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## ANNUAL PROGRAMME<sup>1</sup> NARRATIVE PROGRESS REPORT

REPORTING PERIOD: 1 JANUARY – 31 DECEMBER 2009

***Submitted by:***

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***Country and Thematic Area<sup>2</sup>***

Guinea-Bissau  
Rehabilitation of selected prisons and  
Training of Penitentiary Staff  
(Target 4 and 5, Objective 2, GIB JIP 1)

***Programme No:***

***MDTF Office Atlas No:***

***Programme Title:*** GNBT34:  
Rehabilitation of selected prisons and  
Training of Penitentiary Staff  
(Target 4 and 5, Objective 2, GIB JIP  
1)

***Participating Organization(s):***

UNODC – United Nations Office on  
Drugs and Crime

***Implementing Partners:***

- *Ministry of Justice*
- *UNDP for logistical support*

***Programme Budget (from the Fund):***

*For Joint Programme provide  
breakdown by UN Organization*

<sup>1</sup> The term “programme” is used for programmes, joint programmes and projects.

<sup>2</sup> E.g. Priority Area for the Peacebuilding Fund; Thematic Window for the Millennium Development Goals Fund (MDG-F); etc.

***Programme Duration (in months):***

Start date<sup>3</sup>: July 2008

End date:

- *Original end date*
- *Revised end date, if applicable*
- *Operational Closure Date*<sup>4</sup>, *if applicable:*

Budget Revisions/Extensions:

*List budget revisions and extensions, with approval dates, if applicable*

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<sup>3</sup> The start date is the date of the first transfer of funds from the MDTF Office as Administrative Agent.

<sup>4</sup> All activities for which a Participating Organization is responsible under an approved MDTF programme have been completed. Agencies to advise the MDTF Office.

## **NARRATIVE REPORT**

### **I. Purpose**

Under the peace building goal of supporting government efforts to reform its security sector in order to stabilize the peace process and protect the social development of the country against drug trafficking, organized and other forms of crime, the project's objective is to establish a fair, humane and efficient justice system for all by ensuring a strengthened capacity of the prison sector to respond to the needs of the criminal justice system as a whole.

The project will address the requirement for secure and adequate physical infrastructures able to host prisoners and detainees in compliance with international standards while focusing on capacity building of prison staff in order to ensure the effective management of prisoners' data files in line with international standards.

The project comprises a set of interrelated activities focused on the delivery of three key outputs as follows: (i) One prison in Bissau, one in Mansoa, one in Bafata and one in Canchungo (replacing the initially foreseen second prison in Bissau) refurbished in line with international standards; (ii) Data management system established for the two prisons in Bissau and the two provincial prisons; (iii) Prison managers and senior penitentiary staff trained with special focus on the management of the data files.

The Overall Objective is to support the efforts of the Government of Guinea-Bissau in reforming its security sector in order to stabilize the peace process and protect the social development of the country against drug trafficking, organized crime, and crime more generally. Such a programme constitutes an integral part of the Security Sector Reform of the Government of Guinea-Bissau.

The Specific Objective is to establish a fair, humane and efficient justice system for all by ensuring a strengthened capacity of the prison sector to respond to the needs of the criminal justice system as a whole.

The Outcomes of the project will be achieved by:

Addressing the requirement for secure and adequate physical infrastructures able to host such prisoners and detainees in compliance with international standards on the treatment of prisoners, and by focusing on the development of an effective data management system in line with international standards, a greater belief in the criminal justice system will be promoted, putting an end to the pervasive feeling that impunity always prevails. Establishing effective rule of law institutions will restore faith in the justice system.

Modernizing legal and administrative frameworks, in connection with an up-to-date Data Management System and adequately trained staff for the penitentiary administration permit Guinea-Bissau to possess prisons that comply with the UN Standard Minimum Rules for the Treatment of Prisoners and put an end to current prevailing lawlessness due to weak and corrupt penitentiary administrative capacity.

