



Organization for Security and Co-operation in Europe

Office of Internal Oversight

Independent Evaluation
of the OSCE Trans-National Threats Department's (TNTD/ATU)
Rule of Law and Counter-Terrorism Thematic Portfolio on
'Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism'

Final Report



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List of Abbreviations

CA	Central Asia
CFT	Countering the Financing of Terrorism
CIS ATC	Commonwealth of Independent States Anti-Terrorism Centre
CIVTP	Critical Infrastructure and Vulnerable Targets Protection
CJ	Criminal Justice
CPC	Conflict Prevention Centre
CPC/PESU	Conflict Prevention Centre/ Programming and Evaluation Support Unit
CT	Counter-Terrorism
CUITP	Countering the Use of Internet for Terrorist Purposes
EULEX	European Union Rule of Law Mission in Kosovo
ExB	Extra-Budgetary
FTF	Foreign Terrorist Fighter
GCTF	Global Counterterrorism Forum
GCTF/RM	Global Counterterrorism Forum/ The Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector
INTERPOL	International Criminal Police Organization
MC	Ministerial Council
ODIHR	Office for Democratic Institutions and Human Rights
OIO	Office of Internal Oversight
OSCE	Organization for Security and Co-operation in Europe
OSCE FO	OSCE Field Operation
OSCE pS	OSCE participating State
PC	Permanent Council
PC.DEC	Permanent Council Decision
P/C VERLT	Preventing and Countering Violent Extremism and Radicalisation leading to Terrorism
PfC	Partner for Co-operation
RFoM	Representative on Freedom of the Media
RoL	Rule of Law
SEE	South-Eastern Europe
ToR	Terms of Reference
TNTD	Trans-National Threats Department
TNTD/ATU	Trans-National Threats Department/ Action against Terrorism Unit
TNTD/BSMU	Trans-National Threats Department/ Border Security and Management Unit
TNTD/SPMU	Trans-National Threats Department/ Strategic Police Matters Unit
UB	Unified Budget
UN	United Nations
UNCTED	United Nations Counter-Terrorism Committee Executive Directorate
UNOCT	United Nations Office of Counter-Terrorism
UNODC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolutions

Executive Summary

Introduction

- I. Based on the international legal framework for combatting terrorism globally (including the UN Global Counter-Terrorism Strategy) and the OSCE Consolidated Framework for the Fight against Terrorism ([PC.DEC/1063](#)), the OSCE provides assistance to its 57 participating States (pS) and 11 Partners for Co-operation (PFC) in implementing their anti-terrorism commitments. In line with its comprehensive approach to security, the OSCE promotes dialogue, raises awareness, and builds capacities of governments and civil society actors (incl. women and youth as agents of change) to prevent and counter terrorism and violent extremism. To that end, the organization collaborates closely with other international and regional organizations.
- II. In this framework, the Rule of Law and Counter-Terrorism portfolio of the OSCE Secretariat's Transnational Threats Department/Action against Terrorism Unit (TNTD/ATU) co-operated with OSCE Field Operations (FOs) to deliver a series of twelve (12) national seminars between 2014 and 2020. These events targeted criminal justice practitioners (incl. prosecutors and judges), security and law enforcement officials, and representatives from central authorities in South-Eastern Europe (SEE) and Central Asia (CA). Each national seminar focused on good practices contained in the Global Counter-Terrorism Forum/Rabat Memorandum (GCTF/RM) that had been identified as most pertinent by the OSCE pS/ respective authorities for their work in preventing and countering terrorism.
- III. This evaluation assessed the aforementioned national seminars, and identified lessons learned that may assist TNTD/ATU as it seeks to build its future engagement with OSCE FOs in SEE and CA. The analysis covered the period 2014-2020, with a specific focus on 2017-2020, and included assistance provided by the OSCE in Albania, Kosovo, Kyrgyzstan and Tajikistan that was related to the national seminars. It was primarily based on data provided by the project manager, collected through desk research, interviews and focus group discussions with OSCE staff, project stakeholders and beneficiaries.

Key findings and conclusions

- IV. Data collected for this evaluation showed that the intervention was relevant for selected OSCE pS/ respective authorities in SEE and CA, as it helped raise awareness of international good practices and human rights standards contained in the GCTF/RM. Overall, the intervention met its intended immediate outcome of raising awareness of the GCTF/RM and the need to adopt a Rule of Law based approach to counter-terrorism, in line with international standards.
- V. Evidence showed that the Rule of Law and Counter-Terrorism thematic portfolio of TNTD/ATU has been efficient in managing the project, thus using in-house capacities and financial resources to good effect. It has also built excellent working relationships with partner organizations, including relevant United Nations agencies and regional organizations such as the Commonwealth of Independent States Anti-Terrorism Centre (CIS ATC).
- VI. The intervention has certainly set the foundation for the need to address terrorism through Rule of Law principles and in compliance with human rights standards. However, a shift in approach in the OSCE pS/ respective authorities is unlikely to be achieved since the national seminars were implemented as one-off events as indicated by interviews and project reports. The key to enhancing their effectiveness seems to lie in continued engagement with stakeholders (including through follow-on activities and detailed handover strategies), which did not happen. Therefore, this evaluation identified lack of sustainability planning as the greatest shortcoming of the intervention.
- VII. This evaluation also noted that frequently recurring criticism contained in participant feedback forms appeared to have been given little regard by organizers. Record keeping was also found to be variable from one seminar to another and in need of improvement, and an evaluation was not initiated before the end of the intervention.
- VIII. Project documents disclosed that gender parity and gender mainstreaming were hardly considered during project design and delivery. The situation improved in most recent years, especially with a greater engagement of TNTD/ATU's Gender Focal Point in project delivery.

IX. Overall, this evaluation concluded that the Rule of Law is a fundamental principle that underlies all the strategic areas identified in the 2012 Consolidated Framework, and should therefore be integrated in all of them. As a distinct portfolio, there is a concrete risk that it will continue to be of limited effectiveness.

Key recommendations and the way forward

X. This evaluation offers a set of **five (5) key recommendations**, available on page [26](#) of this report. They are addressed to TNTD/ATU, and their implementation will require the involvement of OSCE FOs and other units within the OSCE Secretariat:

- ✓ *In order to enhance sustainability of future interventions, plan for and discuss post-project follow-up activities and their organizational 'ownership' (e.g., a particular national authority, OSCE FO or partner organization) with relevant stakeholders during the project planning phase.*
- ✓ *Improve record keeping by applying a consistent format and ensuring the collection of sufficient monitoring data (incl. sex-disaggregated data) to enable subsequent review and evaluation.*
- ✓ *Ensure ongoing internal review of interventions, based on participant feedback and organiser insight, and amend activities in response. In addition, plan for decentralized evaluations at key milestone points, depending on the size and duration of a project.*
- ✓ *Integrate gender equality perspectives in project design and delivery, including capitalizing on knowledge and resources available in-house. This could be achieved through greater involvement and engagement of the TNTD/ATU Gender Focal Point.*
- ✓ *Re-assess the value added of having a distinct thematic portfolio on the 'Rule of Law and Counter-Terrorism', and consider whether topics such as GCTF/RM, as well as future events on FTFs and returnees, are or can be adequately contained in the TNTD/ATU's other thematic portfolios.*

1. Background and Context

1.1 The OSCE and the International Legal Framework for Combatting Terrorism

1. Following the 11 September 2001 events, the OSCE responded by adopting Ministerial Council Decision No. 1 on Combating Terrorism (MC(9).DEC/1)¹, which set out the clear commitment of OSCE's (then 55) pS to become parties to the United Nations Counter-Terrorism conventions and protocols (then 12, now 19) and to give effect to the UN Security Council Resolutions (UNSCRs) relating to terrorism, in particular, UNSCR 1373 (2001) addressing the financing of terrorism.
2. At the request of the Central Asian partners, the OSCE pS agreed to support their counter-terrorism efforts through technical assistance projects. The Annex to MC(9).DEC/1, the Bucharest Plan of Action for Combating Terrorism², established a framework for actions to be taken by pS and the OSCE to combat terrorism. The measures or actions were to be developed with due regard to international human rights norms and legal framework. The Bucharest Plan of Action identified activities that would be implemented in the short, medium and long term.
3. The 2012 OSCE Consolidated Framework³ brought together all the previous Decisions and mandates to create a comprehensive document that sets out the strategic focus of the OSCE's counter-terrorism activities in support of the UN Global Counter-Terrorism Strategy⁴. The Consolidated Framework makes it clear that any activities in a pS must be based on a request by the relevant State and the assistance must be carried out in close co-operation and co-ordination between the OSCE, the relevant UN agencies and any other specialised international organization (as well as with internal co-ordination). It identifies its main contributions through activities that eliminate the conditions conducive to the spread of terrorism (preventive) and activities to enhance co-operation and build capacity to prevent and combat terrorism, which include the implementation of the international legal framework against terrorism, to strengthen legislative frameworks and criminal justice institutions and agencies, to suppress the financing of terrorism, counter

¹ [Ministerial Council Decision No. 1 on Combating Terrorism \(MC\(9\).DEC/1, 4 December 2001\).](#)

² [The Bucharest Plan of Action for Combating Terrorism \(MC\(9\).DEC/1, 4 December 2001, Annex\).](#)

³ [Ministerial Council Decision No. 1063 on the OSCE Consolidated Framework for the Fight against Terrorism \(2012\).](#)

⁴ [UN Global Counter-Terrorism Strategy \(A/RES/60/288\).](#)

the use of the Internet for terrorist purposes, to strengthen travel document security, to promote dialogue on counter-terrorism issues and to ensure all the activities pay due regard to human rights and fundamental freedoms.

4. The 'Overview of OSCE Counter-Terrorism Related Commitments (updated July 2020)'⁵ provides a detailed summary of all OSCE Ministerial Council Decisions and relevant documents between 1995 and 2019.

1.2 The OSCE's Multi-Dimensional Approach to Security and the Role of the Secretariat's Trans-National Threats Department

5. Security is at the core of the OSCE's work and given its pre-eminent role, it is addressed through three (3) main 'dimensions': politico-military, economic and environmental, and human. Although not expressly set out in the 'dimensions', transnational security challenges (which include terrorism) cut across the dimensions as well as OSCE executive structures.
6. The OSCE sees its CT contribution as being informed by UN and OSCE frameworks that include:
 - UN 19 Counter Terrorism conventions and protocols;
 - UN Security Council Resolutions (UNSCRs) relating to terrorism;
 - UN Global Counter-Terrorism Strategy (reviewed every 2 years, the last revision took place in 2018) which has identified 4 pillars in its Plan of Action:
 - measures to address the conditions conducive to terrorism;
 - measures to prevent and combat terrorism;
 - measures to build States' capacity to prevent and combat terrorism; and
 - measures to ensure respect for human rights for all and the Rule of Law, as the fundamental basis for the fight against terrorism;
 - UN Plan of Action to Prevent Extremism (2015);
 - OSCE Ministerial Council Decisions; and

⁵ [Overview of OSCE Counter-Terrorism Related Commitments \(Updated: July 2020\)](#).

- 2012 OSCE Consolidated Framework for the Fight against Terrorism.
7. Given the operational independence of each of the OSCE executive structures, counter-terrorism activities are implemented through the OSCE Secretariat's Transnational Threats Department (TNTD),⁶ OSCE institutions (in particular the OSCE Office for Democratic Institutions and Human Rights, ODIHR, and the OSCE Representative on the Freedom of the Media, RFoM), and the OSCE FOs. Consequently, OSCE FOs⁷ may design and develop their own projects with little or no engagement of TNTD/ATU and vice versa. However, operational independence does not remove the need for coherence and co-ordination between the various OSCE executive structures. On the contrary, internal coherence and co-ordination are expressly set out in the 2012 OSCE Consolidated Framework, and also contained in 'centrally-led' mechanisms such as the Unified Budget (UB) cycle, and the Extra-Budgetary (ExB) project proposal assessment led by the OSCE Conflict Prevention Centre's Programming and Evaluation Support Unit (CPC/PESU). Within TNTD/ATU, more recent efforts, such as the creation of focal point networks (such as the one on Preventing Terrorism and Countering Violent Extremism that Lead to Terrorism, P/C VERLT, which was expanded to cover all OSCE commitments on Counter-Terrorism in 2020), as well as regular and frequent meetings across the Department, are all aimed at improving internal coherence and co-ordination.
 8. The 2012 OSCE Consolidated Framework tasks the Secretariat to facilitate and co-ordinate (both cross-dimensional and across executive structures) all OSCE counter-terrorism activities. The OSCE FOs are required to proactively inform the Secretariat about their planned and ongoing activities related to counter-terrorism⁸.
 9. Within the OSCE Secretariat, the Transnational Threats Department (TNTD) works to co-ordinate actions across all three (3) dimensions, and with OSCE institutions and OSCE FOs. It is made up of four (4) units, of which TNTD/ATU⁹ acts as:

⁶ Established in 2012 by [Ministerial Council Decision No. 9/11 on Strengthening Co-ordination and Coherence in the OSCE's Efforts to Address Transnational Threats \(MC.DEC/9/11\)](#).

⁷ Based on the [OSCE website](#) and OSCE staff interviews.

⁸ [Ministerial Council Decision No. 1063 on the OSCE Consolidated Framework for the Fight against Terrorism \(2012\), Paragraph 21](#): "The OSCE Secretariat will continue to ensure the facilitation and cross-dimensional and cross-institutional co-ordination of all OSCE counter-terrorism activities, without prejudice to the mandates of other OSCE executive structures. To this end, other OSCE executive structures will proactively inform the Secretariat about their planned and ongoing activities related to counter-terrorism."

