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Technical Assistance for the Evaluation of 2014, 2015 and 2016 **Turkey** Annual Programmes

THEME REPORT



Agriculture



Energy



EU-Turkey Dialogue



Civil Society



Fundamental Rights



Border Surveillance



Removal Centers



Judiciary System



Penitentiary System



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PROJECT SYNOPSIS

Project title	Technical Assistance for the Evaluation of 2014, 2015 and 2016 Turkey Annual Programmes EuropeAid/140793/IH/SER/TR
Beneficiary Country	Turkey
Location	Base of operation will be Ankara. The geographical area to be covered is the whole territory of Turkey since the evaluation activities will be organised to the cities where projects are implemented.
Contracting Authority	Central Finance and Contracts Unit (CFCU), Ankara, Turkey.
Responsible Body	The Central Finance and Contracts Unit (CFCU) is the contracting authority of the project. The beneficiary of the project is Directorate for EU Affairs (Department of Monitoring and Evaluation).
Target groups	<ul style="list-style-type: none">▪ NIPAC Office;▪ The EC/EUD;▪ OSs and LIs of the projects involved at central and local level;▪ Decision and policy-makers in the ministries involved;▪ Project beneficiaries, end beneficiaries, grant beneficiaries and their co-applicants;▪ The Final Beneficiaries of the activities implemented;▪ Members of the Evaluation Reference Groups (ERG) including CFCU members;▪ Other social partners and CSO representatives.
Commencement date	9 August 2021
Duration	14 months

ABBREVIATIONS

CFCU	The Central Finance and Contracts Unit of the Ministry of Treasury and Finance of Turkey
CoE	Council of Europe
CPT	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DEUA	Directorate for EU Affairs
EC	European Commission
ECHR	European Court of Human Rights
ERG	Evaluation Reference Group
EU	European Union
EUD	European Union Delegation to Turkey
IL	Intervention Logic
IPA	Instrument for Pre-accession Assistance
IRM	Implementation Review Meetings
JC	Judgement criteria
LI	Lead Institution
NGO	Non-governmental organisation
NIPAC	National IPA Co-ordinator
ROM	Results Oriented Monitoring
SMC	Sectoral Monitoring Committee
TA	Technical Assistance
ToR	Terms of Reference
UNDP	United Nations Development Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

EXECUTIVE SUMMARY

This report focuses on Theme 9 ‘Penitentiary’ and specifically the expected ‘results’ of ‘*Improving Conditions of Prisons and Execution Regime*’. This is a key result under IPA assistance, with substantial financial assistance in the programming years covered by this evaluation (For the entire penitentiary theme (including the judiciary sector): 28.7 million EUR EU contribution for the 2014 programme, EUR 17.9 million EU contribution for the 2015 programme, and 22.1 million EUR for the 2016 programme; note however, that for the penitentiary theme alone, only EUR 17 million were allocated, of which 7.4 million EUR were cancelled; there are currently only four Activities with a total allocation of 9.6 million EUR under IPA II, three of which are the subject of this evaluation). As discussed by the Annual Action Programmes for the three years, some of the key issues regarding the expected result comprise: need for further alignment with European and international penal system standards, lack of adequate approaches/tools for dealing with specific categories of prisoners, e.g., in the area of rehabilitation, addiction, mothers with young children etc.

Turning to the selected three 2015 and 2016 Activities covered by this evaluation and looking specifically at the reconstructed intervention logic for the selected Activities, the long-term change or expected impact can be defined as ‘*Prisoners benefiting from enhanced prospects for integration in society*’. This will be achieved by improving the conditions of prisons and execution regime (the expected short-/medium-term outcome). The expected outcomes will be achieved based on three ‘Activities’ (or projects); the three Activities comprise a wide range of activities aiming at putting the required institutional systems into place and/re-organising existing institutions; developing capacities of the concerned actors; revising legislation; ensuring that the required physical facilities are in place and operational; and conducting awareness raising. The three selected Activities are:

1. 2015 Activity 4.1 *Better Management of Terrorists and Dangerous Offenders in Prisons and Prevention of Radicalisation*
2. 2016 Activity 3.1 *Developing an Institution Model for Children Staying with their Mothers*
3. 2016 Activity 3.3 *Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction*

Relevance: The selected Activities were fully relevant regarding the achievement of the outcome of ‘*Conditions of Prisons and Execution Regime improved*’. Activities were clearly aligned with Turkey’s and the European Union’s (accession) policy framework and with needs of the lead beneficiary and other stakeholders, with good levels of flexibility to address changes, most notably in the context of the COVID-19 pandemic.

Coherence: The selected Activities were coherent with other international and EU interventions, with the main implementing actors (Ministry of Justice, twinning partner, technical assistance team) ensuring coordination/prevention of duplication.

Effectiveness: The selected Activities to a large extent made (first) important contributions to the intended outcome of ‘*Conditions of Prisons and Execution Regime improved*’. Note that two Activities are still being implemented by the time of the data collection for this evaluation (‘*2016 Mothers with Children*’ - implementation until August 2022; and ‘*2016 Addiction*’ - implementation until February

2023). Indeed, Activities have largely delivered intended outputs, including different categories of outputs, e.g., existing legislation revised, new legislation drafted, institutional structures and tools developed, needs assessments conducted, good practices identified, trainings and corresponding capacity development materials produced etc. Specific objectives in terms of an improved prisons and execution regime (i.e., putting new knowledge, skills etc. into practice) have been achieved to the extent that this can be expected for 2015 and 2016 Activities. Activities clearly contributed to enhancing the capacities of prison staff. Moreover, there is evidence of enhanced knowledge regarding the causes behind certain crimes/prisoner behaviour. For example, for '*2015 Radicalisation*' the new trainers noted changes in their understanding of prisoner behaviour and barriers for reintegration. The Activities also contributed greatly to developing and/or strengthening the institutional framework. Moreover, Activities contributed greatly to enhanced coordination between relevant stakeholders. Finally, Activities were designed with a view to gender and human rights considerations. However, there is room for strengthening the balanced participation of men and women in Activities at all levels and there is also room for strengthening data collection on the balanced participation of men and women.

The COVID-19 pandemic and the corresponding restrictions to 'physical' activity constituted the most important external factor influencing the achievement of the Activities' objectives and results, however, this was adequately mitigated by adoption of online modes of capacity development. The Activities used twinning (*2015 Radicalisation*) and technical assistance (*2016 Addiction* and *2016 Mothers with Children*). The use of the different modalities proved largely adequate.

Efficiency: Whilst there have been efficiency issues (most notably delays caused by COVID-19), on the whole outputs have been generated in time to support effectiveness. Practices regarding reporting, communication and coordination were fit for purpose, however, there is room for further strengthening the use of outcome indicators for the monitoring and reporting of progress. Activities demonstrated strong efforts of ensuring adequate coordination between relevant Activities, despite the COVID-19 restrictions constraining face-to-face meetings.

Impact: The selected Activities have already made first contributions to achieving overall objectives and the wider theme's impact in terms of *Prisoners benefiting from enhanced prospects for integration in society*. However, full impact will only materialise in the future. This is indicated by strong ownership by the Ministry of Justice. Wider sector developments, most notably prison overcrowding could of course constrain future impact.

Sustainability: Prospects for sustainability are good, again explained by strong ownership by the Ministry of Justice, and the presence of a reinforced institutional framework. Only a small number of constraining factors were identified, including failure to allocate substantial human and financial resources to fully operationalise the new systems put in place; and failure to ensure the integration (and updating) of new capacity development contents into existing regular training curricula of prison staff.

Added value: The selected Activities demonstrated strong added value - allowing access to experience and expertise from the European Union and speed and scale of development that would not have been possible without the support. Indeed, it is unlikely that beneficiaries would have accessed experience/expertise from the European Union outside the Activities. Specific elements associated

with EU added value include study visits/access to specific experience from different EU Member States.

