



Burundi: a door separates the men from the women in Ruyigi Prison
Photo by Thomas Martin, www.martinandmartin.eu

Penal Reform International 2010

PRI's objectives and method of working

PRI is an international non-governmental organisation (NGO) promoting penal reform worldwide. The Constitution sets out its objectives:

- The development and implementation of international human rights instruments in relation to law enforcement and prison conditions
- The elimination of unfair and unethical discrimination in all penal measures
- The abolition of the death penalty
- The reduction of the use of imprisonment throughout the world
- The use of constructive non-custodial sanctions, which support the social reintegration of offenders whilst taking into account the interests of victims.

PRI works with penal reform activists, NGOs and governments, as well as inter-governmental institutions. Working with civil society is central to PRI's programme activities and it actively supports the greater involvement of civil society in criminal justice reform.

PRI



PRI Executive Director Alison Hannah

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PRI works in partnership with governments, but only seeks and accepts funds from governments to undertake work in accordance with its agreed programme. As an independent NGO, PRI does not accept any funds which threaten its autonomy or require it to depart from its mandate or programme of work. Its policy on working with governments is set out on the website www.penalreform.org.

Its key working methods are through:

- Providing support to governments and non-governmental organisations seeking to reform their penal systems
- Assisting penal reform activists and specialists in setting up organisations within their own countries
- Assessing prison conditions at the request of governments and NGOs, recommending sustainable improvements and developing projects to bring those improvements about
- Developing alternatives to custody, and other penal reform projects that are culturally relevant
- Producing training resources and training criminal justice officials and NGO staff on international standards in human rights
- Organising national, regional and worldwide conferences, seminars and exchange visits, bringing together penal reform activists, specialists and government representatives
- Publishing newsletters that cover developments in penal reform, reporting on penal conditions worldwide
- Developing relationships with the United Nations and its agencies, the Council of Europe, the African Commission on Human and Peoples' Rights, and other inter-governmental organisations.

PRI



Georgia: rehabilitation for youth offender scheme – excursion

Penal Reform International 2010

Penal Reform International (PRI) is an international non-governmental organisation (INGO) established in 1989 and registered in the Netherlands.

Registration Number	40025979
Registered office and Operational address	1st Floor, 60-62 Commercial Street, London E1 6LT, England
Honorary Presidents	Al Bronstein, USA Dr Rani Shankardass, India Baroness Vivien Stern, UK Hans Tulkens, Netherlands
Chair	David Daubney, Canada
Treasurer	Livingstone Sewanyana (retired November 2010) Anthony Tang, HKSAR, China (from November 2010)
Secretary General	Juliet Lyon, UK
Deputy Secretary General	Vera Tkachenko, Kazakhstan
Other trustees	Justice Imman Ali, Bangladesh Olawale Fapohunda, Nigeria Maria Eugenia Hofer Denecken, Chile Anton Van Kalmthout, Netherlands Amin Mekki Medani, Sudan Simone Othmani-Lellouche, Tunisia and France Prof. Dirk van Zyl Smit (from November 2010) Bryan Stevenson, USA
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PRI Treasurer, Livingstone Sewanyana,
until November 2010

PRI

Structure, governance, management

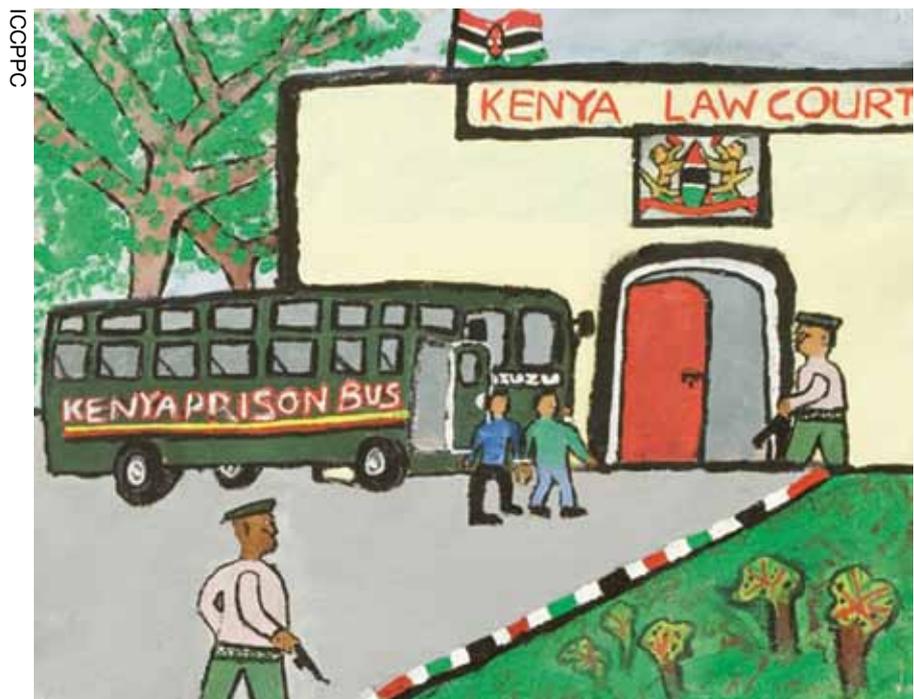
Governing document

PRI's governing document is its Constitution, which sets out its objects, mission and powers as a registered association. It is a membership organisation, with members electing the Board at its general meeting, currently held every five years. The most recent Board meeting took place on 26 November 2010, when it was agreed that PRI should register as a company limited by guarantee as an initial step towards registering for charitable status in the UK.

The Board

PRI aims to have Board membership that represents all the major regions of the world. The positions of Deputy Chair and Deputy Treasurer are currently vacant.

Prospective new Board members must be members of PRI and are expected to be active and expert in the field of penal reform. Before and after joining the Board, new members are provided with information about the Constitution and PRI activities. On joining, they are sent Board meeting Minutes of previous meetings and general information to facilitate



By Shem, Kenya, for a prisoner art contest organised by the International Commission of Catholic Prison Pastoral Care

their role. The Board or Executive Board can appoint new members in between general meetings (subject to election at the general meeting).

The Board meets annually and agrees the strategic direction of the organisation. In between meetings it delegates authority to the Executive Board, comprising the Chairperson, Treasurer and Secretary General, and their deputies. The Executive Board meets quarterly and exercises guidance and direction of ongoing activities. It also advises on operational issues where appropriate. The decisions of the Board and Executive Board are implemented by the Executive Director, who reports directly to the Board and Executive Board to set out progress on agreed thematic priorities with reference to PRI's strategic plan.

The Organisation

PRI has Consultative Status with the United Nations Economic and Social Council (ECOSOC) and the Council of Europe, and Observer Status with the African Commission on Human and Peoples' Rights (ACHPR).

In 2010 PRI's regional offices were based in Russia, Kazakhstan, Georgia, Jordan and Rwanda. At the end of December the office in the Great Lakes region of Africa closed, following a Board decision to work in Africa through local partnerships rather than maintaining a separate regional office.