⁹ The other three TNTD units are: Co-ordination Cell (CC), Border Security and Management (BSMU) and Strategic Police Matters (SPMU).

- the internal focal point on counter-terrorism related activities within the OSCE;
 - main point of contact and liaison with the UN, in particular, the United Nations Office of Counter-Terrorism (UNOCT), the United Nations Office on Drugs and Crime (UNODC) and the United Nations Counter-Terrorism Committee Executive Directorate (UNCTED);
 - information resource; and
 - implementation partner on OSCE counter-terrorism activities.
19. In addition to the work under its thematic portfolios, TNTD/ATU provides technical assistance (if requested by OSCE pS) through legislative gap analysis, drafting legislation and submission of reports to the United Nations Counter-Terrorism Committee under UNSCR 1373. It is also solely responsible for the OSCE Counter-Terrorism Network, which facilitates exchanges between the terrorism focal points within the OSCE pS, executive structures including FOs, and regional and international organizations on programmes, legal developments and terrorism trends. The Unit also produces a bi-monthly newsletter for the Network.

1.3 The OSCE Trans-National Threats Department/ Action against Terrorism Unit and its ‘Rule of Law and Counter-Terrorism’ Thematic Portfolio

20. The TNTD/ATU is led by the Head of Unit and supported by the Deputy Head of Unit, two (2) senior advisers (Legal Adviser and Counter-Terrorism Adviser), seconded and P-level staff, and a number of G- level staff. Each of the thematic portfolios has a project manager; however, current staffing difficulties in the Unit have meant that members of TNTD/ATU may be required to work across portfolios. The Senior Legal Adviser has been responsible for the Rule of Law in Counter-Terrorism portfolio since joining the team in 2015.
21. Shortly after the establishment of the GCTF in 2011 by the 30 founding Members, the GCTF Criminal Justice and Rule of Law (CJ-RoL) Working Group issued the Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector (GCTF/RM). The GCTF/RM is made up of 15 Recommendations that aim to *‘develop good practices for an effective and Rule of Law-based criminal justice sector*

*response to terrorism, including those aspects related to international cooperation*¹⁰. At the time, the GCTF did not have an implementing arm and it sought the assistance of the OSCE to raise awareness of the GCTF/RM to non-Members in the CA and SEE region (activities had already commenced in Cyprus and Bulgaria by the GCTF). Given the strong established presence and relationship of the OSCE (through the OSCE FOs) in the region, TNTD/ATU was asked to take this forward¹¹.

22. The project proposal was developed and titled ‘Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism’, and was built on TNTD/ATU’s mandate to assist pS with the implementation of the UN Global Counter-Terrorism Strategy and related OSCE commitments through a series of awareness-raising national seminars on giving effect to the good practices contained in the GCTF/RM (identified as most pertinent by the OSCE pS/ respective authorities for their work in countering terrorism)¹². The aforementioned seminars would target criminal justice practitioners (prosecutors and judges), security and law enforcement officials, and representatives from central authorities.
23. The project objective is broadly stated as: “to further contribute to strengthening Rule of Law compliant criminal justice responses to effectively prevent and combat terrorism in South Eastern Europe, Central Asia, Mongolia and/or Belarus, based on international good practices identified in the GCTF Rabat Memorandum, and in line with the international and regional legal frameworks against terrorism”¹³, and the objective of each of the seminars is further refined as: “to further contribute to strengthening Rule of Law compliant criminal justice responses to terrorism in line with the international legal framework against terrorism and based on international good practices identified in the Global Counterterrorism Forum (GCTF) Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector.”¹⁴

¹⁰ [Global Counterterrorism Forum/ The Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector, Introduction, Paragraph 1.](#)

¹¹ Sources of information: interviews with OSCE key staff/mission members and GCTF representative, and OSCE project documents.

¹² Final Report on US Pledge 13841, dated March 2018.

¹³ Pg. 4, Heading 3 ‘Project Objective’, ExB Project Proposal (ExB Project No. 1101630), dated 12 October 2015 and 22 November 2016.

¹⁴ Pg.1, Paragraph 2, ExB Project Proposal (ExB Project No. 1101630), dated 22 November 2016.

24. At the outset, the GCTF was to take the lead on the seminars, including assuming responsibility for developing the content and engaging experts/speakers. The initial plan was to hold four (4) national seminars. However, the project was extended as a direct result of interest by OSCE pS/ respective authorities and resulted in 12 national seminars on GCTF/RM:

- Nicosia – October 2014,
- Skopje – June 2015,
- Sofia – October 2015,
- Tashkent – December 2015,
- Sarajevo – September 2016,
- Prishtinë/Priština – July 2017,
- Nur-Sultan – October 2017,
- Budva (Montenegro) – September 2018,
- Issyk-kul (Kyrgyzstan) – September 2018,
- Ashgabat – July 2019,
- Dushanbe – October 2019, and
- Tirana – November 2019.

26. TNTD/ATU later took over the lead on the project¹⁵. Activities were to be funded on an ExB basis from the US (donor). However, a condition of the donor funding was that all participants were to be vetted by the US under its Leahy vetting process. Where the US vetting requirements could not be met due to time constraints (Albania, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan), the national seminars were financed through OSCE Unified Budget (UB).¹⁶

27. The final seminar within the period of the evaluation, ‘Strengthening Rule of Law Compliance: Age- and Gender-Sensitive Criminal Justice Responses to Terrorism’ was an on-line event held for Turkmenistan in May 2020 and financed through OSCE UB.

¹⁵ Interviewees suggested it might be around 2017, but could not be certain.

¹⁶ Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020.

2. Purpose and Scope of the Evaluation

28. The present evaluation focuses solely on the Rule of Law (RoL) and Counter-Terrorism (CT) portfolio, given that at the time of reporting separate evaluations are underway for the two other ATU thematic portfolios (Countering the financing of terrorism, CFT, and Preventing and countering violent extremism and radicalisation that lead to terrorism, P/C VERLT).
29. It comes at the closure of the GCTF/RM national seminars project. While no further activities are planned under the project, future activities are foreseen under the Rule of Law and Counter-Terrorism thematic portfolio, which this evaluation is expected to inform. The evaluation covers the period 2014 – June 2020, with a particular focus on the period 2017 – 2020. It also considers assistance provided by OSCE FOs in Albania, Kyrgyzstan, Kosovo and Tajikistan to follow up on and complement the national seminars¹⁷.
30. The purpose of the evaluation is to determine the relevance of the assistance provided by the OSCE (i.e., national seminars), the coherence between TNTD/ATU and the OSCE FOs, whether the national seminars achieved the intended project objectives, and any lessons learned that may assist TNTD/ATU under the Rule of Law and Counter-Terrorism thematic portfolio as it seeks to build its future engagement with OSCE FOs in CA and SEE.
31. The evaluation was conducted against relevant international evaluation criteria (OECD-DAC and UNEG guidelines) as set out in the Terms of Reference (ToR): relevance, efficiency, effectiveness, coherence and co-operation (internal and external), impact, sustainability, human rights, gender equality and ‘whole of society’ and ‘whole of government’. It also sought to identify lessons learned and best practices.
32. The evaluation was conducted by an independent external consultant, Miss Arvinder Sambei, a practicing barrister, and a former prosecutor, with over 35 years’ experience, together with an evaluation officer from the OSCE Office of Internal Oversight (OIO). She has also been engaged in capacity building, technical assistance, and evaluation activities for the past 15 years. OIO also provided relevant project and OSCE documents and

¹⁷ The aforementioned national seminars were included in the sample since they were conducted in the period 2017 – 2020, which was the focus of this evaluation.

publications to be considered in the evaluation process, and supported the evaluation logistically.

3. Evaluation Findings

3.1 RELEVANCE

33. This evaluation found the national seminars to be in line with the aims and objectives of the 2012 OSCE Consolidated Framework¹⁸ and with the Strategic Recommendations from the 2012 OSCE Conference on ‘Strengthening Regional Co-operation. Criminal Justice Institutions and Rule of Law Capacities to Prevent and Combat Terrorism and Radicalization that Leads to Terrorism’¹⁹.
34. The sole objective of the project was to promote the good practices under the GCTF/RM in order to strengthen compliance with the Rule of Law and human rights in terrorism cases. The national seminars were based on, and contributed to, the OSCE CT commitments, the Global Counter Terrorism Strategy and TNTD mandates to assist pS with the implementation of the UN Global Counter-Terrorism Strategy. The project objective was, therefore, clear and unambiguous.
35. TNTD/ATU led on the implementation and in doing so, it sought to engage the respective authorities at an early stage through the OSCE FOs. The GCTF/RM was translated into the local language (where this was deemed necessary) and provided to the national contact point by the OSCE FO staff to decide on those GCTF/RM Recommendations that would be of most relevance to the local context. Similarly, it was shared with the main regional organization, the Commonwealth of Independent States’ Anti-Terrorism Centre (CIS ATC), to canvass its views on the relevance of the good practices to the region and how they might best be adapted and adopted in the national and regional context.

¹⁸ Paragraph 13 of the [Ministerial Council Decision No. 1063 on the OSCE Consolidated Framework for the Fight Against Terrorism \(2012\)](#) identifies a range of activities as follows: “[...] through the holding of conferences and workshops, programmatic activity, training and information-sharing, the OSCE enables the exchange of good practices and lessons learned and customized capacity-building, promoting a comprehensive and co-operative approach to countering terrorism”.

¹⁹ The OSCE Conference was held on 12-13 November 2012. For further details, please see: ExB project proposal for 2015 and 2016 (ExB Project No. 1101630).

36. Based on the input provided by the OSCE pS/ respective authorities, the relevant GCTF/RM Recommendations were included in the seminar agendas and finalised with the OSCE FOs and respective authorities.
37. Participants were largely drawn from criminal justice agencies and, from around 2018 onwards, they included representatives from civil society organizations, the media and bar associations. The participants were nominated by the national institutions, and each event was attended by 25 – 40 participants²⁰. The OSCE FOs provided logistical and administrative support.
38. Based on the project report feedback forms, interviews, survey response and focus group discussions, the national seminars were generally well received by respective authorities, civil society representatives and regional organizations. The content was thought to be generally relevant and interesting. Some concerns were raised about the expertise and knowledge (particularly an understanding of regional terrorism threats) of the international speakers and experts, as well as their lack of sensitivity to the local environment. A review of the CVs of the experts (drawn from both public and private sector) demonstrates experience with terrorism cases. The same experts were largely used for each of the national seminars, which helped to provide a level of continuity and knowledge building. Going forward, OSCE may wish to assess the ratio of international experts to local and regional experts. The 12 national seminars were predominantly comprised of speakers who were international experts, which may have raised these concerns.
39. A further national seminar under the Rule of Law and Counter Terrorism portfolio took place on-line in 2020 (24 and 25 June 2020) at the request of Turkmenistan on ‘Age- and Gender-Sensitive Criminal Justice Responses to Terrorism’. The contents of the seminar (according to the press release) related to gender and juvenile perspectives within criminal justice responses to terrorism offences as well as addressing returnees.
40. During interviews it became clear that the real area of concern for the CA and SEE region is that of returnees from theatres of conflict and Foreign Terrorist Fighters (FTFs).

²⁰ Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020. As mentioned previously, the project documents were sometimes lacking participant details and contained no detailed information on participants’ gender representation.

TNTD/ATU has responded to that trend and, at the time of this evaluation, is scoping the next series of national seminars for CA on 'Age- and Gender-Sensitive Approaches to Returning FTF Family Members'. The theme is one that clearly overlaps with two other TNTD/ATU portfolios, the Rule of Law and Counter Terrorism and P/C VERLT.

41. National seminars are a helpful way of introducing a subject, particularly where aspects of it may be novel to a country or region. However, it is equally important for the objective and purpose to be made clear both within the project documents and to the intended audience, i.e. whether an event is intended as awareness raising or as training. These are quite different activities and require different skills (both from the experts and participants).
42. As an awareness raising tool, the format and methodology adopted in the 12 national seminars was the correct one. However, if it was promoted as a training workshop, then the format and methodology fall short; for instance, the time allocated to each session (of about 2 hours) is by no means sufficient, given the nuances and complexity of counter-terrorism cases. Awareness raising seminars that bring together a large number of complex topics to be worked through by international experts are likely to only lead to general discussions, rather than to the imparting of real knowledge that will be of use within the national context. This expectation needs to be managed at the outset, and the purpose and aim of the event be communicated to the respective authorities.
43. Given the feedback from the participants, it is clear that the aim and objective had not been properly communicated. This led to criticism of the format and methodology, in that participants found that the sessions lacked practical case studies, were not interactive or discursive and the presentations were too general and 'theoretical', and thereby, did not lend themselves to the national context. From the experts'/trainers' perspective, there was a lack of presentations on national practice, which also hampered discussions.
44. Going forward, TNTD/ATU is planning national seminars on key pressing issues for the CA and SEE region. It should take the opportunity to consider their likely value in light of the findings of the present evaluation. In particular, follow-on activities that will help to embed the learning should be considered, for instance, more focussed and targeted training workshops. If the view is that awareness raising sessions are worthwhile,

perhaps as 'gateway' events, then the aims and objectives should be made explicit at the very outset.

