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**MANAGEMENT RESPONSE
TO THE RECOMMENDATIONS MADE ON THE
EXTERNAL EVALUATION REPORT**

JUNE 2022

SECRETARIAT: Secretariat for Multidimensional Security

DEPARTMENT: Executive Secretariat of the Inter-American Drug Abuse Control Commission

SIGNED BY: Antonio Lomba, Chief, Institutional Strengthening Unit

NAME OF THE EVALUATION: External Evaluation of the Project “Gender in the Criminal Justice System: Exploring Evidence-based Alternatives to Incarceration for Drug-related Offenses (2018-2021)”

PERIOD OF EVALUATION: FROM MARCH 2018 TO MARCH 2022

EVALUATED PROJECTS:

- i. “Gender in the Criminal Justice System: Exploring Evidence-based Alternatives to Incarceration for Drug-related Offenses.” This project is part of the program “Establishing and/or Improving Drug Treatment Courts for Drug Dependent Offenders and Other Alternatives to Incarceration” (SMS1411).

NAME OF THE EVALUATOR: Maryvonne Arnould

The main objective of this document is to identify the necessary actions that need to be implemented by the executing agency to respond to the recommendations made in the external evaluation. The area should state whether they accept or not such recommendations and provide an explanation on how they will be responded or incorporate them in the future. The Department of Procurement and Management Oversight (DPMO) will follow-up on the implementation of the recommendations based on the actions identified.

RECOMMENDATIONS AND MANAGEMENT RESPONSE

<p>Recommendation 1: <i>With respect to post-project follow-up</i> – Given the strategic approach taken by the <i>Gender in the Criminal Justice System: Exploring Evidence-Based Alternatives to Incarceration for Drug-Related Offenses</i> project and the little time left to complete and validate key research outputs and transition to recommendations aimed at advising policymakers, it would be advisable to plan some form of post-project follow-up action, with a view to determining whether the project has had any impact on policies or practices related to gender-responsive ATIs and identifying which outstanding country needs would require further attention to get the work done. Regardless of the scope and nature of this follow-up action, ES-CICAD should stay in touch with individuals and units involved in the project and contact them regularly (at least once every three months) as this could, at minimum, add impetus to sustained efforts aimed at integrating a gender perspective into ATIs and perhaps even set the stage for future alliances in support of next-generation initiatives.</p>	<p>Accepted</p> <p>X</p>	<p>Not accepted</p>
<p>Response: ES-CICAD, through its Institutional Strengthening Unit (ISU), remains in touch with the points of contact of the relevant units in the counterpart institutions of each of the participating member states to define next steps regarding the country study reports and recommendations and to identify specific needs in preparation for the project's (possible) second phase. ES-CICAD will also collect input from member states regarding project outcomes for the final report to be submitted to the donor.</p>		
<p>Key Actions</p>		
<p>Description</p>	<p>Date of implementation</p>	
<p>1.1 Have a discussion with the points of contact of the relevant units in the counterpart institutions of each participating country to decide whether the study report will be published.</p>	<p>Q2-Q3, 2022</p>	
<p>1.2 Collect information from the relevant units in the counterpart institutions of participating countries on project outcomes for inclusion in the final report.</p>	<p>Q3, 2022</p>	
<p>1.3 Have a discussion with the relevant units in the counterpart institutions of each participating country to gauge interest in participating in a (possible) second phase and identify specific needs in line with the study report's recommendations.</p>	<p>Q3-Q4, 2022</p>	
<p>Recommendation 2: <i>With respect to further support</i> – In a general sense, ES-CICAD should continue to support gender sensitization and capacity building as these are critical to instilling an enduring</p>	<p>Accepted</p> <p>X</p>	<p>Not accepted</p>