Regional offices deliver donor-funded programmes and advocacy to implement reform in the countries of their region. At the end of the year, the total staff of the organisation was approximately 30, of whom ten were based in the head office in London. Regional staffing comprises a Regional Director, programme management, administrative and financial support staff. The head office leads and co-ordinates the international policy and advocacy activities. It also provides planning, programme development and fundraising, publications and website information resources, training, monitoring and evaluation as well as overall personnel, administrative and financial control functions.

The Executive Director leads the management team, which includes all Regional Directors, the Policy and Programme Development Directors, and the Head of Finance and Administration, based in London.

Risk management

The major risks to which PRI may be exposed were reviewed at the Board meeting in November 2010 and systems are in place to manage the risks identified.

Chair's message for 2010

PRI



PRI Chair David Daubney

Penal Reform International is an international NGO dedicated to the promotion of penal reform around the world. It has never been an easy or straightforward mission and 2010 was no exception to that rule.

The year dawned with the global recession impacting negatively on fundraising efforts leading to retrenchment in planned activities and cost controls that sadly led to the loss of some of our dedicated staff in London.

At the same time those economic pressures made some governments, notably those in the US and UK, question the high cost of continuing to incarcerate so many of their citizens and with such little return in terms of increased public safety. After many years of harsh, populist, tough-on-crime rhetoric, the smart-on-crime message from PRI and other reformers was gradually beginning to be listened to by decision makers.

Our approach to making societies safer was set out in a 96-page document entitled, *Making Law and Policy that Work: a Handbook for Law and Policy Makers on Reforming Criminal Justice and Penal Legislation, Policy and Practice* which was launched at the UN Crime Congress in April 2010.

Perhaps it was this increasing acknowledgment that the default use of imprisonment as the principal response to crime is not only unaffordable but largely ineffective for many non-violent offenders that led to PRI, just before Christmas, being provisionally awarded significant core funding under the British Government's International Development Partnership Programme Arrangements scheme. This programme for NGOs working in the humanitarian, security and justice spheres will provide PRI with badly-needed fiscal stability for three years and allow us to expand our reform efforts around the world.

David Daubney
PRI Chair

Achievements and activities 2010

With a new strategic plan agreed in 2010, PRI remains committed to its role as a catalyst for change and reform. Over the next five years it will build on the solid foundations of the previous twenty years, expanding or renewing its influence into new areas, thematically and geographically. In particular, it plans to develop its role as an international advocate for reform, making full use of its resources for maximum effectiveness. These are firmly grounded in the expert knowledge and solid experience of penal reform delivered through a range of programmes and advocacy activity. Working with partners, both civil society and governmental, is essential to bring about effective change.

Strategic objectives

Over the next five years, PRI will work towards:

- 1 Reduction in the use of imprisonment
- 2 Prevention of torture and other cruel, inhuman or degrading treatment or punishment
- 3 Abolition of the death penalty
- 4 Detention of children as the last resort
- 5 A proportionate and sensitive response to women offending
- 6 PRI established as a leading international resource for penal reform

Cross-cutting themes

A gender-sensitive and culture-sensitive approach is adopted through all activities.

PRI adopts a gender-based approach in the preparation, implementation and evaluation of its regional programmes. In addition, it pays attention to cultural and social norms in the countries in which it operates, taking them into consideration when adopting a methodology for reform.

Promoting human rights

PRI has a number of obligations relating to its consultative and observer status with inter-governmental bodies (IGOs) such as the Economic and Social Council (ECOSOC) of the United Nations (UN), the Council of Europe (CoE), and the African Commission on Human and Peoples' Rights (ACHPR). Regional offices take part in the Universal Periodic Review (UPR) by contributing to the consolidated NGO reports on the state of human rights in their countries, and advocate and promote change in line with recommendations made.



By Julius, Uganda, for ICCPPC's prisoner art contest

ICCPCC

Achievements and activities 2010



Algeria: October 2010, juvenile justice training course for judges, police officers and civil society organisations

Overcrowding:

In common with a number of countries in Africa and Asia, in **Bangladesh** a high proportion (67.7%) of those held in overcrowded conditions are not even convicted. Their continued detention is directly linked to lack of access to legal advice and assistance and inadequate court oversight of the legality of their detention.

Capacity-building with local partners

All PRI regional offices work with local partners, governmental and non-governmental. This collaboration usually includes some capacity-building, whereby PRI supports and strengthens the skills and abilities of local partners to ensure long-term sustainability of reform through training, small grants programmes, joint activities and campaigns.

Ways of working

PRI achieves its goals through:

- 1 Practical programmes delivered mainly through regional offices, promoting and implementing human rights and international standards.
- 2 Developing and disseminating information resources through publications and the website.
- 3 Advocating for prison and penal reform at a national, regional and international level, focusing on governments, international institutions and key organisations with decision-making or influential power.

Reduction in the use of imprisonment

Reducing pre-trial detention

The excessive length and use of pre-trial detention is a major cause of overcrowding in prisons in certain countries and regions of the world. In some countries the majority of the prison population is awaiting trial. Some will be found guilty, but many will be acquitted, and others will have spent longer in prison than any sentence they are likely to receive. Some simply get lost in the system and forgotten; their case file goes missing or is inaccurate and they never go to trial.

A high rate of pre-trial detention raises concerns for three main reasons:

- 1 The right to a fair trial: The presumption of innocence is a central principle of the criminal justice system, yet people who are innocent of any wrongdoing may be held in detention – sometimes for years – waiting for a chance to have their case heard.
- 2 The right to be treated with humanity and respect: A high rate of pre-trial detention causes prison overcrowding and poor prison conditions. These affect the detainees' physical and mental health, sometimes resulting in serious conditions including TB and HIV/AIDs

Achievements and activities 2010

Burundi

Total prisoners: 9,844

Pre-trial: 62.6% (Jan 2010)

Female: 3.5%

Juvenile: 3.8%

Occupancy rate: 243.1%

From International Centre
for Prison Studies
www.prisonstudies.org

Thomas Martin, www.martinandmartin.eu



Courtyard holding several hundred male prisoners at 270% capacity with little shelter, Ruyigi Prison, Burundi

- 3 Families suffer from the loss of someone who may be the main earner, or (particularly in the case of women, main carer) which can lead to the loss of jobs, homes and sometimes the break-up of the family itself.

The reasons for which pre-trial detention rates are high in countries where PRI works include: a shortage of lawyers, lack of state legal aid provision to give access to lawyers for people who cannot afford to pay, and other reasons related to poverty (for example, the prisoner cannot raise bail, or pay a bribe to get out of jail). Inefficient criminal justice and trial procedures also play a significant role, as do inadequacies in file management on the part of places of detention.

PRI's work to reduce high levels of pre-trial detention is through international advocacy to promote access to justice and better conditions for those in prison and through practical programmes delivered at a country level.

During the year PRI helped draft proposed new guidelines for legal aid in criminal cases at meetings organised by the UN Office for Drugs and Crime (UNODC). Once approved, these will improve access to justice in some of the poorest countries of the world.

PRI supports the role of Special Rapporteur for Prisons for the ACHPR in improving conditions for prisoners in Africa, particularly those held in pre-trial detention. Information tools and resources were provided to support her work, including a preliminary survey of paralegal services in Africa. PRI also supports the campaign of the Open Society Justice Initiative for

Achievements and activities 2010

“Many people detained within Burundian prison walls have been in pre-trial detention for months or years illegally. This is why PRI is deploying eight paralegals in four pilot prisons to train detainees in legal issues so that they know their rights, understand the judiciary system better, can follow the progress of their own cases, and represent themselves in court.”

