>119</sup>MMRJ94: 2009-2013; MMRJ95: 2009-2013; LAOK44: 2011-2013; LAOK46: 2011-2013; XSPK26: 2010-2013

<sup>120</sup> Projects MMR J 94 and MMR J95, funded by the European Union.

<sup>121</sup>South East Asia Opium Survey 2012, UNODC.

<sup>122</sup>Information for the period not available for Lao PDR.

## Sustainability and integration

The RPF budget for outcome 6.3 amounts to US\$ 1,448,000 (end 2011), an increase by 78 per cent compared to the budget forecast at the beginning of the RPF cycle (US\$ 812,000). 80 per cent of the revised budget has been secured (US\$ 1,161,000). It should be noted, however, that the only activity planned for this outcome in the original budget was to maintain the UNODC/Lao Government joint programme facilitation unit that was established in 2000 with the purpose to implement the national strategy “The Balanced Approach to Opium Elimination”.<sup>123</sup> In addition, UNODC supported the Lao Government in the development of the country’s first comprehensive national drug control master plan for 2009 – 2013, which also includes alternative development. The UNODC project ended in March 2011, mainly due to lack of funding.

Even though sustainability and integration are treated as a separate outcome in the RPF, the question of sustaining and integrating illicit crop elimination efforts into the mainstream of development remains the main challenge for all of UNODC’s alternative development efforts, i.e. the activities discussed under outcome 6.2. UNGASS 1998 defined alternative development as “...a process to prevent and eliminate the illicit cultivation....through specifically designed rural development measures in the context of sustained national economic growth...”<sup>124</sup> Thus, alternative development should not be carried out in isolation, but should be planned and implemented in the context of national and regional development, which means responding to the challenge of integrating the economic, social and environmental dimensions of sustainable development.

The achievements of alternative development are to a very high degree dependent on the socio-cultural, economic, political and environmental surroundings in which it operates. Expectations must be realistic and alternative development incorporated into broader national development strategies. Even though UNODC can be considered the lead agency for alternative development and has a comparative advantage in terms of its expertise and mandates in drug control, it cannot operate on its own. It is dependent on the mandates and expertise of international financial institutions such as the World Bank and the Asian Development Bank, development organisations such as UNDP and specialized UN agencies such as FAO, UNIDO and WHO.

As mentioned, alternative development activities can have different objectives and can take different forms and shapes, depending on the conditions in the area where they are implemented. Ideally, they should form part of a wider development agenda, involving several UN agencies as well as other organisations in addition to government authorities. The evaluation team found that several UN organisations, at least initially, did not see that they had a role to play in alternative development, which they identified as “drug control” and not within their mandate. In cases where they saw a potential for partnership, they were sometimes hampered by the differences in administrative procedures and delegation of authority. It usually took a very long time for UNODC to decide on joint activities, while organisations like WFP had to act within weeks.

Under Sub-programme 6, several projects have established partnerships.<sup>125</sup> However, as far as the evaluation could establish, cooperation with other UN agencies is relatively limited and not systematic. In Lao PDR, UNODC collaborated under a project (LAOH98) with the ADB as part of the National Growth and Poverty Eradication Strategy. It has also worked with UNIDO in a project (LAOI28) funded by the UN Trust Fund for Human Security (UNTFH). Recently, a Letter of Intent was signed between the Royal Project Foundation Thailand, the Highland Research Development Institute and UNODC to jointly promote technical cooperation for food security and sustainable alternative development in Lao PDR.

<sup>123</sup>Project LAO F13, funded by Italy, Luxembourg, Sweden and the United States.

<sup>124</sup>Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, UNGASS 1998.

<sup>125</sup>LAOI28: UNIDO; LAOK46: UNIDO, WFP, MOAF, Royal Project Foundation; LAOK44: Asian Development Bank (ADB).

The situation has been different in Myanmar with UNODC and WFP as the only UN agencies working in the Shan State, where the lion's share of illicit opium poppy cultivation takes place. Some UN organisations that UNODC has approached for partnership have not been willing to work in unstable and dangerous areas, others have not been given the permission by the Myanmar authorities to operate in such areas. However, the conditions for development cooperation are rapidly changing as Myanmar has embarked on a path of political and economic reforms.

The impression remains that sustainability and integration into the mainstream of development is an area where UNODC needs to put in more effort, preferably in the form of well thought out strategic partnerships with relevant multilateral organisations.

### Concluding remarks

UNODC is the lead agency for alternative development and has a comparative advantage in terms of its expertise and mandates in drug control. However, it cannot operate on its own. It is dependent on close cooperation with international financial institutions, development organisations and UN specialised agencies so that alternative development becomes part of the sustainable development agenda and not implemented in isolation. For this purpose, UNODC should explore the possibility of establishing a Joint UN Programme on Alternative Development, similar to UNAIDS.

### Impact

Good baseline data are essential to understanding and estimating impact. As mentioned, most countries in the region lack reliable data pertaining to most of UNODC's areas of responsibility, which makes it difficult even to measure change over time, be it attributable or not to UNODC's project interventions. The impact level used by the RPF is far too general for estimating, for example whether the RPF has contributed to preventing and reducing trafficking of people, trafficking of natural resources and hazardous materials or smuggling of migrants.

Even in cases where good baseline data are available, changes observed by comparing before-after data are rarely caused by the intervention alone, as other interventions and processes influence developments. With regard to UNODC, this is particularly pertinent. UNODC is a small player compared to other multilateral and bilateral development organisations. Many of its projects are limited in time and scope and do not really aim at making changes at the impact level of the RPF. Their aim may be to pilot a certain method of law enforcement, for example, and to determine whether the method is working or not.

In general, since the RCEAP/RPF consists largely of individual projects—of which only a minority are explicitly designed to produce impact at the *regional* level—observed changes within the East Asia and Pacific Region as a whole are difficult to attribute to RPF project interventions. Other factors outside the areas of intervention such as political changes or changes in financial condition in general, will often serve to strengthen or reduce the effects of RPF intervention. The EAP is a large region, and above all very diverse (G-20 country Indonesia versus poor country Cambodia, G7 country China versus Tuvalu) implying automatically differing speeds and directions of development. Resulting from this, *impact* as such will also be diverse and realised at different speeds making it difficult to measure.

No clear criteria for monitoring Thematic Areas; Aid effectiveness and Policy trend analysis was included in ANNEX 1 of the RPF and there appears to have been little subsequent focus in these areas by RCEAP following the drafting of the RPF. It is the general consensus that the design of the RPF was not conducive to collecting data to demonstrate impact and/or achievement of outcomes. According to the Summary Mission Report of the Inter-Divisional Mission Team (IDMT) (February 2012), RCEAP Senior Management has expressed its commitment to correcting these deficits going forward in response to the Management Letter

of the Board of Auditors (11 August 2011). The IDMT stressed that RCEAP must implement such recommendations immediately and not wait for a revised Regional Programme.

Despite these deficiencies, it is clear to the Evaluation Team that RPF has effectively contributed in significant ways towards fostering dialogue and implementation of UN Treaty obligations of Member States—especially with regard to the implementation of the UNCAC and the various universal treaties on counter-terrorism.<sup>126</sup> RCEAP’s engagement with central-level authorities such as Anti-Corruption Commissions was appropriate. Other examples, of RCEAP focus on implementing the normative framework of UNODC include its support to developing a new prison law in Myanmar.<sup>127</sup> A number of Stakeholders interviewed by the Evaluation Team expressed the opinion, however, that the RPF could have focused to an even greater extent on implementing UNODC’s *normative frameworks* during the 2009-2012 programming period both within the Rule of Law and Health and Development components of RPF.

Overall, in terms of impact through programme delivery, RPF managed to implement a relatively balanced technical cooperation programme (i.e. “rule of law” versus “health and development”) in line with the expressed needs of the region’s governments. RPF has also managed to increase its visibility during 2009-2012. The RPF’s website is robust in terms of quality and regularity of updates with over 7,000 visitors in 2011.

## Sustainability

Sustainability is closely linked to Government ownership, alignment with Member States’ own systems and capacities and the longevity of the cooperation. Therefore, both theoretically and practically, a regional programme stretching over four years should have a better chance of ensuring sustainable results than individual projects with limited duration. This would require sustainable financing of activities within the RPF. While the financial situation of the RC in Bangkok has improved considerably since 2009, the funding *system* of UNODC limits the prospects of sustainable financing of the RPF<sup>128</sup>.

UNODC relies heavily on voluntary funding, which in most cases is earmarked. Funds go to where there is donor interest and not necessarily to where the priorities are, based on the needs of the countries in the region. Only a few donors have provided soft earmarked funds for the RPF.

Partner ownership is key to sustainability of outcomes. The RPF Sustainability and Risk Management Strategy as articulated in 2009 is clear about the responsibility of Member States with regard to the outcomes of the RPF. UNODC’s role is to provide the services that countries need in order for them to achieve the results. In this context it is noted that the RPF was developed without consultation with the beneficiary Member States. This is in itself a limitation. It is hard to hold Member States responsible for outcomes that have neither been developed in consultation with them, nor agreed with them.

Alignment with national policies is another key component of the RPF Sustainability and Risk Management Strategy. It does not appear that the RPF was formally aligned with the national strategies and policies of the Member States, as it was never widely circulated amongst them in its design. Yet, on an on-going basis, RPF/RCEAP have had frequent contact with host-governments in the Region throughout the programme period.

RCEAP and its Regional Representative appear to have pro-actively sought to mitigate risks via dialogue and communication with Member States and the senior officials of relevant government agencies; coordination with other UN agencies as well as donor partners; and

<sup>126</sup> RPF Implementation updates.

<sup>127</sup> Interview with Department of Prisons, Myanmar.

<sup>128</sup> See, above, discussion of “Full Cost Recovery Policy” and its impact on programming.

improvements within the last several years to RCEAP's own management systems and tools, quality assurance and monitoring and evaluation capacity. For projects developed post-2009, RCEAP has sought to ensure that Project-level risks are indicated in the project documents themselves.

As noted, the countries in the region differ widely in terms of economic, social and political development. Some countries are quite well developed and should therefore be able to share responsibility for the continuation of activities, both in terms of human and financial resources. Others are in need of long-term support, financially and with regard to capacity building.

All of this is compounded by the extent to which UNODC funding mechanisms—principally the Full Cost Recovery Policy that was started in 2008 has “spun out of control”. What was designed in theory as a means to recover costs has become distorted. Apart from this, UNODC has in some cases been unable to mobilize limited funds quick enough which has undermined the sustainability of programming.

## Innovation

The piloting of the first UNODC regional programme required the development of a number of new approaches in terms of management, M&E, and overall coordination. RCEAP developed a number of new innovative reporting tools that are now being used by other regional programmes.

For example, the Dashboard tool developed by RCEAP with UNODC HQ's Business Intelligent Unit collects data across the organization. It is designed purely as a decision making support and reporting tool. While Dashboard provides an overview and can certainly not be relied upon for certified financial statements, it offers a dynamic platform around which the UNODC Regional Representative can have conversations with Programme Managers in the field. Dashboard thus has served a valuable purpose under the RPF and perhaps could be transferred to other Regional Programmes.

RPF has had a number of publications (i.e. “Report on Amphetamines and Estacy”). RPF has recently begun to emphasize data collection to a greater extent. The RCEAP's TOCTA update for East Asia and the Pacific (still technically in draft form as of December 2012, but expected to be officially published in 2013) is representative of RCEAP's efforts to increase and make current its critical threat analysis. TOCTA profiles new and emerging threats within East Asia, South East Asia, The Pacific and the Greater Mekong Sub-region for crimes that cut across the entire RPF Rule of Law Outcome such as Smuggling of Migrants, Trafficking.

Senior Management at RCEAP indicated to the Evaluation Team that many other mechanisms were piloted under the RPF that included: the establishment of a Programme Support Unit (2009) to oversee effective RPF implementation; Implementation Updates (2010-2012) – praised by the Board of Auditors report (2011) as the only such annual report on results produced anywhere in the field in UNODC; the project Compass (2010 -) – a tool to aid understanding of how projects link to the RPF; Institutionalized quality control processes in the development of the APR and SAPR workflow; a Client Feedback Survey (2010); Development of a Website completely symmetrical to RPF (2009); and dedicated HR functionality and training.

### III. CONCLUSIONS

#### Strategic Conclusions

In many ways, the decision of RCEAP not to circulate the RPF to national governments prior to its endorsement and to ground most of its situational analysis in the Upper Mekong Region and ASEAN set the tone for its entire delivery under the RPF 2009-2012. While designed to include the East Asia and the Pacific Region, the RPF has never managed to service the Pacific to the same degree as it has serviced South East Asia.

The RPF could have done a better job of identifying the most urgent strategic issues in the region. Instead, RPF attempted to cover virtually everything that fell within UNODC's mandate. UNODC has been overly ambitious under the RPF in proportion to the resources that it has had at its disposal, which has forced it to reduce most of the sub-programme budgets, some considerably, towards the end of the RPF cycle. Budgets have not been realistic to date in line with available resources.

While the Member States in the region were not involved in the design of the RPF, they are assigned the responsibility for delivering outputs and achieving outcomes at programme level. They are thus held responsible for results and indicators that they did not define or agree to. In addition, the performance indicators are problematic in many cases, either because they are too general or because there is limited capacity to collect good quality data. The RPF project documents have also tended to lack detailed risk analysis. It has been difficult to assess progress towards RPF outcomes due to a lack of measurable targets and indicators that take account of different national circumstances, capacities and level so development.

UNODC has lost its strategic vision on fundraising and currently lacks a coherent approach to fundraising under the RPF and Country Programmes in-line with its mandate. Member States are approached and solicited for contributions by too many levels of UNODC. For the integrated programming approach to work at regional level for SEAP, UNODC must have access to flexible funding for the RPF at programme level. It seems unlikely that donors will provide sufficient soft earmarked funding at programme or sub-programme level in the foreseeable future. Thus, the RPF will continue to be dependent on project-level earmarked funding. The budget forecasts are not always realistic and it is difficult for donors to get a picture of what constitutes a critical mass of funds for delivery at a meaningful level.

The dominance of project-specific financial contributions jeopardizes the integrated and regional programming approach and limits UNODC's ability to plan and prioritize RPF activities based on needs and gaps in the region.

It is often difficult to attribute the relative contributions of UNODC HQ, RCEAP and Country Offices to the RPF. RPF results reporting did not always clearly disaggregate between what were RCEAP and what were Country Office achievements. To date, the RPF has often lacked clarity in its reporting as to what are the respective obligations of HQ, Regional and Country Office managers regarding the development of Regional Programmes and projects. The RPF currently includes some country office projects that appear not to be linked to any strategic analysis of regional needs and, therefore, the strategic link between the country office project and RPF is often vague.

UNODC staff members in some field locations are unable to explain UNODC's place and role in the UN system and its normative mandates with sufficient clarity.

It is somewhat difficult to get a clear idea of what is UNODC's human capital within the East Asia and Pacific Region. UNODC appears to have no comprehensive accounting of what is its "human capital" or a centralized and readily available internal mechanism for communicating this within the organization.

Middle Income Countries within the East Asia and Pacific Region require different modalities of UNODC programming than Low Income Countries and also may not want to be associated with the UN or UNODC in the same way or to the same degree that a Low Income Country might desire. This has implications across the board for the RPF.

The Thematic Programmes have not included a mechanism to solicit input from the RPF and could benefit from enhanced political, economic and legislative analysis. At present, the RPF departs from the Thematic Programmes in significant ways. For example, there is no dedicated pillar for Counter Terrorism. The fact that separate Pillars exist under the RPF for "Demand Reduction" (Pillar 4) and "HIV/AIDS" (Pillar 5) is also a departure from the Thematic Programme "Addressing Health and Human Development Vulnerabilities in the Context of Drugs and Crime."

To date, the Inter-Divisional Task Force has proved to be a vehicle for HQ-level information sharing and has not offered the requisite level of coordination or guidance with respect to the RPF. Inter-Divisional Task Teams have no real authority to make decisions and are in most instances attended by only junior level staff.

Technical and institution capacity for data collection and analysis varies greatly among countries in the region. A dedicated RPF sub-programme would make it easier to attain a critical mass in the region for capacity building and quality assurance.

The Senior Advisors in the region have in some instances been constrained in the effective delivery of technical advice on a regional level due to donor funding mandates that restrict them to a particular group of countries or due to the fact that the funding sources of their contracts are not secure (i.e. requiring them to devote an inordinate amount of time to fundraising in response to the RPF).