Refurbishing one prison in Bissau and three provincial detention centers in line with international standards leads to credible enforcement of sentences, particularly relevant to deter criminals by reversing the current lawlessness.

The Outputs of the project are:

Output 1:

One prison in Bissau, one in Mansoa, one in Bafata and one in Canchungo refurbished in line with international standards.

Output 2:

Data management system established for one prison in Bissau and the three provincial prisons. This data management system should be a national database with specific software for this purpose.

Output 3:

Prison managers and senior penitentiary staff trained with special focus on the management of the data files.

## **II. Resources**

*Financial Resources:*

The funding of the project is 900.000,00 USD\$ under the Peace Building Fund.

*Human Resources:*

- National Staff: In 2009 the UNODC sub-office had one full time national programme assistant who received training in Finance matters in Vienna.
- International Staff: Until September 2009 the sub-office worked with one international staff (Law Enforcement Adviser) and as of the 5<sup>th</sup> of September one additional International staff has been appointed to the mission (Legal Adviser). Since this date, the International Legal Adviser is devoted to the development of this project. Additional staff will join the sub-office early 2010.

## **III. Implementation and Monitoring Arrangements**

The UNODC sub-office in Bissau in close consultation with UNODC ROSEN and in full coordination with the National Steering Committee of the Peace Building Fund ensures proper planning, monitoring, and follow-up of the different activities of the project. On a yearly basis, UNODC assesses the progress made, identifying best practices and milestones, as well as describing obstacles to the implementation of the project. The problem analysis by UNODC includes description of enacted solutions and devised contingency plans. Annual reports are structured to cover the financial administration of allocated funds by matching activities with operated disbursements. Monthly reports and quarterly reports are being made to the Peace Building Committee as requested, informing on the ongoing activities.

As mentioned above, this project is part of an Operational Plan developed by the Government of Guinea-Bissau in partnership with UNODC. In order to ensure best monitoring and implementation of the different projects, a Programme Consultative Board (PCB) was established with the creation of this project. In implementing its operational tasks, the PCB will rely on the performances of its two Executive Directorates responsible for the punctual implementation of the Anti-trafficking (GIB AT) component and the Justice and Prison (GIB JIP) component – of which this project is part –, respectively.

The Programme Consultative Board (PCB) is chaired by the Minister of Justice and relying on the secretarial services provided by UNODC, the PCB is composed of representatives of the following institutions and international partners:

National authorities:

Ministro dos Negócios Estrangeiros da Guiné-Bissau, ·Ministro da Administração Interna and Ministro da Defesa.

International Partners:

UNODC, RSG/UNOGBIS, UN Resident Coordinator/UNDP, ECOWAS/CEDEAO, EU and Portugal;

Considering the nature of the PCB and its intrinsic overall aim of inclusion and coordination, membership to the PCB will be continuously reviewed at its regular meetings. Similarly and independently of the direct or indirect contribution to the Anti-Narcotic Programme, external partners may be invited to attend PCB meetings as observers.

The main functions of the PCB are:

1. Reviewing the annual work plan, suggests amendments, and recommends actions particularly with respect to operational synergies with ongoing and planned technical assistance inputs provided under bilateral initiatives and operational projects launched under the Security Sector Reform Programme;
2. Reviewing financial reports related to final annual expenditures and clears requests for annual budgetary allocations, and
3. Reviews progresses made in the implementation of the different components of the programme and endorses end of the year reports.

For the Executive Directorate, the composition is based on the following elements:

1. General-Director of the Administration of Justice;
2. One magistrate assigned by the Presidency of the Supreme Court of Justice, and
3. Specialized personnel on Penal Reform from International partners posted in the country such: European Commission/EU, ECOWAS / CEDEAO, UNOGBIS and Portugal.