Conclusions, lessons learnt and recommendations

The selected 2015 and 2016 Activities demonstrated a strong performance in the light of all evaluation criteria. Most importantly, looking at the reconstructed theory of change, the selected Activities were **effective**, making first important contributions to the intended outcome of '*Conditions of Prisons and Execution Regime improved*'. Note that two Activities are still being implemented by the time of the data collection for this evaluation ('*2016 Mothers with Children*' and '*2016 Addiction*'). Moreover, the selected Activities have already made first contributions to achieving overall objectives and the wider theme's impact in terms of '*Prisoners benefiting from enhanced prospects for integration in society*'. However, full impact will only materialise in the future. This is indicated by strong ownership by the Ministry of Justice. Wider sector developments, most notably prison overcrowding, could of course constrain future impact.

Key **lessons learnt** include:

- Piloting new approaches in selected institutions (prisons)/provinces, thus allowing for the immediate testing of new models of capacity development, new structures etc. and subsequent finetuning before rolling out new approaches across the country, thus contributing strongly to effectiveness;
- Allowing for flexibility with regard to the delivery of capacity development interventions, e.g., adopting online/hybrid modes of capacity development, allowing twinning experts to work remotely, thus ensuring efficient and effective delivery of support;
- Ensuring regular meetings between relevant stakeholders, thus ensuring coordination between different components of an Activity/between different Activities;
- Strong ownership of the Ministry of Justice, ensuring the allocation of human/financial resources to Activities, involvement of senior-level representatives in key events of Activities, thus contributing to impact and sustainability.

Finally, **recommendations**, all addressed to the Ministry of Justice, include:

- Review ongoing IPA-funded Activities for potential to strengthening the balanced participation of men and women and ensure all Activities collect data on the balanced participation of men and women. Lead beneficiary to ensure that future log-frames integrate data collection on the balanced participation of men and women.
- Consider allowing for hybrid formats for future capacity development activities, combining presentational events with remote participation.
- Ensure all future Activities include a substantial element of piloting institutional/normative innovations in selected provinces/prisons.
- Ensure that sufficient capacities are in place to ensure monitoring at the outcome level.
- Consider using IT/collaborative workspace platforms to comment on draft reports/circulate reports between relevant stakeholders.

- Organise annual meetings with former twinning partners to allow for exchanges on relevant normative/institutional issues covered by former twinings with a view to identify areas for further bilateral cooperation (outside EU funding).

1 INTRODUCTION

1.1 Objectives and scope of the evaluation


This Evaluation Report covers Theme 9 Actions under the Instrument for Pre-Accession Assistance (IPA) II for Enhancing the Capacity, Efficiency and Administration of the Judiciary. It is submitted in accordance with the Terms of Reference (ToR) as one of the main outputs of the Technical Assistance for the Evaluation of 2014, 2015 and 2016 Turkey Annual Programmes.

The overall evaluation, consisting of nine thematic evaluations, is designed to “improve the strategic link between the planning, programming, monitoring, and evaluation activities of National IPA Coordinator (NIPAC) office”. This purpose is approached as a key contribution to the overall objective “improved overall management of IPA assistance in Turkey.”

This thematic evaluation is focused on a selection of IPA activities, more exactly, three Activities funded by IPA 2015 and 2016.

Note on terminology used: The IPA Action Annual Programmes use the term “Activity” for the support provided, each Activity consisting of one or more contracts. Whilst this report mostly uses the term “Activity” at times we also use the more generic term “intervention” which is largely used in the evaluation practice not only in IPA but in all EU funding programmes. With regard to specific contracts, we will also refer to the term “project”.

Table 1 Basic data on the evaluated intervention (30/04/2022)¹

Code	No. of contracts	Sector/Theme/Intervention	Start date	End date - planned date if different	Allocated (EUR)	Contracted (EUR)	Disbursed (EUR)
	6	Theme 9 EVALUATION OF IPA II ACTIONS FOR REFORM OF TURKISH PENITENTIARY SYSTEM					
A9.1	1	2015 Activity 4.1. Better Management of Terrorists and Dangerous Offenders in Prisons and Prevention of Radicalisation	19/01/2019	20/08/2021	2,000,000.00	2,000,000.00	1,116,524.03
A9.2	4	2016 Activity 3.1 Developing an Institution Model for Children Staying with their Mothers			3,659,713.00	2,938,150.40	1,336,465.97
A.9.2.1		Supplies	02/02/2021	02/02/2023	1,000,000.00	352,683.00	141,073.20
A.9.2.2			02/02/2021	02/02/2023			

¹ The cut-off date of the data used in this evaluation report as agreed in the inception phase is 31/12/2022. When more up-to-date was collected to indicate recent progress, the corresponding date is mentioned.

A.9.2.3		Works	20/11/2020	22/06/2022	1,604,368.00	1,569,844.40	704,077.57
A.9.2.4		Supervision	02/11/2020	02/09/2023	275,345.00	275,345.00	195,204.00
A.9.2.5		TA	16/02/2021	16/08/2022	780,000.00	740,278.00	296,111.20
A9.3	1	2016 Activity 3.3 Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction	17/02/2021	17/02/2023	2,000,000.00	1,850,585.00	527,406.75

1.2 Structure of the report

Besides the introductory description of the objectives and scope of interventions under the evaluation in Chapter 2, a short summary of methodology and description of tool and instruments applied during the evaluation is given in Chapter 3. Chapter 4 includes the main findings structured along the originally proposed evaluation questions. The final Chapter 5 summarises conclusions and respective recommendations resulting from overall findings. All details concerning intervention logic, methodology, implementation of individual interventions – activities and outputs, data collected from surveys and other sources are presented in the Annexes to the report.

1.3 Evaluation questions, approaches and methods

The list of evaluation questions was originally determined in the Terms of Reference (ToR) and specific judgment criteria for each question were adopted according to the needs and type of the interventions. Therefore, the initial evaluability assessment took place during the inception phase of the assignment. Its purpose was to ensure that the methodology is suitable for the selected Activities. The suggested methods and tools were based on the reconstructed intervention logic. The purpose of this exercise was to focus the original scope of the IPA II support and its intervention logic to the Activities selected for the evaluation.

The intervention logic at the level of the theme, comprising all the Activities included in the evaluation, was primarily analysed based on the information from the programming documents. Provision of additional information and data enabled the preparation of the reconstructed intervention logic, and this was subsequently discussed with the members of the Evaluation Reference Group (ERG) for further adjustment. The model includes inputs, activities, outputs, outcomes, and impacts, together with the contextual factors, and assumptions (see Annex 1).

The evaluability assessment followed the originally determined evaluation questions (all descriptive) and was complemented by the more specific judgement criteria (JC) to reflect the theme-specific issues. The appropriate indicators, tools and/or methods were selected depending on their feasibility, available resources and data and assumptions concerning the accessibility of relevant stakeholders. Triangulation of sources or methods was considered to ensure data validity. The proposed evaluation approach in the matrix considered the risks and limitations identified from the documents, which were provided at the inception stage. The evaluation matrix provides summary of proposed tools based on the available data, information, and details, and identifies relevant stakeholders for the application of selected tools (see Annex 2). Within the main findings of this report (chapter 5), references to the

relevant JCs are made throughout the analysis. This allows the reader to see how the matrix has been used to construct the evaluation and also ensures that no evidence gaps emerge.

1.4 Description of the evaluation activities

As for the methodology, the initial desk review of available documentation gathered secondary data from the provided documents and other available sources. Further data collection methods dealt mainly with the primary data, which were gathered through semi-structured interviews. The interviews were conducted with all relevant stakeholders starting with the Lead Institution, the Ministry of Justice, contractors, NIPAC staff responsible for the theme, CFCU, and EUD.