Finding on relevance: The national seminars on GCTF/RM were welcomed by the respective authorities and generally found to be of relevance to them in terms of the topics discussed. The fact that OSCE projects are largely, if not entirely, reliant on an express 'invitation' of the relevant OSCE pS also indicates that the subject matter of the GCTF/RM was considered relevant by the respective authorities.

3.2 EFFICIENCY

45. The project was efficient in its delivery and represented overall value for money. The overall budget for the 12 seminars was estimated at €309,624.00. The donor (US) funding amounted to €160,329.61, of which €52,252.87 was returned to the donor. This is because ExB funds could not be used due to the US Leahy vetting requirements²¹, as clearance could not be obtained in time (for the seminars in Albania, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). As a consequence, TNTD/ATU and OSCE FOs jointly funded the activities through UB.
46. From the project documents, financial reports and interviews, TNTD/ATU made every effort to use the funding efficiently and ensure that the project represented value for money. Project expenses were kept in check through effective use of local infrastructure and capacities that were already in place with OSCE FOs. Both TNTD/ATU and OSCE FOs adopted a joint and collaborative approach; for instance, using local partners to provide translation services (both to translate the seminar documents and provide interpretation services during the event), venue, equipment and general facilities.
47. TNTD/ATU sought to engage experts who were within the public sector in their own countries and would not require a fee to be paid, save for travel (economy) and subsistence costs. OSCE FO staff assisted with the necessary visa and travel requirements.

²¹ Under section 620M of the Foreign Assistance Act of 1961, 22 U.S.C. 2378d, U.S. Government is prohibited 'from using funds for assistance to units of foreign security forces where there is credible information implicating that unit in the commission of gross violations of human rights (GVHR)' - <https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet/>. Consequently, all participants must be vetted before attending any US funded activity.

The average cost of each seminar was around €38,703²². Partner organizations (regional and international) met their own expenses.

Finding on efficiency: The intervention demonstrated a good use of available human and financial resources, including in-house human resources and knowledge. All activities were held well within the allocated project budget, and implemented through joint collaborative efforts between TNTD/ATU and OSCE FOs.

3.3 EFFECTIVENESS

48. The project had three main intended outcomes (from the immediate to the long-term):²³

- Awareness raising on good practices contained in the GCTF/RM through the organization of 12 national seminars for criminal justice practitioners in OSCE FOs in South Eastern Europe and Central Asia as well as OSCE pS (i.e. Cyprus and Bulgaria);
- Encouraging and building domestic co-operation and co-ordination amongst the criminal justice agencies and wider society engagement; and
- Strengthening Rule of Law compliant criminal justice responses in order to effectively prevent and combat terrorism in the OSCE area based on international good practices identified in the GCTF/RM.

49. Based on project progress reports, interviews, focus group discussion and document analysis, the intervention was generally effective in achieving its outputs and immediate outcomes²⁴ since planned activities (i.e., national seminars) were implemented, and target qualitative indicators were met. Although national seminars helped to lay the foundation on international good practices with a view to national institutions adapting them for the local context, there is not enough evidence to prove that the seminars have achieved their intended mid- to long-term outcomes and met their target qualitative indicator at that level. In particular, there is no evidence that the seminars ultimately contributed to the incorporation and implementation of GCTF/RM good practices into

²² Annex 3, Project Summary Document, ExB Project No. 1101630.

²³ Sources of information: OSCE staff interview and Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020.

²⁴ The amended ExB No. 1101630 Project Proposal (dated 22 November 2016) states: "Awareness of good practices contained in the Rabat Memorandum is raised among pS in the regions of SEE and CA".

host countries' counter-terrorism activities, and to a shift in their approach to counter-terrorism.

50. In more details, the effectiveness of the intervention may be assessed as follows:

- *Integration of GCTF/RM into the criminal justice response:* Given the short duration of the seminars (1-2 days), it would not have been possible to discuss all 15 recommendations. Each of the seminars addressed the GCTF/RM recommendations identified by the national stakeholders and the workshops were delivered through a series of presentations by international and regional experts. Following the presentations, participants were invited to ask questions and share their experiences in handling terrorism cases. Respective authorities hence identified those that were most relevant to the domestic context. The GCTF/RM has been integrated into at least two national training institutions: the judiciary in the case of Albania and law enforcement in the case of Kazakhstan.
- *Building domestic inter-agency co-operation:* One of the anticipated outcomes was to promote domestic inter-agency co-operation and co-ordination, which are recognised as critical in addressing transnational crime cases such as terrorism. Their importance and significance was recognised by every OSCE pS/ respective authorities and by TNTD/ATU, and reflected as a specific topic of discussion in every national seminar (except one, Kyrgyzstan) under GCTF/RM Good Practice 2 (Encourage Cooperation and Coordination among Domestic Government Agencies that Have Responsibilities or Information Relevant to Counterterrorism). However, based on interviews with beneficiaries, it is clear that the need is recognised but, in practice, more work needs to be done to promote, build and enhance multi-agency co-ordination and co-operation.
- *Building an international network for practitioners:* The national seminars sought to bring together international and regional speakers as a way of exchanging experiences in handling CT cases within the wider Rule of Law and human rights context. During interviews, participants said they had found the exchange helpful, as it had allowed them to understand how human rights should be integrated into the CT context (preventive measures and investigations). From the online (anonymous) survey,

completed by 7 trainers, it emerged that 3 of them were contacted by participants for direct assistance after the seminars.

- *Wider society engagement:* From 2018, the events included civil society representatives as well as bar associations and the media. However, their engagement and attendance entirely depended on the OSCE pS/ respective authorities and was, therefore, beyond the control of the OSCE. Based on interviews, the involvement of civil society has yielded positive results. Participants were, for the first time, able to discuss and understand the challenges each faces, and this resulted in multi-stakeholder attempts to build community trust of law enforcement agencies in Tajikistan and Albania.

51. Each of the events had a feedback form which was used to evaluate the relevance, strengths and weaknesses of the event. However, the weaknesses identified in the feedback forms remained largely unaddressed in subsequent seminars, and were highlighted and repeated during the interviews conducted for this evaluation. The main concern lay in the format of the seminars, the lack of interaction and the lack of practical learning. Those shortcomings should have been addressed during the life cycle of the project, and it is unfortunate that this did not happen.
52. By not addressing the perceived weaknesses, it left beneficiaries to assume that their views were not relevant. Here too, caution must be exercised as most interviewees said they either could not recall attending the event or, if they remembered attending, what was discussed in detail. Most participant interviewees helpfully brought out copies of the agenda and sought to construct their recollection around it. Going forward, it is important for weaknesses to be acknowledged and addressed in a timely manner.
53. The real contribution made by the national seminars has been lost in the mists of time.²⁵ Even if they were of use when delivered, this is not borne out fully as several interviewees could neither remember the content of the seminars in detail, nor did they report on any

²⁵ Please refer to: Annex I: Evaluation Approach/Methodology and Limitations.

follow-up activities (with two exceptions in Albania and Kazakhstan).²⁶ This brings into question the value of the national seminars.

Finding on effectiveness: Overall, project activities (i.e., national seminars) achieved the intended immediate outcome (i.e., awareness raised on good practices contained in the GCTF/RM among OSCE pS/ respective authorities in CA and SEE). However, this evaluation could not gather sufficient evidence to prove that the intervention contributed to a shift in approach to counter-terrorism in the countries where national seminars were conducted and, thus, achieved its intended outcomes in the mid- to long-term.

3.4 COHERENCE AND CO-OPERATION (EXTERNAL & INTERNAL)

54. For the present evaluation, the question of coherence seeks to focus on how well the intervention fits within the OSCE and with external partners. Overall, it was found that, while TNTD/ATU has achieved a degree of coherence with this intervention, there is room for much more.

External coherence and co-operation with partner organizations

55. The TNTD/ATU works closely with external partners, in particular, the UN Office of Counter-Terrorism (UNOCT), UNODC and CTED. The Secretariat has a Joint Action Plan for 2020 – 2022 with UNODC²⁷. The Joint Action Plan identifies a number of areas of co-operation which include the following for the purposes of TNTD/ATU:

- *Combating the financing of terrorism (CFT):* the activities envisaged are multiple capacity building events that focus on financial investigations, financial disruption techniques and giving effect to the UN sanctions regime.
- *Preventing and countering terrorism and violent extremism and radicalisation that lead to terrorism (P/C VERLT) through capacity building events, training, building gender-inclusive national strategies, support efforts to prevent violent extremism amongst the youth, increase national capacity to deal with CBRN (chemical, biological, radiological and nuclear) terrorist threat, promote dialogue through public-private*

²⁶ In Albania, a judge who attended the national seminar went on to include learning on GCTF/RM into training programme for other judges; while the Director of the Academy of Law Enforcement Agencies (Kazakhstan) reported that their training curricula were updated as to reflect learning from the national seminar.

²⁷ The Secretariat of the OSCE and the UN Office ON Drugs and Crime (UNODC), Joint Action Plan for 2020 – 2022.

partnership (PPP) between national authorities, the private sector, civil society organizations (including women CSO) and media.

56. In recognition of its support for UNOCT initiatives, TNTD/ATU routinely co-ordinates (planning, logistics, subject-matter discussions, etc.) with the relevant UN body. The national seminars and general project activities were planned and jointly delivered with UNODC, GCTF, CIS ATC (for Central Asia) and the donor (US). Where possible, events were badged as joint events – the exceptions were those seminars where political sensitivities did not permit it (Tajikistan and Kyrgyzstan).
57. In interviews, the partner organizations said that they each enjoy a good working relationship with both TNTD/ATU and the OSCE as a whole. From a regional perspective, the CIS ATC is keen to formalise its relationship with TNTD/ATU and/or the OSCE and, to that end, has drafted and submitted a Memorandum of Understanding to the OSCE for consideration.
58. TNTD/ATU also works closely with UNCTED and attends country assessment visits with UNCTED, where deemed appropriate. The national seminars were also shaped in response to UNCTED recommendations following their assessment visits. Overall, OSCE enjoys a good reputation for collaboration and co-ordination with external partners.

Internal coherence and co-operation

59. Any assessment on internal coherence must recognise the rather unique decentralized organizational structure of the OSCE. OSCE FOs, the Secretariat (which includes TNTD) and institutions operate in a largely independent manner. The link between each of them are the overarching OSCE mandates and strategic areas of work identified in the various OSCE documents. Therefore, unlike other international organizations, where project delivery is managed by a unified team between headquarters and field operations in order to create a natural integrated working relationship, the OSCE must rely on dimension synergies and an overall willingness to build coherence.
60. Within TNTD, notwithstanding the clear strategic direction given on internal co-ordination, co-operation and co-ordination across units, co-operation has until recently often been *ad hoc* (depending on the project activity) and largely personality driven. Since late 2018, new senior management at TNTD and TNTD/ATU has been working on

addressing the issue by facilitating information exchange and cooperation between the various units (ATU, Border Security and Management Unit, BSMU, Strategic Police Matters Unit, SPMU, the Cyber/ICT Security Team and the Co-ordination Cell). Within TNTD/ATU, the new Head has introduced similar mechanisms.

61. Lack of more structured co-ordination and co-operation (both within TNTD/ATU and across the three TNTD Units) resulted in a series of missed opportunities and, thus, contributed to decreasing sustainability of the intervention. In particular, this evaluation noted that several GCTF/RM practices could have been embedded into trainings offered by SPMU and TNTD/ATU's CFT portfolio with a view to consolidating awareness raised and knowledge acquired at the national seminars²⁸. This would have created greater synergies and interlinkages between TNTD interventions that either have a strong foundation in the Rule of Law principles or incidentally target same stakeholder groups (e.g., law enforcement practitioners and agencies).
62. At the level of FOs, although the 12 GCTF/RM national seminars were aligned with the OSCE commitments, interviews with OSCE FOs showed that neither did national seminars fit into their CT efforts nor had OSCE FOs the capacity to undertake any follow-up activities. The national seminars were initiated by TNTD/ATU, with the OSCE FOs being mainly responsible for logistic and administrative support (selecting a venue, translating the GCTF/RM into the national language and general administrative arrangements), rather than any meaningful engagement on the subject matter, the selection of topics, content or methodology (except for the OSCE Presence in Albania). The OSCE FOs were asked to liaise with respective authorities to identify the GCTF/RM good practices that were most relevant to them and then to convey the information to TNTD/ATU. OSCE FO interviewees were adamant that they were not involved in the nomination of the speakers/experts, which remained with TNTD/ATU for the international speakers, whilst OSCE pS/ respective authorities and regional organizations nominated their own speakers.
63. The above demonstrates a noticeably sharp divide between the role of TNTD/ATU (as the lead) and the OSCE FOs, which were largely confined to logistic arrangements. A direct

²⁸ For further details, please see: [3.5 SUSTAINABILITY](#).

consequence of this divide resulted in the OSCE FOs being somewhat detached, treating the national seminars as a ‘Secretariat’s events’ that just needed to go smoothly. There was no ownership of the topics or the good practice discussions to the extent that the GCTF/RM has not been incorporated into any programmes or projects initiated by the OSCE FOs²⁹, nor was there an inclination to follow-up with the OSCE pS/ respective authorities on whether the GCTF/RM had been incorporated in the national CT response. The OSCE working documents, such as the Indicative Annual TNTD Work Plan 2021 (11 March 2021), expressly refer to internal coherence through the 3 Cs (coherence, co-ordination, co-operation). While this evaluation highlighted the existence of a certain ‘disconnect’ between the OSCE Secretariat and FOs on the ground, and that TNTD/ATU events are seen as one-off activities that the OSCE FOs must support. This approach has had a knock-on effect on the impact and sustainability of the project.