The main functions of the Executive Directorate are:

1. Reviews and monitors the implementation of the different activities of the project;
2. Drafts work plans and prepare budgetary allocations for submission;
3. Addresses problems hampering smooth implementation of activities planned in the agreed work plans and reports to the PCB if a solution could not be found, and
4. Drafts annual and semi-annual reports (descriptive and financial), approves procurement and recruitment, and clears draft project and project budget revisions following requests by the PCB
5. Finally, being a project fully funded by the PBF, the project also is monitored on a consistent basis by the National Steering Committee of the PBF who has been visiting the construction sites and delivering important recommendations where necessary for the good implementation of the programme.

Procurement procedures are done in accordance with UNDP rules and in strict cooperation with the organization. Despite the fact that some delays have been verified, the results are enough for the demands.

#### **IV. Results**

The rehabilitation works at the prisons of Bafata and Mansoa which have been launched in July 2009, are progressing despite some delays motivated by the socio-political condition of the country, and the fact that most of the construction materials have to be imported and construction companies in Guinea-Bissau have limited capacity. Situation is closely monitored by UNODC, the National Architect Office and also by the National Secretariat of the Peacebuilding Fund through regular visits to the construction sites and suggestions for maximizing the ongoing implementation.

The Ministry of Justice started already in December 2009 the recruitment procedure of 80 penitentiary guards and 4 Directors for the future Prisons. It is expected that the recruitment will be completed by the end of the first quarter of 2010. The training plan for the Prison Senior Staff and First Line Staff was finalized by UNODC and transmitted to the Ministry for appreciation, comments and suggestions. On the 31<sup>st</sup> of December 2009, the reply is still expected. Problems in finding the appropriate expert within the Ministry of Justice to evaluate the proposal have been the reason advanced by the Ministry for justifying the delay. The training's objective aims having future penitentiary guards and Directors perfectly aware on the international standards in the treatment of prisoners, gender approach, juvenile justice, security in prisons and on the use of the Data Management System for the future prisons.

On the 11<sup>th</sup> of December 2009 a UNODC Programme Portfolio review meeting took place in Bissau with all international donors and national authorities and counterparts chaired by the Ministry of justice in order to review the UNODC portfolio for Guinea Bissau and to adapt it to the latest development in the country. In what concerns the prisons, this review meeting highlighted the fact that a new strategy should go through a consensual debate which recognizes the physical and human character of the problem. This project should continue providing that the respect for Human Rights be ensured through a concrete and clear proposal in what concerns the definition of a national policy in penitentiary matters. This should include the reform of the legal system in all aspects related to the execution of convictions in accordance with international standards, in particular the women, children and young delinquents as well the sustainability of the penitentiary system. In what concerns the Central Prison in Bissau the discussion was based in the necessity of building such prison or to rehabilitate other regional prisons. It was suggested that a specialized technical group should be settled in order to present a feasibility study for such prison.

This last suggestion for a national assessment of the prison needs for Guinea-Bissau was accepted by the Minister of Justice in terms of having a final consideration/plan for a future central prison in Bissau. This national assessment to be conducted by international and national experts and under the lead of the Ministry of Justice will be launched in early 2010.

The rehabilitation works at the prisons in Bafata and Mansoa are expected to be finished by May 2010. After an assessment conducted by UNODC at the project site in September, some changes were recommended such as the construction of an office facility for the Director in each prison, changes related to the strict separation between male and female areas and other minor changes that will improve the security of the premises. These changes were recommended for the purpose of having the

construction in full compliance with international standards and in order to have a more efficient prison management.

The former prison of Canchungo in the District of Cacheu was also visited since the Minister of Justice requested the respective rehabilitation as a replacement to the rehabilitation of the 1<sup>st</sup> Esquadra in Bissau which has been proved unfeasible following an assessment made in December 2008 by the International Committee for the Red Cross (ICRC).

This facility in Canchungo has very good potential for the rehabilitation and therefore was decided that a procurement procedure for the architectural plan should be launched as soon as possible in 2010.