The analytical methods were based on the theory of change and included analyses of stakeholders as well as inputs, outputs, identified indicators, internal/external factors, and compared planned versus achieved milestones, targets, and deadlines. The original theory of change was adapted, and its revised version was agreed with the Evaluation Reference Group (ERG) to better correspond with the Activities selected for the evaluation. The availability of the data at the national level enabled to identify some trends for outcome indicators. Both, qualitative and quantitative data were thus utilised.

2 PROBLEMS, ENCOUNTERED SOLUTIONS AND LIMITATIONS

Only two minor problems, and with limited impact on the evaluation, were encountered. As already noted in the context of the inception phase/inception report, relevant documentation/reports on the selected Activities were not readily available at the outset of the evaluation, and this somewhat delayed the data collection efforts (mitigated by extending the duration of the data collection effort). Moreover, the review of the documentation/reports found that monitoring based on indicators corresponded mostly to the level of activities/outputs, with less systematic/comprehensive monitoring of outcomes. Stakeholders demonstrated good awareness of this issue, and weaknesses in this area were explained with resource issues (limited time to dedicate to the design of monitoring systems and corresponding data collection during implementation). Whilst the assessment was somewhat constrained by the absence of systematic monitoring data, this was largely mitigated by extensive data derived from interviews.

3 PRESENTATION OF THE THEMATIC EVALUATION CONTEXT

This report focuses on Theme 9 ‘Penitentiary’ and specifically the expected ‘results’ of *‘Improving Conditions of Prisons and Execution Regime’*. This is a key result under IPA assistance, with substantial financial assistance in the programming years covered by this evaluation (For the entire penitentiary theme (including the judiciary sector): EUR 28.7 million EU contribution for the 2014 programme, EUR 17.9 million EU contribution for the 2015 programme, and EUR 22.1 million for the 2016 programme). As discussed by the Annual Action Programmes for the three years, some of the key issues regarding the expected result comprise: need for further alignment with European and international penal system standards, lack of adequate approaches/tools for dealing with specific categories of prisoners, e.g., in the area of rehabilitation, addiction, mothers with young children etc.

Turning to the selected three Activities covered by this evaluation and looking specifically at the reconstructed intervention logic for the selected Activities, the long-term change or expected impact can be defined as *‘Prisoners benefiting from enhanced prospects for integration in society’*. This will be achieved by improving the conditions of prisons and execution regime (the expected short-/medium-term outcome).

The expected outcomes will be achieved based on three ‘Activities’ (or projects) - listed below; the three Activities comprise a wide range of activities aiming at putting the required institutional systems into place and/re-organising existing institutions; developing capacities of the concerned actors; revising legislation; ensuring that the required physical facilities are in place and operational; and conducting awareness raising. The three selected Activities are:

1. *2015 Activity 4.1. Better Management of Terrorists and Dangerous Offenders in Prisons and Prevention of Radicalisation* (referred to as ‘2015 Radicalisation’ in the remainder of this report)
2. *2016 Activity 3.1 Developing an Institution Model for Children Staying with their Mothers* (‘2016 Mothers with Children’)
3. *2016 Activity 3.3 Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction* (‘2016 Addiction’)

4 FINDINGS OF THE EVALUATION BY THE EVALUATION QUESTION

4.1 Relevance

Q1. To what extent are the activities implemented relevant for achieving the specific objectives of the Activity/Theme ('Conditions of Prisons and Execution Regime improved')?

The selected Activities were fully relevant regarding the achievement of the outcome of 'Conditions of Prisons and Execution Regime improved'. Activities were clearly aligned with Turkey's and the European Union's (accession) policy framework and with needs of the lead beneficiary and other stakeholders, with good levels of flexibility to address changes, most notably in the context of the COVID-19 pandemic.

JC1.1. Alignment of selected Activities with TR policy framework

Activities are characterised by their **strong alignment with Turkey's wider policy framework**.

Indeed, at the highest policy level regarding the 'penitentiary sector', Activities are clearly aligned with **Turkey's Judicial Reform Strategy** for the periods 2015-2019² and 2019-2023.³ For example, this is very clearly the case for '2016 Mothers with Children', with the strategy documents clearly underlining the importance of prison infrastructure being aligned with needs of children/families. Similarly, '2016 Addiction' speaks directly to a series of objectives of the Judicial Reform Strategy, most notably targets 7.5 and 7.6 regarding probation and related capacity development. Moreover, all Activities clearly align with the general objectives of the 10th and 11th National Development Plans. For example, '2015 Radicalisation' addresses the 10th Development Plan's reform objectives regarding re-integration of prisoners into society, and the 11th Development Plan's focus on addressing radicalisation. Similarly, '2016 Mothers with Children' speaks to the 11th Development Plan's focus on support for children at risk.

Some of the Activities also speak to other **more targeted or specialised policy frameworks**. For example, '2016 Mothers with Children' contributes to operationalising commitments under the **National Children's Rights Strategy and Action Plan** (2013) and the **Action Plan on Human Rights** (2014/2021) regarding protecting children/vulnerable groups. Indeed, the latter specifies: 'The sentences in respect of mothers who are accompanied by children aged 0-6 will be executed in mother-child units which are specifically designed for this purpose' (Aim 8, Goal 8.2). '2016 Addiction' also addresses the Action Plan on Human Rights, e.g., 'The rehabilitation practices for those convicted of drug related offences will be carried out in cooperation with nongovernmental organisations'. Similarly, '2015 Radicalisation' speaks to the Ministry of Justice **Strategic Plan 2015-2019** and successor plans regarding preventing recidivism, supporting re-integration further to release from prison and implementing risk assessment systems. '2016 Addiction' addresses the **National Strategy and Plan to Fight Against Drugs** 2019-2023.

Moreover, Activities are tailored to implement/develop **existing legal frameworks**. For example, '2016 Mothers with Children' speaks to constitutional requirements introduced in 2010 (Act No. 5982) as to

² For example: 'To carry out their training and improvement studies in order to prevent re-offending after the release of the detainees and convicted prisoners, To improve programs of psycho-social support and reintegration to social life for convicted prisoners and detainees. To implement risk assessment system.'

³ For example: 'The management capacities of penitentiary institutions will be developed, the correctional measures for the social reintegration of the persons will be increased and the system of conditional release will be improved.'

the protection of the family and children's rights: *'Every child has the right to protection and care and the right to have and maintain a personal and direct relation with his/her mother and father unless it is contrary to his/her high interests'* (Article 41, paragraph 3 of the Constitution of the Republic of Turkey).

JC1.2. Alignment of selected Activities with EU accession policy framework

Activities are **fully aligned with the EU accession policy framework**, most notably regarding chapter 23 on 'Judiciary and fundamental rights' and chapter 24 on 'Justice, freedom and security' of the accession negotiations. For example, the most recent European Commission report on Turkey's progress with accession (2021) reiterates concerns regarding overcrowding and deterioration of prison conditions and notes the need of strengthening the prevention of radicalisation.

Moreover, **Activities clearly speak to needs identified by the IPA II Annual Action Programmes for Turkey** (2015 and 2016). For example, *'2015 Radicalisation'* clearly addresses the issue of prisons not having effective measures in place to prevent radicalisation (specifically in a context of overcrowding and 'passage of foreign fighters').⁴

JC1.3. Alignment of selected Activities with needs of lead beneficiary

Activities are **clearly aligned with the needs of the lead beneficiary, the Ministry of Justice and specifically its Directorate General of Prisons and Detention Houses**.

Activities met needs in terms of the lead beneficiary working on **normative gaps**. For example, *'2015 Radicalisation'* met needs of the Directorate General of Prisons and Detention Houses in terms of establishing an approach towards dealing with radicalisation, whilst ensuring alignment with relevant European and international standards, including recommendations issued by the European Court of Human Rights (ECHR) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Dealing with these issues was particularly important in the light of the increasing number of prisoners in recent years (309,558 prisoners on 28 February 2022).