At present, UNODC Country Managers under the RPF are not on contracts with secure sources of funding. Thus, these individuals who are the "front-line" representation of UNODC are forced to constantly fundraise for their own survival or are funded out of project budgets (thus having to serve both as project manager for one or more projects and Country Manager).

All stakeholders under the RPF currently express an urgent need for technical legal advice and expertise on legislative reforms in all of UNODC's areas of responsibility now taking place within the East Asia and Pacific Region. Overall, technical legal advice and a focus on UNODC's normative mandates are a weak point across the RPF (with notable exceptions being the RPF's Anti-Corruption and Anti-Money Laundering outputs).

## Sub-Programmatic Conclusions

### ***Sub-programme 1: Illicit Trafficking***

UNODC lacks a clear mandate or concept of its role for environmental crimes. Its in-house capacities and knowledge for addressing environmental crimes remains weak and the programming for this area has tended to remain country-specific, rather than truly regional in nature. There is a need for a strategic and comprehensive RPF approach to environmental crimes and illegal logging.

UNODC has contributed to making clear improvement in cross-border communications, but it has the potential to be much more robust if additional funds can be procured—especially in the areas of maritime and airport points of entry.

Legislative reporting and legal analysis as a component of the RPF has remained much lower than it could have been during 2009-2012 (note: this applies to nearly all areas of RPF Rule of Law except UNODC Anti-corruption and Anti-Money Laundering in which the RPF has been more active).

Funding has continued to be a factor in the effectiveness of RPF programming in Trafficking in Persons (TIP) and the support to legislative frameworks relating to TIP could be enhanced.

The RPF programming for sexual exploitation of children by sex tourists (i.e. Project Childhood) has remained largely in an inception phase during the RPF period during which it collected information.

SMART has effectively contributed to date to the collection and sharing of regional data concerning production, smuggling, and use of Amphetamine Type Stimulants (ATS); but the ATS problem in the Region is rapidly growing.

In practice the RPF indicators for SOM were not optimal as designed, making it difficult to link migrant data with UNODC's strategy and RPF indicators. RPF SOM and Trafficking have not been as aligned with the Bali Process to the extent they could have been.

Countries in the region are interested in enhanced training on cyber-security and cybercrime.

### ***Sub-Programme 2: Governance***

The RPF support to the process of ratification of the UNCAC and in the adoption of implementing legislation has been highly successful in a number of countries and could serve as a model for legislative support in other areas of the RPF (i.e. such a transnational organized crime and counter terrorism).

### ***Sub-programme 3: Criminal Justice***

UNODC effectively coordinated demand-driven technical assistance in criminal justice throughout the 2009-2012 programming period; but it is noted that the level of in-house regional technical expertise at RCEAP had not yet fully achieved projected expectations. RCEAP could have established better in-house capacities to address Counter Terrorism issues effectively under the RPF.

Overall, UNODC took an effective “whole of government” approach to legislative reforms throughout the region. There continues, however, to be a strong need of all COs and Regional offices for Technical Legal Advice. Many stakeholders perceive that with the restructuring of UNODC HQ, the normative focus has been lost and the responsibility for rendering technical

legal advice, legislative guidance and drafting is not being provided. While the Senior Advisors based at RCEAP and in the Region (i.e. for Anti-Corruption, AML, Human Trafficking; etc.) may offer substantive advice in their area of expertise, they are not per se involved in keeping track of legislative development and broader legal trends in the region. A dedicated Regional Legal Advisor could serve this function. There is need for enhanced technical support to the countries in the region with regard to adopting implementing legislation in the Criminal Justice sector pursuant to the normative framework of UNODC (i.e. UNTOC and its Protocols).

The RPF approach of strengthening inter agency cooperation has effectively enhanced the integrity of the justice chain in a number of countries within the Region.

The RCEAP has recently developed a TOCTA for East Asia and the Pacific that has the potential to re-shape UNODC's criminal justice programming in the Region. The TOCTA, however, currently remains in draft form.

To date, UNODC's capacity building projects have been focused mainly on law enforcement agencies and prosecution services. More attention could be paid to the judicial sector.

#### ***Sub-programme 4: Demand Reduction***

UNODC has a clear comparative advantage in the region over other UN organisations through its close links with drug control agencies, which in many of the countries in the region are the most influential parts of Government, not only with regard to drug policy as a whole, but also with regard to compulsory drug abuse treatment. There is a movement away from compulsory treatment in large institution, at least in terms of policy debate.

The advantage that UNODC has over other UN organisations in terms of easy access to drug control and law enforcement government branches could be more consistently exploited for the purpose of advocacy.

The treatment model that UNODC has developed and piloted through *Treatnet II* and the Cambodia community-based treatment project offers a viable alternative to incarceration and constitutes a comprehensive approach (prevention, treatment, reintegration and harm reduction) in line with the principles of the Declaration on the Guiding Principles of Drug Demand Reduction.

The treatment components of alternative development projects seem weak and isolated from the rest of UNODC's demand reduction activities in the region. Staff performing detoxification and rehabilitation need professional supervision and tutoring.

Existing drug dependence services in the region focus on opioid users and do not cater adequately to the specific needs of methamphetamine users. Governments are fumbling for workable solutions to deal with the growing methamphetamine problem. There is a lack of professional expertise and counselling training in the region, and little experience in dealing with the psychosocial and mental health problems of users of methamphetamine.

UNODC's demand reduction activities in the region are primarily concentrated in five countries: Cambodia, Indonesia, Lao PDR, Myanmar and Vietnam. There was consensus among interviewees that UNODC should go beyond the MoU countries and also make better use of regional organisations. In addition, the diversity of the region in terms of development has to be further considered.

The consolidated programme budget for demand reduction is by far the lowest budget among the sub-programmes. There was consensus among those interviewed that demand reduction was being neglected by UNODC as well as by donors, and that UNODC more vigorously and

systematically should attempt to encourage Member States in the region and donors to invest in demand reduction.

### ***Sub-Programme 5: HIV/AIDS***

There is a culture of cooperation in the area of HIV/AIDS in Asia and the Pacific, both geographically and across sectors such as governments, UN organisations, civil society and individual experts. The culture builds on the achievements of the UNRTF (1997-2011). The focus was on injecting drug use (predominantly heroin), and there was/is no similar mechanism for ATS users, prisoners and people who are vulnerable to human trafficking. Furthermore, resources for regional cooperation have been reduced.

UNODC HIV/AIDS advisers are funded through a global project (GLOG32) with the main objective to support Member States with regard to evidence-based and human rights-focused legislation, policies and strategies. This gives the advisers a certain amount of freedom to engage in strategic actions based on an analysis of needs and gaps in the region.

There is a relatively solid knowledge base for identifying needs and gaps. The baseline was set by the UNRTF and the knowledge base needs to be updated regularly. The capacity to collect and analyse data needs to be strengthened both on a country basis and regionally.

In several cases, there is no clear distinction between projects labelled as demand reduction projects and projects labelled as harm reduction. This is consistent with policy advice provided by the Demand Reduction Declaration and INCB recommendations. A guiding principle for demand reduction is that such programmes should aim at preventing the use and reducing the adverse consequences of drug use, i.e. demand reduction programmes should be comprehensive and not split into demand reduction and harm reduction.

According to INCB, harm reduction programmes should not be considered substitutes for demand reduction. The Indonesian project K29 is an example of integration of HIV into drug dependence treatment. It is debatable whether the harm reduction projects in Myanmar (J63 and J69) live up to the standards set by the WHO, UNODC, UNAIDS Technical Guide, given the low numbers of people being referred to HIV testing and counselling and to dependence treatment.

### ***Sub-Programme 6. Sustainable Livelihoods***

Despite the fact that opium cultivation in the region has increased continuously since 2006, it has been difficult for UNODC to raise funds for the crop surveys and UNODC has therefore no crop survey expert in the region. Furthermore, UNODC had to limit the surveys to the most important components, thereby risking that key information is not gathered and analysed. Continuous monitoring is crucial, given the volatile and fast changing situation.

Evaluations indicate that alternative development has been successful in targeted villages, but it has not been able to prevent the balloon effect, i.e. cultivation moving to other areas. More knowledge is needed, for example regarding the effects of forced eradication in areas where no alternative development has taken place.

UNODC is the lead organisation within the UN system for drug control. As such it has a lead role also in alternative development, but it does not possess technical expertise such as agricultural engineering, road construction, etc. and need therefore to work closely with specialised agencies and development organisations as well as with financial institutions. Different administrative procedures and delegation of authority are barriers to effective collaboration.

Sustainability and integration into the mainstream of development is an issue that is not entirely in the hands of UNODC. It is dependent on the socio-cultural, economic, political and environmental surrounding and on the contribution of other organisations to poverty eradication, development and growth.

South-South cooperation is becoming increasingly important in the region. There is much to learn from more experienced counties.

## IV. RECOMMENDATIONS

### Strategic Recommendations<sup>129</sup>

UNODC should consider adjusting the geographic scope of the RPF either to reduce the number of countries included within the East Asia and Pacific Region under the RPF or subdivide the East Asia and Pacific Region into two or more separate regional programmes (i.e. South East Asia and the Pacific; or South East Asia, East Asia (China, Korea and Japan) and the Pacific. While enhanced regional dialogues are needed going forward, these could be more balanced geographically if the RPF is going to continue to service all of East Asia and the Pacific.

UNODC needs to adjust its self-image to the resources that it has available. UNODC should have a catalytic role in the Region that is based primarily in its ability to deliver technical expertise and policy advice based according to its mandates and normative frameworks. UNODC should identify a limited number of strategic regional issues and focus the next RPF on these outputs and outcomes. Such goals should be coherent with internationally agreed upon targets that are applicable to the countries in the region, while taking into account different national circumstances, policies, capacities and levels of development. UNODC needs to decide what this means for the Organization as a whole. RPF budgeting must be realistic in line with available resources.<sup>130</sup>

Member States deserve to be involved at the earliest possible stage of RPF design. This is important not only to ensure ownership, but also to make sure that programming, outputs and indicators are properly scaled. Future RPFs should be widely circulated to all Member States that are intended beneficiaries of the Regional Programme. The RPF project documents should contain detailed risk analysis. It must be possible to assess progress towards achievement of the RPF outcomes; based upon appropriate measurable targets and indicators, taking into account different national circumstances, capacities and levels of development, must therefore accompany the goals. To this end, a sound monitoring system is essential to ensure effective implementation.

UNODC must regain strategic direction on fundraising. UNODC should encourage donors to soft earmark funding under the RPF (certainly at the sub-programme level and at the programme-level if they are willing). Efforts now underway at UNODC HQ to develop a fundraising strategy for 2012-2015 should urgently address this recommendation. One possibility would be for the governing bodies to explore the possibility of differentiated project support costs for different kinds of contributions as an incentive to donors to increase general-purpose and soft-earmarked funding, in line with the recommendations of the Secretary General in his Quadrennial comprehensive policy review of operational activities of the United Nations system.

The dominance of project-specific financial contributions jeopardizes the integrated and regional programming approach and limits UNODC's ability to plan and prioritize RPF activities based on needs and gaps in the region.

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<sup>129</sup> Recommendations are not in any particular order of priority.

<sup>130</sup> See, Point 13.11 of the Biennial Programme Plan and Priorities for 2008=2009 (Programme 13 International Drug Control, Terrorism Prevention and Criminal Justice) (Point 13.11 of the Biennial Programme Plan, A/61/6/REV.1.

Results achieved at the Country Office-level should not automatically be attributed to the RPF outcomes or to RCEAP. UNODC needs to do a better job of disaggregating relative contributions in its reporting and differentiate reporting of achievements at the Regional and Country office levels.

UNODC must more effectively communicate its normative mandate to RCEAP and Country Offices. All UNODC field staff—whether or not on UNODC or UNDP contracts and even international experts—need to undergo an induction that firmly grounds them in the corporate culture and normative frameworks of the organization. This could be approached in a standardized way, much like a security briefing.

UNODC should conduct a “UNODC Human Capital Survey” each year as an internal process within the organization that will map the following: i) title, current projects, focal point responsibilities; ii) how long someone has been with the organization; iii) other experience of note; iv) academic qualifications; v) publications; vi) area of technical expertise, and vii) relevant UN training. The information collected by the Survey should be available to UNODC down to the level of project managers. Updating and improving the existing UNODC directory could possibly accomplish this (with reference to UNIDO’s directory as a potential model).

In the process that UNODC has initiated to review its relationships with some key countries, a coherent approach for Middle Income Countries in the Region needs to be articulated. Once a country transitions to Middle Income status, it is very likely that the country will view the UN and UNODC differently with implications for programming modalities. UNODC should support South-South cooperation in the region. UNODC needs to approach its partnerships with UN Agencies under the RPF in a more strategic manner; especially in the area of Rule of Law (all Pillars) and Alternative Development. UNODC needs to more carefully assess which partners in a particular country need to be onboard for specific RPF Pillars. This should also be addressed at the level of the UNODC Executive Director in Vienna.

It is recommended that new versions of the Thematic Programmes be developed in stages that would include: a) situational analysis and data gathering; b) drafting by teams of experts; c) circulation to each Regional Office for review and development of a “Regional Note” for each Region to be appended to the Thematic Programmes in Annexes; d) Indicators and Results Frameworks; and e) a process of annual or bi-annual updates and revisions to the Thematic Programmes. In this way, the Thematic Programmes could become the Overarching UNODC “strategy”. A web-based platform could also be developed around each Thematic Programme that would enable legislative updates, etc. to be posted by the Thematic Branches on an on-going and interim basis.

It is highly recommended that going-forward UNODC strengthen the Inter-Divisional Task Teams (IDTT)—so that they can lend greater supervision and accountability to the Regional Programmes. The Regional Desk should reinforce the leadership role of the IDTT. IDTT should not be viewed as optional, but as a mandatory process to which parties are to contribute in a professional manner.

UNODC should consider designing a dedicated “Policy and Trend Analysis” sub-programme for the next RPF. The sub-programme should include the development of national and regional information systems as well as a system for quality assurance of UNODC’s own research activities in the region.

UNODC should look closely at how the RPF Senior Advisors are funded and operating in practice. Advisors can be based either at RCEAP or in the country or countries of highest priority, but at any rate they must be able to devote their attention to delivering technical expertise, not fundraising or project management.

UNODC Regional/Country Representatives under the RPF as the primary representatives of UNODC in the field should be funded from general purpose funds and not have to fundraise

for their own contracts. UNODC HQ should clarify what are the respective obligations of HQ, Regional and Country Office managers with respect to the development of Regional Programmes and in particular the extent to which involvement of Member States and national partners is mandated.

UNODC should vigorously re-launch a Global “Legal Advisory Programme”, so as to establish a Legal Advisor in each Regional Programme with a ToR that includes tracking legislative developments in each region and with principal reporting officer/focal point at HQ-level (i.e. Chief Legal Advisor to be based in the Division for Treaty Affairs, or perhaps in the Justice Section of the Division for Operations). It is felt that this would better position UNODC and the RPF EAP to influence national policies, regional policies and global policies.

## Sub-programmatic Recommendations

### ***Sub-programme 1: Illicit Trafficking***

UNODC should become more strategic in defining its mandate for environmental crimes, increase its in-house knowledge of the field and develop a truly regional project to deal with this within the RPF with more cross-sectoral training with a larger coverage in the region.

UNODC should make its cross-border efforts on crime control more robust, with increased attention to airport and marine border control could receive enhanced attention going forward.

UNODC should increase legal reporting and legal analysis as a component of the RPF going forward.

UNODC should develop sustainable funding mechanisms for the post of the RCEAP Senior Advisor for Human Trafficking going forward.

RPF should continue with programming for sexual exploitation of children by sex tourists (i.e. Project Childhood) and implement in collaboration with INTERPOL.

UNODC should adopt an enhanced strategic approach to ATS, drawing upon SMART programme data, that continues to emphasize intelligence-based law enforcement.

UNODC should revisit its indicators for SOM and better link migrant data with the RPF.

UNODC should consider building into the RPF dedicated outputs on cyber-security and cybercrime.

### ***Sub-Programme 2: Governance***

UNODC should provide more technical legal assistance under the RPF; conduct more legislative needs assessments; and strengthen its focus on central authorities for mutual legal assistance and financial intelligence units. UNODC support under the RPF to the ratification of UNCAC could be taken as a model going forward.

### ***Sub-programme 3: Criminal Justice***

UNODC should improve the level of in-house regional technical expertise at RCEAP; including enhancing its capacities to address Counter Terrorism issues effectively under RPF.