64. Encouragingly, though, the Regional Thematic Needs Assessment for Central Asia (November – December 2020) specifically seeks to align TNTD/ATU and OSCE FOs on P/C VERLT through shared ownership. The joint effort will seek to identify and map out short-to-midterm priorities, look at what activities can be delivered jointly and those that require support from TNTD/ATU, for example, the identification of external experts. The OSCE FOs in Central Asia have made some 111 requests for assistance from the TNTD/ATU for the period 2021 - 2023, of which the Rule of Law (RoL) portfolio has received the highest number of assistance requests (37)³⁰.
65. Evidence collected suggests that engagement with other OSCE executive structures, in particular, ODIHR, was much closer than the TNTD/ATU’s cooperation with FOs. Members of ODIHR gave presentations at the 2019 seminars in Albania and Turkmenistan. During interviews, ODIHR staff praised the level of engagement of the TNTD/ATU, which had consistently demonstrated its commitment to work with ODIHR and the relevant sections within it, in particular, its Gender Section.

Finding on coherence and co-operation (external & internal): Overall, TNTD/ATU enjoys an excellent relationship and reputation with all its external partners. The partner agencies

²⁹ The Presence in Albania was the exception. However, its planned ExB project could ultimately not be initiated due to lack of funding and, consequently, was abandoned.

³⁰ Pg. 5 of the Regional Thematic Needs Assessment for Central Asia (November – December 2020).

were of the view that there had been good co-ordination between the organizations at both the planning and delivery stages of the national seminars. Internally, there is a need to build coherence, both within the department (TNTD) and the Unit (TNTD/ATU), as well as with other OSCE executive structures. Measures have already been put in place and further actions are being considered by the Director and the Heads and Deputy Heads of the Units in TNTD.

3.5 SUSTAINABILITY

66. The national seminars were intended as a one-off events to raise awareness of international good practices in the GCTF/RM. Such activities will, by their very nature, be restricted to creating awareness, building political will, and initiating co-operation among key stakeholders, rather than achieving longer-term results.
67. In this respect, it is worth noting that no follow-on activities were held to assess whether the intervention resulted in longer term benefits to targeted beneficiaries, including institutional, policy and social transformations. Based on interviews with beneficiaries, raising awareness of GCTF/RM was acknowledged as a potential driver for change, yet, in practice, little evidence could be gathered as to how the knowledge acquired by practitioners at the national seminars was embedded into national criminal justice systems, and whether it had resulted in broader and longer term transformations (beyond immediate and mid-term outcomes, such as amended standard operating procedures of law enforcement agencies).
68. The national seminars also intended to promote national inter-agency co-operation and co-ordination. Inter-agency co-operation and co-ordination is critical when handling transnational crime cases of any complexity, such as related to terrorism, and will invariably involve more than one agency. This was recognised by every representative of OSCE pS/ respective authorities interviewed and TNTD/ATU. GCTF/RM Good Practice 2 (*Encourage Cooperation and Coordination among Domestic Government Agencies that Have Responsibilities or Information Relevant to Counterterrorism*) was included in every national seminar except one. Based on interviews with beneficiaries, while the need was recognised and thought to be important, in practice, coordination and cooperation often still seem to be lacking.

69. From a sustainability standpoint, if national seminars were intended to act as a 'gateway', consideration should have been given to implementing follow-on practical training (e.g., scenario-based exercises, which help participants apply the learning gained from the national seminars), and to incorporating the subject matter within CT activities run by other TNTD units, other thematic portfolios within TNTD/ATU as well as OSCE FOs. For instance, the GCTF/RM Good Practices 3³¹, 4³², 5³³ and 6³⁴ relate to law enforcement agencies and could have been included in the SPMU trainings; whilst Good Practice 15³⁵ could have been incorporated into TNTD/ATU's CFT Training of Trainers project. Equally, the range of participants at the various national seminars could have been extended to include senior policy makers, who may have had the opportunity to embed the good practices of the GCTF/RM into national law or national institutions (through guidance and codes).
70. The lack of sustainability planning appears to be the main shortcoming of the intervention and, thus, represents a missed opportunity *en route* to achieving broader and longer term benefits for the beneficiaries (impact). This should be addressed by TNTD/ATU in going forward, especially if the Unit intends to run national seminars similar to those held for GCTF/RM as a follow-up to the Regional Thematic Needs Assessment for Central Asia (November – December 2020)³⁶.

Finding on sustainability: The project was designed without any sustainability planning. Each of the seminars was designed as a one-off awareness-raising activity. In planning these activities, TNTD/ATU should have clarified the aim and objective of the seminars and expert dialogue (awareness raising versus training workshop), responded to the expectations of the respective authorities and beneficiaries, and then factored in sustainability considerations.

³¹ Provide a Legal Framework and Practical Measures for Undercover Investigations of Terrorist Suspects or Organizations.

³² Provide a Legal Framework and Practical Measures for Electronic Surveillance in Counterterrorism Investigations.

³³ Adopt Incentives for Terrorist Suspects and Others to Cooperate in Counterterrorism Investigations and Prosecutions.

³⁴ Enact Measures to Protect Sensitive Law Enforcement and Intelligence Information in Terrorism Cases.

³⁵ Criminalize Terrorist Financing.

³⁶ Furthermore, TNTD/ATU's Rule of Law and Counter-Terrorism thematic portfolio foresees a number of activities for the second quarter of 2021, which include: a follow-up seminar in Turkmenistan similar to the national seminar on the GCTF/RM (no topics identified); a seminar on International Legal Co-operation in Kyrgyzstan and/or Central Asia that will also serve as OSCE FOs' Annual Anti-Terrorism Experts Meeting and Expert Dialogue on Age- and Gender-Sensitive Responses to Terrorism in Tajikistan, Kazakhstan and Uzbekistan to assist with the challenge faced by the national authorities in respect to returnees.

3.6 HUMAN RIGHTS, GENDER EQUALITY, ‘WHOLE OF SOCIETY’ APPROACH AND ‘WHOLE OF GOVERNMENT’ APPROACH

Human Rights

71. There is an express recognition of the role of human rights within each of the OSCE security dimensions and OSCE ODIHR has the lead responsibility for assisting pS in implementing their human dimension commitments. Following the adoption of the 2012 ‘OSCE Consolidated Framework for the Fight against Terrorism’, human rights was integrated into the OSCE CT activities and ODIHR’s Human Rights and Anti-Terrorism Programme.
72. By its very nature, the GCTF/RM brings into play human rights safeguards as the underlying principle in the prevention, investigation and prosecution of terrorism cases. Human rights have, therefore, been a component of the project since its inception. The project activities were aligned with international human rights principles.
73. Further emphasis on procedural safeguards for human rights in investigation, prosecution and trial, would help reinforce the appreciation among the relevant agencies (intelligence/investigators, prosecutors and judges) that they are public authorities and their functions must be carried out in line with constitutional and international and regional human rights obligations. This, in turn, means that the institutions need to put in place appropriate procedures to ensure they meet this obligation/duty.

Gender Equality

74. The 2004 OSCE Plan of Action for the promotion of Gender Equality and Ministerial Council Decisions require gender to be integrated in all projects and programmes. The need to mainstream gender is also reinforced in the OSCE-UNODC Joint Action Plan 2020 – 2022. In assessing the gender component, two aspects were considered by this evaluation: gender parity and gender mainstreaming.
75. Gender parity relates to the balance between male and female speakers/experts and participants. It is acknowledged that the nomination of participants is beyond the control of the OSCE, which can only make a request to the OSCE pS/ respective authorities to nominate both men and women and maintain a level of parity. Based on interviews, such requests were made. Unfortunately, however, it was not possible to assess gender parity

amongst the participants based on the project documents as the participant lists were either not available or incomplete for some of the seminars.

76. On the other hand, gender parity among speakers/experts is wholly within the control of the organization (leaving aside any last-minute cancellations). Regrettably, the 12 GCTF/RM national seminars do not reflect any particular attention to gender parity considerations related to the speakers/experts. Although, as the project matured, efforts were made to include female speakers/experts, the group remained largely unbalanced. In contrast, the national seminars held by the CUITP and P/C VERLT thematic portfolios demonstrated gender balance between the speakers, and expressly included gender considerations both as a subject matter and representation at the seminar.

77. Based on the project documents (including seminar agendas and expert CVs), the ratio of men to women speakers/experts³⁷ is illustrated in the table below:

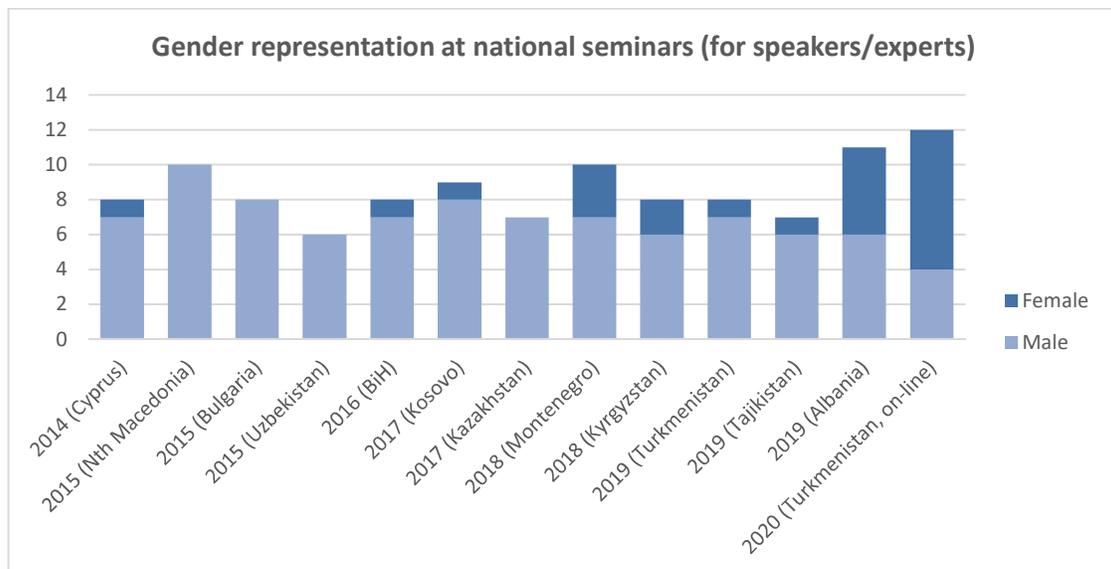


Table 1: Gender representation at national seminars (for speakers/experts)

78. Gender mainstreaming also relates to the integration of issues specific to all genders within the CT context. Whilst suspects (male or female) are subject to the same laws and safeguards, the treatment of a female suspect raises specific operational issues: for instance, a female suspect should not be held in a cell with a man, or be searched by a

³⁷ Table 1 does not include gender representation of guest speakers who were invited to make opening remarks.

male officer. Within the terrorism context, this has come into sharp focus particularly where it relates to preventive, sentencing and rehabilitative measures.

79. Based on survey responses and interviews, there were differing views on whether gender issues (such as related to the treatment of female suspects) were addressed by the national seminars. However, given the time lapse, it is unsurprising that there is such a divergence of views. According to the ExB Final Self-Evaluation Report, gender mainstreaming gained momentum in international fora, particularly in relation to returnees and FTFs, which led to the conduct of a seminar on 'gender- and age-sensitive criminal justice responses to terrorism' in Turkmenistan. This, together with the increased gender parity of speakers (see table 1 above) shows a shift in approach.
80. The need to ensure gender parity at events and gender mainstreaming of contents is fully appreciated by the current TNTD senior management, who has engaged proactively with the Secretariat's Gender Issues Programme (GIP) to have gender training offered to TNTD staff members. It is hoped that TNTD will benefit from that learning and incorporate it within future project design and activities. The presence of a Gender Focal Point within TNTD/ATU, as well as increased recognition for their role and greater engagement in project design and delivery, should further help with that endeavour. Similar considerations could also be extended to issues relating to disability.

'Whole of Society' approach and 'Whole of Government' approach

81. The OSCE advocates for the adoption of 'whole of government' and 'whole of society' approaches, particularly in relation to the prevention and countering of violent extremism and radicalization that lead to terrorism (P/C VERLT).
82. OSCE defines 'whole of government' approach, within the context of terrorism prevention, as one of *'co-operation and co-ordination between relevant government actors. [...] actors include police; national security committees; committees on religious affairs, youth, and women; and ministries of interior, labour, education, and social welfare, among others'*; while the 'whole of society' approach *'requires dialogue and cooperation between government actors and an array of non-governmental actors. The broader public, local communities, and the private sector should be seen by Governments*

*as stakeholders and partners in preventing and countering VERLT (P/CVERLT), rather than as simply the passive object of law enforcement activities.*³⁸

83. Although these approaches were developed within the context of P/C VERLT, the underlying principles of co-operation, co-ordination and dialogue are equally applicable within Rule of Law based criminal justice responses to terrorism. These principles are also reflected in the GCTF/RM.