Similarly, Activities met needs in terms of the lead beneficiary addressing **institutional gaps**. For example, *'2015 Radicalisation'* was developed at a time when there was no bespoke system for developing the capacities of prison staff to specifically deal with the issue of preventing radicalisation of prisoners (with no previous capacity development focusing specifically on prisoners convicted for terrorism); moreover, there was a need in terms of enhancing the preparation of the release and reintegration of prisoners into society. Similarly, *'2016 Addiction'* addressed needs in the area of updating support programmes for prisoners.

Activities also met needs in terms of the lead beneficiary experiencing **institutional developments/needs for capacity development**. For example, *'2016 Mothers with Children'* addressed needs emerging in the context of the establishing new facilities for mothers staying with their children (0-6 years old) (e.g., at Diyarbakır women prison), thus requiring additional training programmes.

JC1.4. Alignment of selected Activities with needs of other stakeholders/final beneficiaries

Activities clearly meet the **needs of other stakeholders/final beneficiaries**.

For example, *'2015 Radicalisation'* met needs of final beneficiaries such as prisoners and their families; but also of other stakeholders in the wider justice/penitentiary sector, such as the Council of Judges

⁴ See European Commission (2021), Commission Staff Working Document, Türkiye 2021 Report.

and Prosecutors, the Ministry of Interior, the Gendarmerie etc. Similarly, *'2016 Addiction'* met needs of prisoners experiencing issues with drug addiction, and *'2016 Mothers with Children'* met needs of female prisoners and their children and other family members.

JC1.5. The extent of flexibility of selected Activities to respond to changing needs/COVID-19 pandemic

Activities have demonstrated **fully adequate levels of flexibility** to respond to changing needs and to constraints imposed by COVID-19. This flexibility contributed to ensuring the strong relevance of all Activities, and there is no evidence of any substantial implications for the effectiveness/impact/sustainability of the Activities.

For most Activities, this involved **re-designing activities to meet stakeholder needs**, reacting to COVID-19 restrictions by **introducing online formats for activities** (especially for training activities, Steering Committee meetings and allowing for remote work of experts), **postponing activities such as study visits** (e.g., for example, *'2016 Mothers with Children'* experienced a postponing of two study visits) and **organising extensions** (e.g., for *'2015 Radicalisation'*).

However, for some Activities, COVID-19 implied a **cancellation of activities**. For example, for *'2015 Radicalisation'*, pilot activities in prisons and including meetings with prisoners were not possible, and similarly, the risk assessment instrument developed by the Activity could not be applied in prisons.

Regarding COVID-19, Activities experienced a move to online formats of capacity development and for other activities, e.g., *'2016 Mothers with Children'* (adopting a hybrid format for the opening event). The **move to online formats also affected the management and steering of Activities**. For example, Steering Committee meetings could no longer be organised as face-to-face meetings, but had to adopt online formats, e.g., for *'2016 Mothers with Children'* (in-person meetings only resumed in April 2022).

4.2 Coherence

Q2. To what extent is the EU assistance coherent with interventions by other international actors and with other EU interventions in related fields?

The selected Activities were coherent with other international and EU interventions, with the main implementing actors (Ministry of Justice, twinning partner, technical assistance team) ensuring coordination/prevention of duplication.

JC2.1. Alignment of the objectives/outcomes of the selected Activities with those of other relevant EU policies and funding programmes

Activities demonstrated a **good level of alignment with other relevant EU-supported interventions**.

For *'2015 Radicalisation'* and for *'2016 Mothers with Children'* synergies were noted with *'2015 Criminal Justice System'* (see theme 8 report) in terms of dealing with the same target groups. For *'2016 Addiction'*, synergies in terms of building on earlier support were identified with several EU-supported interventions, e.g., with *'Technical Assistance for Improvement of Enforcement Services in Prisons (2014-2016)'* and *'Mental Healthcare and Drug Addiction Treatment Services in Prisons (2013-2015)'*.

JC2.2. Alignment of the objectives/outcomes of the selected Activities with those of other relevant international interventions

Activities were **well aligned with other relevant international interventions**, and no overlap/duplication was identified.

Indeed, the Ministry of Justice has **substantial experience with cooperating with a series of European and international organisations**, with **bilateral cooperation with EU Member States** and **with other countries**.

For example, the Ministry of Justice noted experience, *inter alia*, with the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the United Nations Development Fund (UNDP), the Council of Europe, and The Netherlands (relevant for '*2016 Addiction*').

In some areas, **the EU was identified as the only actor providing support**, e.g., the Ministry of Justice did not identify other actors related to '*2015 Radicalisation*'.

4.3 Effectiveness

Q3. To what extent are the specific objectives and expected results of the Activity/Theme achieved ('Conditions of Prisons and Execution Regime improved')?

The selected Activities to a large extent made (first) important contributions to the intended outcome of '*Conditions of Prisons and Execution Regime improved*'. Note that two Activities are still being implemented by the time of the data collection for this evaluation ('*2016 Mothers with Children*' - implementation until August 2022; and '*2016 Addiction*' - implementation until February 2023).

JC3.1. The extent to which progress under the selected Activities has been achieved and targets met/outputs produced

The selected Activities have largely delivered intended outputs.⁵

This included **different categories of outputs**, e.g., **existing legislation revised, new legislation drafted, institutional structures and tools developed, needs assessments conducted, good practices identified, trainings and corresponding capacity development materials produced** etc.

Regarding **legal/legislative outputs**, '*2015 Radicalisation*' demonstrated strong performance by delivering a series of recommendations on enhancing the legal framework on the Turkish penitentiary system with a view to alignment with EU and international standards, updated by-laws, as well as regulations and circulars and the corresponding guidance materials.

Regarding **institutional outputs**, '*2015 Radicalisation*' delivered a series of important tools (e.g., eight handbooks), supporting the work on preventing radicalisation and supporting reintegration of released prisoners, including training materials, risk assessment tools, programmes targeting at rehabilitation/prevention of radicalisation, manuals for prison staff (including for therapists and prison management and security staff) etc.

Moreover, Activities have delivered an important set of **capacity development** outputs. For example, '*2015 Radicalisation*' provided training of trainers for 162 trainers and trained over 500 prison staff on dealing with high-risk prisoners. '*2016 Mothers with Children*' has already trained 20 trainers (note that

⁵ Please note that the assessment of the delivery of outputs draws on the review of Activity-level documentation (e.g., progress and final reports), with a specific focus on the reporting of output and outcome indicators. Examples of indicator data are included in Section 4.3 for illustration purposes and comprehensive data is included in the annexes. Information from this source has been triangulated with other data collection methods, e.g., semi-structured interviews etc.

training is ongoing and will be completed in August 2022), and '2016 Addiction' has trained 25 trainers, and both Activities have developed substantial training materials.

For the **2016 Activities that are still being implemented**, namely '2016 Mothers with Children' (implementation until 18 August 2022) and '2016 Addiction' (implementation until 17 February 2023), some outputs were still being delivered by the time of the data collection for this evaluation, thus somewhat constraining the extent to which effectiveness can be fully assessed at this stage. However, the existing progress on outputs suggests that intended outputs and outcomes are highly likely to be fully achieved (moreover, it also appears likely that the delivery of the remaining outputs and outcome will not be affected as heavily by COVID-19-related constraints). For example, for '2016 Mothers with Children', by the time of the data collection for this evaluation some 65% of the works had been carried out, with no obstacles in the way for timely completion (there were a few issues delaying works, e.g., delays in obtaining required building permits).

For some of the **outputs relating to normative changes**, e.g., for '2016 Mothers with Children' and its recommendations for enhancing Turkey's legal framework, there is no data on uptake of the recommendations yet.

JC3.2. The extent to which produced outputs contribute to the achievement of specific objectives (reconstructed Theory of Change, i.e., Conditions of Prisons and Execution Regime improved)

Specific objectives in terms of an improved prisons and execution regime (i.e., putting new knowledge, skills, practices etc. into practice) have been achieved to the extent that this can be expected for 2015 and 2016 Activities.⁶ Indeed, the 2016 Activities are still being implemented and target dates for achieving specific objectives fall outside this evaluation, e.g., for '2016 Mothers with Children' the target date for achieving specific objectives is set for 2023 ('increased percentage of properly supported children staying with mothers in penal institutions by 30%'). Similarly, targets for '2016 Addiction' are set for 2023 (e.g., number of probationers attending drug addiction intervention programmes increased by 5%).