UNODC should create a dedicated Regional Legal Advisor for purposes of monitoring legislative reforms in the region, coordinating UNODC response to legislative drafting needs of countries under the RPF; legislative trends and enhancing UNODC’s normative focus.

UNODC should ensure that the RPF continues to take an inter-agency approach to criminal justice reforms going forward.

UNODC should publish the TOCTA for East Asia and the Pacific developed by RCEAP under the RPF and duplicate this exercise a “best practice”.

UNODC should devote more attention to judicial authorities of the countries under the RPF. These judicial actors remain weak in terms of knowledge, experience and practice to combat Transnational Organized Crime.

#### ***Sub-programme 4: Demand Reduction***

UNODC EAP should continue to support Governments in the region in their endeavours to transform treatment policy, using a palette of support services, including specialised policy advisory support, sharing of best practices, and technical assistance for capacity and institution building. UNODC HQ should provide legal technical assistance upon request, including regulation of compulsory treatment and alternatives to incarceration. This should be a priority for the transition period (2013).

UNODC EAP should continue, in conjunction with other UN organisations such as WHO, UNAIDS and ESCAP, to provide a neutral space for Government officials, experts and civil society to discuss drug abuse treatment and to learn from each other. Where appropriate, such meetings could be held under the Chatham House Rule.

When designing the next regional programme, UNODC EAP should aim at creating comprehensive demand reduction model programmes, covering all areas, from discouraging initial use to reducing the negative health and social consequences of drug abuse. The lessons learned, particularly from *Treatnet*, the Cambodia community-based treatment project and the Indonesia project for integrating drug dependence treatment and HIV prevention, treatment and care, should be taken into account.

The regional programme would benefit from a project-independent demand reduction adviser placed in the region and available to governments and professionals in need of policy and technical advice. Such an adviser would also serve as supervisor of UNODC’s demand reduction activities to guarantee that they are up to standard and aligned with UNODC’s thematic programme. A minimum requirement is that treatment staff serving the alternative development projects shall be offered supervision and tutoring.

The next RPF should give priority to building capacity in the region to deal with the growing ATS abuse problem, in particular the abuse of methamphetamine, through supporting South-South practitioner networks and developing culturally adapted and affordable comprehensive community-based demand reduction models for prevention, treatment and rehabilitation. This should be a joint endeavour of UNODC and WHO to guarantee that the mental health aspects are given due attention.

When designing the next regional programme, UNODC EAP and HQ should discuss the modalities of assistance with Member States in the region and potential donors, bearing in mind the on-going debate in development cooperation regarding aid to middle-income countries, the potential of South-South cooperation, and the process that UNODC has initiated to review its relationships with some key countries in which the level of expertise, leadership and development call for reconsideration of the relationship. A closer cooperation with relevant regional organisations and mechanisms should be aimed at already during the design stage.

For the next regional programme, UNODC EAP should aim at prioritising its demand reduction activities in such a way that donors and recipient in the region can get a realistic picture of how much funding is required for specified outcome levels and what constitutes a

critical mass of funds for an acceptable delivery. UNODC HQ should regularly review its fund raising strategy with a view to mobilise more resources for demand reduction.

#### ***Sub-Programme 5: HIV/AIDS***

The next regional programme should aim at strengthening regional cooperation on HIV/AIDS and include all three of UNODC's target groups. Interventions targeting ATS users should be developed.

UNODC HQ should continue to deploy HIV advisers in the region, independent of specific country projects.

The next regional programme should give priority to capacity building for data collection and analysis in the region through joint activities by the Drug Prevention and Health Branch and the Statistics and Survey Section at HQ. Information should cover all three of UNODC's target groups (drug users, prisoners and people vulnerable to human trafficking). UNODC should also continue to contribute to global data collection activities related to HIV and injecting drug use.

When designing the next regional programme, UNODC EAP should aim at creating comprehensive demand reduction model programmes for the region, covering all areas, from prevention of drug use to reduction of the negative health and social consequences of drug abuse.

Harm reduction projects should not be set up as stand alone projects but should be part of a continuum of care and encompass as many as possible of the nine core interventions as jointly defined by WHO, UNODC and UNAIDS as a comprehensive package for HIV prevention, treatment and care.

#### ***Sub-Programme 6. Sustainable Livelihoods***

UNODC should give priority to fundraising for crop monitoring in South East Asia to guarantee continuation and relevance, and to provide easy access to high-level technical expertise in the region, preferably a regional adviser based in one of the Country Offices. It should also seek synergy by working with other organisations such as FAO on land-use surveys and land-use modelling. Such information can provide a value added component in the design of alternative development.

UNODC should study how the balloon effect works in the region and what contributes to cultivation being moved from areas benefiting from alternative development to other areas and how it can be prevented.

UNODC Country Offices in Lao PDR and Myanmar as well as the RC should continue to actively take part in the UNCTs to pave the way for joint programming for alternative development as part of the post-2015 development agenda. Relevant UN agencies should be involved already at the design stage.

UNODC HQ should develop a strategy for achieving a joint UN programme for alternative development similar to the UNAIDS, although not necessarily with the same organizational set-up. It could be done on a temporary experimental basis to explore expected synergies and added value from combining expertise and clarifying responsibilities. The joint programme should aim at creating greater clarity on the roles of different entities and take a strategic approach to operational activities for alternative development.

UNODC should support the efforts to expand South-South cooperation. The next RPF should promote the sharing of knowledge; experiences and lessons learned in alternative development and explore the possibility of market access for alternative development products.

## V. LESSONS LEARNED

There is a continuing need for a RPF in some form in East Asia and the Pacific. When it focuses on providing technical advice of a truly regional character, RPF operates at its best.

When UNODC is overly ambitious and does not properly scale Programme according to resources, it risks over-extending itself.

The lack of a coherent fundraising strategy can distract UNODC from its core mandate and make it vulnerable to both donor fatigue (as a result of too many levels of UNODC approaching donors), but also to donor projects that may depart from UNODC's mandate.

Without a clear and current picture of its human capital UNODC cannot effectively draw upon its own resources.

UNODC Country Managers who are the standard bearers of the organization in the field should be secure in the funding sources of their contracts, so that they can focus on effectively leading the organization.

If UNODC cannot track donor funding to impact, it risks losing donor support directly to the RPF.

Self-assessments, evaluations, studies and papers inform the organization and can strategically focus UNODC and create baselines for the future.



## ANNEX I. DESK REVIEW LIST

### Policy documents

1. General Assembly Resolution. A/RES/62/208
2. ECOSOC Res 2009/23 – Support for the development and implementation of the regional programme of the United Nations office on Drugs and Crime
3. ECN72009 CRP6: A Strategic Planning Tool
4. E/CN.7/2012/CRP.2 Proposed strategic framework 2014-2015 for the United Nations Office on Drugs and Crime 5 March 2012
5. SGB/2004 Establishing UNODC
6. Historical Context Email
7. Guidance Note for Implementation of IPA
8. Final Fundraising Strategy May 2012
9. UNODC non Paper for Thematic Programmes Strategy
10. E/CN.7/2009/CRP.6\*–E/CN.15/2009/CRP.6\* UNODC Regional Programmes: a strategic planning and implementation tool. 19 March 2012
11. UNODC Field Network Brief for ED 27 Sept 2010
12. Strategy Note UNODC UN Reform
13. Realignment Report to Commissions approved by ExCom 26 January 2009
14. IP implementation - admin issues
15. DO&DTA Realignment -communication from management
16. Briefing Note for Incoming ED
17. DO & DTA Terms of Reference
18. UNODC Funding Definitions
19. UNODC Paper: Towards Strengthening, coherent and integrated UNODC field operations (September 2008)
20. UNODC Guidelines for preparation of Regional Programmes
21. Board of Audit reports from 2008 and 2011, as well as UNODC's management responses
22. Australian Multi-Lateral Assessment of UNODC, 2011
23. JIU Report – Review of UNODC Management and Administration, 2010
24. UN Programme 13 expected accomplishments and indicators
25. Inter-Divisional Mission Report, February 2012
26. Other Audits and follow up actions
27. UNODC Strategic Framework 2008-2009 ; 2010-2011; 2012-2013
28. UNODC Mid Term Strategy 2008-2011
29. UNODC Note: Thematic, Regional, Country Programme Frameworks 2008-2011
30. UNODC Thematic Programme documents
31. Discussion Paper on Regional and Inter-regional Drug Control Strategy May 2012-09-06
32. UNODC and the Phoenix
33. Fundraising Strategy
34. Integration or Disintegration
35. UNODC Strategic Alignment
36. Commission on Narcotic Drugs (2012): Fifty fifth session. International Workshop and Conference on Alternative Development in Chiang Rai and Chiang Mai, Thailand, 6-11 November 2011
37. Commission on Narcotic Drugs (2008): Fifty-first session. The world drug problem. Fifth report of the Executive Director
38. UNGASS (1998): Action Plan on International Cooperation on the eradication of illicit Drug Crops and on Alternative Development
39. UNODC (2012): World Drug Report.

40. UNODC (2005): Alternative Development: A Global Thematic Evaluation. Final Synthesis Report

### Operational Documents

1. The Regional Programme Framework for East Asia and the Pacific 2009-2012
2. The RC's 2010 Client Satisfaction survey Report
3. Implementation Update Reports for 2009, 2010 and 2011
4. Relevant Annual and Semi-Annual Project Progress Reports
5. Relevant Country Programme documents (Indonesia, Vietnam, Lao PDR)
6. RC Quarterly Reports to HQ for 2011 - 2012
7. RC 'Dashboard' updates plus other income/revenue and expenditure data/reports
8. Project independent evaluation reports for EAP projects completed between the start of 2009 and June 2012; and relevant Draft IPE reports
9. Communications and Advocacy (UNODC EAP Website)
10. Management Circulars in relation to relevant monitoring and evaluation issues
11. Organisation Structure
12. Staff List EAP

### Audit Reports

1. OIOS report. UNODC Myanmar Country Office 2008
2. Summary of the management meeting on the audit of the RCEAP by the Board of Auditors. September 2011
3. Australian Multilateral Assessment March 2012
4. Board of Auditors report 2008.
5. Board of Auditors. Management letter of the audit of the Regional Centre East Asia and Pacific of UNODC 2011.
6. JIU Review of Management and Administration in the United Nations Office on Drugs and Crime. 2010.
7. Mission report. UNODC Interdivisional Mission Report February 2012.

### Projects

1. CMBH83 Project Document, Project Revisions
2. GLO900 Annual Report 2009
3. GLOG32 Project Documents, Project Revisions
4. GLOH17 Annual Report 2010
5. GLOI44 Project Revisions, Semi-Annual Report 2010
6. GLOJ88 Project Documents, Project Revisions
7. GLOR35 Project Documents, Project Revisions, ToRs
8. GLOS48 Project Documents, Project Revisions
9. GLOT58 Project Documents, Project Revisions
10. GLOU40 Project Documents, Project Revisions, consolidated budget, semi-annual report
11. GLOU61 Project Documents, Project Revisions, Project Progress Report 2012
12. IDNK29 Project Document, Project Progress Report 2012
13. IDNT12 Project Budget, Annual Report 2010
14. IDNT71 Project Document, Project Progress Report 2012
15. IDNT80 Project Document, Logframe, Project Revisions, Project Progress Report 2012
16. IDNT81 Project Document, Project Budget, Project Progress Report 2012
17. IDNT95 Annual Report 2011
18. IDNX14 Project Document, Annual Progress Report 2012
19. IDNX27 Project Document, Project Budget, Project Progress Report 2012

20. KHMJ11 Final Evaluation, Project Document
21. KHMK51 Programm Document
22. LAOF13 Semi-Annual Report 2011
23. LAOH98 Project document, Annual Report 2010
24. LAOI28 Project document, Annual Report 2010
25. LAOI32 Project document, Annual Report 2010
26. LAOR76 Project document, Annual Report 2009, PRC clearance
27. LAOK18 Project Document, Annual Progress Report 2012
28. LAOK44 Project document, Annual Progress Report 2012
29. LAOK46 Project document, Annual Progress Report 2012
30. LAOK48 Project document, Work and Monitoring Plan, Project Progress Report 2012
31. LOX26 Project document, Project Progress Report 2012
32. MMRG43 Project Document, Project Revisions, Annual Progress Report 2012
33. MMRJ63 Project Document, Annual Progress Report 2012
34. MMRJ69 Project Document, Annual Progress Report 2012
35. MMRJ94 Project Document, Annual Progress Report 2012
36. MMRJ95 Project Document, Annual Progress Report 2012
37. RASC25 Annual Report 2008
38. RASF73 Project document, Annual Report 2009
39. RASH15 Project Progress Report 2012
40. RASI09 Project document, Workplan 2006
41. VNMH68 Project Document, Annual Progress Report 2012
42. VNMJ04 Project Document, Annual Progress Report 2012
43. VNMJ93 Project Document, Annual Progress Report 2012
44. VNMK16 Project Document, Annual Progress Report 2012
45. VNMS65 Project Document, Annual Progress Report 2012
46. VNMS79 Project Document, Annual Progress Report 2012
47. VNMT28 Project Document, Annual Progress Report 2012
48. VNMT30 Project Document, Funding Agreement
49. VNMU62 Project Document, Annual Progress Report 2012
50. XAPT70 Project Progress Report 2012
51. XAPT84 Project Progress Report 2012
52. XAPU59 Project Progress Report 2012
53. XAPX37 Project Progress Report 2012
54. XSP33 Project Progress Report 2012
55. XSPT78 Project Progress Report 2012
56. XSPX47 Project Progress Report 2012
57. XSPX65 Project Progress Report 2012

### Regional and Country Programmes

1. Regional Programme for East Asia and the Pacific 2009-2012 Implementation Update 1. May 2010
2. Regional Programme for East Asia and the Pacific 2009-2012 Implementation Update 2. March 2011
3. Regional Programme for East Asia and the Pacific 2009-2012 Implementation Update 2. April 2012
4. Regional Programme for South Asia 2013 – 2015
5. Regional Programme Framework for East Asia and the Pacific 2009-2012
6. Country programme Indonesia 2012-2015

### Quarterly Monitoring Reports

1. UNODC East Asia and Pacific Region. 1st Quarter 2012

2. UNODC East Asia and Pacific Region. 3rd Quarter 2012
3. UNODC East Asia and Pacific Region. 4rd Quarter 2012

#### Thematic Programmes:

1. Thematic Programme “Scientific and Forensic Services 2010-2011”
2. Thematic Programme “Action against corruption, economic fraud and identity-related crime 2012-2015”
3. Thematic programme “Corruption 2010-2012 action against transnational organized crime and illicit trafficking, including drug trafficking 2011 – 2013”
4. Thematic programme “Sustainable livelihoods: a broader vision Social support and integration to prevent illicit drug use, HIV/AIDS and crime”
5. Thematic Programme “Crime Prevention and Criminal Justice Reform 2010 – 2011”]
6. Thematic Programme on Reducing Drug Demand And Responding to the HIV Epidemic 2008-2011
7. Thematic Programme “Addressing Health and human development vulnerabilities in the context of drugs and crime 2009”.
8. Thematic Programme on Terrorism prevention 2008-2011.

#### Financial reports

1. RASH15 financial report 2012
2. VNMU62 financial report 2012
3. XAPT70 financial report 2012
4. XAPT84 financial report 2012
5. XAPU59 financial report 2012
6. XAPX37 financial report 2012
7. XSPJ18 financial report 2012
8. XSPT33 financial report 2012
9. XSPT78 financial report 2012
10. XSPX47 financial report 2012
11. XSPX65 financial report 2012

#### Evaluation reports

1. Draft evaluation report IDNT71
2. Mid-Term Evaluation Report IDNT80
3. Mid-Term Evaluation Report CMBH83
4. Mid-Term Evaluation Report CMBH83
5. Mid-Term Evaluation Report IDNT71
6. Mid-Term Evaluation Report IDNT81
7. Final Evaluation Report KHMJ11
8. Evaluation LAOI28
9. Terminal Evaluation Report LAOR76
10. Final Evaluation Report RASH60
11. Final Evaluation RASI09
12. Final Evaluation RAST13
13. Terminal Evaluation VNMH68
14. Final Evaluation Report VNMS65
15. Terminal Evaluation Report VNM/H68
16. Evaluation Report VNMJ04
17. Final evaluation report VNMS65
18. ROM Report on IDNT81

## 19. ROM Report on IDNT80

### Management Circulars

1. Management Circular #1 – Annual Regional Programme
2. Progress Report (ARPPR), 29 November 2009.
3. UNODC East Asia and the Pacific
4. Management Circular #2 – Programme Support Unit. 7 January 2010.
5. Management Circular #3 – Programme Review and Forecast Calendar for 2010. 8 January 2010.
6. Management Circular #4 – Quality Assurance for Annual Project Progress Reports for 2009. 8 January 2010.
7. Management Circular #5 – Preparation and Quality Assurance of Semi-Annual Project Progress Reports for January – June 2010. 29 June 2010.
8. Management Circular #6 Annual Project Progress Reports for 2010. 29 November 2010.
9. Management Circular #7 Detailed Costed Annual Workplan for 2011. 11 January 2010.
10. Management Circular # 9 Annual Progress Reports for 2011. 23 November 2011.
11. Management Circular # 10 Semi Annual Progress Reports for 2012. 31 May 2012.
12. Management Circular # 8 Semi Annual Progress Reports for 2011. 30 May 2011.