Johanne Fortin, regional director of PRI's work in the Great Lakes Region.

Rwanda

Total prisoners: 62,000

Pre-trial: 26.9%

Female prisoners: 6.2%

Juvenile prisoners: 0.7%

Occupancy rate: 142.9%

From International Centre
for Prison Studies
www.prisonstudies.org

pre-trial justice, participating in some of the events which drew together the main NGOs working in this field.

PRI's work in the Great Lakes region of Africa focused on reducing the pre-trial prison population through paralegal services in **Rwanda** and **Burundi**. The paralegals link the detainees and the criminal justice system so that case files are completed and up to date and people held in prison awaiting trial are given information and advice on how to prepare their cases for trial and represent themselves.

In **Rwanda**, paralegals provided services in five prisons, organising and conducting education and awareness-raising sessions for detainees – particularly children, women and prisoners with HIV/AIDs. They supported the authorities through monitoring prisoners' files to ensure cases could proceed to trial more efficiently, with appropriate evidence prepared for trial, and that prisoners were not detained longer than the legal limit.

Due in part to the paralegals' efforts, during the period January – October 2010, 2032 detainees participated in the sessions held inside prisons; 558 detainees were released, 144 obtained provisional release, 362 guilty pleas were entered, 939 summons were delivered by court, 997 copies of judgement obtained, and 447 appeals were lodged. To improve liaison with the prison staff, the paralegals' monthly reports and schedule of visits were presented to the prison directors.

In parallel with these activities, PRI improved communication, co-ordination and collaboration with key sections of the criminal justice

PRI



Mushrooms grown for vulnerable prisoners in Rwanda

Achievements and activities 2010

ICCPPC



Picture by Kornijenko, Ukraine, for ICCPPC's prisoner art contest

Ukraine

Total prisoners: 154,027

Pre-trial: 25.6%

Female: 5.9% (of convicted adults)

Juvenile: 0.7% (Sep 2009)

Occupancy rate: 92.7%

From International Centre
for Prison Studies
www.prisonstudies.org

system. It met with representatives of the courts, prosecutors and prisons to resolve a number of problems. Agreement was reached so that each month the judicial districts would exchange a list of all prisoners whose records were sent to court. Delays in sending copies of the judgements from courts to prison were reduced by ensuring that people due for release were given priority and copies of their judgements were made available on the day.

The paralegals' service was much appreciated by the prosecution and prison authorities as well as detainees, and PRI opened discussions with local NGOs to see if they could continue providing a service after closure of the PRI office.

A similar paralegal service was initiated in **Burundi** in four prisons. Paralegals examined case files and liaised with the prosecution authorities as well as providing detainees with basic information about the criminal justice system, court procedures and criminal law. They sought to uphold and promote human rights for people detained in prison and improved their access to justice, particularly for children, women, and those affected by HIV and AIDS.

PRI also trained prison staff in international human rights standards relating to prison and the national police.

PRI's Moscow office programme in **Ukraine** supported reduction of pre-trial detention through changes in the law and improved conditions for children and women in Kyiv remand prison. Training was given to judges,

Detention reduction:

In 2010 detention was applied in 8.43 % of all relevant cases in the City of Kyiv (**Ukraine**), as compared to 8.57 % in 2009, and in 5.65 % of relevant cases in Kyiv Region, against 6.51 % in 2009

Achievements and activities 2010

Georgia

(stats from PRI regional office)

Total prisoners: 23,684

Pre-trial: *figure not known*

Female: 4.9%

Juvenile: 0.8%

Occupancy rate: 99.7%

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Johanne Fortin, Great Lakes Regional Director, with paralegals in Burundi

police officers, prosecutors, psychologists and prison staff. Talks for detainees about addiction, prostitution and domestic violence as well as health issues were recorded, distributed and made available to download from the project website.

Alternatives to imprisonment

PRI's South Caucasus office challenged the over-use of imprisonment in Georgia, a major cause of prison overcrowding, through promoting the use of community service and establishing a more effective parole system. Meetings were held with government officials, judges, the prosecutor's office and others to promote changes to sentencing practice through greater understanding of the benefits of alternative sentencing and early release schemes. It also promoted early release for seriously and terminally ill prisoners.

Through its position on the board of the steering committee for criminal justice reform, PRI developed prison and probation reform strategies and plans. At the request of the government authorities, it provided technical assistance to change the early conditional release system, commenting on draft regulations for parole boards and developing risk and needs assessment methodologies.

Achievements and activities 2010

Prevention of torture and other cruel, inhuman or degrading treatment or punishment

PRI believes there should be a better understanding of the broader definition of torture, the concept of prevention and its relevance at all stages of the criminal justice process. It works to prevent the incidence of torture through international advocacy and regional programmes. Its successful programmes to date include promoting ratification of the Optional Protocol to the Convention against Torture (OPCAT) and establishment of national preventive mechanisms (NPMs) to set up effective and independent monitoring in places of detention.

As a member of the OPCAT Contact Group, PRI's Policy Director met and communicated regularly with international NGOs working on prevention of torture, and members of the UN Sub-Committee on the Prevention of Torture (SPT). It was one of the NGOs asked to brief new members of the expanded SPT, whose members took part in a number of PRI events held in the Caucasus and Central Asia regions.

PRI supported the work of the UN Special Rapporteur (SR) on Torture, giving him information on PRI countries visited under his mandate (**Georgia, Jordan, and Kazakhstan**). He participated in training and a conference on torture prevention co-organised by PRI in **Kazakhstan**, launching the Russian translation of his report on a visit to that country, and discussing future collaboration following the end of his mandate. PRI met his successor to discuss how to maximise the impact of UN

"Throughout my tenure as UN Special Rapporteur on Torture I was impressed by the professionalism and dedication of PRI's staff. Their work is tremendously important and deserves all our support."

Mr. Manfred Nowak, former UN Special Rapporteur on Torture



PRI's Central Asia Regional Director Saule Mektepbayeva conducts a working group with the Ministry of Justice in Kazakhstan

Kazakhstan

(as at 1 Nov 2010)

Total prisoners: 57,932

Pre-trial: 12.2%

Female: 6.9% (not including pre-trial)

Juvenile: 0.5% (not including pre-trial)

From International Centre
for Prison Studies
www.prisonstudies.org

Achievements and activities 2010

SETIG



Community Service (TIG) in Rwanda: building a school

mechanisms for torture prevention and to ensure that rights of detainees are respected (for example through a Special Rapporteur on the rights of detainees, or a Convention on the rights of prisoners).

PRI jointly organised a panel discussion at the Organisation for Security and Co-operation in Europe (OSCE) review meeting in Warsaw on practical approaches to torture prevention, collaborating with a number of organisations to identify the factors that make it possible for torture to recur and the need for preventive strategies. An oral statement was given during the plenary session on the death penalty and treatment of those convicted of the worst crimes.