change in mindsets regarding the adoption of gender-differentiated approaches to ATIs, which, in turns helps to promote a more humane and effective response to minor drug-related offenses; reduce the negative impacts of incarceration on low-level offenders; provide sentencing that is commensurate with the offense committed; maintain the idea of proportionality; and treat criminal punishment as a strategy of last resort for minor offenders.		
<p>Response: Analyzing and promoting the adoption of gender-differentiated approaches to alternatives to incarceration (ATIs) is one of the core purposes of this initiative. It also relates to one of the core principles and critical elements of the 2020 Hemispheric Drug Strategy (<i>13. Member states design, adopt, and implement alternatives to incarceration for minor or non-violent drug-related offenses, with a gender, age and cultural perspective, in accordance with their national, constitutional, legal, and administrative systems, and relevant and applicable international instruments, as well as respect for human rights</i>) and Plan of Action 2021-2025, adopted by OAS member states at the 68th Regular Session of CICAD. As part of its follow-up efforts, ES-CICAD, through its Institutional Strengthening Unit, submitted a proposal to the donor for a second phase of the project. The proposed second phase includes an important sensitization component, which would involve: the delivery of training and large-scale sensitization to policymakers and operators in criminal justice institutions and other key stakeholders on gender and ATIs for drug-related offenses, to reach the “critical mass” needed to change institutional mindsets; and sensitization and dissemination of promising practices to policymakers and other key stakeholders on gender, criminal justice and ATI measures for drug-related offenses in all OAS member states and internationally.</p>		
Key Actions		
Description	Date of implementation	
1.1 Follow-up on the proposal submitted to donor.	Q3-Q4, 2022	
1.2 If the second phase is approved for implementation, deliver sensitization activities according to the project implementation calendar.	2023-2025	
<p>Recommendation 3: <i>With respect to a potential second phase – If further support from ES-CICAD comes in the form of a second phase to the Gender in the Criminal Justice System: Exploring Evidence-Based Alternatives to Incarceration for Drug-Related Offenses</i> project, then consideration should be given to leaving room for a dialogue with country stakeholders regarding the funding and human resource implications of defining a sustainability plan and phase-out or exit strategy that spell out the commitments of government stakeholders as well as their roles and responsibilities in supporting the replication and/or scale-up of interventions beyond project completion.</p>	Accepted X (within the limits of ES-CICAD/OAS’s mandate)	Not accepted

Response: The ISU of ES-CICAD recognizes the need for its projects to bring results that are sustainable. In terms of funding and human resources implications of a sustainability plan, it is important to highlight that several of the promising practices identified on alternatives to incarceration and gender do not necessarily involve significant government financial investment.

As such, ES-CICAD's proposed sustainability strategy for the second phase strategy involves the following: a) Support to member states that participated in the first phase in the development of legislative/policy/operational frameworks and tools on alternatives to incarceration that include a gender perspective, in line with the recommendations of the study reports and promising practices identified during the project. Having these frameworks and tools in place is key since they will guide the actions of the institutions involved beyond the project's life. b) Increased sensitization and training efforts, to reach a critical mass of officials who are sensitized to ATI and related gender considerations among those who play key roles within the criminal justice process, such as prosecutors, defense attorneys, and judges. c) Promotion of inter-institutional coordination, especially between the institutions involved in the criminal justice system and those that provide health and social services. This coordination is key to the effective identification of resources and delivery of services related to ATIs.

Finally, it is important to bear in mind that as a technical body in charge of carrying out the decisions of CICAD, ES-CICAD's capacity to secure "commitments of government stakeholders" beyond the life cycle of a specific project is limited. However, through its technical assistance, ES-CICAD can help member states identify the type of resources they need to carry out specific ATI interventions.