- *‘Whole of government’ approach:* The GCTF/RM has a particular focus on co-ordination and co-operation between government agencies, which is reflected in GCTF/RM Good Practice 2 (Encourage Cooperation and Coordination among Domestic Government Agencies that Have Responsibilities or Information Relevant to Counterterrorism). The significance of this was recognised by TNTD/ATU, OSCE FOs and the respective authorities. From the project documents³⁹, it is clear that GCTF/RM Good Practice 2 was included in every national seminar, the only exception being Kyrgyzstan. Inter-agency co-operation and co-ordination was one of the intended outcomes of the national seminars. The ‘whole of government’ approach was, therefore, appreciated, recognised and integrated in seminar discussions. Unfortunately, as there was no follow-on activity, it is unclear to what extent OSCE pS/ respective authorities have built upon the discussions held in the national seminars.
- *‘Whole of society’ approach:* Until 2018, participants in the national seminars were drawn exclusively from criminal justice agencies (law enforcement, prosecutors and judges)⁴⁰. Civil society representatives were neither invited as speakers at the 12 GCTF/RM national seminars, nor the on-line seminar on ‘gender- and age-sensitive criminal justice responses to terrorism’ in Turkmenistan⁴¹. However, where countries permitted, civil society representatives attended as participants⁴². Their absence at

³⁸ [A Whole-of-Society Approach to Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism: A Guidebook for Central Asia \(2020\)](#).

³⁹ Sources of information: national seminar agendas, ExB Project Proposals 2015 and 2016, and Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020.

⁴⁰ Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020.

⁴¹ Please see the logistics sheet for event on ‘Age- and Gender-Sensitive Criminal Justice Responses to Terrorism’, 24-25 June 2020, Ashgabat, Turkmenistan: *“The participants in the seminar, which will be a combination of Turkmen criminal justice professionals and government representatives”*.

⁴² Source of information: OSCE staff interviews.

the on-line seminar is particularly surprising, given that the issue directly engages a civil society 'whole-of-society' approach as prescribed by the OSCE.

84. Notwithstanding their limited engagement, civil society representatives interviewed (community groups, women and youth groups, academics and non-governmental organizations) were of the view that the GCTF/RM national seminars provided an excellent opportunity to understand the challenges faced by law enforcement, and vice versa. The discussions and network opportunities created by the national seminars led to joint community meetings in Tajikistan and helped to build community trust in the police. Although there is a fair way to go, the first steps were taken as a result of the OSCE national seminars and must be acknowledged.

Finding on human rights, gender equality, 'whole of society' approach and 'whole of government' approach: Overall, human rights were fully integrated into the project, but in respect of gender mainstreaming, and taking a 'whole of society' approach, more systematic efforts are needed. The 'whole of government' approach was appreciated and central to the national seminars, but it is unclear to what extent it was introduced or enhanced as a direct consequence of the seminars.

4. Overall Conclusions and Recommendations

85. The project was relevant for the CA and SEE countries as it helped to raise awareness of international good practices and human rights contained in the GCTF/RM. Such standards are essential in the prevention, disruption and prosecution of terrorism in any legal system. Overall, it met its intended immediate outcome of raising awareness of the GCTF/RM and the need to adopt a Rule of Law based approach to counter-terrorism and a culture of lawfulness in line with international standards.
86. The national seminars brought together international speakers/experts from the public sector (judges, prosecutors and investigators), the private sector (private practitioners and representatives from the financial sector) and civil society (particularly in the on-line seminar on 'gender- and age-sensitive criminal justice responses to terrorism'). Participants were primarily drawn from criminal justice agencies (intelligence agencies, law enforcement, prosecutors and judges).
87. It is evident that the project represented an efficient use of available human and financial resources, with project management being of a high standard. The Rule of Law and Counter-Terrorism portfolio of TNTD/ATU has implemented all activities within the allocated project budget, as well as used in-house capacities and local resources to good effect.
88. The intervention has certainly set the foundation for addressing terrorism through the Rule of Law and in compliance with human rights standards, despite the initial reservations and views on the part of some that terrorism and human rights are mutually exclusive. At the same time, a shift in approach is unlikely to be achieved through single national seminars. The intervention would have been far more effective if follow-on activities had been undertaken by TNTD/ATU and/or OSCE FOs.
89. In the context of the Rule of Law and Counter Terrorism thematic portfolio, TNTD/ATU has built excellent working relationships with UN agencies and regional organizations such as CIS ATC. It made good use of its network of practitioners and developed partnerships with the private sector and civil society representatives.
90. Sustainability planning has been largely lacking within the project, which has resulted in the dispersal and loss of the learning generated by the 12 GCTF/RM national seminars.

Planning of post-project follow-up activities and ensuring their organizational 'ownership' (e.g., a particular national authority, OSCE FO or partner organization) should have been built into the overall intervention design.

91. Frequently recurring criticisms contained in participant feedback appeared to have been given little regard by organizers, and evaluation confined to the end of the intervention. Consequently, no changes were made either to the activities or to their format and style of delivery in order to ensure continued contextual relevance. Record keeping also requires improvement. Gender mainstreaming, both in content and participation, must be better integrated into project design and delivery. This is an issue that TNTD/ATU is working on improving.
92. The 2012 OSCE Consolidated Framework sets out the strategic areas for OSCE counter-terrorism activities. The Rule of Law underlies all the strategic areas identified in the 2012 Consolidated Framework. As a distinct portfolio, there is a concrete risk that it will continue to be of limited effectiveness. Moreover, topics such as GCTF/RM, as well as future events on FTFs and returnees (in the planning phase at the time of this evaluation), could be more than adequately contained in TNTD/ATU's other portfolios.
93. The evaluation offers the following recommendations for future interventions, addressed to TNTD/ATU. Implementation will require the involvement of OSCE FOs and other units within the OSCE Secretariat:
 - ✓ **Recommendation 1.** In order to enhance sustainability of future interventions, plan for and discuss post-project follow-up activities and their organizational 'ownership' (e.g., a particular national authority, OSCE FO or partner organization) with relevant stakeholders during the project planning phase.
 - ✓ **Recommendation 2.** Improve record keeping by applying a consistent format and ensuring the collection of sufficient monitoring data (incl. sex-disaggregated data) to enable subsequent review and evaluation.
 - ✓ **Recommendation 3.** Ensure ongoing internal review of interventions, based on participant feedback and organiser insight, and amend activities in response. In addition, plan for decentralized evaluations at key milestone points, depending on the size and duration of a project.

- ✓ **Recommendation 4.** Integrate gender equality perspectives in project design and delivery, including capitalizing on knowledge and resources available in-house. This could be achieved through greater involvement and engagement of the TNTD/ATU Gender Focal Point.

- ✓ **Recommendation 5.** Re-assess the value added of having a distinct thematic portfolio on the 'Rule of Law and Counter-Terrorism', and consider whether topics such as GCTF/RM, as well as future events on FTFs and returnees, are or can be adequately contained in the TNTD/ATU's other thematic portfolios.

OVERALL MANAGEMENT RESPONSE

Commending the role of the Office of Internal Oversight in improving our programming through the commissioning of evaluations, TNTD/ATU accepts the recommendations below except for Recommendation 5 which reads “Re-assess the value added of having a distinct thematic portfolio on the ‘Rule of Law and Counter-Terrorism’, and consider whether topics such as GCTF/RM, as well as future events on FTFs and returnees, are or can be adequately contained in the TNTD/ATU’s other thematic portfolios.” Further details are provided next to each accepted or non-accepted recommendation.

Management Response and Recommendation Implementation Plan

Area	Issue	Recommendation	Evaluation Client	Accept Yes/No/Partially	Recommendation Implementation Plan (if not accepted, add management comments)	Implementation date (estimate)
Actions for the short-term	The project was designed without any sustainability planning. Each of the seminars was constitutes a one-off awareness-raising activity.	1. In order to enhance sustainability of future interventions, plan for and discuss post-project follow-up activities and their organizational ‘ownership’ (e.g., a particular national authority, OSCE FO or partner organization) with relevant stakeholders during the project planning phase.	TNTD/ATU in consultation with relevant ES	Yes	In cooperation with the respective Field Operations in SEE and CA, at least one annual meeting in each region will be held with the relevant stakeholders in order to assess impact and identify follow-up areas in the context of increased national ownership.	2022-2023
	Record keeping was variable from one seminar to another (e.g., list of participants were missing or incomplete) and in need of improvement.	2. Improve record keeping by applying a consistent format and ensuring the collection of sufficient monitoring data (incl. sex-disaggregated data) to enable subsequent review and evaluation.	TNTD/ATU	Yes	Event Attendance Templates and questionnaires will be revised in coordination with TNTD/ATU’s Gender Focal Point in order to ensure that all data is sex-disaggregated and that the same format is used throughout all activities.	2022
	An evaluation was not initiated before the end of the project, and frequently recurring criticism contained in participant feedback forms	3. Ensure ongoing internal review of interventions, based on participant feedback and organizer insight, and amend activities in response. In addition, plan for decentralized evaluations at key milestone points,	TNTD/ATU	Yes	In cooperation with the Field Operations in SEE and CA, the activities mentioned in the first recommendation implementation of this column will address this point, also.	2022-2023

	appeared to have been given little regard by organizers.	depending on the size and duration of a project.				
	Gender parity and gender mainstreaming were hardly considered during project design and delivery; but this situation improved in most recent years, especially with a greater engagement of TNTD/ATU's Gender Focal Point in project delivery.	4. Integrate gender equality perspectives in project design and delivery, including capitalizing on knowledge and resources available in-house. This could be achieved through greater involvement and engagement of the TNTD/ATU Gender Focal Point.	TNTD/ATU	Yes	All future programmatic activities will ensure a documented feedback from TNTD/ATU's Gender Focal Point.	2022
Actions for the mid-term	The Rule of Law is a fundamental principle that underlies all the strategic areas identified in the 2012 Consolidated Framework, and should therefore be integrated in all of them. As a distinct thematic portfolio, there is a concrete risk that it will continue to be of limited effectiveness.	5. Re-assess the value added of having a distinct thematic portfolio on the 'Rule of Law and Counter-Terrorism', and consider whether topics such as GCTF/RM, as well as future events on FTFs and returnees, are or can be adequately contained in the TNTD/ATU's other thematic portfolios.	TNTD/ATU Management in consultation with D/TNTD	No	The RoL portfolio reflects the mandate of the TNTD/ATU, in line with numerous MC Decisions and PC DEC 1063 (2012) in particular. RoL portfolio is therefore designed to address/serve criminal justice sector actors and its parameters are defined by audience/beneficiaries (in addition to mandate). The seminars were never envisioned to be the only tool in the RoL portfolio. However, TNTD/ATU will also envisage streamlining RoL considerations further into its other portfolios by having the senior legal adviser attending/contributing to related activities apart from giving legal advice on documents and project planning, which is already a long-standing internal practice.	n/a

5. Annexes

Annex I: Evaluation Approach/Methodology and Limitations

Evaluation Methodology

In accordance with its ToR, the evaluation utilised a mixed-method, triangulated approach with a combination of primary and secondary sources of data. The primary data sources included semi-structured interviews with key stakeholders⁴³, an online survey, and focus group discussions. The data analysis also included secondary data, the project documents and archival data available from the OSCE and through open source, as well as other publications and documents that helped to provide background and context on the relevant issues.

The evaluation included several concurrent processes:

- i. *Document analysis* of relevant OSCE decisions, policies, strategies, project documents, reports and assessments.
- ii. *Semi-structured interviews*⁴⁴ with 48 key stakeholders (20 women/28 men)⁴⁵. These included staff from OSCE FOs, TNTD and ODIHR; relevant government partners; international partner organizations, in particular UNODC (as the main partner); experts and speakers; and participants in the national seminars.
- iii. *Focus group discussions* with ten civil society representatives from Albania (2 women/1 man), Tajikistan (5 women/2 men) and four participants from Kosovo (1 woman/3 men).
- iv. *Online survey* to 17 experts/speakers (5 women/12 men) with 7 responses (41% response rate)⁴⁶.

The evaluation used a participatory approach, which sought the views and assessments of all parties identified as the key stakeholders in the intervention. Every possible effort was made to engage the full range of stakeholders, including OSCE staff and mission members, government officials, partner organizations (regional and international), experts, speakers,

⁴³ Written questionnaires were administered to a small group of stakeholders who were not available for interviews.

⁴⁴ Due to the on-going Covid-19 pandemic, all interviews were conducted through Zoom.

⁴⁵ Five participants from Albania (2 women/3 men) were unable to attend an interview and were administered a written questionnaire, which was answered by three of them. Similarly, a written questionnaire was provided to the Academy of Law Enforcement Agencies in Kazakhstan.

⁴⁶ This survey was administered to the experts/speakers who delivered sessions at the national seminars, with a particular focus on those engaged over the period 2017-2020. Since many of them contributed to more than one national seminar, their views were particularly relevant and worth being captured by this evaluation.

beneficiaries, academic institutions, private practitioners and civil society representatives. However, for the reasons set out below, there was a limited response.

Overall, the evaluation has sought to employ an approach that would allow it to arrive at credible, reliable and unbiased findings. The recommendations were derived from the analyses set out above.

Limitations and Challenges to the Evaluation

This is the first independent evaluation of the TNTD/ATU Rule of Law and Counter Terrorism thematic portfolio, whose activities (i.e., national seminars) were implemented between 2014 and 2020⁴⁷. The evaluation focused on the last four years of project implementation, 2017 – 2020.