The former Directory and Detention Center of the Judiciary Police in Bissau has also been object of several assessments made by different international institutions and countries which also concur in the need for urgent rehabilitation taking into consideration the bad conditions of work for the Judiciary Police Agents that are currently working there as well for the few detainees and convicted currently serving sentences and/or in pre-trial detention. This detention centre also does not comply with minimum international standards and respect for Human Rights. Urgent works of rehabilitation are needed and the building and available space have indeed potential for a mixed facility with inclusion of offices for the Judiciary Police, Detention Centre also under the supervision of the Judiciary Police and a prison area controlled by the Penitentiary services. The location is suitable, immediately outside downtown but at same time close to it. However in this particular premise there's a conflict between the Ministry of Justice and the Ministry of Interior concerning the property being part of the Judiciary police or of the Ministry of Interior. Recent consultations and meetings with all parties involved confirmed that a solution is to be achieved during the first quarter of 2010 and UNODC is engaged in helping the National authorities in finding that solution with a settlement between both Ministries in this respect.

Other important aspects also discussed with the Director of the Judiciary Police and the Minister of Justice was the construction of other inspection units of the Judiciary Police in the Canchungo, Gabu and in the Island of Bubaque. At least the unit in Bubaque should also include a detention center which is crucial for the islands that currently have no law enforcement, investigation, detention and judicial capacity whatsoever

The construction of this facility in the Island will have a strong impact in the fight against Drug Trafficking and other related crimes which have been object of recent international reports and trends related to the existence of criminal activities of such nature in the Archipelago of Bijagós with serious implications in the country and reflections in the region.

## **V. Future Work Plan (if applicable)**

The two regional prisons currently under rehabilitation (Mansoa and Bafatá) are due to be finalized in May 2010. A formal handover ceremony is planned accordingly and in the presence of the UN System for Guinea-Bissau and a senior representative of the PBF.

Once the respective works are finished the following process will start as previewed in the project:

- The training of the penitentiary guards; and
- The establishment of a Data Management System for the prisons;

The Minister of Justice already started the recruitment of 80 penitentiary guards (supervisors and regular agents) and 4 Directors and expects to have this process finalized by the end of the first quarter of 2010.

The construction of additional prisons as previewed in the Project Document (One in Bissau and another one in Canchungo) still continues to be a major priority of the Ministry of Justice and of the Minister of Justice in particular.

The Programme Management Team expects to continue the normal course of the project with the completion of the 4 prisons foreseen under the said project.

## **VI. Performance Indicators (optional)<sup>5</sup>**

From the 1<sup>st</sup> of January until the end of August 2009 the Programme Management Unit in Bissau was composed of a UNODC Law Enforcement Special Adviser and a Programme Assistant who have developed the programme in accordance with the project by ensuring the start of the rehabilitation works at both regional prisons in Bafatá and Mansoa. After the 1<sup>st</sup> of September 2009 a Legal Adviser on Anti-Narcotics and Criminal Justice was recruited for the sub-office in Bissau, to be placed within the Ministry of Justice and to follow up, among others, the prison reform.

The team managed to build an excellent relation of trust and confidence between UNODC, National Authorities and Implementing partners with swift exchange of information and fruitful cooperation for the purpose of the smooth implementation of the project. There's an excellent relationship between the UNODC staff in Guinea-Bissau and the Minister of Justice with perfect assimilation of ideas and concepts, as well as a perfect convergence of opinions and vision of what is needed for Guinea-Bissau in this particular project.

In addition, UNODC is keeping the Steering Committee of the Peace-Building Fund closely informed on all activities related to the project which results is a swift cooperation among all actors involved.

## **VII. Abbreviations and Acronyms**

UNODC – United Nations Office against Drugs and Crime;  
ROSEN – Regional Office in Senegal;  
PBF – Peace Building Fund;

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<sup>5</sup> E.g. for the UNDG Iraq Trust Fund and the MDG-F.