Key Actions	
Description	Date of implementation
1.1 If the second phase is approved for implementation by the donor, define a work plan with each participating country to identify the specific support to be provided under the project in terms of sensitization and technical assistance.	2023 (subject to project approval by donor)
1.2 If the second phase is approved for implementation by the donor, deliver sensitization and training activities according to the work plan agreed with each participating country.	2023-2025 (subject to project approval by donor)
1.3 If the second phase is approved for implementation by the donor, deliver technical assistance activities according to the work plan agreed with each participating country, and assist, upon request, in the identification of the type of resources needed to carry out specific ATI interventions.	2023-2025 (subject to project approval by donor)



Recommendation 4: <i>With respect to timelines</i> – Measures should be taken to ensure that the timelines associated with any future initiative aimed at supporting research leave in sufficient time to comfortably engage in dialogue with country stakeholders; discuss the methodology and identify any adjustments needed to existing technical capacities; allocate human and financial resources commensurate with the needs; and agree on which expected outcomes to prioritize and on what can be realistically done to have an enduring impact. Lessons learned from the ES-CICAD project experience indicate that such considerations may justify extending the timelines to allow key deliverables to be achieved at a smooth pace and in a proper sequence.	Accepted X	Not accepted
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Response: In the proposed second phase, the ISU of ES-CICAD has scheduled a full year to carry out the initial activities required as part of the diagnostic studies, including: the desk review, the design of the methodology and instruments, the identification of viable research pathways, and the securing of necessary institutional authorizations. The proposed timeline for the overall project is 3.5 years instead of 2.25 years for the first phase.

Key Actions	
Description	Date of implementation
1.1 Follow up on the proposal submitted to donor.	Q3-Q4, 2022
1.2 If the second phase is approved for implementation by the donor, define a work plan with each participating country that would define realistic timelines for initial activities required for the diagnostic studies.	2023 (subject to project approval by donor)

Recommendation 5: <i>With respect to design</i> – As a means of securing stakeholder buy-in, consideration should be given, at the initial design stage of any future initiative, to provide a ToC in the form of a simplified diagram that the project team may use to present the initiative to stakeholders, with a view to building a common understanding of what it is trying to achieve and how it intends to do so.	Accepted X	Not accepted
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Response: The theory of change for the project's second phase is described in the narrative proposal that was submitted, and it will be reflected in the project's Logic Model. If funding is secured for the second phase, the ISU of ES-CICAD will organize an initial project meeting with potential participating member states. The project team will prepare and deliver a presentation to inform the member states of project objectives, activities and timelines. This presentation will include a slide with a simplified, visual representation of the project's theory of change that can be validated with the countries.



Key Actions	
Description	Date of implementation
1.1 Draft the logic model for the second phase of the project “Gender in the Criminal Justice System” and adjust as needed in consultation with the donor.	Q2-Q4, 2022
1.2 If the second phase is approved for implementation by the donor, prepare and deliver a presentation to inform the countries of project objectives, activities and timelines, including a slide with a simplified, visual representation of the project’s theory of change.	2023 (subject to project approval by donor)
1.3 Incorporate any adjustments that may be required in the theory of changes based on input from participating countries.	2023 (subject to project approval by donor)
1.4 Continue monitoring the validity of the theory of change based on evolving project circumstances (particularly, ongoing review of risks and assumptions), in consultation with the donor and participating countries.	2023-2025 (subject to project approval by donor)

Recommendation 6: <i>With respect to M&E and RBM</i> – Any future initiative should consider adding qualitative indicators to the PMF, as a means of assessing learning outcomes as well as the degree to which knowledge and practices have been applied by project stakeholders to facilitate the adoption of enhanced practices aimed at more effectively including a gender perspective in ATIs for drug offenders.	Accepted X	Not accepted

Response: In drafting the performance measurement framework (PMF) for the project’s proposed second phase, the ISU of ES-CICAD will incorporate qualitative indicators aimed at assessing learning outcomes and the application of knowledge and practices by project stakeholders. Please note that the PMF is subject to the donor’s approval.