PRI was included as an associate in a new EU project of Bristol University Human Rights Implementation Centre, where partners include the South African University of the Western Cape and East Africa Policing Project. The Policy Director participated in a Nairobi seminar on the use of Africa-wide standards, torture prevention institutions including the African Union and National Human Rights Institutions (NHRIs) and tactics. She provided guidelines on prison visits for the Special Rapporteur on Prisons and Conditions of Detention in Africa and information about paralegal services, both focusing on pre-trial detention. PRI used the event to encourage NHRIs, African NGOs and senior figures in the African Union to challenge the relationship between pre-trial detention and torture.

*“PRI is a serious
organisation and its authority
cannot be questioned.”*

Mr. Petro Kochergan, Head of
Division, Ministry of Justice of Ukraine
and a member of the Steering
Committee of the Support to
Penitentiary Reform in Ukraine project

Throughout the year PRI's Policy Director collaborated with a range of organisations in different countries on torture prevention initiatives.

At the end of the year, PRI learnt it had been awarded a grant from the EU to promote torture prevention in nine countries (**Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Ukraine**) and preparations to start the programme began.

Monitoring places of detention

In **Rwanda** a 9-month monitoring programme funded by the EC and Belgian government came to an end in May. PRI and its local partner LIPRODHOR carried out regular monitoring visits to community service camps and prisons, looking at conditions including food, hygiene, health, religious practices, camp management and the work performed.

A report summarised the findings from visits to 21 camps and around 10 local community service sites. A number of PRI's recommendations were adopted, although major and recurrent problems still persisted: the daily diet was insufficient and monotonous, workers were working long hours (6.00 to 14.00 non-stop), with inadequate or unsafe equipment and lack of ventilation in the tents where they slept.

All 14 prisons were visited and, as a result of the findings, the prisoners' diet was improved to include beans, rice, milk and sometimes meat.

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Astana, Kazakhstan

Achievements and activities 2010

Overcrowding was still prevalent, especially in four prisons. The Rwandan Government's future plans include reducing the number of prisons from 14 to 9 with new ones built to international standards.

The **South Caucasus** office gave regular information on the treatment of prisoners and conditions in prison to the Committee on the Prevention of Torture (CPT) and the UN Special Rapporteur for Torture. The CPT's delegation met with PRI early in the year during its fourth Periodic visit to **Georgia** and was briefed about the situation there, especially in relation to prison overcrowding and rising prison numbers as well as details of cases of ill-treatment of prisoners. The CPT was kept informed of follow-up action taken.

Training workshops for prison staff were given in all three countries of the South Caucasus, increasing the awareness of prison staff on international standards for the treatment of life-sentenced prisoners.

The **Central Asia** office continued its programme to establish a national preventive mechanism (NPM) for monitoring prisons in **Kazakhstan**. It launched the annual report of the Public Monitoring Commissions at its international conference on OPCAT and NPM models. PRI worked with the Ministry of Justice, civil society organisations and others to ensure that an NPM was put in place that met international standards.

PRI



Alison Hannah being interviewed about OPCAT

International as well as national experts discussed the draft law and an NPM model which includes the Ombudsman and civil society bodies ('Ombudsman Plus') was promoted.

Law enforcement staff were trained on UN standards and human rights instruments for torture prevention through a series of training sessions for officials from the Public Prosecutor's office, the Ministry of Interior, Committee of National Security and others. It was supported by the OSCE Centre in Astana, whose representative stressed that eradication of torture is an obligation for all OSCE member states. PRI's Regional Director Saule Mektepbayeva commented: 'The national professional education system does not equip people with knowledge of torture issues; for example, how to document torture cases, what special medical evidence of torture exists, and what punishment should be applied to those who torture. This is why the additional professional courses are needed.'

PRI played a key role in determining the appropriate model of NPM in **Kazakhstan** and drafting the legislation to establish it. This was demonstrated at an autumn round table event attended by almost 60 people, including the Special Rapporteur for Torture, Mr. Manfred Nowak.

PRI CA provided two-day training courses on international standards against torture in **Kazakhstan** for 100 officials from the police national security organisations, Ministry of Justice and prosecutors. It was clear from the training that many participants were previously unaware of international or national standards in this field.

Abolition of the death penalty and improving conditions for those serving life and long-term imprisonment

The death penalty violates the fundamental right to life and the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment as set out in the Universal Declaration of Human Rights. The death penalty represents an unacceptable denial of human dignity and integrity. It is irrevocable and, where criminal justice systems are open to error or discrimination, the death penalty will inevitably be inflicted on the innocent.

There has been a global trend towards the abolition of the death penalty and a restriction in the use of capital punishment over the last fifty years. However, abolition of the death penalty has played a significant role in the increased use of life and long-term imprisonment, and life without the

Key Death Penalty Abolition Achievements

- 1 Adoption of 3rd UN GA moratorium resolution
- 2 Ratification of 2nd Optional Protocol to ICCPR by Kyrgyzstan
- 3 Strengthened advocacy at the international and regional level on the fight against the death penalty
- 4 Providing a platform for dialogue and debate across all 5 regions of the project, including the regional conference in Alexandria
- 5 Publication of the MENA toolkit
- 6 Development of the research methodology

Achievements and activities 2010

PRI



Training for prison staff on life imprisonment, Tajikistan

possibility of parole. PRI believes that a life sentence without prospect of review should never be used for any category of offender, and that any alternative sanction to the death penalty should respect international human rights standards and norms.

PRI is currently implementing a multi-regional programme for progressive abolition of the death penalty and alternative sanctions that respect international human rights in 19 countries across five regions of the world: **Central Asia** (Kazakhstan, Kyrgyzstan and Tajikistan); **East Africa** (Kenya and Uganda); **Eastern Europe** (Belarus, Russia and Ukraine); the **Middle East and North Africa** (Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Tunisia and Yemen); and **South Caucasus** (Armenia, Azerbaijan and Georgia). This programme of work is being implemented with the financial assistance of the European Union, under the Instrument for Democracy and Human Rights (EIDHR).

Over the year, a range of activities took place in the 19 countries, including:

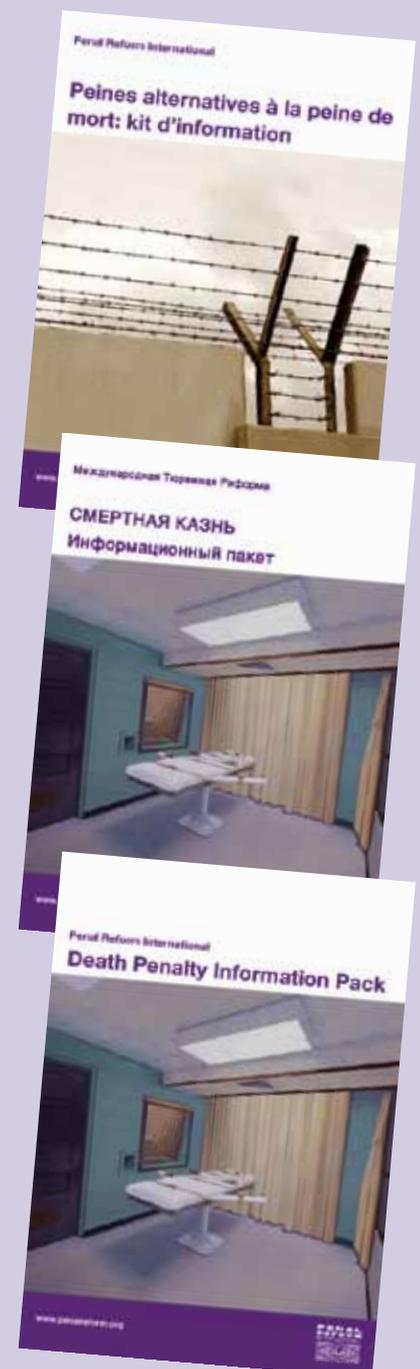
- 7 fact-finding missions in **Algeria, Armenia, Azerbaijan, Belarus, Egypt, Kenya** and **Yemen**. During each visit, PRI met with various members of civil society, government officials and journalists, to undertake a study on the development of national campaigns to abolish the death penalty and identify strategies for future work. For example, in Yemen PRI's **MENA** office found that the issue of executions of juveniles is an important phenomenon that should cease.

