



Uruguay One UN Coherence Fund

Annual Project Narrative Progress Report

Reporting Period: 1 January – 31 December 2011

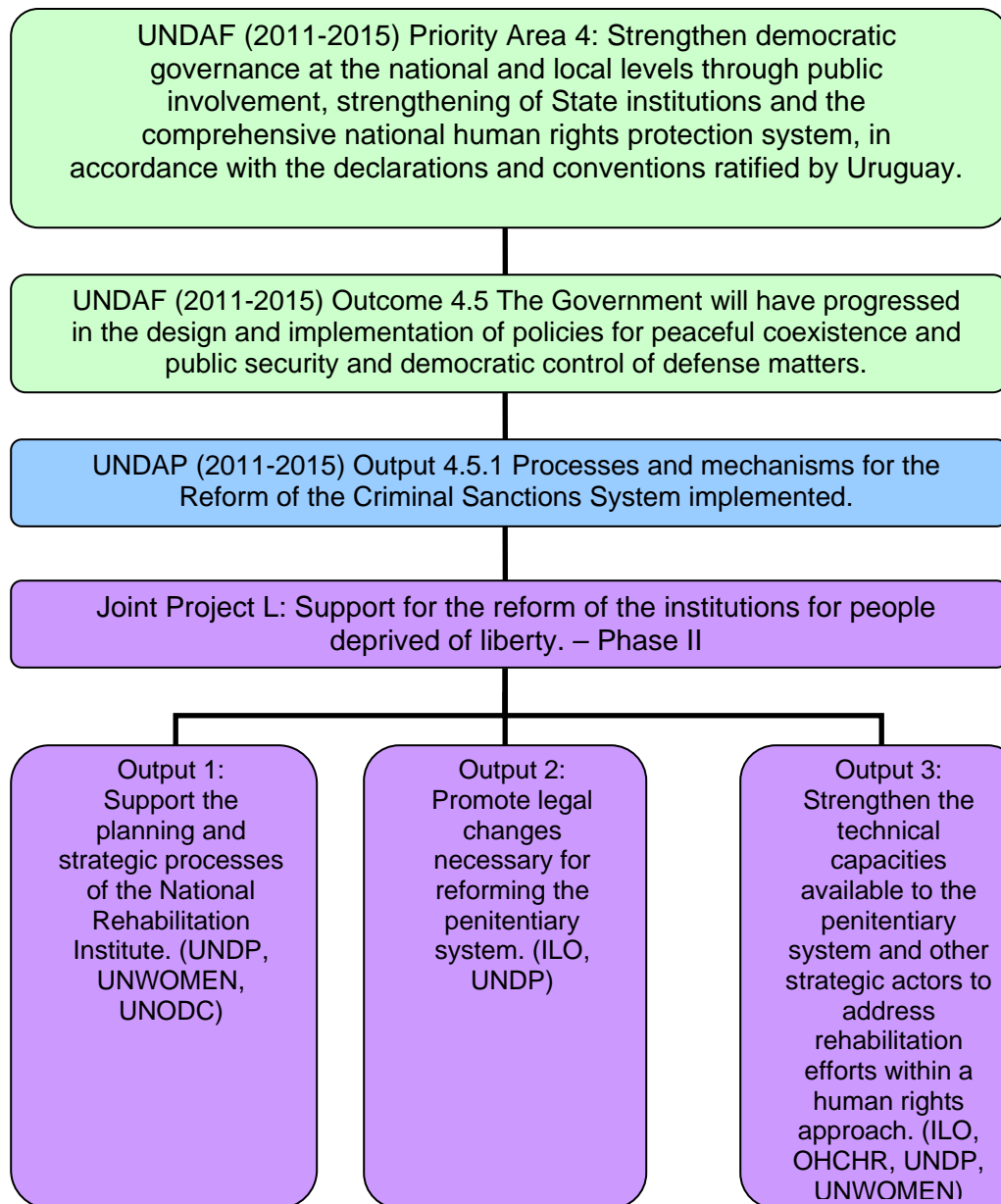
<p>Submitted by: Susan McDade, United Nations Resident Coordinator in Uruguay</p> <p>Contact information: susan.mcdade@undp.org</p>	<p>Country and Thematic Area</p> <p>Human Rights</p>												
<p>Programme No: L MPTF Office Atlas No: 66253 Programme Title: Support for the reform of the institutions for people deprived of liberty.</p>	<p>Participating Organization(s): Phase II: ILO, OHCHR, UNDP, UNODC and UNWOMEN</p>												
<p>Implementing Partners: Office of Planning and Budget (OPP) Ministry of the Interior, National Drug Board Spanish Cooperation's Training Center (CFCE)</p>	<p>Programme Budget from the Fund, Phases I and II:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>ILO</td><td style="text-align: right;">98,941</td></tr> <tr><td>UN Women</td><td style="text-align: right;">137,142</td></tr> <tr><td>UNDP</td><td style="text-align: right;">300,845</td></tr> <tr><td>UNODC</td><td style="text-align: right;">65,563</td></tr> <tr><td>UNOPS</td><td style="text-align: right;">43,505</td></tr> <tr><td>Total:</td><td style="text-align: right;">US\$ 645,996</td></tr> </table>	ILO	98,941	UN Women	137,142	UNDP	300,845	UNODC	65,563	UNOPS	43,505	Total:	US\$ 645,996
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<p>Programme Duration (in months): 32 (both phases) <u>Start date</u>¹: 12-Jul-2010 <u>End date</u>: 27-Mar-2013 in accordance with the ToRs and Phase II approved for 2012.</p> <p>Original end date: 1-Ago-2011 Revised end date: 27-Mar-2013</p> <p>Budget changes:</p> <p>Phase II approved for 2012 adding US\$ 150,000 from the One UN Coherence fund to the initial budget.</p>	<p>Programme Budget of in-kind or other contributions from UN Agencies and counterparts, Phase II:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>ILO/UNRC</td><td style="text-align: right;">28,950</td></tr> <tr><td>OHCHR</td><td style="text-align: right;">7,000</td></tr> <tr><td>UN Women</td><td style="text-align: right;">15,000</td></tr> <tr><td>UNDP</td><td style="text-align: right;">5,000</td></tr> <tr><td>CFCE</td><td style="text-align: right;">5,650</td></tr> <tr><td>Total:</td><td style="text-align: right;">US\$ 61,600</td></tr> </table>	ILO/UNRC	28,950	OHCHR	7,000	UN Women	15,000	UNDP	5,000	CFCE	5,650	Total:	US\$ 61,600
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¹ The start date is the date of the first transfer of funds from the MPTF Office as Administrative Agent.