### Other documents

1. 2010 Client Feedback Survey. UNODC programme in East Asia and the Pacific. Bangkok, December 2010.
2. UNODC organizational Chart
3. Staff list UNODC RCEAP. August 2012.

## ANNEX II. EVALUATION TOOLS: QUESTIONNAIRES AND INTERVIEW GUIDES

Final list of evaluation questions (as formulated by the Evaluation Team and based upon the ToR and in-put of IEU, UNODC HQ and RCEAP)

### *Design*

1. What do staff members at various levels of UNODC (i.e. Headquarters; RCEAP; CO and projects) interpret the term “Regional Programming” to include?
2. Was the design of the RPF appropriate/strategic given UNODC’s own institutional structures and funding base?
3. To what extent has the RPF contributed to and incorporated policy principles, outputs and implemented HQ-level Thematic Architecture and Programmes?
  - 3.1 What are the inter-linkages between the Thematic Programmes and the RPF in terms of planning and design?
  - 3.2 To what extent have representatives of Thematic Areas / Substantive Branches & Units contributed to the design /development process of the EAP RPF?
  - 3.3. What was the involvement of the Thematic Substantive Branches at HQ-level in the development of projects? (see p. 34 of RPF EAP)
4. To what extent is the final version of the RPF EAP (2009 – 2012) aligned with UNODC strategic planning tools (UNODC Medium-Term Strategy 2008-2011, UNODC Strategic Frameworks (2008-2009, 2010-2011, 2012-2013), and especially UNODC Thematic Programmes (considering that the RPF was designed before the Thematic Programmes)?
  - 4.1 Has the RPF identified strategic priorities?
5. To what extent is the Regional Programme results oriented, including a results chain cascading into the existing Country Programmes (Lao PDR, Indonesia, Vietnam) and projects?
6. Has the structure of RPF objectives, namely the outcome and output structure/statements, supported any improvements in the quality of Sub-Programme and project development?
  - 6.1 Specifically, have the outcome and output structure/statements provided clear and measurable goals to which the sub programmes and projects can be seen to contribute?
  - 6.2. Why does Annex 1 of the EAP RPF not include any criteria (and indicators) for monitoring on Thematic areas; Aid effectiveness and Policy and trends analysis?
7. Was the design of the RPF conducive to collecting data to demonstrate impact and/or achievement of outcomes?
8. To what extent is the Regional Programme Framework operational in practice?

### *Programme oversight and coordination*

1. What are the supervisory arrangements between HQ, the Regional Center and Country/Programme Offices?
2. For each stage in the RPF project management cycle (see p. 34 RPF) what were the relative responsibilities of HQ Thematic Branches vis-à-vis RCEAP; COs and project managers?
3. Have roles and responsibilities between HQ, the Regional Center and Country/Programme Offices been pronounced and followed?

4. How are reporting cycles aligned between the Regional Center, HQ, Country/ Programme Offices in light of the Strategic Frameworks (2008-2009, 2010-2011, 2012-2013)?
5. Are mechanisms in place for data collection and analysis on (regional) matters such as laws, regulations and legal developments; development of cooperation mechanisms / platforms in the various substance domains?
6. Has UNODC mapped effectively its contributions to each of the 34 countries covered by the RPF? (what is the contribution for each?) (see note 3, p. 3 ToR) (compare p. 22 RPF)
7. What provisions has the Regional Center made in order to effectively service and manage the Region?
8. How have linkages between strategies at the national and inter-regional levels been built and what are the respective institutional set-ups?
9. To which extend has the Strategic Planning and Management Support Unit at UNODC HQ rendered support to RCEAP and programme and project coordinators in the region? (see the M&E framework p 39-40 of the RPF EAP)
10. To what extend have representatives of Thematic Areas / Substantive Branches & Units contributed to the a) Implementation process of the EAP RPF; b) Appraisal (evaluation) process of the EAP RPF?
11. How has UNODC/ RCEAP identified and mitigated risks? Is there any risk management for the RPF EAP?
12. What were the nature and extent of UNODC (HQ and RCEAP) contact with Member States on a year-by-year basis, from January 2009 to present (September 2012)? (Note: RCEAP to specify contacts persons and their contact details, agenda's, meeting minutes, MoUs, etc).

#### *Relevance*

1. Was the decision to develop the RPF based on clearly identified regional needs, dynamics and priorities in UNODC mandate areas? If so, what were these needs, dynamics and priorities?
2. Was the process used to develop and 'approve' the RPF appropriate to the need/circumstances (e.g., the right people/partners involved, duration and timing, etc)?
3. Were the human security threats profiled in the RPF (situation analysis) and the proposed programme outputs and outcomes (programme description) a) representative of Member State concerns and priorities at the time; b) consistent with UNODC mandates (e.g., Medium-Term Strategy 2008-2011, Strategic frameworks 2008-2009 and 2010-2011 and Thematic Programmes) and c) global strategies?
4. Is the RPF in line with the objectives of the Integrated Programming Approach?
5. To what extent is the RPF EAP in line with a) the UN Millennium Development Goals; b) the SG 5-year Action Agenda; and c) Other RPF's?
6. Was the RPF used to guide the identification and selection of project initiatives, as well as to 'reject' initiatives that are not within the scope of the programme?
7. Were the RPF's proposed implementation arrangements appropriate in the context of promoting aid effectiveness principles (ownership, alignment, harmonization, mutual accountability and results focus)?
8. To what extent does the RPF EAP maximize UNODC comparative advantage in the region?

#### *Efficiency*

1. Does the RCEAP have the capacities to go regional / meet its responsibilities in the framework of the EAP RPF, in view of its technical capacity and number of staff?
2. To what extent have Thematic Programmes been efficiently translated into the RPF (considering that the RPF was designed before these programmes)?
  - 2.1 To what extent are the Thematic Branches efficiently involved in addressing the regions' needs and priorities?
  - 2.2 To what extent has the RPF contributed efficiency wise to the development and implementation of Country Programmes?

3. Has the RPF impacted on the efficiency of working arrangements between UNODC HQ, the Regional Centre and country offices?
4. Has the existence / use of the RPF EAP supported the development of other management processes within the RC and country offices that have impacted on operational efficiency? If so, what and how?
5. Has the existence / use of the RPF influenced the development of any UNODC wide management processes? If so, what and how? In view of operational efficiency? If so, what and how?
6. Has the RPF contributed to promoting government and donor interest in the work of UNODC?
7. Has the RPF enhanced partnerships (to what extent were the national counterparts able and willing to contribute to the RPF implementation)?
8. Has the RPF enhanced the mobilization of (additional) financial resources? (to what extent were the national counterparts able and willing to take an active part in funds mobilization?)
9. How does the current funding structure of the RPF EAP affect its results and sustainability?
  - 9.1 Has the RPF enabled RCEAP and UNODC as a whole to make a link between substantive results achieved and funds disbursed?
10. How has XSPJ18 project contributed to the RPF?
  - 10.1 What are the strengths and weaknesses of this project?
  - 10.2 Were funds allocations from the XSPJ18 decided in an efficient manner, e.g. identification of criteria for allocation and control over the utilization of the funding?
11. How is monitoring of the RPF undertaken?
  - 11.1 Has the RPF helped improve the quality of UNODC's monitoring and reporting on results achieved in the region, both through project reports and in the consolidated Implementation Updates for the region
  - 11.2 How are corrective measures undertaken in a changing environment?

#### *Partnerships at RPF level*

1. To what extent are the RPF partnerships relevant?
2. How effective has the UNODC (HQ and RCEAP) been in gaining host-Governments' political will and obtaining their ownership over RCEAP and CO projects and sub- programme outcomes?
3. How has UNODC worked with partners to achieve mutually agreed common objectives (see pp. 19-20 RPF); Member States; UN Agencies; NGOs/civil society/ private sector; bilateral/multilateral donors?
4. How has UNODC benefitted from the RPF to improve implementation modalities, improve abilities to affect policy priorities, e.g. with ASEAN?
5. To what extent has the RPF increased partnerships between UNODC and relevant civil society entities?
6. To what extent is the RPF contributing to UN-wide mechanisms such as the One UN in the region (e.g. UNCTs in Myanmar, Laos, Thailand, Cambodia, Vietnam and Indonesia) or the Task Force on TOC/DT?
7. To what extent the RPF improved the coordination of responses to drug use, dependence and their health and social consequences in the region?
8. To what extent did the RPF improve regional level coordination of the HIV response for people who inject drugs and for prisons by government agencies, civil society and affected communities, UN agencies, donor partners and other relevant stakeholders?

#### *Effectiveness*

##### *At RPF level*

1. Did the RCEAP fulfil its responsibilities?

2. To what extent did the RCEAP apply a (project/programme) management cycle? (ref. to the bullets on page 35 of the RPF EAP document)
3. How has UNODC (HQ and RCEAP) contributed to institutional and capacity building / advocacy to the region?
4. Has the RPF helped clarify UNODC's strategic and operational focus in the region, in the eyes of UNODC staff, government partners and donors?
5. To what extent has the RPF helped improve UNODC's focus in the region on delivering substantive 'results'?
  - 5.1 To establish a more integrated programme of work for UNODC in the region?
  - 5.2 To concretely integrate existing projects and Country Programmes into its programming? (e.g. was there a process of phasing out existing projects into RPF?)
6. To what extent did UNODC take existing Regional Frameworks into account when designing RPF EAP and how has RCEAP continued to do so?
7. What results can be attributed to UNODC interventions in the substantive areas?
8. To what extent were the objectives of the RPF achieved? Have Country Programmes (Lao PDR, Indonesia and Vietnam) contributed towards achieving the objectives of the RPF?
9. To what extent did the RPF contribute effectively to the objectives of the UNODC Medium-Term Strategy and of the UNODC Strategic Frameworks?
10. Have the data and reports produced by UNODC in the region led to changed policies or programmes and/or impacted the implementation of UNODC programmes and other government programmes?

*At Sub Programme level*

*Effectiveness-Rule of Law: Illicit trafficking and smuggling*

1. Were legal and technical capacities of Governments in the region strengthened in regards to the distinct issues of:
  - a) trafficking of people;
  - b) trafficking of ATS and other drugs;
  - c) trafficking of natural resources and hazardous materials; and
  - d) smuggling of migrants?
2. To what extent the RP improved the coordination of responses in the region in regards to: trafficking of people; trafficking of ATS and other drugs; trafficking of natural resources and hazardous materials; and smuggling of migrants?
3. To what extent was border security improved?
4. Were operations as regards to trafficking in persons effective?
5. Was trafficking in ATS and other drugs effectively acted upon?
6. Was trafficking in natural resources and hazardous substances effectively acted upon?
7. Was smuggling of migrants effectively acted upon?

*Effectiveness-Rule of Law: Governance*

1. To what extent is the UNCAC effectively implemented in the region?
  - 1.1 How many countries in the region have ratified/acceded to UNCAC?
  - 1.2 How many states have partaken in corruption-related trainings (including on the IRM – Implementation Review Mechanism)?
  - 1.3 Of those who have partaken in the IRM, how many requested TA?
2. Were national anti-corruption strategies adopted and implemented?

2.1 To what extent have national AC strategies/action plans considered recommendations/TA following the review?

3. Have increased corrupt practices been identified and investigated by state agencies as a result of the RP?
4. Were anti-money laundering laws (investigation and prosecution procedures) adopted and implemented in the region in a coordinated manner?
5. To what extent did the RP raise awareness and establish forums among civil society, business, governments on corruption issues?

*Effectiveness-Rule of Law: Criminal justice*

1. What is the progress made towards becoming party to and fully implementing the international conventions (UNCAC, UNTOC, Universal Anti-Terrorism Instruments and other protocols) in the region?
2. Did countries such as Cambodia, Indonesia, Lao PDR and the Philippines, which have ratified the international conventions (UNCAC and UNTOC), established operational legislative and regulatory frameworks?
3. To what extent are criminal justice systems in the region more/better coordinated, accountable and compliant with due processes due to the assistance of UNODC?
4. Should the RPF sub-programme have covered more of the substantive areas covered by the relevant Thematic Programme and needs of countries in the region in terms of crime prevention and criminal justice?
5. To what extent has the capacity of criminal justice officials in the countries of the region been strengthened, in order to better prevent and address cases involving acts of terrorism?

*Effectiveness-Health and Development: Drug demand reduction*

1. To what extent did the RP contribute to the development, review, adoption/adaption and implementation of national strategies or programmes on drug use prevention and dependence treatment, including evidence and community based drug dependence treatment?
2. Under the current RP, to what extent was the capacity of governments and civil society in the region strengthened as regards to drug use prevention and drug dependence treatment?
3. To what extent did the RP raise awareness and establish forums among civil society, and government agencies on drug use and dependence?
4. Under the RP, to what extent did service delivery improve in terms of quality and number of people reached?

*Effectiveness-Health and Development: HIV/AIDS*

1. To what extent did the RP contribute to the development, review, adoption/adaption and implementation of national strategies and policies on HIV prevention, treatment and care for people who inject drugs and for prisons?
2. Under the current RP, to what extent did the capacity of the justice sector, law enforcement, prisons and drug dependence treatment staff to implement HIV prevention, treatment and care services, increase?
3. To what extent did the RP contribute to increasing quality and coverage of the recommended HIV services for people who inject drugs, in prisons and for people vulnerable to human trafficking?
4. To what extent did the RP contribute to increasing availability, use and sharing of strategic information on HIV relevant to injection drug use and prisons?
4. Did the involvement of the affected community of people who inject drugs in the development of national strategic frameworks to reflect their needs increase under the RP?

*Effectiveness-Health and Development: Sustainable livelihoods*

1. To what extent have UNODC's projects and advocacy in Sustainable Livelihoods (SL)/Alternative Development (AD) prevented, reduced or eliminated illicit drug crop cultivation?
2. How have SL/AD projects contributed to the improvement in the overall food security, poverty reduction and access to livelihood assets in poor and marginalized farming communities?
3. To what extent has the RPF raised awareness of and mainstreaming the issue of sustainable livelihoods?
4. To what extent has illicit crop cultivation in each concerned country been annually monitored, verified and reported?
5. To what extent has the change in socio-economic conditions of the stakeholders been monitored, verified and reported?
6. What percentage of illicit drug crop cultivating communities have been provided SL/AD assistance?
7. To what extent have sustainable livelihood and illicit crop elimination efforts been sustained and integrated into the mainstream of development?

### *Impact*

1. How (why) is RCEAP specific or unique in comparison to other UNODC RC's / Country Offices in terms of conditions for development and implementation of a regional programme?
2. What do you perceive as UNODC's comparative advantage in the region? (Q. to stakeholders)
3. Can you describe, taking January 2009 as starting point, the experienced general increase in
  - a) Technical capacities of law enforcement agencies to combat crime (in general)?;
  - b) Technical capacities in view of mutual legal assistance?
4. Overall, how has the RPF contributed to the prevention and reduction of:
  - (a) Trafficking of people?
  - (b) Trafficking of ATS and other drugs?
  - (c) Trafficking of natural resources and hazardous materials?
  - (d) Smuggling of migrants?
  - (e) Corruption and illegally acquired assets and money laundering?
  - (f) Transnational crime?
  - (g) Drug abuse in the region?
  - (e) HIV epidemics?
  - (h) Illicit crops?
5. Overall, how has the RPF contributed to and enhanced the protection of vulnerable groups and the social and economic improvement of stakeholders?
6. Overall, to what extent would the situation have been different without the RPF?
7. How has the RPF adopted a human rights-based approach across all segments of its programming?
8. How has the RPF implemented gender sensitivity and equality across all segments of its programming?