Key Actions	
Description	Date of implementation
1.1 Design qualitative indicators to assess learning outcomes and the application of knowledge and practices by project stakeholders as part of the proposed PMF for the second phase of the project, and bring adjustments as requested by the donor.	Q2-Q4, 2022
1.2 If the second phase is approved by the donor for implementation, monitor learning outcomes based on indicators defined in the PMF, including progress on qualitative indicators.	2023-2025 (subject to project approval by donor)

Recommendation 7: <i>With respect to research sampling</i> – If ES-CICAD chooses to pursue evidence-based research focusing on gender in the criminal justice system, then this research should specifically target women (who, compared to men, make up a much smaller proportion of the population involved in the system), and resort to purposive sampling methods to generate datasets that are more representative of the experiences of female defendants	Accepted <i>This recommendation will be further discussed by the ES-CICAD project team.</i>	Not accepted <i>This recommendation will be further discussed by the ES-CICAD project team.</i>
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and/or consider less labor-intensive method that requires high levels of inter-institutional coordination within participating member states.		
<p>Response: This recommendation will be further discussed by the ES-CICAD project team (ISU and Inter-American Observatory on Drugs (OID), the research arm of ES-CICAD) and with participating member states if/when the second phase is approved by the donor for implementation. While the project team recognized that the low number of women in the diagnostic study samples (a consequence of the existing gender distribution in justice-involved individuals) represented an important limitation during the first phase because the results of the study could not be generalized (statistically) to a larger population of justice-involved women, it is important to point out - as reflected in the final evaluation report- that part of the study also aimed to look at the relationship between drugs and crime, which required observing and analyzing the “natural flow” of offenders (men, women, others) coming into the criminal justice system without manipulating the sample. Following this logic, the project would not have had a full picture by focusing strictly on women. It should also be highlighted that “gender” does not refer to women only, and that justice-involved men as well as persons with non-conforming gender identities may also have specific gender needs in relation to alternatives to incarceration.</p> <p>Taking this into consideration, the project research team proposes to review the methodology for new diagnostic studies jointly with participating countries in light of the studies’ objectives, weighing the advantages and disadvantages of different research designs. Some of the preliminary options discussed by the project team include the possibility of incorporating a case study methodology that would allow to conduct in depth qualitative analysis of justice-involved women who are part of the study.</p>		
Key Actions		
Description	Date of implementation	
1.1 If the second phase is approved by the donor for implementation, convene a meeting of the core research team (ISU and OID) to consider different methodological options for the new diagnostic studies.	2023 (subject to project approval by donor)	
1.2 Present the different options to the institutional teams in participating countries to identify the best option in light of the study’s objectives and the specific context of each country.	2023 (subject to project approval by donor)	
Recommendation 8: <i>With respect to knowledge management</i> – ES-CICAD should consider adding to the ISU website a repository in which it could centralize tools, guidance and statistics assembled over the course of current and future initiatives dealing with gender-differentiated approaches to ATIs, as this would grant users (including country stakeholders who could be sent a link to the repository) easy access to a rich body of knowledge while giving OAS member states involved or interested in developing ATIs an opportunity to draw evidence from CICAD research, with a view to improving their understanding of and boosting their motivation to join other countries’ efforts to develop ATIs.	Accepted	Not accepted
	Subject to specific parameters of OAS website.	Subject to specific parameters of OAS website.

Response: The OAS website (including the page of ES-CICAD) is currently being revamped. At this time, the project team does not know whether the new website structure would allow ES-CICAD to build a repository as suggested in the recommendation. However, it is expected that the website can be used to disseminate the study reports (if allowed by the participating member states) and the document of promising practices on alternatives to incarceration with a gender perspective for drug-related offenses that were developed during the first phase. This would be coupled with other institutional means of communication available, such as the ES-CICAD Twitter account.

Key Actions	
Description	Date of implementation
1.1 If/once publication is authorized by participating countries and if the OAS website permits it, upload the study reports on ES-CICAD's webpage.	Q3-Q4, 2022
1.2 Once the peer review is completed and if the OAS website permits it, upload the document of promising practices on alternatives to incarceration with a gender perspective for drug-related offenses on ES-CICAD's webpage.	Q3-Q4, 2022
1.3 Publish a Tweet including the link to the new publications posted.	Q3-Q4, 2022