Activities clearly contributed to **enhancing the capacities of prison staff**. For example, '2015 Radicalisation', having trained over 500 prison staff and provided training of trainers, has ensured that prison staff are now well prepared to deal with issues such as radicalisation. New training content, including good practice examples from Spain, have already been used in recent trainings by the trained trainers, and further training was scheduled for April/May 2022. However, no data was available regarding the modified specific indicators of 'Number of terrorist prisoners attending disengagement programmes' and 'Number of dangerous inmates attending treatment programmes', and this is explained with COVID-19 having delayed the delivery of the actual implementation of the programmes for prisoners (i.e., the programmes were not delivered in the course of the Activity, and the targets are to be achieved within three years of the completion of the project).

Moreover, there is evidence of **enhanced knowledge** regarding the causes behind certain crimes/prisoner behaviour. For example, for '2015 Radicalisation' the new trainers noted changes in their understanding of prisoner behaviour and barriers for reintegration.

⁶ Please note that the assessment of the delivery of outcomes draws on the review of Activity-level documentation (e.g., progress and final reports), with a specific focus on the reporting of output and outcome indicators. Examples of indicator data are included in Section 4.3 for illustration purposes and comprehensive data is included in the annexes. Information from this source has been triangulated with other data collection methods, e.g., semi-structured interviews etc.

The Activities also contributed greatly to **developing and/or strengthening the institutional framework**. ‘2015 Radicalisation’ and ‘2016 Mothers with Children’ saw the development of training materials, and trained trainers are now available to deliver the new training.

Moreover, Activities contributed greatly to **enhanced coordination between relevant stakeholders**. For example, for ‘2015 Radicalisation’, stakeholders noted enhanced coordination between different Ministry of Justice units involved in delivering capacity development for prison staff and support services for prisoners, i.e., organising coordination meetings to discuss the format/content/target groups of capacity development.

JC3.3. The extent to which the selected Activities mainstreamed gender and human rights

Activities were **designed with a view to gender and human rights considerations**.

Activities **directly addressed human rights**. For example, ‘2015 Radicalisation’ was designed and delivered with due consideration to human rights of prisoners (Law 24/1/2013-6411). Similarly, ‘2016 Mothers with Children’ is clearly designed to safeguard human rights of mothers and children. In more general terms, all three Activities speak to the rights of prisoners.

However, there is **room for strengthening the balanced participation of men and women** in Activities at all levels. There is also room for **strengthening data collection on the balanced participation of men and women**. Indeed, log-frames/indicator systems do not yet appear to integrate this dimension systematically.

4.4 Effectiveness - factors

Q4. To what extent did different factors influence the achievement of the Activity/ Theme specific objectives and results?

The COVID-19 pandemic and the corresponding restrictions to ‘physical’ activity constituted the most important external factor influencing the achievement of the Activities’ objectives and results, however, this was adequately mitigated by adoption of online modes of capacity development.

JC4.1. The extent to which external and internal factors to IPA II affected (supported or constrained) the effectiveness of the selected Activities

As already discussed in the context of **JC1.5**. (*The extent of flexibility of selected Activities to respond to changing needs/COVID-19 pandemic*), **the most important external factor was the COVID-19 pandemic** with important restrictions to ‘physical’ activities throughout most of 2020 and 2021, thus affecting both 2015 and 2016 Activities. Indeed, COVID-19 constrained the ‘quality’ of some of the capacity development activities - whilst the latter was delivered online, this mode of delivery constrained the extent to which stakeholders/participants were able to derive more informal learning benefits/network more informally.

Moreover, wider context factors such as the general state of the wider justice sector (Chapters 23 and 24 of the accession process) might have had a bearing on the effectiveness of the selected Activities. Indeed, European Commission reporting emphasises issues such as overcrowding of prisons and the need to ensure full respect of rights of prisoners: *‘Overcrowding and deteriorating prison conditions continue to be a source of deep concern. Turkey was the Council of Europe Member State with the*

highest overcrowding rate (127 inmates per 100 available places).⁷ Overcrowding and deteriorating prison conditions might imply reduced human and physical resources for fully operationalising the new approaches, methods put in place by the Activities.

In terms of supportive factors, effectiveness strongly benefited from the **Ministry of Justice counting with qualified/experienced staff**, including staff with substantial experience with the programming/design and delivery of EU-funded projects; and **making the required resources available**, most notably for the effective implementation of the pilots.

JC4.2. The extent to which Activities adapted to external factors that affected implementation/existence of mitigation strategy

Overall, **Activities adapted well to external factors**, most notably the **limitations to in-person activities imposed by COVID-19**.

Most Activities experienced the **postponing of specific activities** over initial uncertainties as to the duration/scale of the COVID-19 restrictions, e.g., *'2015 Radicalisation'*.

Some Activities, e.g., *'2015 Radicalisation'*, saw a **scaling down of activities** in the context of COVID-19. This specifically affected activities such as piloting some of the new tools in prisons/direct work with prisoners (e.g., testing the risk assessment tools in/disengagement of violence programme). However, the Activity's exit strategy includes a confirmation by the Ministry of Justice to carry out these interventions.

Mitigation efforts consisted of adopting online formats and reorganising the delivery timelines (in some cases implying extensions to the implementation timelines). For example, *'2016 Mothers with Children'* use online tools for meetings, conferences, and the needs assessment. Similarly, *'2016 Addiction'* reorganised the timelines for the study and site visits. On the whole, the mitigation efforts proved successful, and Activities were not substantially affected.

JC4.3. Evidence of the selected Activities producing unintended results

There is some evidence of Activities producing important unintended results.

The adoption of on-line formats allowed the participation of higher numbers of participants, and also allowed **participation from across the country (besides implying budget savings, e.g., reduced travel and venue costs)**. For example, *'2016 Mothers with Children'* benefited from the adoption of a hybrid format for the opening event, thus allowing the participation of a higher number of participants, and thus the spreading out of capacity development benefits across the country.

No unintended outputs/outcomes were identified for *'2015 Radicalisation'* and *'2016 Addiction'*.

Q5. Are there different modalities of using resources that have produced more results or have decreased the resources needed for the same level of achievements?

The Activities used twinning (*'2015 Radicalisation'*) and technical assistance (*'2016 Addiction'* and *'2016 Mothers with Children'*). The use of the different modalities proved largely adequate.

JC5.1. The extent to which the most efficient strategies of implementation can be identified

The Activities under review adopted **largely efficient strategies of implementation**.

⁷ European Commission (2021), Commission Staff Working Document, Türkiye 2021 Report, page 31.

In terms of contract modalities **twinning was highly efficient** (e.g., '2015 Radicalisation'), in terms of delivery of outputs, quality of experts, and in terms of ensuring a relationship of trust between 'like-minded' public authorities (specifically considering the sensitive nature of some of the Activities, e.g., working on preventing radicalisation).

Regarding the **selection of the specific twinning partner, this was fully adequate**. Spain was selected for the twinning under '2015 Radicalisation', and this was well explained with Spain being one of the most experienced EU Member States in terms of dealing with radicalisation in prisons/ensuring prevention/reintegration of prisoners convicted for terrorism. The Activity implemented via twinning benefited of **longstanding relations of trust with twinning providers**. Indeed, Spain is a regular twinning partner for the Ministry of Justice ('2015 Radicalisation'). At the same time, some room for further improvement regarding the instrument of twinning was noted. Stakeholders recommended a review of the practices regarding the use of experts not associated with the public sector partners directly involved in the twinning, namely academic and private sector experts - often it is only this type of expert that has the relevant and highly specialised expertise (including expertise on the Turkish context). Needs for using this type of expert often only emerge in the course of implementing the Activity. This was specifically noted for '2015 Radicalisation'.