### *Knowledge sharing*

1. To what extent has the RPF contributed to improve UNODC's knowledge on the various thematic areas in the region?
  - 1.1 To what extent did UNODC share this knowledge?
  - 1.2 Use this knowledge directly / operationally?
  - 1.3 Adapt its policies in respect of this knowledge?
2. To what extent did RPF knowledge sharing influence National policies? Regional policies? Global policies?

### *Sustainability*

1. Are the RP outcomes likely to be sustained? If not, why not?

2. What remedial actions would ensure a greater level of sustainability in RP outcomes?
3. How, in general, has ownership of key stakeholders been sought and institutionalised?
4. What mechanisms has the RCEAP instituted in order build and sustain regional ownership and a solid donor base?
5. How do Member States plan to sustain the results achieved?
6. Are the Member States willing and able to continue the RPF activities on their own?
7. How can UNODC best sustain and extend the benefits that have derived from the development and implementation of the RPF EAP over the next 5 years?
8. To what extent does the fund-raising strategy ensure the sustainability of the RPF?
9. To what extent are the regional and country office management structures and their funding modalities sustainable?
10. Should they be funded out of separate projects or should these functions be spread across the various operational vehicles that fall under a programme?

## Sets of Follow-up Questions Sent out by Evaluation Team Post-Field Visits

### *Questions*

#### *I. Human Resources*

1. Please provide an updated organogram (current as of September 2012) for UNODC with names of heads of sections/units, if possible.

#### *II. Finance Unit HQ*

1. Could you please supply a copy of the instruction(s) sent to RCEAP and Country Offices re: the “Full Cost Recovery Policy” (FRP) that was started in 2008 (i.e. the policy of distributing all common costs which were not covered by projects across all projects)? How has this affected the financing of posts at Field Offices?
2. How does Finance at HQ view the “Dashboard” tool developed by RCEAP and the HQ ProFi team?
3. Please describe the process of deciding on and disbursing grants to implementing partners, incl. limits with regard to amounts to be paid.

#### *III. Division for Treaty Affairs*

1. (all sections). Please describe in detail how the Division of Treaty Affairs (i.e. Organized Crime and Illicit Trafficking Branch; Terrorism Prevention Branch and Corruption Branch; has interacted with the RCEAP and/or individual Country Offices during 2009-2012 in the following areas:
  - a) Research and Analytical Work;
  - b) Normative work;
  - c) Provision of Field-based Technical Advice?
2. (all sections). Please provide a summary of RCEAP and CO respective reporting obligations, if any, to the Division of Treaty Affairs and the form and frequency of such reporting.

#### *IV. Division for Operations*

1. (all sections). Please describe in detail how the Division for Operations (Drug Prevention and Health Branch) and has interacted with the RCEAP and/or individual Country Offices during 2009-2012 in the following areas:
  - a) Research and Analytical Work;
  - b) Normative work;
  - c) Provision of Field-based Technical Advice?

2. (all sections). Please provide a summary of RCEAP and CO respective reporting obligations, if any, to the Division for Operations and the form and frequency of such reporting.
3. (For Integrated Programme and Oversight Branch): Please provide a brief summary of what IPB considers being “best practices” of RCEAP/RPF EAP.
4. (For Integrated Programme and Oversight Branch): Please provide detailed information on how the Regional Sections at HQ serves to bridge country office programmes and HQ? What are specific examples of this? How are costs recovered for such activities?
6. (For Integrated Programme and Oversight Branch): Please describe the Integrated Programme and Oversight Branch’s conception of reporting duties of RCEAP to HQ? Of individual Country Offices to HQ?
7. (For Integrated Programme and Oversight Branch and Justice Section): What capacity does HQ (Vienna) currently have for providing technical legal and legislative drafting advise to RCEAP or to individual UNODC Country Offices? Where is this capacity “housed” at HQ? How many lawyers exist at HQ for this purpose? Please provide specific examples of how HQ has assisted individual UNODC Country Offices to draft implementing legislation pursuant to the relevant U.N Conventions.
8. (For Integrated Programme and Oversight Branch): Are there any Global Projects managed by UNODC HQ that DO NOT involve the RCEAP in any way?

#### *V. Division for Policy Analysis and Public Affairs*

1. (all sections). Please describe in detail how the various units of the Division for Policy Analysis and Public Affairs (i.e. LSS, SASS, STAS, and SPU) have interacted with the RCEAP and/or individual Country Offices during 2009-2012 in the following areas:
  - (a) Research and Analytical Work;
  - (b) Normative work;
  - (c) Provision of Field-based Technical Advice?
2. (all sections). Please provide a summary of RCEAP and CO respective reporting obligations, if any, to the Division of Policy Analysis and Public Affairs and the form and frequency of such reporting.

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#### *Questions*

1. Please provide a brief summary of how you have partnered with NGOs and civil society such as Worldvision, Freeland; Traffic; CARE; FACE; Sisha; International Justice Mission; ApLE, etc.
2. Please state in your opinion, the extent to which the RPF impacted on or influenced the quality of the new Country Programmes (Indonesia; Cambodia and Vietnam); on individual project/sub-programme preparation (post-2009), implementation and ongoing monitoring/review (post-2009).
3. Please describe how RCEAP and Country Offices responded to the “Full Cost Recovery Policy” (FRP) that was started in 2008. (i.e. the policy of distributing all common costs which were not covered by projects across all projects). How has this effected the financing of posts at Field Offices?
4. Please indicate which staff are professionals and which are support staff and for how long they have been on service contracts (the info we got only gave us the starting date of current contracts linked to a concrete project; e.g. one of the project coordinators in Myanmar appears as on contract since January 2012 while in fact he has worked for UNODC for 9 years). Please, also provide the number of consultancy contracts (having duration of 6 months and above). Please indicate how many staff members RCEAP and/or Country Offices possess advanced professional degrees and give specialty.
5. Please state how direction and prioritization is happening for the RPF in the absence of a steering committee. Has the RPF adopted an alternative mechanism to prioritize programming or does it relay on individual project level governance as defined in project documents?
6. What is UNODC’s overall “exit strategy” from the Region? From each individual country in the region? How has this exist strategy (if it exists) been communicated/articulated? Does any

mechanism exist for determining a pre-mature ending of a project/programme? If so, please describe or attach the relevant guideline/template.

7. Please provide a DRAFT copy of the TOCTA EAP (2011) in electronic form.

8. Do the Thematic Branches at HQ have their own projects operating in the East Asia and Pacific Region or within individual countries that do not involve RCEAP in any way?

9. For each of the Global Projects listed in the ToR, please indicate how RCEAP contributed to each of the Global Projects benefited from them.

10. Please state whether and how the following donor % of contributions is expected to

Donor	Relative % of RCEAP funding 2012	Relative % of RCEAP funding 2013 (and forward)	Comments (Please explain any +/- change) (Attach additional pages if necessary).
Australia (AUSAID)			
E.U.			
Germany			
U.N.			
Norway			
New Zealand			
Japan			
USA			
Sweden			
Luxembourg			
HQ			
Switzerland			
Canada			
U.K.			
S. Korea			
China			
OPEC			
Italy			
Other <100K			

\*Please indicate how the above percentage distribution was calculated? What is the baseline? The cumulative budget in 2012 or the contributions given in 2012?

11. Please state what % of donor funds goes to:

(a) cover the costs of RCEAP administration/operations/overhead;

(b) what % of donor funds goes to “regional”, as opposed to individual country-specific projects? Please provide a list of what projects (post-2009) can be considered truly “new” projects (i.e. not merely renewals or continuations of projects/programmes that pre-existed RPF EAP).

12. If RCEAP and RPF EAP were forced to cease operations as of 2014, how would UNODC implement “Regional” initiatives in the East Asia and Pacific Region? How would this impact the operations of the individual UNODC Country Offices?

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### *Questions*

1. Please describe the extent to which the RCEAP assisted or contributed to the development of the Country Programme document for your Country Office (if you have one)?

2. Please describe how your Country Office responded to the “Full Cost Recovery Policy” (FRP) that was started in 2008. (i.e. the policy of distributing all common costs which were not covered by projects across all projects). How has this affected the financing of posts at Field Offices?

3. What do you feel is the “added value” of the RPF to UNODC’s work in your country?

4. How has RPF aligned with National Strategies for your country?

5. What is the nature of Technical Advice that the UNODC Regional Centre in Bangkok has contributed to your projects and National partners? What is the nature of Technical Advice that the Integrated Programming Branch and/or Thematic Branches at UNODC HQ given to your CO or project? To your National counterparts?

6. What do you feel was not included in the RPF, but should have been?

7. To what extent has your CO/Project contributed to the normative legal framework pertaining to UNODC’s areas of mandate? Please provide a list of draft legislation that your Country Office has sponsored or for which you have rendered technical legal advise. What has been the nature of the support? To what extent did RCEAP and/or HQ contribute technical legal advise to legislative drafting initiatives in your country?

8. How has RCEAP contributed to projects that are considered “Country Office projects” for your country? How has RCEAP contributed to the implementation of UNODC Global projects within you country?

9. To what extent have you collected statistics and baseline information to support the RPF or HQ – level programming? What knowledge products have you developed with the assistance of RCEAP? with the assistance of HQ?

10. How would UNODC operate within your Country and the Region in the absence of RCEAP and a RPF? How would fund-raising take place from donors?

## ANNEX III. TERMS OF REFERENCE OF THE EVALUATION

In-Depth Evaluation of UNODC Regional Programme Framework for East Asia and the Pacific (2009-2012)

<b>Project no. &amp; title:</b>	Not applicable
<b>Evaluation start date:</b>	September 2012
<b>Evaluation end date:</b>	December 2012
<b>Evaluation team:</b>	Three international consultants and one member of IEU
<b>Evaluation duration:</b>	Eight-seven weeks, including three weeks in the field (approx. 47 working days over a period of 2.5 months)

Background and context

### *RPF Background*

UNODC's Regional Programme Framework (RPF)<sup>131</sup> for East Asia and the Pacific (EAP) for 2009-2012 was initially developed in late 2008 by the Regional Centre (RC) in Bangkok. The guiding considerations in elaborating the Regional Programme (RP) were as follows:

- (a) Profile the mandates of UNODC and the regional policy setting;
- (b) Identify the key challenges facing the sub-region in the areas of crime, corruption, terrorism, drugs and associated public health concerns;
- (c) Profile the key stakeholders involved in combating crime, corruption, terrorism and drugs, as well as those supporting appropriate public health responses for vulnerable groups;
- (d) Articulate the UNODC Regional Centre's comparative advantage in addressing the key challenges in partnership with other stakeholders;
- (e) Highlight UNODC's approach on aid-effectiveness issues;

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<sup>131</sup>RP EAP was UNODC's first full fledged Regional Programme which was designed to provide linkages across projects, thus absorbing into it a myriad of projects rather than being designed from the top down with a results chain flowing from the Programme to the projects.

(f) Establish a set of medium- to long-term objectives (outcomes / outputs) as a focus for collaborative efforts, within which individual project and sub-programme initiatives could be integrated and implemented; and

(g) Describe implementation arrangements, including management mechanisms, financing arrangements and a monitoring and evaluation framework.

The RPF aimed to provide a strategic guide for the work of UNODC in the region during the period 2009-2012. It also sought to outline a clear framework that Member States, other regional stakeholders and donor partners could refer to when considering how they might best collaborate with UNODC.

The RPF was developed at a time when the RC was in urgent need of re-building its profile, credibility and funding base in the region. In early 2008 the office was threatened with closure. A 2008 Board of Audit report had described a series of fundamental weaknesses in operational and programme management. There was a declining funding base, key staff was departing (the office lost about half its strength between January and July 2008) and there was little in the way of a coherent future vision for the work of the RC. The 2008 Board of Audit report on the RC independently confirms the critical state of affairs. The RPF was seen by the new incoming Regional Representative as a key tool to help clarify priorities, establish a clear results focus, provide a sound platform for developing an integrated programme of work covering the RC and all country offices, and to mobilize Member State and donor/development partner interest. Following the good management practice of problem analysis prior to formulation of programmatic response, the ideal situation would have been a scoping exercise (similar to the recently-concluded Transnational Organized Crime Threat Assessment), but with the office in a tailspin, it was decided – in consultation with HQ – that there was simply no time and that programme development had to take place on the basis of what was currently known, such as the diversity and depth of full-fledged assessment of technical assistance needs in the Region.

The RPF was also developed at a time when UNODC had just decided to embark on the development of a regional programming approach<sup>132</sup>, as evidenced by ECOSOC Resolution “Support to the development and implementation of regional programmes of the UNODC” (E/CN.7/2009/L.23).

The RPF for EAP was to be the first of the new generation of regional programmes to be developed by UNODC. In this context, the RPF for EAP has been a pilot initiative, in the context of broader UNODC institutional reforms. Please see the RPF Portfolio (paragraph 1.3) for further information on the ongoing Country Programmes and projects.

### *RPF Objectives and Outcomes*

The RPF covers 34 countries and territories . It consists of two main thematic areas: namely ‘Rule of Law’ and ‘Health and Development’. Under these two thematic areas there are six main sub-programmes (or ‘pillars’), which, respectively, have the following aims:

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<sup>132</sup> Thematic, Regional and Country Programme Frameworks 2008-2011, Institutionalizing Results-Based Management, a Concept Paper, May 7, 2007. Towards strengthened, coherent, and integrated UNODC field operations, September 2, 2008. Integrated Programming Unit/Division of Operations, Note on UNODC Regional Programmes, December 4, 2008. UNODC, Note on UNODC Regional Programmes - Guiding Principles (2008).

Rule of law:

- (a) Reducing illicit trafficking of people, drugs (and their precursors) and natural resources/hazardous substances
- (b) Reducing weaknesses in governance, including corruption
- (c) Reducing serious transnational organized crimes, including terrorism, and protecting vulnerable groups
- (d) Health and Development:
- (e) Reducing the incidence of drug abuse
- (f) Reducing HIV/AIDS transmission among injecting drug users, prisoners and victims of trafficking in persons; and
- (g) Reducing illicit opium production

Further information on the defined outcomes and outputs of the sub-programmes can be found in Annex E.

*RPF Portfolio*

The Regional Programme Framework consists of a portfolio of projects interconnected by their outcomes to PRF outputs and so logically contributing to broader programmatic outcome at both the regional and (through UNODC Result Area linkages) global level. A complete project list is provided in the Annex.

As time passed, the need for more country-specific programme frameworks became apparent – linking to UNDAF, UNPAFs, One Plan etc. Under the overall framework of the RPF, three Country Programmes have been developed in Lao PDR, Indonesia and Vietnam. These documents aimed to establish a more country-specific framework for UNODC's work. Their intention is to promote enhanced understanding and relevance of UNODC's overall regional approach at the national level and, thereby, increase national government buy-in/ownership of the programme of work. Having such a locally-relevant framework was intended to also augment resource mobilization.

*RPF Results Orientation*

A key element of the RPF was the development of an extensive Results and Monitoring Framework, which is part of the original Regional Programme Framework document and provides linkages with the UNODC Result Areas of the UNODC Medium-Term Strategy 2008-2011 as well as expected accomplishments of the Strategic Framework (2008-2009, 2010-2011, 2012-2013). The Results and Monitoring Framework included an elaborated set of Performance Indicators and Means of Verification. In addition a series of 'objective trees' for each of the 6 sub-programmes were produced. The primary purpose of these objective trees was to provide a set of clear and consistent output and outcome statements to guide ongoing programme and project development, a clear focus on results, and a framework for monitoring and reporting. The indicators and means of verification were provided to be further refined/adapted as required to

meet actual information needs. As stated in the RPF, many of the proposed indicators at the impact, outcome and even output levels refer to data, provision of which was to be the responsibility of Member States (or other partners) to collect, not specifically UNODC. This was in itself a reflection of a conscious decision to try and develop an RPF (including outputs, outcomes and indicators) that made sense to all key partners, not just UNODC's own performance/results-based management concerns. It was also believed this was a pragmatic way to help operationalize some of the key aid effectiveness principles (e.g., partner ownership, mutual responsibility for results and harmonization with other development partners).

Country Programmes were linked to the RPF to preserve conceptual and reporting integrity.

### *RPF Ownership*

The RPF was not formally endorsed / approved by Member States. At the time, this was considered to be impractical (given the need to get endorsement from 34 Member States) and indeed unnecessary (given that a primary purpose of the RPF was to help UNODC integrate regionally). It was believed that ownership would be built in other ways.