I. PURPOSE

<p>Programme Description:</p>	<p>Within the framework of the Delivering as One Approach and the UNDAF/UNDAP 2011-2015, the Uruguayan Government and the UN System have endorsed a second phase of the joint programme to address the urgent need to modernize the penal system and penitentiary policies in Uruguay. The first phase was developed under the UNDAF/One UN Programme 2007-2010 and was identified as a high priority issue by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak in 2009.</p> <p>Phase II (2012-2013) will continue supporting the reform process of the institutions of persons deprived of liberty (penitentiary centers) and Penal Process Code. The National Rehabilitation Institute (NRI) will be strengthened with a new organizational design, include gender conscientious approaches, coordinate the international cooperation it receives from other partners such as the European Union or Spanish Cooperation, and implement a communication strategy. The UN System will also promote changes in laws and administrative regulations of the penitentiary system, including decent work alternatives for the persons deprived of liberty. Finally, Phase II will generate a training programme focused on Human Rights, gender and decent work for penitentiary staff.</p>
<p>Development Goal:</p>	<p>UNDAF (2011-2015) Priority Area 4: Strengthen democratic governance at the national and local levels through public involvement, strengthening of State institutions and the comprehensive national human rights protection system, in accordance with the declarations and conventions ratified by Uruguay.</p>
<p>Outcome:</p>	<p>UNDAF (2011-2015) Outcome 4.5 The Government will have progressed in the design and implementation of policies for peaceful coexistence and public security and democratic control of defense matters.</p> <p>UNDAP (2011-2015) Output 4.5.1 Processes and mechanisms for the Reform of the Criminal Sanctions System implemented.</p>
<p>Outputs and Key Activities:</p>	<p>Phase II (2012-2013):</p> <ol style="list-style-type: none"> 1. Support of the planning and strategic processes of the National Rehabilitation Institute. 2. Promote institutional (legal, administrative and programmatic) changes necessary for reforming the penitentiary system. 3. Strengthen the technical capacities available to the penitentiary system and other strategic actors to address rehabilitation efforts within a Human Rights approach.

Outputs for the joint project L and their relation to the UNDAF (2012-2013) and the UNDAF Action Plan (UNDAP 2012-2013)



II. RESOURCES

Disbursements from the Uruguay One UN Coherence Fund.