Achievements and activities 2010

- 7 training workshops in **Jordan, Kazakhstan, Kenya, Kyrgyzstan, Tajikistan, Ukraine** and **Uganda**, covering sentencing guidelines standards for the treatment of prisoners; reporting guidelines on death penalty reporting for journalists
- 4 national conferences in **Kazakhstan, Kyrgyzstan, Russia** and **Uganda**. The conferences developed recommendations and strategies for abolition and alternative sanctions
- Development of a research methodology on the application of the death penalty and its alternatives designed by PRI in collaboration with Sandra Babcock (Northwestern University) and Dirk van Zyl Smit (Nottingham University). Research results are due to be published in September 2011.
- A study visit to the **UK** took place for Ukrainian criminal justice stakeholders to discuss management of life and long-term prisoners in September.
- A regional conference was held in Alexandria, **Egypt** in partnership with the Swedish Institute and focused on the death penalty in the MENA region. Approximately 50 people representing government officials, civil society and the media from 11 Arab countries participated
- At an EU-NGO conference in July, PRI provided practical suggestions for improving the EU's death penalty abolition policy in light of the Lisbon Treaty, raising issues of consistency, cooperation, efficiency and awareness-raising.
- Increased media outputs through PRI's project partner: Inter Press Services (IPS). Approximately 67 original stories and four columns were commissioned and published on the death penalty and its alternative sanctions.
- Involvement in World Day Against the Death Penalty activities at the University of Essex Human Rights Centre in October.
- Increased involvement with the World Coalition Against the Death Penalty.

Publications produced during the year included:

- A MENA toolkit on *Combating the death penalty in the Arab World: tools, techniques, tactics and strategies for abolition* was published in Arabic on 10 December. It includes practical tools, techniques, tactics and strategies for human rights activists in the MENA region.
- A joint briefing on *The Death Penalty for Drug Offences and International Support for Drug Enforcement* produced with the



Achievements and activities 2010



International Harm Reduction Association (IHRA) and Human Rights Watch in October.

- 3 training resources are due for publication and translation into English, French, Arabic and Russian in early 2011. They cover criminal justice safeguards (fair trial standards / international standards for prisoners etc); reporting on the death penalty by journalists; and advocacy tools for civil society organisations.
- 2 Information Packs on the death penalty, and alternative sanctions to the death penalty were prepared for publication and translation into English, French, Arabic and Russian. These are also due to be published in early 2011.
- PRI's Moscow office translated into Russian a number of key documents on international standards and working with prisoners serving life sentences.

A key achievement for the programme in 2010 was the UN General Assembly's Third Committee vote on a resolution for a moratorium on the use of capital punishment. Support for a moratorium increased, and the number of countries in direct opposition fell (109 countries voted for the resolution, 41 against, 35 abstained; Russia became a co-signatory for the first time). At the end of the year, 136 of the 192 UN Member States have abolished the death penalty in law or in practice. However the USA, despite 15 of its states having abolished the death penalty and 19 having not executed anyone since 2009, remained in the company of China, Iran, Iraq and Singapore in continuing to vote against the moratorium.

Other key achievements included the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, by Kyrgyzstan in December. This is an important step towards abolition of the death penalty.

PRI also increased and strengthened its international and regional advocacy efforts in the fight against the death penalty. This included participating at the Fourth World Congress against the Death Penalty in Geneva in February, the 19th Session of the UN Crime Commission on Crime Prevention and Criminal Justice in Vienna in May, the World Coalition Against the Death Penalty's General Assembly in California in June, at the OSCE Review Conference in Warsaw in October, and at the 48th Ordinary Session of the ACHPR in November. PRI participated by hosting joint NGO side events and delivering oral statements on the abolition of the death penalty at these events.

Detention of children as a measure of last resort

PRI believes that the needs of children in conflict with the law should be identified at the earliest possible stage. Decision making about their future and delivery of non-punitive social welfare responses should be guided by the best interests of the child. A restorative justice approach is the aim of PRI's work in juvenile justice and particular attention is paid to the needs of girls. This is implemented through international advocacy, regional and country programmes including its programme in MENA to establish a restorative approach to juvenile justice in five countries.

PRI is a member of the Interagency Panel for Juvenile Justice (IPJJ), a group of UN bodies and NGOs specialising in juvenile justice, promoting and disseminating good practice. It supported its fellow IPJJ member Defence for Children International (DCI) in issuing an appeal for juvenile justice to be efficient, specialised, fair and respectful of children's rights.

The Executive Director spoke at a major conference organised by an IPJJ member, the International Juvenile Justice Observatory, on juvenile justice and mental health. The audience of 350 represented academics, government ministries, healthcare professionals, NGOs, international and national institutions, all meeting to share information about the scale of the problem and identify good practice. There is a high correlation



Georgia: a youth probation centre

Achievements and activities 2010

between mental health problems, drug abuse and juvenile offending and an individualised and integrated approach is needed to deal with them.

PRI supported the call by Barnados (a UK NGO specialising in children's rights) to raise the age of criminal responsibility to 12. International standards and norms emphasise the importance of a high age of criminal responsibility, seen as a more effective way of dealing with children in conflict with the law. Evidence from Western Europe, the USA, Canada, Australia and New Zealand, countries in the Former Soviet Union, Middle East and parts of Africa shows that interventions such as care, guidance and supervision orders; counselling; probation; foster care; educational and vocational training are more likely to be successful in preventing re-offending than detention.

PRI joined the Children's Rights Alliance Network's call for a rights-based and independent Office of Children's Rights Commissioner for England. In August, PRI successfully co-sponsored a proposal that the UN Committee on the Rights of the Child should hold a Day of General Discussion on children of prisoners in 2011.

PRI's aims for a restorative approach towards children in conflict with the law are demonstrated through its MENA programme in **Algeria, Egypt, Jordan, Morocco, and Yemen**. By mid-2011 it will have trained over 600 professionals, including judges, prosecutors, police and probation officers. It also seeks to develop specialist juvenile police centres to divert children towards the family and community rather than the formal criminal justice system.