The project proposal had not envisaged any external independent evaluation and consequently none was conducted during the project life cycle⁴⁸. This created a number of difficulties for the present evaluation:

- It was not possible to locate a significant number of participants, as they had moved on and no forwarding contact details were available. The final project report⁴⁹ estimated the number of participants for the 12 GCTF/RM national seminars to range between 300 and 480 (25 – 40 per seminar). However, despite the efforts of OIO and OSCE FOs, only 27 participants were traced and agreed either to be interviewed or to respond to a written questionnaire.
- The high staff turnover in the OSCE and the resulting presence of new members of staff at most (if not all) of the OSCE Executive Structures (including OSCE FOs, ODIHR and TNTD) meant that these had had limited to no engagement in planning and implementing the GCTF/RM national seminars and, thus, were largely unable to contribute to the evaluation. The project manager for TNTD/ATU's Rule of Law and Counter Terrorism portfolio was the only staff member who could offer a continuous perspective over the years.

⁴⁷ Project activities have concluded, and the project was closed and unspent donor (U.S.) funds were returned to the donor.

⁴⁸ A Final Project Self-Evaluation Report (ExB Project No. 1101630) was completed in June 2020, as part of the project closure procedure.

⁴⁹ Final Project Self-Evaluation Report (ExB Project No. 1101630), dated 09 June 2020.

- The records/project reports had key information missing, for instance, lists of seminar participants. This meant that there was little in the way of archived information that the evaluation could draw upon.

Noteworthy, this is one of three separate evaluations being carried out for the TNTD/ATU thematic portfolios. The other two evaluations relate to the CFT and P/C VERLT thematic portfolios. In moving forward, TNTD/ATU would benefit from one coherent overall evaluation (or meta-review of the ongoing evaluations' recurrent findings) in order for the recommendations to be holistic, more comprehensive and of greater assistance in shaping future TNTD/ATU activities.

Annex II: Terms of Reference



Organization for Security and Co-operation in Europe

Office of Internal Oversight

Evaluation of the OSCE's Interventions on Strengthening
Rule of Law Compliant Criminal Justice
Responses to Terrorism

Concept Note

VIENNA, 01 JUNE 2021

BACKGROUND

The legal framework for combatting terrorism globally is constituted largely by the 19 Universal Anti-Terrorism Instruments (UATI), several UN Security Council Resolutions (UNSCRs) and the UN Global Counter-Terrorism Strategy.⁵⁰ The first OSCE political commitments in this area date back to 2001, when participating States (pS) adopted the [OSCE Ministerial Council Decision No. 1 on Combating Terrorism \(MC\(9\)DEC/1\)](#) and its Annex – The Bucharest Plan of Action for Combating Terrorism.⁵¹

Effective implementation of the aforementioned legal and political framework requires OSCE pS to adopt legislation, regulations, and investigation techniques that reflect a proactive approach, while ensuring respect for human rights and fundamental freedoms at all times. Consequently, also the assistance provided by the OSCE to pS follows a multi-dimensional approach that puts respect for human rights and fundamental freedoms at its core, thus including ‘whole-of-society’, ‘whole-of-government’, and ‘gender and age-sensitive’ approaches.

Based on the [OSCE Consolidated Framework for the Fight against Terrorism \(PC.DEC/1063\)](#), the OSCE provides assistance to 57 pS and 11 Partners for Co-operation (PFC) in implementing their anti-terrorism commitments. In line with its comprehensive approach to security, the OSCE promotes dialogue, raises awareness, and builds capacities of governments and civil societies (incl. women and youth as agents of change) to prevent and counter terrorism. The OSCE executive structures work closely with each other and collaborate with other international and regional organizations. They also aim at building private-public partnerships to advance the global counter-terrorism agenda.

In this framework, the Secretariat’s Transnational Threats Department/ Action against Terrorism Unit (TNTD/ATU) articulates its interventions around five comprehensive thematic portfolios:

- Rule of Law (RoL) and Counter-Terrorism,
- Preventing and Countering Violent Extremism and Radicalization that Leads to Terrorism (P/CVERLT),
- Countering the Use of Internet for Terrorist Purposes (CUITP),
- Countering the Financing of Terrorism (CFT), and
- Critical Infrastructure and Vulnerable Target Protection (CIVTP).

The OSCE field operations (FOs) collaborate and co-ordinate with TNTD/ATU – including through a dedicated focal point network – to implement interventions in (some or all of) the aforementioned thematic portfolios. In some cases, FOs initiate interventions to respond to requests for assistance on the part of respective host countries. Activities span from technical assistance to capacity-building. They must always comply with organizational priorities and commitments, OSCE executive structures’ mandates, and respective host countries’ priorities, needs and legal frameworks.

FOCUS

This evaluation focuses on TNTD’s portfolio concerning *RoL and Counter-Terrorism*. In order to strengthen *Rule of Law* compliant criminal justice responses to terrorism, TNTD/ATU has been co-operating with OSCE FOs to deliver a series of national seminars for criminal justice practitioners (incl. prosecutors and judges), security and law enforcement officials, and representatives from central

⁵⁰ Please see: TNTD/ATU (2020), *Consolidated Reference for OSCE Anti-Terrorism Efforts*.

⁵¹ Please see: TNTD/ATU (2020), *Overview of OSCE Counter-Terrorism Related Commitments*; and TNTD/ATU (2018), *Status of the Universal Anti-Terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area*.

authorities, in South-Eastern Europe (SEE) and Central Asia (CA) regions. Each national seminar focuses on those good practices contained in the Global Counter-Terrorism Forum (GCTF) Rabat Memorandum that have been identified as most pertinent by the OSCE pS/ respective authorities for their work in countering terrorism.

TNTD/ATU has organized thirteen (13) *national seminars* (in co-operation with FOs and upon request of respective authorities and/or selected OSCE pS) between 2014 and 2020. Those national seminars were financed either through the ExB Project No. 1101630 or through the OSCE Unified Budget (from TNTD/ATU and FOs).⁵²

Several *regional activities* (incl. conferences and workshops with a specific thematic focus) were also implemented by TNTD/ATU and selected FOs in the SEE and CA regions. Those regional activities were financed through either UB or ExB resources.

PURPOSE

The main purpose of this evaluation is to provide timely inputs (good practices, lessons learned, and recommendations) to inform decision-making and programming, particularly as TNTD/ATU and FOs in SEE and CA regions are defining/continue to define their future engagement in the *thematic area of RoL and Counter-Terrorism*.

In fact, TNTD/ATU has recently conducted a regional thematic needs assessment in co-operation with the OSCE Conflict Prevention Centre (CPC) and all five FOs in CA⁵³. The thematic needs assessment has highlighted, *inter alia*, a growing demand for assistance on the part of OSCE pS in conceiving and applying national legal frameworks in line with international law (incl. international human rights law, international humanitarian law, and refugee law). This suggests that strengthening Rule of Law compliant criminal justice responses to terrorism is ever more relevant for OSCE pS.

This evaluation also addresses the need to acquire more knowledge at the organizational level, since interventions in the RoL and Counter-Terrorism thematic area have never been the object of any independent evaluation conducted by the Office of Internal Oversight (OIO); nor are they included in the current decentralized evaluation work plans of TNTD or other OSCE executive structures.

As both a retrospective and forward looking exercise, this evaluation will assess the relevance and overall achievements of the assistance provided by the OSCE to selected pS/ respective authorities in strengthening their Rule of Law compliant criminal justice responses to terrorism. It will offer a set of recommendations and inputs for future programming, based on the factual evidence collected and analysed.

The primary intended users of this evaluation are OSCE officials in the Secretariat and FOs (particularly those in managerial positions) engaged in interventions related to *Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism* and complementary interventions at national and regional levels.

SCOPE

This evaluation will answer the following **main questions**:

⁵² More specifically, funds would be transferred from the Repository Programme No. 1101240 to the ExB Project No. 1101630.

⁵³ Please see: TNTD/ATU (2020), *Regional Thematic Needs Assessment – Central Asia*.

- I. *To what extent has the assistance provided by the OSCE to pS/ respective authorities through national seminars on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism been relevant and coherent with other activities in the field?*
- II. *To what extent has it achieved its objectives?*
- III. *What lessons can be learned for the OSCE going forward?*

A detailed list of tentative evaluation questions is included in Annex I to this concept note.

This evaluation will include the following interventions:

- Assistance provided by TNTD/ATU in co-operation with OSCE FOs to the OSCE pS/ respective authorities in the form of national seminars on *Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism* in 4 – 5 selected FOs in SEE and CA, which were organized over the period 2014-2020 (with a focus on 2017-2020);
- Any further assistance provided by OSCE FOs in SEE and CA (from 2017 onwards), which complements the aforementioned interventions; and
- Any regional events directly linked to the topics explored by national seminars, which were organized by either TNTD/ATU or OSCE FOs (or in co-operation) from 2017 onwards.

METHODOLOGY

This evaluation will be based on a mixed method design, which will include several collection techniques and triangulation from different data sources.

- *Desk review* of relevant OSCE decisions, policies, and strategies; OSCE programmatic documents, reports, assessments, etc.; third party data.
- *Online semi-structured key informant interviews* with relevant OSCE officials in the Secretariat and FOs (e.g. national officers, project/programme managers);
- *Online semi-structured key informant interviews* with: participants in project activities, programme/project partners from government, representatives of international and regional organizations as well as non-governmental organizations providing assistance in the field of counter-terrorism in the countries of the OSCE's assistance; and
- *Online survey* (potentially) administered to selected groups of participants in project activities.

This evaluation will apply a participatory approach, including the creation of an informal reference group and consultations with key stakeholders throughout the evaluation process.

TEAM COMPOSITION AND DIVISION OF LABOUR

This evaluation will be conducted and managed by OIO, with the assistance of an external consultant. The latter will conduct data collection (through desk research, interviews, survey) and analysis; prepare summary reports of key informant interviews, a draft evaluation report, a final evaluation report incorporating comments from OIO and reference group members, and a PPT presentation on main findings and emerging conclusions. OIO will draft the survey questions, and will consider inputs to be provided by the consultant. OIO will participate in the data collection (incl. key informant interviews) together with the consultant.

This evaluation will have the following main deliverables: (i) one draft report; (ii) one final report (15-20 pages max.) containing the evaluation's main findings and emerging conclusions; (iii) a PPT presentation; and (iv) a dedicated edition of OIO's newsletter, *OSCEval News* – this last deliverable will be under OIO's sole responsibility.

OIO will share the final evaluation report with its primary intended users, and organize a dedicated online event to present the main findings and emerging conclusions to interested stakeholders within the Organization (e.g. a webinar for TNTD, involved FOs and the OSCE Evaluation Network's members). The external consultant will be expected to deliver a presentation at the online event.

REFERENCE GROUP

OIO will set up an informal reference group to accompany the evaluation process. Representatives from several OSCE executive structures will be invited to join in. Members of the reference group will be invited to comment on the draft concept note and draft report, as well as to provide advice throughout the evaluation process. OIO will manage communication and exchange with the reference group.

ANNEX I – TENTATIVE EVALUATION QUESTIONS (TO BE FINALIZED IN COLLABORATION WITH EXTERNAL CONSULTANT DURING INCEPTION PHASE)

Relevance

- To what extent were the interventions aligned with the OSCE commitments, international norms and standards regulating international co-operation in the field of criminal justice responses to terrorism, as well as with the needs and interests of targeted stakeholder groups (incl. women and men), including under changing circumstances due to the Covid-19 pandemic?
- How satisfied are participants with the interventions?

Effectiveness and Efficiency

- To what extent have the interventions achieved their intended outputs, as well as short-term outcomes (i.e. enhanced knowledge and skills) and mid-term outcomes (i.e. use of skills, change in practices)?
- To what extent were the results delivered in an economic and timely manner?
- To what extent have the interventions enabled public service agencies to work across portfolio boundaries in order to achieve shared goals and an integrated government response to counter-terrorism issues? To what extent was co-operation with non-governmental actors enhanced?
- How was gender mainstreamed in the interventions, and to what extent did they contribute to the advancement of gender equality?

Management and Design

- What is the Theory of Change (ToC) underlying the interventions?
- What were the strengths and weaknesses of the OSCE's overall approach (incl. design, internal coherence, monitoring and follow-up) to strengthening Rule of Law compliant criminal justice responses to terrorism?
- To what extent was monitoring data (incl. gender disaggregated data) collected and used to improve subsequent interventions?

Coherence (Internal and External)

- To what extent were the national seminars on *Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism* complementary, harmonized, and co-ordinated with other interventions implemented at the national and/or regional level by the OSCE as well as with those of other international and regional organizations?
- Have any regional events directly linked to the topics explored in the national seminars been implemented by the OSCE (either TNTD/ATU or FOs), and how have they contributed to effectively strengthening Rule of Law compliant criminal justice responses to terrorism?

Sustainability

- Did the design of the interventions include appropriate sustainability and transition/exit strategies (incl. promoting local ownership and use of local capacity) to sustain positive changes after the end of the interventions? If yes, to what extent were targeted stakeholder groups (incl. women and men) involved in developing the aforementioned strategies?

ANNEX II – LIST OF INTERVENTIONS ON STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM ORGANIZED BY TNTD/ATU AND FOs BETWEEN 2014 AND 2020

NATIONAL EVENTS⁵⁴

- 1) NATIONAL TRAINING WORKSHOP on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 22-23 October 2014, Nicosia, Cyprus;
- 2) NATIONAL SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 24-25 June 2015, Skopje, North Macedonia;
- 3) NATIONAL SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 6-7 October 2015, Sofia, Bulgaria;
- 4) NATIONAL SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 1-2 December 2015, Tashkent, Uzbekistan;
- 5) NATIONAL SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 6-7 September 2016, Sarajevo, Bosnia and Herzegovina;
- 6) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 5-6 July 2017, Prishtinë/Priština;
- 7) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 4-5 October 2017, Astana (Nur-Sultan), Kazakhstan;⁵⁵
- 8) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM (Within the 6th Annual Anti-Terrorism Experts Meeting), 3-4 September 2018, Issyk-Kul, Kyrgyzstan;
- 9) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 18-19 September 2018, Budva, Montenegro;
- 10) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 24-25 July 2019, Ashgabat, Turkmenistan;

⁵⁴ Most of the national seminars conducted between 2015 and 2020 were funded through ExB Project No. 1101630 and, additionally, through the Repository Programme No. 1101240. Other sources of funding included OSCE Unified Budget (of either TNTD/ATU or FOs).