'2016 Mothers with Children' and '2016 Addiction' were implemented via **technical assistance**, and this proved efficient, allowing for flexibility in adjusting activities to needs. Technical assistance partners demonstrated adequate experience. For example, '2016 Addiction' was implemented by a consortium of six partners, all contributing with experience in different dimensions of working in the penitentiary system, including partners with specific experience in health/drug addiction.

The approach of **piloting activities takes much credit in terms of strengthening effectiveness**, e.g., '2015 Radicalisation' successfully piloted training on new training modules; '2016 Mothers with Children' focused on a first piloting experience at Diyarbakir women's prison (with further piloting for Istanbul, İzmir, and Antalya).

JC5.2. The extent to which alternative strategies of implementation, with expected increased efficiency, can be identified

Substantially alternative strategies of implementation could not be identified (e.g., '2015 Radicalisation', '2016 Addiction').

Indeed, stakeholders generally coincided on the **adequate choice of strategies of implementation**. This was evidenced, inter alia, by good awareness of the strengths of the twinning tool in terms of allowing for direct partnerships between public authorities dealing with sensitive topics (e.g., '2015 Radicalisation').

Moreover, stakeholders voiced some concerns over the **perceived rigidity of twinning rules**. As there are time gaps between the initial design of Activities and their implementation, there are often needs for adjusting the content of Activities. This implies an administrative burden. At the same time, beneficiaries expected the revised Twinning Manual to introduce enhanced levels of flexibility (e.g., quarterly workplans). Beneficiaries also noted issues over involving NGOs in twinning Activities (paying NGOs for their involvement).

4.5 Efficiency

Q6. How timely and efficient is the Activity/Theme's process of programming, contracting, implementation reporting and monitoring?

Whilst there have been efficiency issues (most notably delays caused by COVID-19), on the whole outputs have been generated in time to support effectiveness. Practices regarding reporting, communication and coordination were fit for purpose, however, there is room for further strengthening the use of outcome indicators for the monitoring and reporting of progress.

JC6.1. The extent to which the selected Activities have been implemented according to their planning

As already noted above, there was somewhat **mixed feedback/data regarding the timeliness of implementation** (e.g., COVID-19-induced suspension of activities in 2020, need for extensions).

Moving to online modes of cooperation/capacity development proved somewhat time-consuming, e.g., '2015 Radicalisation' noted the time-consuming nature of cooperation on the development of capacity development materials.

'2016 Addiction' experienced delays over a **change in the team leader position** of the technical assistance team.

For many Activities, **COVID-19 implied delays/postponing of activities** and the need for revising implementation plans, introducing extensions, and introducing online formats for capacity development and other activities. For example, this affected the **organisation of study visits to EU Member States** for '2016 Addiction', as host organisations in EU Member States were experiencing COVID-19-related travel and meeting restrictions.

Feedback by the twinning partner ('2015 Radicalisation') suggested a **certain level of 'frustration' over the perceived rigidity of twinning rules** (considering the Central Finance and Contracts Unit (CFCU) to allow for very limited room for manoeuvre), with suggestions to allow for more flexibility regarding changes for specific activities, selection of experts etc. In this context, the **twinning partner voiced interest in being involved in future revisions of the Twinning Manual** by the European Commission, thus allowing them to contribute with their practical experience.

JC6.2. The extent to which outputs and outcomes have been generated in time to support effectiveness and impact

Whilst COVID-19 implied delays for outputs and outcomes, **on the whole outputs and outcomes have been generated in good time to support effectiveness**. For Activities that have experienced delays, e.g., '2016 Mothers with Children' there is no major risk in terms of outputs/outcomes not supporting effectiveness/impact.

'2015 Radicalisation' required two extensions (three-month extension, six-month extension) to deliver originally intended outputs in the context of the COVID-19 restrictions. Indeed, this Activity was suspended throughout April to September 2020. Notwithstanding, most intended outputs and outcomes were delivered.

JC6.3. Evidence of a sound and results-oriented reporting practice

Reporting practices were fit for purpose.

Reporting practices (e.g., the Inception, Quarterly, Interim and Final Reports) can be considered largely adequate, though there appears to be some room for **further strengthening the reporting of outcomes** (and the corresponding measurement, including definition of outcome indicators, baselines, and targets). For example, the reports for *'2015 Radicalisation'* provide good information on outputs, however, there is no systematic reporting of outcomes (indicators, targets etc.).

There appears to be room for further **strengthening practices regarding collecting stakeholder feedback on draft reports**, e.g., streamlining approaches to commenting, using IT/collaborative workspace platforms to comment on draft reports/circulate reports between relevant stakeholders.

JC6.4. Existence of a sound monitoring system

Arrangements for monitoring appeared well established at the level of the Ministry of Justice (including the Project Coordination Board) and the National IPA Coordinator (NIPAC). This includes the arrangements for reporting on progress, engagement with Results Oriented Monitoring (ROM), and meetings to monitor progress, e.g., the Sectoral Monitoring Committee (SMC) meetings and the Implementation Review Meetings (IRM) organised every six months by NIPAC, the Ministry of Justice, European Union Delegation (EUD) and involving relevant judiciary Sub- Sector representatives and CFCU. The quarterly **Steering Committee meetings were reported as effective** in terms of discussing implementation issues and identifying pragmatic solutions, e.g., for *'2015 Radicalisation'*. Indeed, stakeholders such as the Ministry of Justice and the DEUA made an effective use of the Steering Committee meetings, focusing their contributions on Activities experiencing implementation issues. In this context, there appears to be room for enhancing the timely distribution of minutes of Steering Committee meetings (DEUA noted delays in receiving minutes).

Implementation Review Meetings (organised biannually by DEUA) **were also an effective tool** to facilitate exchanges between key stakeholders (including, but not limited to the Ministry of Justice, European Union Delegation, CFCU, DEUA, and relevant judiciary sub-sector representatives) and update each other on key issues, including financial performance, though there appears to be room for further strengthening the use of outcome indicators at the meetings to allow stakeholders to review progress.

Activities also organised regular **management meetings**, involving the twinning/technical assistance teams (e.g., *'2015 Radicalisation'*, *'2016 Mothers with Children'*).

Monitoring based on indicators corresponded mostly to the level of activities/outputs; there is room for **improving the reporting and monitoring at the level of outcomes**. Stakeholders demonstrated good awareness of this issue (e.g., for *'2016 Mothers with Children'* the lead beneficiary organised meetings to discuss/revise indicators), and weaknesses in this area were explained with resource issues (limited time to dedicate to the design of monitoring systems and corresponding data collection during implementation). For example, the reporting for *'2015 Radicalisation'* shows a somewhat inconsistent use of indicators and no data/discussion is provided for some of the indicators.⁸ *'2016 Addiction'* has defined adequate indicators,⁹ however, the reporting lacks systematic information on the extent to

⁸ For example there is no data/discussion for the indicators *'Participation in the collective actions of terrorist prisoners will be decreased by 2% two years later since end of the project'*, *'Attendance rates of terrorist prisoners to communal activities will be increased by 1 % at the end of the project'*, *'Attacking to prison staff will be decreased by 3 % at the end of the project'*, *'The effectiveness of prison management improved 20% at the end of the project'*.

⁹ Adequate indicators at the level of the specific objectives include: *'The number of probationers attending drug addiction intervention programmes increases from baseline (2019) 33.687 probationers to 35.371 in 2023'*, *'Motivation of the addicts to stop drug use increases from 47.873 motivated individuals in 2019 to 52.415 motivated individuals in 2023'*.

which targets have been achieved. Note that whilst the assessment was somewhat constrained by the absence of systematic monitoring data, this was mitigated by extensive data derived from interviews.