Participating UN Organization(s)	Total Approved Joint Programme Budget	Phase I Approved Transfers to PUNOs (2010-2011)	Phase II Approved Transfers to PUNOs (2012)
ILO	98,941	66,841	32,100
UN Women	137,142	87,187	49,955
UNDP	300,845	232,899	67,946
UNODC	65,563	65,563	-0-
UNOPS	119,186	43,505	-0-
Total:	US\$ 645,996	US\$ 495,995	US\$ 150,001

Participating UN Agencies and the Spanish Cooperation's Training Center (CFCE) are also contributing with their own funds (in-kind or otherwise) to the execution process of Phase II. These are:

PUNO or Counterpart	Phase II In-kind or other contribution from PUNOs or Counterparts (2012)
ILO/UNRC	28,950
OHCHR	7,000
UN Women	15,000
UNDP	5,000
CFCE	5,650
Total:	US\$ 61,600

III. IMPLEMENTATION AND MONITORING ARRANGEMENTS

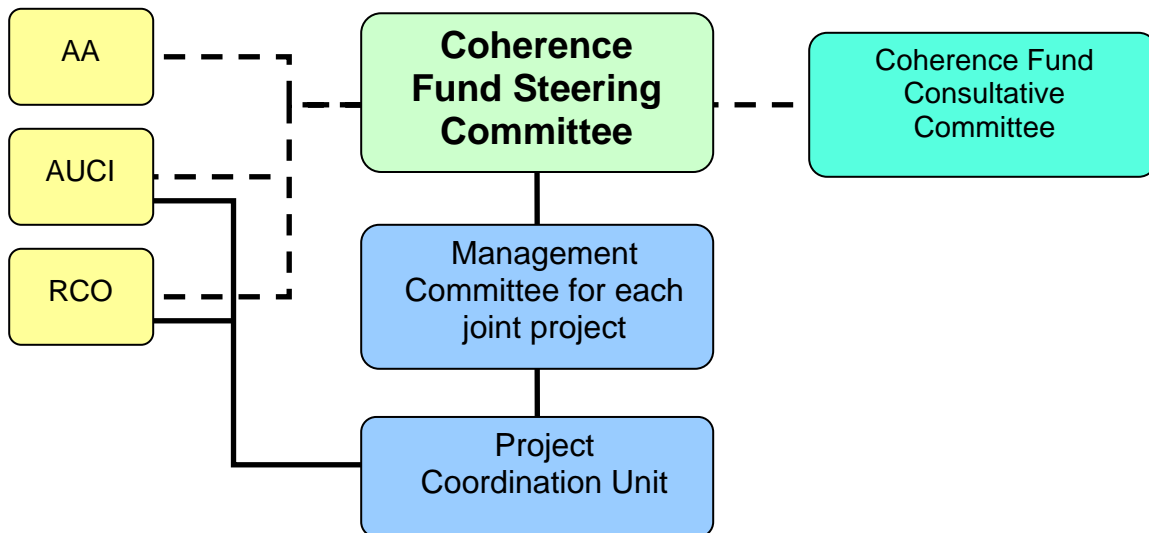
To support the implementation of the UNDAF/UNDAP (2011-2015) subsequently, the Government and the UNS in Uruguay agreed to establish the Uruguay One UN Coherence Fund; a common, un-earmarked, development fund, under the leadership of the Resident Coordinator. The Uruguay One UN Coherence Fund supports the coordinated resource mobilization, allocation and disbursement of donor-contributed resources for the unfunded elements of the UNDAF/UNDAP.

The Uruguay One UN Coherence Fund has several governance mechanisms to ensure proper management of funds, supervision of project execution, and monitoring of results. The mechanisms are: The Coherence Fund Steering Committee, The Coherence Fund Consultative Committee, The Management Committees, and the Administrative Agent (AA).

The members of the Management Committee are: Office of Planning and Budget (OPP)², Ministry of Interior, the National Drug Secretariat (SND), the Spanish Cooperation Training Center, the executing UN Agencies (ILO, UN Women, UNDP, UNODC) and the associated UN Agencies (PAHO/WHO, UNAIDS, OHCHR, UNICEF).

² The Uruguayan Agency for International Cooperation has been delegated the function of participating in the Steering Committee.

Governance mechanisms for the Uruguay One UN Coherence Fund.



IV. RESULTS

Within the framework of the Delivering as One Approach and the UNDAF/UNDAP 2011-2015, the Uruguayan Government and the UN System have endorsed a second phase of the joint programme to address the urgent need to modernize the penal system and policies in Uruguay. The first phase was developed under the UNDAF/One UN Programme 2007-2010 and was identified as a high priority issue by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak in 2009.