During 2010 the **MENA** office carried out many activities, including:

A Juvenile justice conference in January with the Egyptian Foundation for the Advancement of Childhood, at which **Egypt's** juvenile justice system was reviewed and recommendations made for improvement. National



Algeria: juvenile justice training course for judges, police officers and civil society organisations

and international organisations, specialists and government bodies shared experiences. Conference participants commented on the positive developments taking place within the juvenile justice system in Egypt and the willingness of the authorities to develop the system in accordance with relevant international standards. Measures to improve the juvenile justice system in **Egypt** were recommended.

PRI



Georgia: prison dining room

A *Juvenile Justice Training Workshop* in **Egypt** targeted Child Protection Committees and covered the main principles of restorative justice, international human rights standards, alternatives to imprisonment and aftercare programmes. During the four days of training the role of the Child Protection Committees in protecting juveniles and implementing the Egyptian law was discussed. They have the right to deal with children's cases without referring them to the police and the right to inspect and supervise juvenile care centres. Participants learnt more about diversion measures and social protection for children in **Jordan** and the **United Arab Emirates**.

A *Police Training workshop* on human rights standards and guidance for dealing with juveniles: PRI partnered with the Geneva Institute for Human Rights, providing experts and materials for this training for 25 police officers.

Meetings with Jordanian authorities to work on creating a specialised Juvenile Police Department

A *Regional Roundtable*: Officials from **Algeria, Egypt, Jordan** and **Yemen** met to share experiences and discuss lessons from the Jordanian pilot police centres and see how these could be set up in their own countries.

A *training workshop* on diversion programmes and non-custodial measures was held in **Yemen** in collaboration with the Ministry of Social Affairs and Labour and the Ministry of Interior. 25 participants discussed the Yemeni juvenile justice system in relation to international standards, reasons for child delinquency, social and psychological factors, abuse

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of children during detention, diversion programmes, non-custodial measures and the special needs of girls. The workshop also discussed juvenile offender aftercare and reintegration. Recommendations included:

- The need for a legal framework for police officers and others to use diversion measures.
- The need to coordinate all juvenile justice players in Yemen

Although progress has been made in **Yemen**, particularly in community diversion measures, there is much to do to bring the country's juvenile justice system into line with international standards.

In April 2010 PRI's Moscow office participated in an on-line discussion about juvenile justice in **Russia**. The purposes of the discussion were to find better ways of promoting juvenile justice, and to respond to the most frequent questions and prejudices involved.

In **Ukraine**, PRI set up sessions of psychological assistance for children on remand, to help them become more self-aware and emotionally mature, to better understand the reasons for their behaviour and its consequences and to encourage a more positive attitude towards the future.

PRI's **South Caucasus Office** concluded its programme on juvenile justice in May as planned. Users of the juvenile probation service appreciated its benefits and felt that the support provided through education and social support had greatly improved their chances of success. They were determined to make full use of the opportunities provided through the programme. A variety of activities, family counselling and care programmes supported their reintegration into family life. PRI's evaluation of the programme demonstrated its effectiveness through its extremely low reoffending rate and a high level of satisfaction from all stakeholders involved in the programme.

PRI also contributed towards planning for the future through its expertise and recommendations to the authorities on diversion schemes initiated by the Ministry of Justice, giving prosecutors discretionary power not to prosecute first-time minor offenders.

In December PRI, in partnership with UNICEF **Tanzania**, developed and delivered a training session for members of Tanzania's Commission on Human Rights and Good Governance on independent monitoring mechanisms for places where children are deprived of their liberty. The training session included modules on international guidelines, preparing for an inspection visit, aspects of detention to inspect, how to interview children, following up an inspection and good practice from around the world.

Sensitive and proportionate response to women offending

Because prisons are designed to meet the needs of adult men, they offer a disproportionately punitive security environment and poor provision for the special needs of women, particularly in respect of health care and their responsibilities for dependent children and family. Too often, women are imprisoned when a community sentence would be of greater lasting benefit, reducing the risks of reoffending and the harm caused to the physical and mental health of women and their children, often overlooked when sentencing a mother.

The main focus of activity during the year was to promote new UN Standard Minimum Rules (SMR) for women and girls; and for the best interests of the child to be taken into account when a crime is committed by women who are pregnant or have dependent children.

PRI's Policy Director and a Board member took part in drafting meetings held in Bangkok, **Thailand**. PRI attended UN Crime Congress preparatory meetings in Nairobi, Doha and Helsinki. A regional roundtable organised by PRI in Amman gave the MENA region an opportunity to review the draft Rules and submit a regional perspective. At the Crime Congress in **Brazil**, PRI played a key role in championing the new Rules. It translated the draft Rules into Russian and distributed them across the Russian-speaking regions, and additionally translating them into Arabic

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Picture by Lydia, Uganda, for ICCPPC's prisoner art contest

Achievements and activities 2010

Thomas Martin, www.martinandmartin.eu



Women and a baby in prison, Burundi

and Chinese. At the end of the year, the United Nations adopted the new standards, now known as the “Bangkok Rules”. The 70 rules, intended to improve the treatment of women prisoners, include gender-sensitive prisoner classification, risk assessments, healthcare services, guidance on the treatment of children living with their mothers in prison, safety concerns of women prisoners, and the development of pre- and post-release programmes.

At the University of Salford’s international conference on mothers and babies in prison systems around the world, PRI shared its experience of ways in which prison staff, policy makers, health workers, academics and voluntary groups can work together to improve the lives of women prisoners. PRI’s presentation drew upon its experience of working with imprisoned mothers and their children in **Ukraine** and **Russia**.

In **Russia** PRI carried out research into the conditions of women prisoners and subsequently participated in the workshop *Gender, Geography & Punishment in Comparative Perspective* at Oxford University as part of an interdisciplinary project on women’s experience of incarceration in post-Soviet Russia. Participants came from the USA, UK and Russia. A conference on the rights of imprisoned mothers was held in Moscow, promoting better protection of the rights and interests of children of imprisoned parents, leading to the establishment of a working group with Corrections authorities to improve the situation. During the

period three publications on gender issues in the penitentiary system were prepared by the Moscow office.

A research project on *gender violence as one of reasons for male criminality* was produced in **Ukraine**. 50 male prisoners from six colonies were sampled and their responses compared with similar questionnaires from women's colonies to identify similarities and differences.

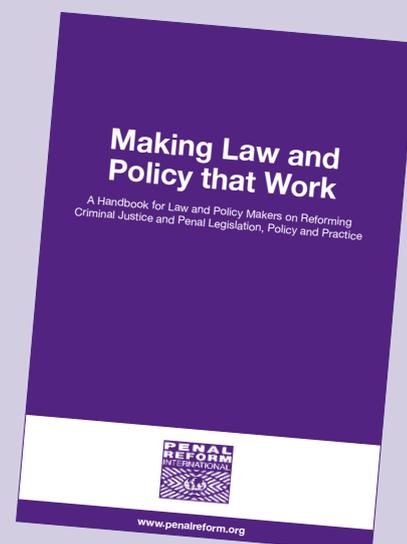
In **Ukraine**, a reference book was prepared and disseminated to help women ex-prisoners by setting out what support services were available to them. 11 training workshops enabled prison personnel to develop confidence, efficiency and understanding of the law and good practice. 9 training sessions on the law and social and psychological aspects of personality development strengthened the women's life skills and understanding of their rights.