DEUA noted constraints when it comes to **receiving information on developments further to Activities ending**, i.e., there are no established mechanisms for reporting/sharing such information, and DEUA needs to formally request information from the Ministry of Justice.

JC6.5. The extent to which Activity have been communicated effectively

Activities have been communicated effectively.

Communication benefited of opening and closing events (e.g., *'2015 Radicalisation'*, *'2016 Mothers with Children'*, *'2016 Addiction'*). In this context the use of hybrid formats allowed for the participation of larger numbers of participants than originally intended. For example, the opening event of *'2016 Addiction'* was attended by 85 participants in person and 35 participants online.

Indeed, there was generally **good internal communication**. Internal communication benefited from the **Steering Committee meetings** at Activity level.

External communication was also fully adequate. External communication was ensured via **meetings with relevant stakeholders**. This included meetings with high-level officials in relevant institutions and civil society organisations. External communication was also delivered via information campaigns, e.g., *'2015 Radicalisation'* disseminated visibility materials such as posters at prisons and probation centres and also disseminated information via social media. *'2016 Mothers with Children'* choose not to use social media for dissemination purposes and this was explained with the sensitive nature of the Activity. There was also **good press/media coverage of Activities**, e.g., for the international conference on best practices organised by *'2015 Radicalisation'*.

Q7. How efficient and effective are the institutional mechanisms, which ensure coordination among the various components and stakeholders of the Activity/Theme?

Activities demonstrated strong efforts of ensuring adequate coordination between relevant Activities, despite the COVID-19 restrictions constraining face-to-face meetings.

JC7.1. The extent to which the selected Activities ensured coordination with other relevant initiatives

Indeed, there was systematic **cooperation between relevant Activities**. For example, *'2015 Radicalisation'* ensured coordination with *'2015 Criminal Justice System'*, e.g., on the issue of financing of terrorism (see Theme 8 report). For *'2016 Mothers with Children'* no coordination with other initiatives was identified, this being largely explained by this Activity being the only intervention focusing directly on children staying with mothers in prison.

Coordination benefited of sector experts at the DEUA having good knowledge of complementary interventions developed by other donors (non-EC) and of DEUA experts ensuring coordination via their participation in Steering Committee and Implementation Review meetings, following up with relevant stakeholders in case of implementation issues. Similarly, coordination benefited of the EUD contributing to Steering Committee meetings.

4.6 Impact

Q8. Which long-term changes have the Activity/Theme contributed to regarding the sector in question (Prisoners benefiting from enhanced prospects for integration in society)?

The selected Activities have already made first contributions to achieving overall objectives and the wider theme's impact in terms of '*Prisoners benefiting from enhanced prospects for integration in society*'. However, full impact will only materialise in the future. This is indicated by strong ownership by the Ministry of Justice. Wider sector developments, most notably prison overcrowding could of course constrain future impact.

JC8.1. The extent to which the selected Activities contributed to impact, i.e., prisoners benefiting of enhanced prospects for re-integration into society

The selected Activities relate to the 2015 and 2016 programming years (e.g., '*2015 Radicalisation*', '*2016 Mothers with Children*', '*2016 Addiction*') and it is somewhat early to assess impact. Indeed, target dates for achieving objectives are 2023 and later ('*2016 Addiction*', '*2016 Mothers with Children*'), However, **stakeholder feedback did not identify any specific obstacles for impact to materialise.**

On the contrary, there are indications of the Ministry of Justice taking first steps to ensure an **enabling environment for impact**. For example, in the context of '*2015 Radicalisation*' the Ministry of Justice has reportedly taken steps to ensure that prisoners convicted for terrorism are separated from prisoners convicted for less serious crimes. Moreover, new training modules have been integrated in the Ministry of Justice training curricula.

For '*2015 Radicalisation*' the expectation is for 200 prisoners to participate in disengagement programmes/150 prisoners to participate in treatment programmes within three years of the end of the Activity

Strong ownership by the lead beneficiary explains good prospects for impact ('*2015 Radicalisation*', '*2016 Mothers with Children*', '*2016 Addiction*').

Risks threatening the full achievement of impact include staff constraints in prisons (e.g., insufficient staff to provide psychological support for '*2015 Radicalisation*', though Ministry of Justice feedback suggests that adequate numbers of psychologists and social workers have recently been recruited).

JC8.2. The extent to which external factors could affect future impact

Stakeholders **failed to identify any specific external factors threatening future impact**, except for the general economic development, with wider public budget challenges likely to also affect budget allocations to the Ministry of Justice, and wider sector developments. Indeed, the reconstructed intervention logic for Theme 9 noted the assumption of '*Political commitment to reforms; TR commitment to enhancing performance of the penitentiary sector; continuation of TR investments in penitentiary sector*'. However, as already noted regarding JC 4.1 ('*The extent to which external and internal factors to IPA II affected -supported or constrained- the effectiveness of the selected Activities*'), wider context factors such as the general state of the penitentiary sector might affect future impact, most notably prison overcrowding.

4.7 Sustainability

Q9. How likely the effects are to last after the intervention ends?

Prospects for sustainability are good, again explained by strong ownership by the Ministry of Justice, and the presence of a reinforced institutional framework.

JC9.1. The extent to which outputs under the Activities are likely to be maintained & JC9.2. The extent to which outcomes under the Activities are likely to be maintained (reconstructed Theory of Change, i.e., Conditions of Prisons and Execution Regime improved)

Overall, interview feedback suggests **strong prospects for sustainability of outputs and outcomes**.

Factors explaining sustainability include **strong ownership by the Ministry of Justice** ('2015 Radicalisation', '2016 Mothers with Children', '2016 Addiction'). Moreover, relevant structures are in place to sustain outputs/outcomes. For example, for '2016 Addiction' relevant coordination structures are in place such as the High Council for Fight against Addiction or the Technical Study Groups on Fight against Addiction.

The presence of a **reinforced institutional framework** also supports sustainability. For example, '2015 Radicalisation' has established a set of capacity development materials and tools to deal with risk assessment/rehabilitation/prevention and ensured a pool of qualified trainers is now available. Similarly, '2016 Mothers with Children' has seen new facilities established for mothers staying with their children and training capacity being put in place, and there are plans for integrating new training content in regular training curricula. Similarly, '2016 Addiction' has put new capacity development resources in place (25 trainers and training materials, to be integrated in regular training curricula of the Ministry of Justice/Justice Academy).

For some Activities, there are already **plans for follow-up interventions**. For example, the Ministry of Justice is planning a follow-up intervention for '2016 Mothers with Children', looking at children up to 18 years of age having parents in prisons.

However, for some Activities concerns were voiced regarding the sustainability of relations between the Turkish authorities and the twinning partner. For example, for the Activities delivered via the instrument of twinning with Spain it was noted that there were **no bilateral follow-up exchanges/activities planned**, and this despite the very good and longstanding bilateral relation. For example, the Spanish stakeholders involved in '2015 Radicalisation' noted their interest in remaining in touch with the Ministry of Justice at a bilateral level; currently the only contacts are within the framework of Council of Europe initiatives such as the Council for Penological Co-operation,¹⁰ and the European Organisation of Prison and Correctional Services.¹¹

Q10. What are the main risks to sustainability, identified at the Activity/Theme implementation stage/materialized beyond Activity/Theme implementation?

JC10.1. The extent to which external and internal factors affected (supported or constrained) the sustainability of Activities

Only a small number of constraining factors were identified:

Failure to **allocate substantial human and financial resources to fully operationalise the new systems** put in place, e.g., '2015 Radicalisation' will require the recruitment of additional psychologists and other staff to deliver the new programmes for disengagement/rehabilitation/reintegration at prisons (though Ministry of Justice feedback suggests that adequate numbers of psychologists and social

¹⁰ <https://www.coe.int/en/web/prison/council-for-penological-co-operation>

¹¹ This organisation includes Türkiye, Spain, most other EU Member States, Georgia, Switzerland and the United Kingdom; see <https://www.europris.org>

workers have recently been recruited). Similarly, '2016 Mothers with Children' will require staff with specific qualifications (e.g., child welfare).