In early 2009, the draft RPF was introduced to key stakeholders (soft and hard copy, and on the website). RC and the Country Offices of EAP regularly engage with stakeholders and seek to align the programme of work with their needs and priorities. A range of modalities are utilized to engage stakeholders including, but not limited to, active participation in the following forums and regular meetings with the following groups:

#### 1. Beneficiary stakeholders (governmental)

- (a) Regular policy-level and operational-level meetings with a range of government partners across all UNODC mandate areas.
- (b) Partnership Forum (involving 10 ASEAN countries, China and Republic of Korea) attendance over 100 delegates with subsequent follow up activities / implementation.
- (c) MOU Meetings (Greater Mekong Sub-Region countries under the 1993 MOU with UNODC – January, March and May 2009; January, May 2010; January, April, May 2011 (attendance 50-100 delegates). Ministerial-level meeting held biennially to approve the joint Strategic Action Plan).
- (d) ASEAN Senior Officials Meetings on Transnational Organized Crime – July 2009, October 2010, July 2011 (attendance over 100 delegates).
- (e) ASEAN Senior Officials on Drugs Meetings August 2009 (attendance over 80 delegates).
- (f) ASEAN Senior Officials on Drug Matters Meeting –ASEAN and China Cooperative Operations in Response to Dangerous Drugs Meetings – August, October 2009 (attendance over 80 delegates).
- (g) Pacific Island Forum Secretariat (Counter Terrorism Working Group) – June 2010 (100 delegates).
- (h) As a few examples.

2. Beneficiary stakeholders (non-governmental):

- (a) Worldvision;
- (b) Freeland;
- (c) Traffic;
- (d) CARE;
- (e) FACE;
- (f) Sisha;
- (g) International Justice Mission;
- (h) ApLE

3. Beneficiary stakeholders (front line):

- (a) Children – baselines surveys Project Childhood (XSPT33);
- (b) Front-line law enforcement officers – Training Needs Analysis Project PATROL (XSPU59);
- (c) People living with HIV/AIDS (PLWHA) – especially through support to the Asian Network of People who use Drugs (ANPUD);
- (d) Sex worker networks;
- (e) Networks of victims of domestic violence;
- (f) Poor and marginalized farming communities.

4. Donor stakeholders:

- (a) Periodic Donor Briefing (EAP and Permanent Missions in Vienna – normally twice yearly);
- (b) Tripartite Project Reviews;
- (c) Foreign Anti Narcotic and Crime (FANC) Community based in Bangkok;
- (d) Ad hoc donor briefings (multiple);
- (e) Mini-Dublin Group.

UNODC in EAP is additionally and importantly involved with other UN partners in United Nations Development Assistance Frameworks (UNDAFs), United Nations Partnership Frameworks (UNPAFs) across the region – as well as One UN (Vietnam) – and in this way seeks in all cases to align outcomes to countries national strategic priorities.

*RPF Reporting*

Since the preparation of the RPF, annual reviews of implementation progress (called Implementation Updates, and noted by the 2011 Board of Audit Report to be the only such system in place in UNODC at the field level) have been published in May 2010 (covering 2009), April 2011 (covering 2010) and April 2012 (covering 2011).

These Implementation Updates provide a summary of the collective achievements of the various project-based initiatives being implemented by UNODC in the region, using the RPF's output and outcome statements as a structure against to which report. The base source of information for these updates has been the Annual Progress Reports from each project (for approximately 40 different projects). From late 2009 onwards, significant efforts were dedicated to improve the quality control systems applied to the delivery of project progress reports. These included a grading system for the quality of the reports which went through 2 quality-control iterations until the satisfactory level of coherence and readability was assured.

The RC has also established a number of other pilot systems development and improvement initiatives since 2009, including with respect to the following issues:

1. financial management (e.g., the Dashboard),
  2. procurement (e.g., staff training and increases in delegated authority),
  3. a Client Feedback Survey (December 2010),
  4. the institution of twice-yearly Heads of Office meetings,
  5. a website made completely symmetrical to the RPF structure,
  6. a Programme Support Unit (established in 2009 with no additional "core" resources made available),
  7. new project development (e.g., improved formats and staff training),
  8. the Compass (referred to above),
- and
9. annual work planning and budgeting (e.g., a new Detailed Annual Costed Workplan used systematically by all projects).

### *RPF Funding Structure*

The RPF was not a work plan and contained no specific targets. Workplans and targets were to be developed for specific (funded) initiatives/projects – using the RPF as a broad, overarching conceptual guide and integrating framework. This reflected the reality of funding arrangements for UNODC in EAP – namely very limited core/programmatic resources and high reliance on earmarked, donor-funded projects (often with short duration and relatively small budgets). In essence, the RPF was the vehicle which allowed the RC to create a programme out of a funding base comprised of individual projects.

In this context, the RC indicated that it was never intended that all RPF outcomes and outputs would be addressed/supported during the period 2009-2012. The exact scope of work would be dependent primarily on available funding and Member State demand/interest – both of which had to be built.

### *RPF Resource Mobilization and Disbursement History*

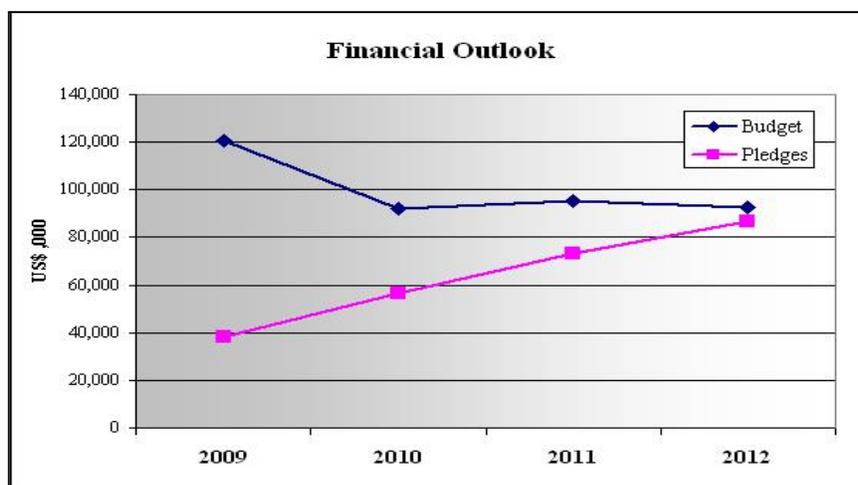
At the beginning of 2009, UNODC had secured US\$ 38 million for regional programme implementation. By January 2010 a total of US\$ 57 million had been secured. By December 2010 the figure had increased to US\$ 73 million.

In 2011, an additional US\$ 13 million was mobilized with the result that by the end of that year the amount of pledges to the RPF had reached US\$ 86m<sup>133</sup>. The breakdown of the pledged amount by sub-programme is shown in Figure 1. This also shows the pledged amount against current budget forecasts, and the outstanding balance yet to be secured.

Figure 1: Budget forecast and amount pledged by sub-programme as of end 2011

Sub-Programme	Budget Fcst	Pledged	Balance
1. ILLICIT TRAFFICKING	25,473	21,956	-3,517
2. GOVERNANCE	9,727	9,623	-104
3. CRIMINAL JUSTICE	13,102	12,457	-645
4. DRUG DEMAND REDUCTION	5,831	5,726	-105
5. HIV/AIDS	10,824	10,534	-290
6. SUSTAINABLE LIVELIHOOD	18,873	17,123	-1,750
7. POLICY AND SUPPORT	9,057	9,103	46
$\Sigma$	<b>92,887</b>	<b>86,522</b>	<b>-6,365</b>

Figure 2: Budget forecasts and pledged amounts



<sup>133</sup> It should be noted that in 2011 the way in which the Sub-programme 7 (Policy and Support) is calculated has changed in order to better reflect the contributions received by the UNODC Headquarters to support basic infrastructures and core functions at regional and country level. This change is partly responsible for the growth in pledges in 2011.

Figure 3: Programme expenditure by field office (US\$ '000s)

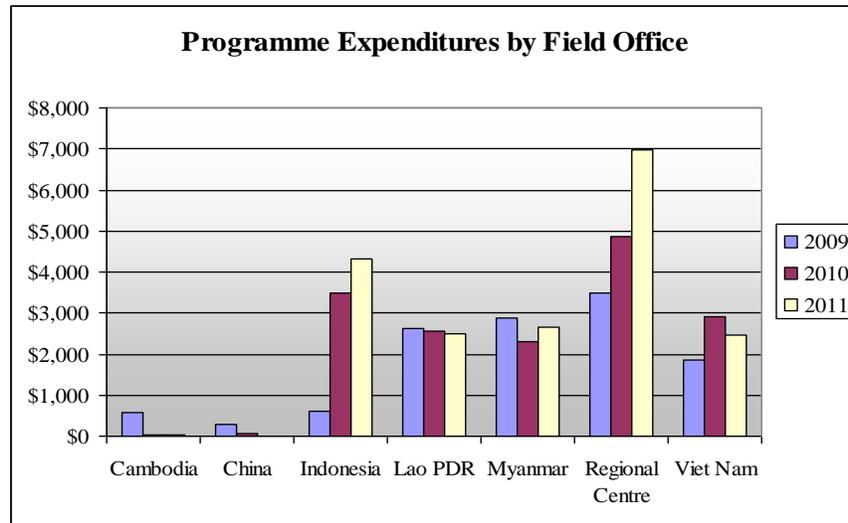
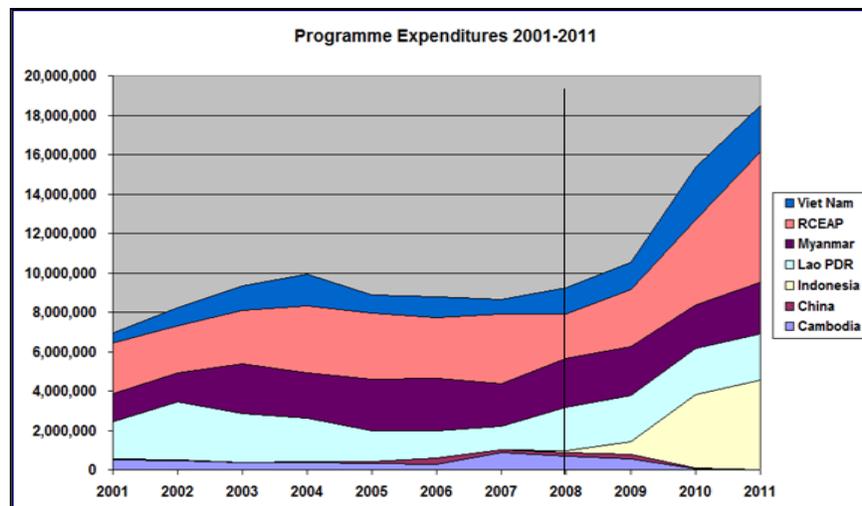


Figure 4: Programme Expenditures 2001-2011



With respect to expenditure by the two main thematic areas of UNODC's work, around two-thirds of expenditure was for Rule of Law initiatives and one-third for Health and Development. The sub-programmes on Illicit Trafficking and Criminal Justice were the two largest in terms of expenditure in 2011.

In 2012, this picture is likely to change due to an expected increase in Sustainable Livelihoods activities in Myanmar and Lao PDR. Early forecasts indicate that this component will become the second largest sub-programme in 2012.

As one can see in Figure 4, programme expenditure in all countries that are included in the RPF have been increasing since 2008 when the RPF was initiated.

Despite an overall positive picture, there are some concerns regarding the financing of the regional programme in 2013 and beyond. In particular, the sub-programmes on Drug Demand Reduction and on HIV/AIDS are facing funding shortages. The country programme in Vietnam is also contracting in 2012 (for the second consecutive year), and planned activities in Cambodia have not yet secured required levels of funding. UNODC is currently working to reverse such trends.

Funding for programme activities conducted in 2011 has been provided by the following donors.

Australia	Japan	Thailand
Canada	Lao PDR	United Kingdom
Cambodia	Luxembourg	United States of America
China	Myanmar	UN (including UNEP, One UN Plan in Vietnam and UNAIDS)
Czech Republic	New Zealand	Vietnam
European Union	Norway	
Germany	Republic of Korea	
Italy	Sweden	
	Switzerland	

Further details of funds secured and expenditures are available for the Evaluation Team to review.

### *Audits and Assessments*

#### *(a) The 2008 and 2011 Board of Auditors reports*

(i) The Audit Recommendations and the response by the Regional Centre is contained in the List of Background Documentation in Annex.

(ii) Following the receipt of the Management Letter from Board of Auditors on 11 August 2011, the Senior management of UNODC, in consultations with RCEAP, identified a course of action that included, inter alia, the fielding of an integrated UNOV/UNODC Headquarters-based team to support RCEAP in addressing the points identified by the Board of Auditors which related to both local and wider UNODC corporate issues.

(iii) The mission took place on 20 – 22 February 2012 and identified recommendations to be implemented. A summary of recommendations made by the Mission and actions taken is contained in the List of Background Documentation in Annex.

#### *(b) The 2011 AusAID Assessment*

In addition, AusAID conducted an assessment of UNODC's operations in 2011. These included the Regional Centre's operations. Their findings are documented in the 'Australian Multilateral Assessment' report (see List of Background Documentation in Annex). Two relevant extracts are as follows: "The improved operation of the Bangkok regional office in recent times is testimony to the positive results that UNODC is capable of achieving in strategic management and performance", and "Australia perceives UNODC leadership to be generally strong at the central level, and particularly strong at its regional office for East Asia and the Pacific in Bangkok".

### *Previous Evaluations*

The following is a list of relevant evaluations in the region:

#### **2009**

- (a) CMBH83 Developing Community based Drug Counseling, Treatment and Rehabilitation Services in Cambodia
- (b) KHMJ11 Institutional Reform and Capacity Building for Drug Control and Integrated Drug Abuse Prevention in Cambodia
- (c) FS/LAO/04/R76 Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking
- (d) RASH60 Regional precursor chemical control project for South and South West Asia

#### **2010**

- (a) LAOI28 Independent External Evaluation Post-Opium Surpass Poverty Project Oudomxay Province, Lao PDR
- (b) RASI09 Strengthening Comprehensive HIV/AIDS Prevention and Care for Drug Abusers in Custodial and Community Settings
- (c) RASI13 Improving Access for Young People with ATS Abuse to Effective Treatment

#### **2011**

- (a) IDNT71 Strengthening the capacity of anti-corruption institutions in Indonesia
- (b) IDNT80 Support to improved security by provision of capacity building to the Jakarta Centre for Law Enforcement Cooperation (JCLEC)
- (c) IDNT81 Support to the fight against corruption in Indonesia

#### **2012**

- (a) VIEH68 Technical Assistance to Treatment and Rehabilitation at Institutional and Community Level and VNMJ04 Drug Abuse and HIV Prevention among Ethnic Minorities in Northwest Vietnam
- (b) NMS65 Strengthening of the legal and law Enforcement Institutions in Preventing and Combating Money Laundering in Vietnam

The present evaluation will build on previous audits, evaluations, JIU reports and the inter-divisional mission to Bangkok. As some additional evaluations may be finalised by the beginning of the evaluation process, IEU may include these additional report in the background documentation.

### *Evaluation*

This RPF evaluation is part of an evaluation continuum developed by UNODC Independent Evaluation Unit. The approach consists of three stages where each evaluation should build on the previous one in order to ensure value added and learning:

1. Stage 1: The evaluation of the GLOU46 project (“Support for the Integrated Programming Unit to promote multidisciplinary and cross-sectoral technical cooperation”)
2. Stage 2: The evaluation of the Integrated Programming Approach
3. Stage 3: The evaluations of the Regional Programmes (the first one being the evaluation of the Regional Programme for East Asia and the Pacific)

The evaluations of GLOU46 and IPA will provide the conceptual basis for the subsequent evaluations of the RPs in the field.

### Purpose of the Evaluation

The evaluation will be utilized as a key tool to enhance:

1. programme improvement;
  2. accountability;
- and
3. organizational learning.

The evaluation is being undertaken in order to strategically inform

1. a potential one-year Programme extension (for 2013)

and

2. the preparation of a new RPF for EAP for the period 2014-2017, in terms of:

- (a) alignment with the new UNODC programme cycle (Strategic Framework for 2014-15);
- (b) response to audits’ recommendations.