Two research projects were carried out in Ukraine on the relationship of women in detention with their children. Recommendations were made for procedures to be more flexible, increasing visiting times for children and prioritising child protection. As a result, changes in conditions for babies and small children living in a women's prison were made, including setting up a mother and babies' home. This was a big step forward in improving conditions for women and babies in prison and a "green light" for further activity.

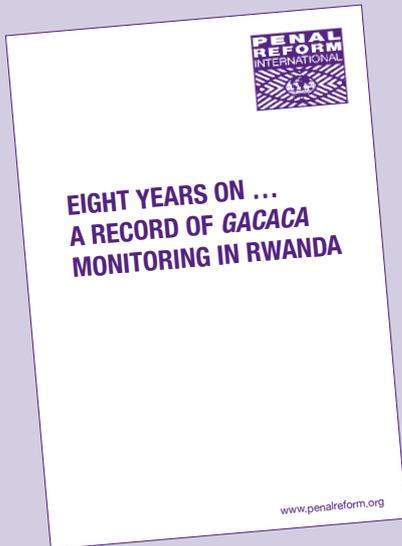
PRI as a leading international resource for penal reform

Two new publications were produced during the year:

Making Law and Policy that Work: This handbook, written by PRI's Policy Director, was launched at various venues including in the House of Lords in London, and in Banjul at the November session of the ACHPR. It is now being translated into Russian. Aimed at law and policy-makers developing a framework for criminal justice and penal reform, it gives clear guidance on how to incorporate international standards and accepted good practice into practical measures for implementing change. This guide is essential reading for developing criminal justice strategy as it recognises that reform requires expertise and experience in a variety of disciplines which are not always easily available and takes into account the fact that many countries lack specialists in legal drafting. It includes practical suggestions for reform in line with an international human rights framework which can be applied in different contexts and countries.



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Eight Years on ... a review of the Gacaca process for the genocide trials in **Rwanda**, provides an overview of the history of Gacaca based on the research carried out by PRI. Its publication is seen as a contribution to the ongoing discussion of models of transitional justice in post-conflict states. Its London launch was attended by PRI's Chair, representatives of the Rwandan and UK governments, international NGOs and academics. The Africa launch took place in Banjul. The keynote speaker was Commissioner Catherine Dupe Atoki, who highlighted the relevance and importance of issues raised in PRI's publications for the region including overcrowding and access to justice

During the year, PRI improved its website function, improving accessibility to its information resources. Since September, 58% of visitors to the site have been new and the amount of visits to the site increased. E-newsletters and bulletins on penal reform were regularly sent out to an increasing number of readers.

Lack of funds limited the capacity for translations and meant that the majority of material posted on the head office website and included in e-communications was in English. However, the **MENA** office continues to post information about juvenile justice on their Arabic language site www.nouratfal.org. The new EU Torture project will provide content in Russian and an interactive forum for information-sharing.

Working with others

UN Organisations

A PRI delegation actively participated in the UN Crime Congress in April, making a formal presentation to the plenary, discussing the draft *Making Law and Policy that Work*, speaking on OPCAT/detention monitoring, juvenile justice, a potential new convention on prisoners' rights, and making two oral statements. PRI's Policy Director spoke of the need to adopt a comprehensive approach to juvenile justice. The discussions on the proposed new rules for women prisoners were a key activity at the Congress. As part of a main agenda workshop on good prison practice, PRI gave a presentation about transparency and using the media and public relations to promote better public understanding of what prison and penal reform can and can't do.

PRI joined with the Association for the Prevention of Torture and the **Japan** Bar Association in an ancillary meeting about torture, prison monitoring and civil society involvement in penal reform. It also partnered

with the Open Society Justice Initiative at two meetings about reducing overcrowding, and promoting pre-trial justice and paralegals.

PRI attended Crime Commission sessions in Vienna, making oral statements on a range of penal reform priorities including prisoners' health and abolition of the death penalty.

There were regular meetings and communications with UNODC on criminal justice-related initiatives, with substantive comments delivered by PRI on documents relating to: legal advice/aid, demilitarisation, and abolition of the death penalty. PRI participated in continuing work on drafting UN principles and guidelines on legal aid.

PRI worked with the Austrian delegation to expand a resolution to the UN General Assembly on criminal justice, and to develop a resolution to the UN Human Rights Council in 2011 as part of a longer term strategy to address a range of rights issues that arise in the context of delivery of criminal justice. It also collaborated with UN bodies on a number of other issues, including torture, women and children in the criminal justice system and the children of prisoners.

Local partners

Throughout the year PRI's regional offices worked closely with local partners, governmental and non-governmental. For example, it joined 145 representatives from departments, international and national organisations, communities of former prisoners from **Central Asian republics**, the **Russian Federation** and **Azerbaijan**, for a conference in **Tajikistan**. Representatives shared information about infectious diseases and drug use in prison settings and how to improve the quality and accessibility of medical and social services at all stages of detention and after release.

Internationally, it continued to work closely with others on an issue-based relationship: with the Quaker UN Office, Bristol University, the Open Society Justice Initiative, the International Committee of the Red Cross, Association for the Prevention of Torture and many others. Through its membership of the OPCAT Contract Group, the World Coalition against the Death Penalty, and the IPJJ, PRI expands its influence to a wider audience.



Yemen: MENA Regional Director Taghreed Jaber opens training course on applying diversion and non custodial measures, August 2010

Performance against objectives

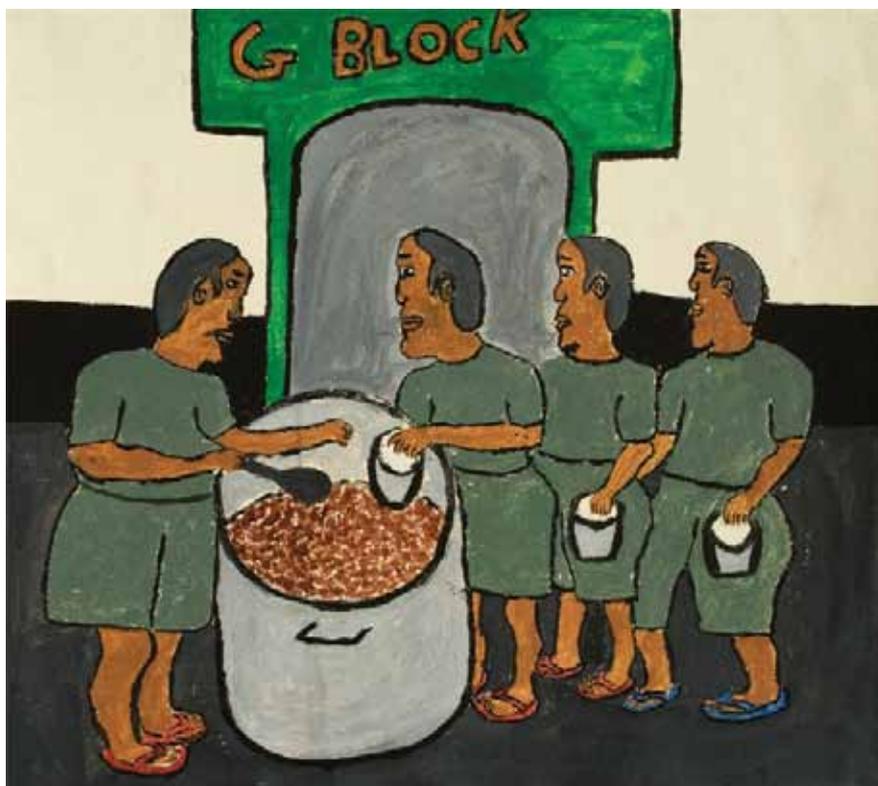
Throughout 2010, the regional offices implemented donor-funded programmes in line with planned timescales and budgets. Progress was also made towards the advocacy objectives set out in the strategic plan. However, during the year it became clear that PRI's income would not be sufficient to enable all planned activities to take place. Consequently there was a reduction in advocacy activities and preparation of information resources carried out by head office staff during the second half of the year. In particular planned work on pre-trial detention and support for the OSJI campaign for pre-trial justice had to be cut back. A staffing restructure and review of expenditure was completed to control costs. Implementation of a new fundraising strategy resulted in additional sources of income being generated and at the end of the year, PRI was provisionally awarded core funding under the UK Department for International Development's Partnership Programme Arrangements scheme for NGOs working in the humanitarian, security and justice sphere. This will provide substantial financial stability for the next three years and enable PRI to develop new initiatives and expand its field of activity.