Failure to ensure the **integration (and updating) of new capacity development contents into existing regular training curricula** of prison staff.

Wider context factors such as the general state of the penitentiary sector (Chapters 23 and 24 of the accession process) might also affect sustainability, most notably turnover/recruitment issues affecting the penitentiary sector and prison overcrowding.

4.8 Added value

Q11. What is the added value of the Activity/Theme, compared to what could be achieved without the EU support?

The selected Activities demonstrated strong added value - allowing access to experience and expertise from the European Union and speed and scale of development that would not have been possible without the support.

JC. 11.1. The extent to which the progress in the judiciary sector could be achieved without the support of EU IPA II (based on the initiatives of TR stakeholders or international organisations)

The Activities added substantial value.

It is **unlikely that beneficiaries would have accessed experience/expertise from the European Union outside the Activities**. Specific elements associated with EU added value include **study visits/access to specific experience from different EU Member States** (this was specifically noted for '2015 Radicalisation', e.g., regarding a study visit to Spain), and access to information on legal frameworks in EU Member States (e.g., for '2016 Mothers with Children').

JC. 11.2. The extent to which the EU is visible as a key supporter for the judiciary sector

EU guidance on visibility was followed by all Activities. Beneficiaries and implementing partners reported very good visibility of the EU in the context of all outputs (events, publications, websites etc

5 OVERALL ASSESSMENT CONCLUSIONS, LESSONS LEARNED AND RECOMMENDATIONS

5.1 Conclusions

The selected 2015 and 2016 Activities demonstrated a strong performance in the light of all evaluation criteria. The selected Activities are fully **relevant** regarding the achievement of the specific objective of *'Conditions of Prisons and Execution Regime improved'*. Activities are clearly aligned with Turkey's and the European Union's (accession) policy framework and with needs of the lead beneficiary and other stakeholders, with good levels of flexibility to address changes, most notably in the context of the COVID-19 pandemic.

The selected Activities are **coherent** with other international and EU interventions, with the main implementing actors (Ministry of Justice, twinning partner, technical assistance team) ensuring coordination/prevention of duplication.

Looking at the reconstructed theory of change, the selected Activities were **effective**, making first important contributions to the intended outcome of *'Conditions of Prisons and Execution Regime improved'*. Note that two Activities are still being implemented by the time of the data collection for this evaluation (*'2016 Mothers with Children'* and *'2016 Addiction'*). The COVID-19 pandemic and the corresponding restrictions to 'physical' activity constituted the most important external factor influencing the achievement of the Activities' objectives and results, however, this was adequately mitigated by adoption of online modes of capacity development. The Activities used twinning (*'2015 Radicalisation'*) and technical assistance (*'2016 Addiction'* and *'2016 Mothers with Children'*). The use of the different modalities proved largely adequate.

Whilst there have been **efficiency** issues (most notably delays caused by COVID-19), on the whole outputs have been generated in time to support effectiveness. Practices regarding reporting, communication and coordination were fit for purpose, however, there is room for further strengthening the use of outcome indicators for monitoring and reporting on progress. Activities demonstrated strong efforts of ensuring adequate coordination between relevant Activities, despite the COVID-19 restrictions constraining face-to-face meetings.

Returning again to the theory of change, the selected Activities have already made first contributions to achieving overall objectives and the wider theme's **impact** in terms of *'Prisoners benefiting from enhanced prospects for integration in society'*. However, full impact will only materialise in the future. This is indicated by strong ownership by the Ministry of Justice. Wider sector developments, most notably prison overcrowding, could of course constrain future impact.

Prospects for **sustainability** are good, again explained by strong ownership by the Ministry of Justice, and the presence of a reinforced institutional framework.

The selected Activities demonstrated strong **added value** - allowing access to experience and expertise from the European Union and speed and scale of development that would not have been possible without the support.

5.2 Lessons learned

- **Piloting** new approaches in selected institutions (prisons)/provinces, thus allowing for the immediate testing of new models of capacity development, new structures etc. and subsequent finetuning before rolling out new approaches across the country, thus contributing strongly to effectiveness;
- Allowing for **flexibility** with regard to the delivery of capacity development interventions, e.g., adopting online/hybrid modes of capacity development, allowing twinning experts to work remotely, thus ensuring efficient and effective delivery of support;
- Ensuring **regular meetings** between relevant stakeholders, thus ensuring coordination between different components of an Activity/between different Activities;
- Strong **ownership** of the Ministry of Justice, ensuring the allocation of human/financial resources to Activities, involvement of senior-level representatives in key events of Activities, thus contributing to impact and sustainability.

5.3 Recommendations

Effectiveness

There is room for strengthening the balanced participation of men and women in Activities at all levels. There is also room for strengthening data collection on the balanced participation of men and women. Indeed, log-frames/indicator systems do not yet appear to integrate this dimension systematically. **Recommendation (to be implemented by the Ministry of Justice on ongoing basis in context of programming and delivery of EU support): Ministry of Justice to review ongoing IPA-funded Activities for potential to strengthening the balanced participation of men and women and ensure all Activities collect data on the balanced participation of men and women. Lead beneficiary to ensure that future log-frames integrate data collection on the balanced participation of men and women.**

The adoption of on-line formats allowed the participation of higher numbers of participants, and also allowed participation from across the country (besides implying budget savings, e.g., reduced travel and venue costs). **Recommendation (to be implemented by the Ministry of Justice on ongoing basis in context of programming and delivery of EU support): Ministry of Justice to consider allowing for hybrid formats for future capacity development activities, combining presential events with remote participation.**

The approach of piloting activities performed particularly strongly. **Recommendation (to be implemented by the Ministry of Justice on ongoing basis in context of programming and delivery of EU support): Ministry of Justice to ensure all future Activities include a substantial element of piloting institutional/normative innovations in selected provinces/prisons.**

Efficiency

There is room for further strengthening the reporting of outcomes (and the corresponding measurement, including definition of outcome indicators, baselines, and targets). Monitoring based on indicators corresponded mostly to the level of activities/outputs, but only to a very limited extent to the level of outcomes. Weaknesses in this area were explained with resource issues (limited time to

dedicate to the design of monitoring systems and corresponding data collection during implementation). **Recommendation (to be implemented by the Ministry of Justice on ongoing basis in context of programming and delivery of EU support): Ministry of Justice to ensure that sufficient capacities are in place to ensure monitoring at the outcome level.**

For some Activities delays in reporting/distribution of reports to relevant stakeholders were noted. There appears to be room for enhancing the timely distribution of minutes of Steering Committee meetings. There also appears to be room for further strengthening practices regarding collecting stakeholder feedback on draft reports. **Recommendation (to be implemented by the Ministry of Justice on ongoing basis in context of programming and delivery of EU support): Ministry of Justice (supported by other stakeholders such as NIPAC, CFCU, EUD) to consider using IT/collaborative workspace platforms to comment on draft reports/circulate reports between relevant stakeholders.**

DEUA and EUD noted constraints when it comes to receiving information on developments further to Activities ending (i.e. outcomes), particularly for legislative outputs, for which the Activities reached the expected level of achievement by drafting and/or revision of the existing legislation. There is no structured mechanism at the Ministry of Justice to trace and report on the developments further to the Activities ending: **Ministry of Justice to regularly inform DEUA and EUD on relevant legislative changes related to supported Activities.**

Sustainability

For some twinning Activities it was noted that there were no bilateral follow-up exchanges/activities planned, and this despite the very good and longstanding bilateral relation. **Recommendation (to be implemented by the Ministry of Justice on ongoing basis): Ministry of Justice to organise annual meetings with former twinning partners to allow for exchanges on relevant normative/institutional issues covered by former twinings with a view to identify areas for further bilateral cooperation (outside EU funding).**