The evaluation will thus help guide decisions about the strategic orientation, scope, format and content of a new RPF (2014-2017), as well as provide recommendations for the potential RPF extension (for 2013). It will also inform decision making for other Regional Programmes of UNODC.

It seeks to consolidate lessons learned from the design and use of the current RPF. This will include looking at the conceptual clarity of the RPF’s objective structure and its usefulness in providing a framework for ongoing Country Programmes, sub-programme and project development, as well as monitoring and evaluation, and integration/harmonization both at a country and regional level.

In addition, the evaluation will consider the interplay between the RPF and UNODC Thematic Programmes. It will provide recommendations as regards to how the policy guidelines contained

in the Thematic Programmes have been operationally translated into the RPF, considering that the RPF was designed before the Thematic Programmes.

The evaluation will present findings, conclusions and a set of clear and practical recommendations to UNODC Management, Member States, donors and others stakeholders.

The primary ‘users’ of the evaluation findings and recommendations will be UNODC senior management, both at HQ and in the EAP region. Member States and donors will also hopefully find the evaluation findings useful in making an assessment of how best to collaborate with UNODC in the region.

## Scope of the Evaluation

The evaluation will cover the time period from January 2008 to end of June 2012. In the absence of a baseline, it will be useful to consider the situation in 2008 (prior to establishment of the RPF) to help assess the RPF’s impact on UNODC operations. With the situation in 2008 to serve as baseline, there will be some bias due to the reconstruction of the baseline. To lessen the potential bias, the Evaluation Team should triangulate the data collected from several sources (e.g. documentation prior to 2008 as well as the interviews of several stakeholders) in their reconstruction.

In terms of geographic coverage, the evaluation will look primarily at the influence of the RPF on the Regional Centre’s operations in Bangkok and its operations in those countries where it has operational country / programme offices.

A proposed sampling strategy of the sites to be visited can be found in the Annex.

The evaluation will focus on the following points, in no particular order:

1. The usefulness of the RPF with respect to supporting UNODC’s relevance, efficiency and effectiveness, impact and sustainability in the region. To do so it must also assess the extent to which it has impacted on (or at least influenced) the quality of new Country Programmes, individual project/sub-programme preparation, implementation and ongoing monitoring/review. In this context, the evaluation will also attempt to examine the extent to which the RPF supported the overall priorities of UNODC’s Strategic Frameworks for the relevant periods.
2. The usefulness of the RPF in terms of helping to attract donor support, helping promote a regional profile for the work of UNODC, linking the work of UNODC in different countries, and the degree to which Member States and donors consider the RPF relevant and useful .
3. The extent to which the development and implementation of the RPF has influenced the efficiency and effectiveness of working arrangements between UNODC headquarters in Vienna and UNODC’s operations in the EAP region.
4. The extent to which the development and implementation of the RPF has influenced the strategic partnerships with regional bodies such as ASEAN/ASEC and financing partners, but also other UN agencies.
5. The progress made in implementing the recommendations stemming from previous audits, evaluations and the Inter-Divisional Mission; and furthermore, build on these recommendations and avoid any duplication to ensure efficient learning.

6. The XSPJ18 project, which is the 'facilitation project' of the RPF, and will thus cover the structure and function of the Programme Support Unit. Such project facilitates the absorption and implementation of funds for preparatory or seed activities (programme management). Such a project also supports the administrative and operational structures necessary to support the RPF (operations management). Such a dual fund approach is recommended by FRMS. With this, the evaluation will assess the sustainability of regional/country office management structures and their funding modality.

## Evaluation criteria and key questions

The primary review criteria are:

1. design,
2. programme oversight and coordination,
3. relevance;
4. efficiency;
5. partnerships,
6. effectiveness;
7. impact,
8. knowledge sharing
9. and
10. sustainability.

Key indicative questions for each of the criteria are listed below.

### *Design*

1. Was the design of the RPF appropriate/strategic given UNODC's own institutional structures and funding base?
2. To what extent is the RPF aligned with UNODC strategic planning tools (UNODC Medium-Term Strategy 2008-2011, UNODC Strategic Frameworks (2008-2009, 2010-2011, 2012-2013), and especially UNODC Thematic Programmes (considering that the RPF was designed before the Thematic Programmes)?
3. To what extent has the RPF incorporated policy principles derived from the Thematic Programmes?
4. What are the inter-linkages between the Thematic Programmes and the RPF in terms of planning and design?
5. Has the RPF identified strategic priorities?
6. To what extent is the Regional Programme results oriented, including a results chain cascading into the existing country programmes (Lao PDR, Indonesia, Vietnam) and projects?
7. To what extent is the Regional Programme Framework operational in practice?
8. Has the structure of RPF objectives, namely the outcome and output structure/statements, supported any improvements in the quality of sub-programme and project development? Specifically, have the outcome and output structure/statements provided clear and measurable goals to which the sub-programmes and projects can be seen to contribute?
9. Was the design of the RPF conducive to collecting data to demonstrate impact and/or achievement of outcomes?

### *Programme Oversight and Coordination*

1. Are the role and mission of the Regional Center, Country/ Programme Offices clear in relation to the implementation of the RPF?
2. What are the supervisory arrangements between HQ, the Regional Center and Country/Programme Offices? What provisions has the Regional Center made in order to effectively service and manage the Region?
3. How are reporting cycles aligned between the Regional Center, HQ, Country/ Programme Offices in light of the Strategic Frameworks (2008-2009, 2010-2011, 2012-2013)?
4. How have linkages between strategies at the national and inter-regional levels been built and what are the respective institutional set-ups?
5. Have roles and responsibilities between HQ, the Regional Center and Country/Programme Offices been pronounced and followed?

### *Relevance*

1. Was the decision to develop the RPF based on clearly identified regional needs, dynamics and priorities in UNODC mandate areas, and if so what were they?
2. Was the process used to develop and 'approve' the RPF appropriate to need/circumstances (e.g., the right people/partners involved, duration and timing, etc)?
3. Were the human security threats profiled in the RPF (situation analysis) and the proposed programme outputs and outcomes (programme description): (i) representative of Member State concerns and priorities at the time; and (ii) consistent with UNODC mandates (e.g. Medium-Term Strategy 2008-2011, Strategic frameworks 2008-2009 and 2010-2011 and Thematic Programmes), global strategies and perceived comparative advantages?
4. Were the RPF's proposed implementation arrangements relevant to need/appropriate in the context of promoting aid effectiveness principles (ownership, alignment, harmonization, mutual accountability and results focus)?
5. Was the RPF in line with the objectives of the Integrated Programming Approach?
6. To what extent is the RPF in line with the UN Millennium Development Goals?
7. To what extent does the RPF maximize UNODC comparative advantage in the region?

### *Efficiency*

1. To what extent have Thematic Programmes (which sets the policy framework) been efficiently translated into the RPF (considering that the RPF was designed before the Thematic Programmes)?
2. To what extent are the Thematic Branches efficiently involved in addressing the regions' needs and priorities?
3. Has the RPF impacted on the efficiency of working arrangements between UNODC HQ, the Regional Centre and country offices?
4. Has the existence/use of the RPF supported the development of other management processes within the RC and country offices that have impacted on operational efficiency? If so, what and how?
5. Has the existence/use of the RPF influenced the development of any UNODC wide management processes (e.g. involving UNODC HQ) that have impacted on operational efficiency? If so, what and how?
6. To what extent has the RPF contributed to the development and implementation of Country Programmes?
7. Has the RPF contributed to promoting government and donor interest in the work of UNODC, enhanced partnerships and/or the mobilization of additional financial resources?
8. To what extent were the national counterparts able and willing to contribute to the RPF implementation and to take an active part in funds mobilization?

9. Were funds allocation from the XSPJ18 decided in an efficient manner, e.g. identification of criteria for allocation and control over the utilization of the funding?
10. How does the current funding structure of the RPF affect its results and sustainability?
11. How is monitoring of the RPF undertaken? How are corrective measures undertaken in a changing environment?
12. Has the RPF helped improve the quality of UNODC's monitoring and reporting on results achieved in the region, both through project reports and in the consolidated Implementation Updates for the region?
13. Has the RPF enabled RCEAP and UNODC to make a link between substantive results achieved and funds disbursed?
14. How risks are identified and mitigated? Is there any risk management for the RPF?
15. How has XSPJ18 project contributed to the RPF? What are the strengths and weaknesses of this project?

### *Partnerships at RPF level*

1. To what extent is the RPF contributing to UN-wide mechanisms such as the One UN in the region (e.g. UNCTs in Myanmar, Laos, Thailand, Cambodia and Indonesia) or the Task Force on TOC/DT?
2. Under the RPF, are partnerships efficient in that they have led to improved implementation modalities, improved abilities to affect policy priorities, e.g. with ASEAN?
3. To what extent are the RPF partnerships relevant?
4. To what extent the RPF improved the coordination of responses to drug use, dependence and their health and social consequences in the region?
5. To what extent did the RPF improve regional level coordination of the HIV response for people who inject drugs and for prisons by government agencies, civil society and affected communities, UN agencies, donor partners and other relevant stakeholders?
6. To what extent has the RPF increased partnerships between UNODC and relevant civil society entities?

### *Effectiveness*

#### *At RPF Level:*

1. To what extent were the objectives of the RPF achieved?
2. What results can be attributed to UNODC interventions in the substantive areas?
3. Have Country Programmes (Lao PDR, Indonesia and Vietnam) contributed towards achieving the objectives of the RPF?
4. To what extent did the RPF contribute to the objectives of the UNODC Medium-Term Strategy and of the UNODC Strategic Frameworks?
5. Has the RPF helped clarify UNODC's strategic and operational focus in the region, in the eyes of UNODC staff, government partners and donors?
6. To what extent has the RPF helped improve UNODC's focus in the region on delivering substantive 'results'?
7. Has the RPF helped establish a more integrated programme of work for UNODC in the region?
8. To what extent has the RPF integrated existing projects and Country Programmes into its programming? (e.g. was there a process of phasing out existing projects into RPF?)
9. Have the data and reports produced by UNODC in the region lead to changed policies or programmes?
10. How have the data and reports produced by UNODC impacted the implementation of UNODC programmes and other government programmes?

*At Sub-Programme Level*

*Effectiveness – Rule of Law: Illicit trafficking and smuggling*

1. Were legal and technical capacities of Governments in the region strengthened in regards to the distinct issues of:
  - (a) trafficking of people
  - (b) trafficking of ATS and other drugs
  - (c) trafficking of natural resources and hazardous materials
  - (d) smuggling of migrants
2. To what extent the RP improved the coordination of responses in the region in regards to:
  - (a) trafficking of people
  - (b) trafficking of ATS and other drugs
  - (c) trafficking of natural resources and hazardous materials
  - (d) smuggling of migrants
3. To what extent was border security improved?
4. Were operations as regards to trafficking in persons effective?
5. Was trafficking in ATS and other drugs effectively acted upon?
6. Was trafficking in natural resources and hazardous substances effectively acted upon?
7. Was smuggling of migrants effectively acted upon?

*Effectiveness – Rule of Law: Governance*

1. To what extent is the UNCAC effectively implemented in the region?
2. How many countries in the region have ratified/acceded to UNCAC?
3. How many states have partaken in corruption-related trainings (including on the IRM – Implementation Review Mechanism)?
4. Of those who have partaken in the IRM, how many requested TA?
5. Were national anti-corruption strategies adopted and implemented?
6. To what extent have national AC strategies/action plans considered recommendations/TA following the review?
7. Have increased corrupt practices been identified and investigated by state agencies as a result of the RP?
8. Were anti-money laundering laws (investigation and prosecution procedures) adopted and implemented in the region in a coordinated manner?
9. To what extent did the RP raise awareness and establish forums among civil society, business, governments on corruption issues?

*Effectiveness – Rule of Law: Criminal Justice*

1. What is the progress made towards becoming party to and fully implementing the international conventions (UNCAC, UNTOC, Universal Anti-Terrorism Instruments and other protocols) in the region?
2. Did countries such as Cambodia, Indonesia, Lao PDR and the Philippines, which have ratified the international conventions (UNCAC and UNTOC), established operational legislative and regulatory frameworks?

3. To what extent are criminal justice systems in the region more/better coordinated, accountable and compliant with due processes due to the assistance of UNODC?
4. Should the RPF sub-programme have covered more of the substantive areas covered by the relevant Thematic Programme and needs of countries in the region in terms of crime prevention and criminal justice?
5. To what extent has the capacity of criminal justice officials in the countries of the region been strengthened, in order to better prevent and address cases involving acts of terrorism?

#### *Effectiveness – Health and Development: Drug Demand Reduction*

1. To what extent did the RP contribute to the development, review, adoption/adaption and implementation of national strategies or programmes on drug use prevention and dependence treatment, including evidence and community based drug dependence treatment?
2. Under the current RP, to what extent was the capacity of governments and civil society in the region strengthened as regards to drug use prevention and drug dependence treatment?
3. To what extent did the RP raise awareness and establish forums among civil society, and government agencies on drug use and dependence?
4. Under the RP, to what extent did service delivery improve in terms of quality and number of people reached?

#### *Effectiveness – HIV/AIDS*

1. To what extent did the RP contribute to the development, review, adoption/adaption and implementation of national strategies and policies on HIV prevention, treatment and care for people who inject drugs and for prisons?
2. Under the current RP, to what extent did the capacity of the justice sector, law enforcement, prisons and drug dependence treatment staff to implement HIV prevention, treatment and care services, increase?
3. To what extent did the RP contribute to increasing quality and coverage of the recommended HIV services for people who inject drugs, in prisons and for people vulnerable to human trafficking?
4. To what extent did the RP contribute to increasing availability, use and sharing of strategic information on HIV relevant to injection drug use and prisons?
5. Did the involvement of the affected community of people who inject drugs in the development of national strategic frameworks to reflect their needs increase under the RP?

#### *Effectiveness – Sustainable Livelihoods*

1. To what extent have UNODC's projects and advocacy in Sustainable Livelihoods (SL)/Alternative Development (AD) prevented, reduced or eliminated illicit drug crop cultivation?
2. How have SL/AD projects contributed to the improvement in the overall food security, poverty reduction and access to livelihood assets in poor and marginalized farming communities?
3. To what extent has the RPF raised awareness of and mainstreaming the issue of sustainable livelihoods<sup>134</sup>?

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<sup>134</sup> Mainstreaming in the drug control context has a double meaning: mainstreaming development oriented drug control into broader development plans and strategies; and mainstreaming counternarcotics plans and strategies into development plans. This must be taken into consideration when addressing this question.

4. To what extent has illicit crop cultivation in each concerned country been annually monitored, verified and reported?
5. To what extent has the change in socio-economic conditions of the stakeholders been monitored, verified and reported?
6. What percentage of illicit drug crop cultivating communities have been provided SL/AD assistance?
7. To what extent have sustainable livelihood and illicit crop elimination efforts been sustained and integrated into the mainstream of development?

### *Impact*

1. How has the RPF contributed to prevent and reduce the following:
  - (a) trafficking of people
  - (b) trafficking of ATS and other drugs
  - (c) trafficking of natural resources and hazardous materials
  - (d) smuggling of migrants
2. How has the RPF contributed to the reduction of corruption illegally acquired assets recovered and money laundering?
3. How has the RPF contributed to the reduction of transnational crime and protection of vulnerable groups enhanced?
4. To what extent has the RPF contributed to the reduction of drug abuse in the region?
5. How has the RPF contributed to reversing and halting the HIV epidemics?
6. How has the RPF contributed to the prevention and reduction of the cultivation of illicit crops?
7. How has the RPF contributed to the social and economic improvement of stakeholders?
8. To what extent would the situation have been different without the RPF?

### *Knowledge Sharing*

1. To what extent has the RPF contributed to improve UNODC knowledge about the drug abuse situation in the region?
2. To what extent could UNODC share and use this knowledge?
3. To what extent did this influence global, regional and national policies?

### *Sustainability*

1. To the extent that positive benefits are assessed to have derived from the development and implementation of a regional programme approach in EAP, how can UNODC best sustain and extend these benefits over the next 5 years?
  2. How do Member States plan to sustain the results achieved?
  3. Are the involved parties willing and able to continue the RPF activities on their own (where applicable)?
  4. Are the RP outcomes likely to be sustained? If not, why not? Which remedial actions would have been good to take?
  5. How has ownership of key stakeholders been sought and institutionalised?
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6. What mechanisms has the Regional Center instituted in order build regional ownership and a solid donor base?
7. To what extent does the fund-raising strategy ensure the sustainability of the RPF?
8. To what extent are the regional/ country office management structures and their funding modality sustainable? Should they be funded out of separate projects or should these functions be spread across the various operational vehicles that fall under a programme?