Plans for the future

This new grant will enable PRI to achieve its plans for 2011 fully. These include:

- Promoting the use of alternative sentences to reduce the over-use of imprisonment. Policy papers will be prepared to demonstrate and promote the benefits of community sentencing and reduction of pre-trial detention. Measures to implement good practice will be promoted in at least six countries.
- Continuing the campaign for abolition of the death penalty and promotion of humane alternatives, pressing for better conditions for people serving life and long sentences of imprisonment that uphold the dignity of human life.
- Continuing to work on torture prevention measures in nine countries of the former Soviet Union and through international advocacy to encourage ratification of OPCAT and independent monitoring of places of detention.
- Advocacy to reduce violence against children in police custody and pre-trial detention, as well as promoting the use of restorative justice and diversion schemes for children in conflict with the law. A training

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Picture by David, Kenya, for ICCPPC's prisoner art contest

manual will be published and professional training delivered in at least five countries.

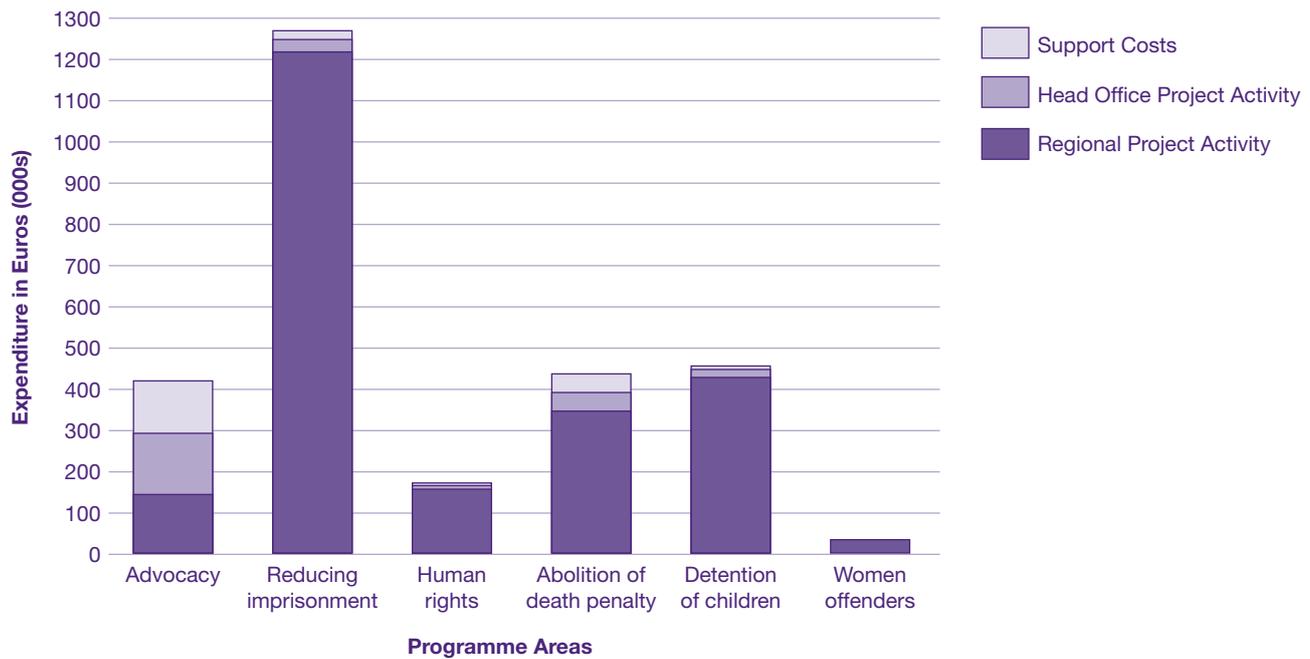
- Publishing and disseminating guidance for implementation of the Bangkok Rules to protect the rights of women and girls in custody and to promote community-based schemes for offenders. Training will be developed and tested in six countries to encourage a more proportionate response to women offenders.

In addition, the new funding will enable PRI to review, revise and update some of its most useful information resources, publications and training materials. As the Board agreed to expand its work with local partners, new funding will enable PRI to develop, strengthen and expand its work in East Africa (specifically in **Kenya, Tanzania and Uganda**) and in **Bangladesh, India and Pakistan**. These are countries where PRI has a track record of past achievements and looks forward to renewing its engagement with NGOs and individuals currently working in the field of penal reform in these countries.

Financial review

Finance and Administration

2010 expenditure by activity



	Regional Project Activity	Head Office Project Activity	Support Costs	2010 Total €
1 Advocating for Prison and Penal Reform	145,109	154,474	120,895	420,478
2 Reducing the use of imprisonment	1,219,944	32,366	25,330	1,277,640
3 Prevention of cruel, inhumane or degrading treatment	166,491	5,273	4,127	175,891
4 Abolition of the death penalty	347,976	45,393	35,526	428,895
5 Detention of children as the last resort	426,945	21,745	17,018	465,708
6 A proportionate and sensitive response to women offending	2,861	-	-	2,861
	2,309,326	259,251	202,896	2,771,473

PRI'S Donors

PRI would like to thank its donors for their support, including:

Belgian Ministry of Foreign Affairs	591,029
Swedish International Development Cooperation Agency	574,842
Open Society Institute	501,603
Swiss Agency for Development and Cooperation	488,982
European Union	463,381
UNICEF	56,209
Foreign and Commonwealth Office, UK	45,901
Centre for the Victims of Torture	43,145
Organisation for Security and Cooperation in Europe	15,000
Norwegian Mission of Rule of Law Advisors to Georgia	4,236
Swedish Institute for Human Rights	3,777
Quaker United Nations Office	2,861
Development Cooperation Ireland	1,660

Thanks are also due to A4ID for providing pro bono support from their network of lawyers, who have generously given their time to advise PRI on a range of issues during the course of 2010.