⁵⁵ This seminar was organized by the OSCE in partnership with the United Nations Office on Drugs and Crime (UNODC). Two additional events were planned under the same umbrella in Central Asia, over the same period. However, due to a combination of external and internal factors, those events were either postponed or organized under the OSCE logo only.

- 11) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 8-9 October 2019, Dushanbe, Tajikistan;
- 12) SEMINAR on STRENGTHENING RULE OF LAW COMPLIANT CRIMINAL JUSTICE RESPONSES TO TERRORISM, 13-14 November 2019, Tirana, Albania;
- 13) [ONLINE] SEMINAR on STRENGTHENING RULE OF LAW COMPLIANCE: AGE- AND GENDER-SENSITIVE CRIMINAL JUSTICE RESPONSES TO TERRORISM, 24-25 June 2020, Ashgabat, Turkmenistan.

Annex III: Evaluation Tools (Interview Guide, Questionnaires and Surveys)

Annex III(a): Interview Guide

The table below summarises the questions that were raised by the evaluators in the context of semi-structured interviews and focus group discussions.

Evaluation of the OSCE’s Interventions on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism

Proposed Evaluation Questions

Relevance
To what extent is the programme relevant to the counter-terrorism needs and priorities of Prishtinë/Priština, Tirana, Bishkek and Dushanbe?
How were the national and institutional needs assessed?
Were the correct project beneficiaries identified or does this need to be re-considered?
Were all national stakeholders (governmental and non-governmental) consulted at the beginning of and during project implementation?
To what extent did the project development, planning and implementation take into account the needs and interests of targeted stakeholder groups; in particular, women and the young? Were particular minorities (ethnic or religious) also included as a stakeholder group?
To what extent were the interventions aligned with the OSCE commitments, international norms and standards regulating international co-operation in the field of criminal justice responses to terrorism?
To what extent did the interventions contribute to OSCE’s mandate, strategy and policy?
How often was the project design and delivery reviewed to ensure it remained relevant?
Effectiveness and Efficiency
To what extent have the interventions achieved their intended outputs, as well as short-term outcomes (i.e., enhanced knowledge and skills) and mid-term outcomes (i.e., use of skills, change in practices)? Were there also objectives and goals, longer term or are matters still ongoing?
To what extent were the results delivered in a cost-effective and timely manner? To what extent were the results delivered within budget?
Did internal and external reporting take place in a timely and comprehensive manner? If not, please provide an explanation regarding possible delays/unforeseen challenges.
To what extent have the interventions enabled public service agencies to work across portfolio boundaries in order to achieve shared goals and develop (or enhance) an integrated government response to counter-terrorism issues?
To what extent was co-operation with non-governmental actors enhanced?
To what extent were gender equality considerations included in the programme design, implementation, monitoring & results reporting? To what extent did they contribute to the advancement of gender equality?
To what extent, and how, were the project’s objectives and outcomes achieved?
What factors contributed and/or hindered the achievement of results/project activities?

Management and Design
What is the Theory of Change (ToC) underlying the interventions?
What were the strengths and weaknesses of the OSCE's overall approach (incl. design, internal coherence, monitoring and follow-up) to strengthening Rule of Law compliant criminal justice responses to terrorism?
To what extent was monitoring data (incl. gender disaggregated data) collected and used to improve subsequent interventions?
To what extent has the design of the project been participatory and to what extent has the design been flexible in order to adjust to external circumstances/revised needs; for instance, the Covid-19 pandemic?
Has the intervention logic of the project been clear and responsive to existing needs?
Has the above been accompanied with a comprehensive monitoring system?
Has the logical framework been comprehensive with SMART indicators, baseline data and targets at all levels?
Impact and Sustainability
Did the design of the interventions include appropriate sustainability and transition/exit strategies (including promoting local ownership and use of local capacity) to sustain positive changes after the end of the interventions? If yes, to what extent were targeted stakeholder groups (including women and men) involved in developing the aforementioned strategies?
To what extent has the project contributed to enhance national capacity in the criminal justice aspects of counter-terrorism?
To what extent did the project contribute to the implementation of the criminal justice responses to terrorism?
To what extent have the beneficiaries and stakeholders taken and/or shown ownership of the project objectives and results?
What are the intended or unintended, positive and negative, effects of the project?
How were the topics/subject matter of the training activities identified?
How were the participants/institutional representation allocated over the different activities?
How satisfied are participants with the interventions? How has their feedback on this been sought?
Have the beneficiaries replicated any of the project activities; for example, did the participants cascade the training or introduce changes in their approach to cases etc.?
Did the beneficiaries use or adapt the training in any way; for instance, did the criminal justice agencies or institutions create any guidance based on the training?
To what extent has the training contributed to the development of knowledge in the country?
What performance indicators have been developed to assess sustainability?
What measurement was used to assess the impact of the various project activities (national seminars, manuals etc.)?
Has the training in handling CT cases been incorporated when dealing with other serious & complex cases (i.e., transferable skills and knowledge)?
How has the criminal justice system in each of the countries, as a whole, benefitted from these changes?

Has the training for investigators & prosecutors led to a better understanding of the intelligence-evidence interface? (Given the critical role of intelligence in CT cases – see Rabat Memorandum)?
Has a strategy or action plan been formulated by the criminal justice system stakeholders in order to best ensure sustainability? What are the steps/measures to be taken under it?
What value did the national seminar events add? What follow up occurred to ascertain if the learning had been embedded?
Were any changes in process, procedure and/or policy introduced by any of the beneficiaries as a direct/indirect result of the training and project activities?
Coherence (Internal and External)
To what extent were the five comprehensive thematic portfolios of Secretariat’s Transnational Threats Department/ Action against Terrorism Unit (TNTD/ATU) aligned to ensure effective delivery?
To what extent were the national seminars on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism complementary, harmonized, and co-ordinated with other interventions implemented at the national and/or regional level by the OSCE as well as with those of other international and regional organizations?
Was there any consultation or engagement with regional (e.g., CoE) and international partners (e.g., UNODC, CTED, Global CT Forum) at the start and during the project activities? What steps were taken to keep the engagement on-going with partner agencies during project implementation, for instance, at the end of any relevant activity, workshop or seminar?
Have these partnerships been efficient and effective; if so, in what way (please provide examples)?
Should other partnerships have been sought at the beginning and/or during project implementation?
Did the partners and any other assistance providers co-ordinate the topics, groups, etc. to avoid duplication/clash or did each one plan its activities separately?
How did OSCE/FO assess and manage the risk that some of the participants might have been trained by other regional and international agencies on the same topic/subject matter, for instance, on terrorism financing, criminalisation or human rights?
How did OSCE and the FO manage any risk of different approaches being taken on the same topic by other programmes/projects; for example, investigation techniques?
Going forward, which partnership(s) should OSCE be further strengthening to enhance the benefits of its project delivery?
Have any regional events directly linked to the topics explored in the national seminars been implemented by the OSCE (either TNTD/ATU or FOs), and how have they contributed to effectively strengthening Rule of Law compliant criminal justice responses to terrorism?
Human Rights and Gender
To what extent was a human-rights based approach incorporated in the design and implementation of the project and project activities?
To what extent are/were gender issues incorporated into the design and implementation of the project, for instance, fair representation of gender groups at the project activities or building sensitivity to gender issues in the investigation and prosecution phase?

To what extent were the publications produced under P/CVERLT (thematic portfolio 2) brought to the attention of the trainees; for instance, the publication title ‘Understanding the Role of Gender: Good Practices for Law Enforcement’?
Lessons identified/learned
What lessons were identified during the project implementation period, in particular, between 2018 and 2020?
Going forward, what lessons can be learnt to help improve the efficiency and effectiveness of the project, particularly with the on-going consequences of Covid-19?
Should the project coherence (internal and external) be changed or reconsidered in order to improve performance, results and effectiveness in the future?
What good practices emerged from the project implementation? Can these good practices be realistically replicated?
What were the main challenges or obstacles and how can these be addressed for future activities?

Annex III(b): Questionnaire for Participants

OSCE/OIO Independent Evaluation

The OSCE's Interventions on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism, over the period 2014 – 2020

QUESTIONNAIRE FOR PARTICIPANTS

The OSCE Office of Internal Oversight (OSCE/OIO) has initiated an independent evaluation to identify results, good practices, lessons learned and recommendations emerging from a series of national seminars to strengthen Rule of Law compliant criminal justice responses to terrorism, which were implemented by the OSCE in selected FOs and/or pS, between 2014 and 2020. This evaluation is furthermore focusing on the [OSCE national seminar on “Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism”, which was held on 13-14 November 2019, in Tirana \(Albania\)](#) – with a view to assess its relevance and overall achievements, including through the views of participants.

We would appreciate receiving your valuable inputs and feedback **by 29 July 2021**. It will take around 15-20 minutes to complete this questionnaire. Please note that the views expressed in this questionnaire will be kept confidential at all times and will not be attributed to your name/ your institution.

Should you require further information, please write to: martina.orlandi@osce.org

Thanks very much for your cooperation!

~The Evaluation Team

1. Please tick the OSCE national seminar(s) that you have attended:

OSCE national seminar on Rabat Memorandum (13-14 November 2017)

Any other OSCE workshop (please state which one):

[free text]

2. Do you personally handle terrorism cases?

Yes

No

If YES, please specify what is your role and responsibilities in handling terrorism cases:

[free text]

3. How familiar were you with handling terrorism cases **before** attending the OSCE national seminar on the Rabat Memorandum?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

4. How familiar are you with handling terrorism cases **after** attending the OSCE national seminar?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

5. Did you learn anything new from the OSCE national seminar on Rabat Memorandum?

- Yes, I gained new information
- Yes, there was some new information
- No, I was already aware of the issues presented/discussed

If YES, please state which new information you have learned:

[free text]

6. Did the OSCE national seminar raise your awareness of (or improved your knowledge of) how to handle terrorism cases?

- Completely
- Considerably

- Moderately
- Slightly
- Not at all

If your awareness or knowledge increased, please specify in relation to which elements of handling terrorism cases and how; please give an example (e.g. investigation, prosecution, adjudication)

[free text]

7. How often do you use the knowledge from the OSCE national seminar in your day-to-day work?
- Always
 - Sometimes
 - Never
8. Were you provided with any training materials (for example, handouts by trainers) during the OSCE national seminar?
- Yes
 - No
 - I don't know/ I don't remember

If YES, please give details of the type of training materials:

[free text]

9. Were you provided with (or made aware of) OSCE publications relating to terrorism and human rights issues during the OSCE national seminar?
- Yes
 - No
 - I don't know/ I don't remember

If YES, please give details of the type of OSCE

[free text]

10. Did the trainers use OSCE publications during the OSCE national seminar?

- Yes
- No
- I don't know/ I don't remember

11. Are you using the training materials/OSCE publications provided?

- Always
- Sometimes
- Never

12. Have you received additional training from the OSCE on the same topic(s)?

- Yes
- No
- I don't know/ I don't remember

If YES, please state which topic(s):

[free text]

13. Have you received training from another organization on the same topic(s)?

- Yes
- No
- I don't know/ I don't remember

If YES, please state which organization and which topic(s):

[free text]

14. Overall, how useful and relevant was the OSCE national seminar for your work?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

If not at all useful and relevant, please state the reason(s) why:

[free text]

15. Did you find the format of the OSCE national seminar sufficiently interactive (for example, enough time was dedicated to discussions, case studies were used, presentations included relevant information and examples)?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

Please suggest how the format of the OSCE national seminar could be improved in the future:

[free text]

16. Did you find the content of the OSCE national seminar sufficiently detailed for the chosen topics?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

If you would have liked more detail on certain/all topics, please state which ones:

[free text]

17. Given the specific human rights challenges within the counter-terrorism context, to what extent did the national seminar(s) include a dedicated (or integrated) session on human rights considerations within the counter-terrorism context?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

18. To what extent were gender issues (for example, in relation to dealing with witnesses or suspects of different sex/gender in terrorism cases) highlighted, discussed or raised at the national seminar(s)?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

19. Was the balance between international speakers/experts and national (or regional) speakers/experts achieved?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

20. Following the OSCE national seminar, have any changes been introduced in your institution (for example, in handling terrorism cases) based on the knowledge and training materials received at the seminar?

- Yes
- No

If YES, please provide one or more examples of changes that have been introduced:

[free text]

21. Following the OSCE national seminar, has cooperation between your institution and other national and international actors engaged in counter-terrorism increased?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

If inter-agency cooperation increased, please provide more details:

[free text]

22. What in your view were the unique strengths and weaknesses of the national seminar(s)?

[free text]

23. How do you think the weaknesses can be addressed and/or future national seminar(s) improved?

[free text]

24. What in your view was the added value of the national seminar(s)?

[free text]

Thanks for completing our questionnaire!