Phase II Output 1: Support the planning and strategic processes of the Institute of National Rehabilitation. (UNDP, UNWOMEN, UNODC)

When it comes to evaluating the NRI’s new structure, we must take into account the fact that, like all processes, an approved institutional design implies gradual change. Thus, in the course of becoming institutionalized, transformation has begun. To be more precise, the NRI is actually supported by a technical document that includes not only an organizational diagnostic but also a detailed organizational chart (with its functions, profiles, etc.) depicting the new structure according to the oncoming law. Nevertheless, a complete organizational law, fully describing its competences, is still under parliamentary discussion.

Gender policy is another very important issue that has needed attention. The NRI has gained a great deal of knowledge in promoting equality and preventing the institution of all kinds of discrimination. It took two major steps in solving this problem. The first one is the creation of a gender working group, which meets on a regular basis to analyze and discuss the expectations derived from women’s rights standards. A great deal of knowledge on gender mainstreaming at penitentiaries was transferred to the NRI during its mission to Argentina. Aldo NRI has an approved document on gender structure in accordance with the new organizational model.

It is relevant to note the creation and functioning of INR’s web page, which contributes enormously to the institutional communication policy.

In addition to the results mentioned above, it is important to emphasize that coordination is

considerably better among NRI's center directors, with other public agencies with whom support of different sources are needed, and between the NRI and the UN System. In fact, this offers an excellent opportunity to ensure the maintenance of the institutional transformation.

The strengthening of its capacities, has allowed the NRI to take over the management and policy of many penitentiary centers that were previously dependant from local authorities of the Ministry of Interior (Departmental Police).

Phase II Output 2: Promote legal changes necessary for reforming the penitentiary system. (ILO, UNDP)

The project has promoted the discussion of a new Penal Process Law through the publication of a consultancy with key recommendations for the debate. The matter is also present in seminars and workshops hosted and supported by the Project, being pointed as an urgent issue in the agenda.

Furthermore, great progress was made on the approval of the new legal framework for labor options for people deprived of liberty. The NRI has improved the relationships among fundamental stakeholders, such as the Labor Ministry, the private sector and social security agencies (particularly the National Social Security agency), which all together contribute to achieve the goal. More than one hundred people from different public organizations participated in an intense dialogue process about the urgent need to change the working law for people deprived of liberty. An interesting vast map of actors has been established and is now functioning as a network to guide the needed changes. Moreover, agreements among the organizations are far more common now than before the dialogues, and that is accepted as a good sign in general. The lack of clear regulations for work inside the prison environment, has been for decades a cause of tensions, wrong doings and inmate recidivism. The new scenario aims to underline work as an open door for rehabilitation and social integration. A striking example of this is that no one disagrees with the statement that "working prisoners is the key to rehabilitation or re integration to society."

Phase II Output 3: Strengthen the technical capacities available to the penitentiary system and other strategic actors to address rehabilitation efforts within a human rights approach. (ILO, OHCHR, UNDP, UNODC, UNWOMEN)

In reference to the capacity building programme, in general terms, the aims were fully achieved. There is no question that the institution has greatly strengthened the technical capacities available on the penitentiary system to address rehabilitation efforts within a human rights approach.

These are the results:

- A) Training course on decent work in the penitentiaries.
 - National penitentiary staff (45 participants) were trained in decent work policy for people deprived of liberty.
 - The staff visited prisons, shared experiences, gained experience and as a consequence established an interesting level of interaction among the prisons throughout the country.
 - The INR has a virtual platform that is an excellent tool for communicating, through a network, the process that has been installed.
 - The training course produced a labour guide, which includes definitions of the roles, profiles and functions of the staff working in this area. It also has an informal procedural and organizational manual.
 - The training group developed 5 labour projects that will be implemented in 2013.

- B) Second Training course on Penitentiary Health.

- National Penitentiary staff (50) were trained and are well qualified in Penitentiary Health.
- Coordination has improved.
- The health staff is now aware and fully understands the procedures to attend prisoners who need medical assistance in normal conditions or in the eventual case of a disturbance. That is to say, directors are now more conscientious that prisoners retain the right to health care equivalent to that available to those with liberty.
- The health staff is now capable of elaborating a procedure guide in penitentiary health.
- Finally, health staff gained knowledge on how to address the needs of HIV/AIDS interns.

C) Training course on Gender Policy

- Inter institutional coordination (among the Ministry of Interior Gender Unit, the NRI gender area and the Social Development Ministry).
- 35 penitentiary staff members were trained and implement conscientious approaches on gender discrimination.

D) Training course on Human Rights.