## Evaluation methodology

The evaluation approach is a participatory one formalized through the active participation of the evaluation stakeholders, in particular the Core Learning Partners (CLP)<sup>135</sup>. CLPs are key stakeholders of the subject evaluated who have an interest in the evaluation. CLPs will be selected by the Regional Centre in consultation with IEU. Members of the CLP will be selected from key stakeholder groups, including UNODC management, beneficiaries, partner organizations and Member States. The CLP will be asked to comment on key steps of the evaluation, such as the evaluation Terms of Reference and the draft evaluation report. They act as facilitators with respect to the dissemination and application of the results and other follow-up actions. The Evaluation Team will involve the Core Learning Partners as per UNODC guidelines.

As mentioned, the evaluation fits into a three-staged approach which unfolds as follows:

1. Stage 1: The evaluation of the GLOU46 project (“Support for the Integrated Programming Unit to promote multidisciplinary and cross-sectoral technical cooperation”)
2. Stage 2: The evaluation of the Integrated Programming Approach
3. Stage 3: The evaluations of the Regional Programmes (the first one being the present evaluation of the Regional Programme for East Asia and the Pacific)

When further developing the evaluation methodology, the Evaluation Team should carefully consider how to attribute the changes identified to UNODC interventions. In this endeavor the Evaluation Team would have to consider that in most instances (i) the projects under evaluation existed prior to the creation of the RPF and (ii) these projects may no have any data available.

The limitations to the evaluation will be identified by the Evaluation Team, e.g. data constraints (such as missing baseline and monitoring data), which may create the need for the Evaluation Team to retrospectively reconstruct the baseline data and to further develop result orientation of the programme.

The methodology for the evaluation of the Regional Programme includes but is not limited to:

### *Document review*

To provide the Evaluation Team with an overview of the programme and results achieved to date, key documents are listed at Annex B. The list is not exhaustive, and other relevant documents should and will be accessed and reviewed as appropriate over the duration of the evaluation. The desk review will entail detailed examination of documents such as: guidance notes, programme documents, including revisions, programme progress reports, policy papers, governing bodies’ resolutions, previous evaluations and other relevant documents produced.

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<sup>135</sup>Please see the list of Core Learning Partners in Annex.

### *Interviews / face to face consultations with key stakeholders*

The Evaluation Team will conduct interviews / face-to-face consultations with identified individuals from the following groups of stakeholders:

- (a) UNODC staff at HQ, at the RC and at selected country office sites in Thailand, Indonesia and Myanmar;
- (b) Partner government officials who are directly involved in UNODC's work in those countries where UNODC has a field presence;
- (c) Officials from ASEAN/ASEC;
- (d) Representatives of development partner/donor agencies who are contributing to UNODC's work in the EAP.
- (e) Other UN agencies, civil society stakeholders, etc) will be directly interviewed/consulted.

### *On-line questionnaire*

If feasible, an on-line questionnaire will be developed and used in order to help collect the views of some stakeholders (e.g., from within UNODC, donor agencies and government partner agencies) who it might not be possible to directly interview/consult through face-to-face meetings.

The on-line questionnaire will be clear and concise, and appropriately targeted. It will be administered by the Evaluation Team. The RC will directly assist the Evaluation Team by providing a list of email contact details. It is expected that a readily available online software package (e.g., Survey Monkey) be used to develop and administer the survey. The RC will assist the Evaluation Team to install and use this software.

### *Field visits*

Out of the countries receiving technical assistance through the modality of the RPF, the Evaluation Team will undertake field visits to the following countries, based on the proposed site sampling strategy provided in the Annex. These locations may be subject to change.

- (a) Thailand (Bangkok and other relevant project sites)
- (b) Indonesia (Jakarta and other relevant project sites)
- (c) Myanmar (Yangon, Shan State)
- (d) Cambodia (Phnom Penh other relevant project sites)

The Evaluation Team is responsible for further refining the sampling strategy (see Annex), based on objective criteria, when drafting the inception report. This includes identifying, with the support of the Regional Center, site visits within each country selected. The Evaluation Team also develops the sampling techniques that will be applied for the different data collection instruments.

### *Feedback on preliminary findings and recommendations*

Following the preparation of a first full draft of the evaluation report, the key findings, conclusions and recommendations will be presented to UNODC management for their comments and feedback. Then, findings, conclusions and recommendations will be presented to partner governments or donor agencies.

## *Inception Report*

The Lead Evaluator will present a summarized methodology (evaluation matrix) in an inception report which will specify the evaluation criteria, indicators, sources of information and methods of data collection. The evaluation methodology must conform to the United Nations Evaluation Group (UNEG) Norms and Standards and must be based on a triangulation of results.

## Timeline and deliverables

The Lead Evaluator will have the overall responsibility for the quality and timely submission of all deliverables, as specified below:

1. **Inception Report:** summarizing the review of documentation (“desk review”) and briefings. It specifies the evaluation methodology determining thereby the exact focus and scope of the exercise, including the evaluation questions, the sampling strategy and the data collection instruments. It therefore contains a refined work plan, methodology and evaluation tools.
2. **Formal debriefing session and presentation by the Evaluation Team** to the Regional Representative, followed by a briefing to the staff of the Regional Centre, in order for UNODC colleagues to provide comments and inputs to the preliminary findings that will form the basis of the draft report to be produced by the Evaluation Team.
3. **Draft Evaluation Report:** Home-based task to be performed by the Evaluation Team, where findings and results are analyzed, consolidated and reported, in line with UNODC evaluation policy and guidelines. The Evaluation Team, assisted by IEU, will circulate the draft report to the relevant stakeholders for further comments and feedback.
4. **Final Evaluation Report:** Based on the inputs received from stakeholders, the Evaluation Team incorporates comments and completes the analysis, recommendations and report, including an annex with management response.
5. **Presentation of evaluation findings, conclusions and recommendations** to the standing open-ended working group on governance and finance (FinGov): the Evaluation Team will present and facilitate a discussion in Vienna, as required.

## Indicative timeframe for the evaluation process

The evaluation will take place over a period of 2-3 months (scheduled between August and October 2012). The tentative working days for the Evaluation Team will be approximately 8-7 weeks (including three weeks in the field).

It is anticipated that the Evaluation Team should be contracted by end of August to undertake preparatory/desk review work and prepare an inception report.

Field work should start by beginning of September; involve visits first to the Regional Centre, Bangkok, then UNODC’s country offices in Jakarta, Yangon, sites in Cambodia, and back to Bangkok. This ‘field’ work is expected to last for about 3 weeks depending on the stakeholders to be interviewed and the site visits to be undertaken by the Evaluation Team.

Prior to completing the field work, a presentation of preliminary findings and recommendations will be given at the RC in Bangkok. Following this presentation, and based on comments/feedback, the Evaluation Team will complete the first draft of the evaluation report (due for submission by beginning of October 2012). UNODC and other evaluation stakeholders will subsequently provide further input/comment (within 2-3 weeks). The Evaluation Team will then complete the final draft report (within one week of receipt of comments/input).

UNODC Management has the opportunity to provide a written Management Response (if necessary in consultation with Governments and other stakeholders) to the evaluation process, findings and recommendations. This will be attached to the final report.

The main evaluation steps and anticipated time-line are summarized in the table below\*:

### RP EAP EVALUATION TIMELINE

	Main duties	Dates	Evaluation Consultant (Lead)	Rule of Law Expert	HIV/DDR Expert	Member of IEU	Location	Deliverables
Preparatory Stage	Desk review	Now - 9 Sept	5	5	5		Home-based	
	Coordination of Evaluation	Ongoing	14	0	0		Home-based	
	Development of evaluation methodology and tools (inception report)	Sept 17 - 18	2	1	1		Home-based	
	Finalization of the inception report	Sept 19	1	1	1		Home-based	Inception Report
	Briefing by UNODC programme staff and IEU	Sept 20-21	2	2	2		Vienna, Austria	
	Piloting and adjustment of evaluation tools	Sept 22-23	2	2	2		Bangkok, Thailand	
Implementation Stage	Data collection: Application of quantitative and qualitative evaluation tools, including interviews with Core Learning Partners and other key stakeholders, survey etc.	Sept 24-28	5	5	5		Bangkok, Thailand	
		Oct 1 - 5	5	5	5		Jakarta, Indonesia	
		Oct 8-12	5	5	5		Yangon, Myanmar	
		Oct 15- 16	2	2	2		Phnom Penh, Cambodia	
Debriefing session and presentation	Oct 17	1	1	1		Bangkok, Thailand	Presentation of Preliminary Findings	
Data analysis and triangulation	Oct 19 - 26	5	5	5		Home-based		
Preparation of the draft evaluation report	Oct 27 - Nov 12	10	10	10		Home-based	Draft Evaluation Report	

	Circulation of draft report to CLP for comments	Nov 12 - 26					Home-based	
Reporting Phase	Consideration of comments and finalisation of the evaluation report	Nov 27 - 28	2	2	2		Home-based	Final Report
	Presentation of evaluation findings, conclusions and recommendations to FinGov	Dec 3	1	1	1		Vienna, Austria	Presentation to FinGov

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**Total Working Days**

**62                      47                      47**

\*the duration and location of the evaluation timeline is subject to change

### Evaluation team composition

It is expected that the Evaluation Team will consist of:

- (a) One Lead Evaluator
- (b) One Evaluator with expertise in Rule of Law
- (c) One Evaluator with expertise in HIV/AIDS and Drug Demand Reduction
- (d) An Officer from UNODC's Independent Evaluation Unit who will be fully part of the Evaluation Team

### Roles and Responsibilities

The roles and responsibilities of the Lead Evaluator are as follows:

- Article I. lead and coordinate the evaluation process and oversee the tasks and deliverables of the Evaluation Team;
- Article II. carry out the desk review;
- Article III. draft the inception report and finalise the evaluation methodology incorporating relevant comments;
- Article IV. implement data collection tools and analyse data;
- Article V. triangulate data and test rival explanations;
- Article VI. ensure that all aspects of the terms of reference are fulfilled;
- Article VII. draft an evaluation report in line with the UNODC evaluation policy;
- Article VIII. finalise the evaluation report on the basis of comments received;

Article IX. include a management response in the final report;

Article X. present the findings and recommendations of the evaluation as required.

The roles and responsibilities of the second and third Evaluators are as follows:

- (a) carry out the desk review;
- (b) in collaboration with the Lead Evaluator, draft the inception report (in particular, the parts relevant to his/her expertise);
- (c) implement data collection tools and analyze data;
- (d) triangulate data and test rival explanations;
- (e) in collaboration with the Lead Evaluator, draft an evaluation report (in particular, the parts relevant to his/her expertise) in line with the UNODC evaluation policy;
- (f) finalize the evaluation report on the basis of comments received;
- (g) in collaboration with the Lead Evaluator, present the findings and recommendations of the evaluation as required.

The roles and responsibilities of the member of the Independent Evaluation Unit are as follows:

- (a) assist the Evaluation Team in all stages of the evaluation process;
- (b) participate in developing the evaluation methodology and implement data collection tools;
- (c) join some of the planned field work and contribute to the analysis and conclusions;
- (d) provide quality assurance throughout the evaluation process;
- (e) comment on all deliverables of the evaluation;
- (f) ensure that the evaluation is disseminated according to IEU guidelines;
- (g) ensure that the evaluation findings are shared simultaneously with management and external stakeholders as per the respective resolution and IEU guidelines;
- (h) ensure that recommendations are followed by an action plan, which will detail how and when recommendations will be implemented.

## Qualifications

The Lead Evaluator must meet the following technical qualifications:

- (a) Advanced university degree in international relations, public administration, social sciences, or related fields;
- (b) A minimum of seven years of professional experience including research and evaluation of international programmes;
- (c) A track record of conducting various types of evaluation, including process, outcome and impact evaluations preferably with experience in conducting evaluations for the United Nations;
- (d) Knowledge of transnational threats such as organized crime and illicit trafficking and security issues ;
- (e) Knowledge and experience of the United Nations System;
- (f) Knowledge of East Asia and the Pacific Region an asset;
- (g) Experience as a team leader;
- (h) Excellent report writing skills.

The Evaluator (Rule of Law) must meet the following technical qualifications:

- (a) Advanced university degree in or related to substantive area of expertise;
- (b) Seven years of progressive work experience in Illicit Trafficking and Smuggling; Governance; and/or Criminal Justice;
- (c) Prior experience in planning, designing, implementing, analyzing and reporting results of qualitative and quantitative studies including survey design and implementation;
- (d) Knowledge and experience of the United Nations System;
- (e) Knowledge of East Asia and the Pacific Region an asset;
- (f) Excellent report writing skills.

The Evaluator (HIV/AIDS and Drug Demand Reduction) must meet the following technical qualifications:

- (a) Advanced university degree in international development, public administration, public health, social science, evaluation or related field;
- (b) A minimum of seven years of professional experience in the field of international programmes of drug demand reduction and/or HIV prevention, treatment and care among drug users and/or in the prison settings;
- (c) Extensive knowledge of, and experience in applying, qualitative and quantitative evaluation methods and experience in gender sensitive evaluation methodologies and analysis, and understanding of human rights and ethical issues related to evaluation;
- (d) Knowledge and experience of the UN System, and preferably of UNODC;
- (e) Knowledge of East Asia and the Pacific Region;
- (f) Excellent communication and evaluation report drafting skills;
- (g) Excellent skills in English (both oral and writing). Knowledge of another language relevant to the evaluation might be an advantage.

The member of the Independent Evaluation Unit has the below qualifications:

- (a) Five years experience in evaluation, in particular in sampling, interviewing techniques, data collection, data analysis and report writing;
- (b) Strong analytical and writing skills in English.

### Conflict of interest

As per UNEG Norms for Evaluation, to avoid conflict of interest and undue pressure, members of an Evaluation Team must not have been directly responsible for the policy-setting, design, or overall management of the subject of evaluation, nor expect to be in the near future. The Evaluation Team has the duty to disclose any reason that he/she or they would not be able to evaluate the Regional Programme Framework for East Asia and the Pacific in a fair and unbiased manner.

### Management of evaluation process

Although the overall responsibility for the evaluation lies with the Lead Evaluator, the Evaluation Team will work closely with UNODC's Independent Evaluation Unit.

### The Independent Evaluation Unit (IEU)

IEU carries out quality assurance of the different steps of this evaluation; it endorses the TOR, approves the selection of the proposed Evaluation Team and liaises closely with evaluators throughout the entire evaluation process. IEU comments on and approves the selection of evaluation consultants and the evaluation methodology and provides methodological support

throughout the evaluation; IEU will comment on the draft report and will provide support in the process of issuing a management response, and, if needed, participate in disseminating the final report to stakeholders within and outside of UNODC. IEU ensures a participatory evaluation process by involving Core Learning Partners during key stages of the evaluation.

The Independent Evaluation Unit directly reports to UNODC Executive Director and Member States, who guarantee its independence and allow the function to remain free from any influence. In light of the above, IEU staff is considered impartial, objective and independent.

#### Regional Centre and Regional Desk

The Regional Centre in Bangkok, in collaboration with the Regional Desk in Vienna, is responsible for the provision of desk review materials to the Evaluation Team, commenting on the evaluation methodology, liaising with the Core Learning Partners, as well as commenting on the draft report and developing an evaluation follow-up plan for the evaluation recommendations.

The Regional Centre is in charge of providing logistical support to the Evaluation Team and facilitating the programme of the mission (e.g. travel arrangements and interview schedule).

#### Country and Programme Offices

Country and Programme Offices in the region support logistical arrangements for the Evaluation Team field work (including travel and organization of meetings). However, a focal point in the Regional Centre should coordinate the work and be the main interlocutor for the Evaluation Team in order to ensure efficient communication. Country and Programme Offices participate in the evaluation process as required, in particular they participate in the presentation of the preliminary findings and provide feedback on the first draft of the evaluation report.

#### Core Learning Partners<sup>136</sup>

Core Learning Partners (CLP) are selected by The Regional Centre in consultation with IEU. Furthermore, Core Learning Partners are selected from the key stakeholder groups, including UNODC management, mentors, beneficiaries, partner organizations and Member States. The CLP will be invited to comment on key steps of the evaluation and act as facilitators with respect to the dissemination and application of the results and other follow-up action.

#### List of annexes

Can be provided upon request

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<sup>136</sup> The list of the CLP is included in Annex C of the ToR.