Annex III(c): Online Survey for Speakers and Experts

OSCE/OIO Independent Evaluation

The OSCE's Interventions on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism, over the period 2014 – 2020

SURVEY FOR SPEAKERS AND EXPERTS

The OSCE Office of Internal Oversight (OSCE/OIO) has initiated an independent evaluation to identify results, good practices, lessons learned and recommendations emerging from a series of seminars to strengthen Rule of Law compliant criminal justice responses to terrorism, which were implemented by the OSCE in selected FOs and/or pS, between 2014 and 2020.

Since you participated in one (or more) national seminar(s) as a speaker/expert, we would appreciate receiving your valuable inputs and feedback **by 29 July 2021, at 23:30 (CET)**. It will take not more than 10 minutes to complete this survey.

Should you require further information, please write to: martina.orlandi@osce.org

Thanks very much for your cooperation!

~The Evaluation Team

1. Which national seminar(s) did you attend? (please select all that apply)

- 2014-10 Nicosia
- 2015-06 Skopje
- 2015-10 Sofia
- 2015-12 Tashkent
- 2016-09 Sarajevo
- 2017-07 Prishtinë/Priština
- 2017-10 Nur-Sultan
- 2018-09 Budva (Montenegro)
- 2018-09 Issyk-kul (Kyrgyzstan)
- 2019-07 Ashgabat
- 2019-10 Dushanbe
- 2019-11 Tirana
- 2020-05 Ashgabat (online)

2. Were you involved in shaping the agenda and topics of the national seminar(s)? If so, could you please describe your contribution?

Yes (please specify):

No

3. Were there topics that should have been included, but did not feature, in the national seminar(s)?

4. Did you have any input in the format or methodology of the national seminar(s)? If so, could you please describe your contribution?

Yes (please specify):

No

5. Did you find the format of the national seminar(s) helpful to promote interaction and discussions with participants?

Completely

Considerably

Moderately

Slightly

Not at all

6. Was gender balance among speakers/experts achieved?

Completely

Considerably

Moderately

Slightly

Not at all

7. Was the balance between international speakers/experts and national (or regional) speakers/experts achieved?

Completely

Considerably

Moderately

Slightly

Not at all

8. Were you provided with clear guidance on your role as speaker/expert and what was expected of you? If not, how could that be improved?

Yes

No (please specify):

9. Were you asked to provide any written guidance/ handouts for the participants?

Yes

No

10. Were you aware of the various OSCE publications that may have been relevant to the national seminar(s), such as: [Human Rights in Counter-Terrorism Investigations: A practical Manual for Law Enforcement Officers \(2013\)](#), [OSCE Guidebook on Intelligence-Led Policing \(2017\)](#), [Understanding the Role of Gender in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism, Good Practices for Law Enforcement \(2019\)](#)? If so, did you make use of any OSCE publications when delivering your presentation?

Yes (please specify):

No

11. Given the specific human rights challenges within the counter-terrorism context, to what extent did the national seminar(s) include a dedicated (or integrated) session on human rights considerations within the counter-terrorism context?

Completely

Considerably

Moderately

Slightly

Not at all

12. To what extent were gender issues (e.g. treatment of transgender suspects, witnesses or victims) highlighted, discussed or raised at the national seminar(s)?

Completely

Considerably

Moderately

Slightly

Not at all

13. What in your view were the unique strengths and weaknesses of the national seminar(s)?

14. How do you think the weaknesses can be addressed and/or future national seminar(s) improved?

15. What in your view was the added value of the national seminar(s)?

16. Since the national seminar(s), have you been contacted by any participant and/or host country for further information or guidance? If so, could you please provide more details on the assistance requested and offered?

Yes (please specify):

No

Annex III(d): Questionnaire for the Academy of Law Enforcement Agencies (Kazakhstan)

OSCE/OIO Independent Evaluation

The OSCE's Interventions on Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism, over the period 2014 – 2020

QUESTIONNAIRE FOR THE ACADEMY OF LAW ENFORCEMENT AGENCIES (KAZAKHSTAN)

The OSCE Office of Internal Oversight (OSCE/OIO) has initiated an independent evaluation to identify results, good practices, lessons learned and recommendations emerging from a series of national seminars to strengthen Rule of Law compliant criminal justice responses to terrorism, which were implemented by the OSCE in selected participating States, between 2014 and 2020. This evaluation is furthermore focusing on the OSCE national seminar [“Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism”, which was held on 4-5 October 2017, in Astana \(Nur-Sultan\)](#) – with a view to assess its relevance and overall achievements, including through the views of participants.

We would appreciate receiving your valuable inputs and feedback **by 28 July 2021**. It will take around 10 minutes to complete this questionnaire. Please note that the views expressed in this questionnaire will be kept confidential at all times and will not be attributed to your name/ the Academy of Law Enforcement Agencies.

Should you require further information, please write to: martina.orlandi@osce.org

Thanks very much for your cooperation!

~The Evaluation Team

-
1. Have you and/or staff of the Academy participated in the OSCE national seminar “Strengthening Rule of Law Compliant Criminal Justice Responses to Terrorism”, which was held on 4-5 October 2017, in Astana (Nur-Sultan)?
 - Yes, only me
 - Yes, both me and staff
 - Yes, only staff
 - No one
 2. Did participants from the Academy reported or demonstrated an increase in their knowledge as a result of the OSCE national seminar?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

3. Were participants from the Academy provided with any training materials (for example, handouts by trainers) during the OSCE national seminar?

- Yes
- No
- I don't know/ I don't remember

If YES, please give details of the type of training materials:

[free text]

4. Were participants from the Academy provided with (or made aware of) OSCE publications relating to terrorism and human rights issues during the OSCE national seminar?

- Yes
- No
- I don't know/ I don't remember

If YES, please give details of the type of OSCE publications:

[free text]

5. How often do staff of the Academy use the knowledge from the OSCE national seminar in their day-to-day work?

- Always
- Often
- Sometimes
- Rarely

Never

6. Has the Academy included any training materials/ OSCE publications provided during the OSCE national seminar into its own training curricula?

Yes

No

If YES, please give details of why and how this integration process happened:

[free text]

7. Overall, how useful and relevant was the OSCE national seminar for the work of the Academy?

Completely useful and relevant

Considerably useful and relevant

Moderately useful and relevant

Slightly useful and relevant

Not at all useful and relevant

If not at all useful and relevant, please state the reason(s) why:

[free text]

8. Following the OSCE national seminar, have any changes been introduced in the Academy (for example, in its training curricula) based on the knowledge and training materials received at the seminar?

Yes

No

If YES, please provide one or more examples of changes that have been introduced:

[free text]

9. Following the OSCE national seminar, has cooperation between the Academy and other national and international actors engaged in counter-terrorism increased?

- Completely
- Considerably
- Moderately
- Slightly
- Not at all

If inter-agency cooperation increased, please provide more details:

[free text]

Thanks for completing our questionnaire!

Annex IV: List of Documents Considered for the Desk Review

OSCE documents

1. Ministerial Council Decision No. 1 on Combating Terrorism (MC(9) DEC/1) (2001)
2. Ministerial Statement on the International Convention for the Suppression of acts of Nuclear Terrorism (2005)
3. Brussels Ministerial Statement on Supporting and Promoting the International Legal Framework Against Terrorism (2006)
4. Ministerial Council Decision No. 3/09 Further Measures to Support and Promote the International Legal Framework Against Terrorism (2009)
5. Ministerial Council Decision No. 1063 OSCE Consolidated Framework for the Fight Against Terrorism (2012)
6. Status of the Universal Anti-Terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area (2018)
7. Decision No. 14/04 OSCE Action Plan for the Promotion of Gender Equality (2004)
8. Consolidated Reference for OSCE Anti-Terrorism Efforts (updated July 2020)
9. Overview of OSCE Counter-Terrorism Related Commitments (updated July 2020)
10. OSCE Counter-Terrorism Network Newsletters (2018 – 2021)
11. OSCE-UNODC Joint Action Plan for 2020 – 2022
12. OSCE-UNODC Training Programme on Countering Terrorist Financing
13. Five (5) P/CVERLT Guidebooks:
 - a. Non-custodial Rehabilitation and Reintegration in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism: A Guidebook for Policymakers and Practitioners in South-Eastern Europe
 - b. The Role of Civil Society in Preventing and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Guidebook for South-Eastern Europe
 - c. Understanding Referral Mechanisms in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism Navigating Challenges and Protecting Human Rights A Guidebook for South-Eastern Europe
 - d. Understanding the Role of Gender in Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism: Good Practices for Law Enforcement
 - e. A Whole-of-Society Approach to Preventing and Countering Violent Extremism and Radicalization That Lead to Terrorism: A Guidebook for Central Asia
14. Transnational Threats Department Action against Terrorism Unit Factsheet
15. Regional Thematic Needs Assessment Central Asia (Nov – Dec 2020)
16. OSCE TNTD Work Plan (2021)

Project documents

17. TNTD/ATU Rule of Law and Counter Terrorism portfolio project documents for the 12 GCTF/RM national seminars (Nicosia, Skopje, Sofia, Tashkent, Sarajevo, Prishtinë/Priština, Nur-Sultan, Budva, Issyk-kul, Ashgabat, Dushanbe, Tirana)
18. TNTD/ATU Rule of Law and Counter Terrorism portfolio project documents 2020 on-line national seminar (Turkmenistan)
19. TNTD/ATU Rule of Law and Counter Terrorism portfolio Project Proposals and Amendments
20. TNTD/ATU Rule of Law and Counter Terrorism portfolio Repository #1101240 project documents:
 - a. Closure repository email exchange
 - b. 2017-12 Project Progress Report – National RoL Seminars (undated)
 - c. Repository Programme Summary Document (8 August 2013)
 - d. OSCE Monitoring and Evaluation Matrix, IRMA Numbers:1101630 & 1101240 (Repository Programme) for US Pledge 13841 (2018)
 - e. 2018-03 Final Report on US Pledge 13841
 - f. FFR Final Reporting
21. TNTD/ATU Rule of Law and Counter Terrorism portfolio Project #1101630 documents:
 - a. ExB Project Proposal (12.10.2015)
 - b. ExB Project Proposal update (22.11.2016)
 - c. Project Summary Document (22.11.2016)
 - d. Request for ExB Project Change Form (Sept 2017)
 - e. Request for ExB Project Change Form (14 Dec 2018)
 - f. OSCE Projects - Project Budget and Expenditure (period ending Jan 2019)
 - g. ExB Project Proposal (14 June 2019)
 - h. Project Summary Document (14 June 2019)
 - i. ExB Project Final Self-Evaluation Report (June 2020)
 - j. Letter of thanks from TNTD Director to the US (donor) (10 June 2020)
 - k. Annex 1 – Project Progress Report (2015 – 2019)
 - l. Annex 2 – OSCE Projects - Project Budget and Expenditure (period ending: May 2020)
 - m. Annex 3 – OSCE Projects - Project Summary Document (12 May 2020)
 - n. Annex 4 – US Pledge 14424, Budget & Expenditure
 - o. Annex 5 – US Pledge 14551, Budget & Expenditure
 - p. Annex 6 – OSCE Monitoring and Evaluation Matrix

UN documents

22. UN Global Counter-Terrorism Strategy 2006
23. UN Activities of the United Nations system in implementing the United Nations Global Counter Terrorism Strategy (2016)
24. UN Counter-Terrorism Centre (UNCCT) Annual Report 2019
25. UN Office of Counter-Terrorism (UNOCT) Consolidated Multi-Year Appeal 2019-2020

26. UNOCT Reference Guide Developing National and Regional Action Plans to Prevent Violent Extremism (1st Edition)
27. Global Counter-Terrorism Forum (GCTF) Criminal Justice Sector/Rule of Law Working Group, The Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector (Rabat Memorandum)

Other partner organizations

28. Council of Europe Convention on the Prevention of Terrorism
29. EU documents
30. The European Agenda on Security (2015)
31. The EU Counter Terrorism Strategy 2005
32. EU Directive (EU) 2017/541 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA
33. Proposal for a regulation of the European Parliament and of the Council on Preventing the Dissemination of Terrorist Content Online
34. RAND Europe Counterterrorism Evaluation: Taking Stock and Looking Ahead (2018)

Annex V: List of Interviewees

Organization/ Stakeholder	OSCE Executive Structure/ Location	F	M	No. of interviewees
OSCE	OSCE Secretariat	7	6	13
OSCE	OSCE Office for Democratic Institutions and Human Rights (ODIHR)	1	0	1
OSCE	OSCE Centre in Ashgabat	0	1	1
OSCE	OSCE Mission in Kosovo	4	2	6
OSCE	OSCE Mission to Montenegro	1	0	1
OSCE	OSCE Presence in Albania	3	1	4
OSCE	OSCE Programme Office in Bishkek	2	1	3
OSCE	Programme Office in Dushanbe	0	2	2
Participants/ beneficiaries	Bishkek	1	3	4
Participants/ beneficiaries	Dushanbe	4	6	10
Participants/ beneficiaries	Prishtinë/Priština	1	3	4
Participants/ beneficiaries	Tirana	2	4	6
Expert/ speaker	Germany	0	1	1
Expert/ speaker	Romania	0	1	1
CIS ATU	--	0	1	1
EULEX (now OSCE)	North Macedonia	0	1	1
GCTF	--	1	0	1
UNODC	Austria	1	1	2
Total		28	34	62
<p><u>Note:</u> In addition, an online survey has been administered to 17 experts/speakers (5 women; 9 men) and a written questionnaire to 6 participants/beneficiaries who could not attend interviews (2 women; 4 men).</p>				