- 47 directors of national penitentiary staff (throughout the country with the exception of Rivera) were trained and are well aware of the Human Rights of people deprived of liberty.
- Analysis of the current penitentiary conditions and submission of proposals to transform the present reality in terms of Human Rights approaches.
- There has been an identification of the necessary measures or procedures to improve the conditions of people deprived of liberty.

Delays in implementation, challenges, lessons learned & best practices:

- National changes, such as those related to public administration produced delays in the project, as many consultants were forced to postpone activities previously planned.
- NRI is a very recent institution; therefore, it is still structuring its technical and bureaucratic staff.

V. FUTURE WORK PLAN

Phase II Output 1: Support the planning and strategic processes of the National Rehabilitation Institute. (UNDP, UNWOMEN, UNODC)

- Diagnostic and classification of people deprived of liberty in the prison of Canelones.
- Design an International Cooperation Area.
- Continue the organizational design process (recommendations suggestions and indicators for institutional monitoring procedures).
- Continue training in communication procedures (web page particularly).

Phase II Output 3: Strengthen the technical capacities available to the penitentiary system and other strategic actors to address rehabilitation efforts within a human rights approach. (ILO, OHCHR, UNDP, UNWOMEN)

Although there is still a lot to be done to strengthen the technical capacities of the INR, particularly in the context of the project phase II, the training programme was fully implemented.

VI. MONITORING

Expected results	Indicators	Status/measure
Phase II Output 1: Support the planning and strategic processes of the National Rehabilitation Institute. (UNDP, UNWOMEN, UNODC)	<ul style="list-style-type: none"> Existence of an approved technical document on the INR's new structure. 	Partial: elaboration of 2 of 4 products: organizational diagnostic and organizational new design.
	<ul style="list-style-type: none"> Existence of an approved technical document on the new structure that addresses gender issues. 	Partial: elaboration of 1 of 3 products function and rules of procedure of the Gender Working Group.
	<ul style="list-style-type: none"> Existence of a design for a Department of International Cooperation within the INR. 	Partial: Training in the course of the activities.
	<ul style="list-style-type: none"> Rate of knowledge on the penitentiary system's reform by the key stakeholders. 	Partial: coordination, articulation and information circulation among partners.
	<ul style="list-style-type: none"> Existence of a joint protocol of addressing the needs of people deprived of liberty that are drug dependent. 	
Phase II Output 2: Promote legal changes necessary for reforming the penitentiary system. (ILO, UNDP)	<ul style="list-style-type: none"> Progress on the approval/discussion process of the Penal Process Code 	
	<ul style="list-style-type: none"> Progress on the approval of the new framework for labor options for people deprived of liberty. 	In course
Phase II Output 3: Strengthen the technical capacities available to the penitentiary system and other strategic actors to address rehabilitation efforts within a human rights approach. (ILO, OHCHR, UNDP, UNWOMEN)	<ul style="list-style-type: none"> Number of trainers that were trained on gender mainstreaming. 	Total. 35 trained
	<ul style="list-style-type: none"> Existence of an operations manual on labor options 	In course

VII. ABBREVIATIONS AND ACRONYMS

AA	Administrative Agent
ASSE	Public Health Services Administration
AUCI	Uruguayan Agency for International Cooperation
CFCC	Coherence Fund Consultative Committee
CFCE	Spanish Cooperation's Training Center
CFSC	Coherence Fund Steering Committee
COMJIB	Ibero-American Conference of Justice Ministers
CP	Penal Code
CPP	Penal Procedures Code
CNR	National Center for Rehabilitation
DaO	Delivering as One
INAU	The Uruguayan Institute for Youth and Childhood
NRI	National Rehabilitation Institute
JND	National Drug Board
MI	Ministry of the Interior
MIDES	Ministry of Social Development
MPTF	Multi-Partner Trust Fund
OHCHR	Office of the High Commissioner on Human Rights
OPP	Office of Planning and Budget
OSLA	Office of Probation Monitoring
PAHO-WHO	Pan American Health Organization-World Health Organization
PNEL	National Council of the Incarcerated and Freed
PUNO	Participating United Nations Organization
RCO	Resident Coordinator's Office
SERPAJ	Peace and Justice Service
SIRPA	Penal Responsibility System for Adolescents
SND	National Drug Secretariat
STD	Sexually Transmitted Disease
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDAF	United Nations Development Assistance Framework
UNDAP	United Nations Development Assistance Framework Action Plan
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNOPS	United Nations Office for Project Services
UNRC	United Nations Resident Coordinator
UNS	United Nations System