

A stylized black outline map of Europe and the Balkans region, showing the coastlines and major landmasses. The map is positioned in the background, with the title text overlaid on it.

# MONITORING AND EVALUATION OF ANTI-TRAFFICKING POLICIES: A HANDBOOK FOR VICTIMS' ADVOCATES

**BALKANS  
ACT  
NOW!**



The project is supported by the  
European Union

**ASTRA** anti  
trafficking  
action



# Monitoring and Evaluation of anti-trafficking policies: A handbook for victims' advocates

This handbook for practitioners has been developed in the framework of the Balkans ACT Now! Project, based on the idea and input of ASTRA – Anti Trafficking Action.

Authors: Mike Dottridge based on an earlier version by Roderick Ackermann and Pierre Cazenave

Partners involved: ASTRA (coordinator; Serbia); Open Gate – La Strada (FYROM); International Forum of Solidarity - EMMAUS (Bosnia and Herzegovina); Women's Right Center (Montenegro); La strada International (The Netherlands), Netherlands Helsinki Committee (The Netherlands), CCEM (France) and ALC (France)



WOMEN'S RIGHTS CENTER  
CENTAR ZA ŽENSKA PRAVA



# MONITORING AND EVALUATION OF ANTI-TRAFFICKING POLICIES: A HANDBOOK FOR VICTIMS' ADVOCATES

## **Authors:**

Mike Dottridge

Pierre Cazenave

Roderick Ackerman

ASTRA – Anti Trafficking Action (Serbia)

IFS – EMMAUS (Bosnia and Herzegovina)

Open Gate La Strada (FYR Macedonia)

Women's Rights Center (Montenegro)

La strada International (Netherlands)

Netherlands Helsinki Committee (NL)

Accompagnement, Lieux d'Accueil, arrefour éducatif et social (France)

Comité Contre L'Esclavage Moderne (France)

**Design:** Darko Kolesar

**Disclaimer:** This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of organizations – BAN Project Team Members and can in no way be taken to reflect the views of the European Union.



All rights reserved. The Monitoring Handbook is owned by organizations implementing Balkans ACT Now! Project: The content of this publication may be freely used and copied for educational and other non-commercial purposes, provided that any such reproduction identifies Balkans ACT Now!.

# TABLE OF CONTENTS

Foreword	6
Glossary	9
Abbreviations	11
Introduction	12
Background	12
Who can use this handbook?	13
Structure of the handbook	14
Framework indicators	15
<b>PART 1: COMPLIANCE OF NATIONAL LEGISLATIVE AND POLICY FRAMEWORKS WITH INTERNATIONAL STANDARDS</b>	<b>18</b>
Section 1.1: Introduction to international and European instruments	18
Section 1.2: Indicators of compliance with international standards and good practice	20
A. The law and the national legal framework for criminalising trafficking in human beings	20
A.1 General information on the law and on legal procedures	20
B. Identification of trafficking victims	26
B.1 Concerning the legal framework and procedures for identifying trafficking victims	26
C. Provisions in the law for the protection of victims of trafficking	28
C.1 Protection for all victims	28
C.2 Special protection measures for children	30
C.3 Protection of victims who are non-nationals (residence permits and return of victims), including children	31
C.4 Protection of nationals who have been trafficked abroad and subsequently returned to their own country	32
D. Assistance and support for victims	33
D.1 Assistance in general	33
D.2 Legal Assistance and Legal Aid	34
E. Compensation and Legal Redress	36
E.1 Compensation and Legal Redress available according to the law	36
F. Institutional Framework, including coordination, capacity and international cooperation	37
F.1 The Institutional Framework established by law	37
G. Data availability, data protection and protection of private life	40
G.1 Laws and policies surrounding data and protection of privacy	40

3

PART 2: MONITORING AND EVALUATING THE OUTCOMES OF NATIONAL ANTI-TRAFFICKING FRAMEWORKS . . . . .	43
Section 2.1: Guidance on Monitoring and Evaluating the Outcomes of National Anti-trafficking Frameworks . . . . .	43
Topic 1: Monitoring and evaluating a Project compared with monitoring and evaluating a general anti-trafficking system . . . . .	43
Topic 2: Indicators . . . . .	44
Topic 3: Definition of a 'victim of trafficking' . . . . .	45
Topic 4: Reporting period . . . . .	47
Topic 5: Calculations to be made by Monitors . . . . .	48
Topic 6: Assessments to be made by Monitors . . . . .	48
Topic 7: Sources of data . . . . .	49
Topic 8: Monitoring structures . . . . .	51
Topic 9: Preparing a report for publication on the basis of monitoring data . . . . .	52
Section 2.2: Indicators to Monitor and Evaluate the Outcomes of National Anti-trafficking Frameworks during a specific period of time . . . . .	55
A. The law and the legal framework: investigations and prosecutions of traffickers . . . . .	55
A.2 General information on investigations and prosecutions . . . . .	55
A.3 Statistics on prosecutions and convictions (in a specified period of time) . . . . .	61
B. Identification of trafficking victims . . . . .	66
B.2 Concerning people who were identified . . . . .	66
B.3 Disputed identification and people categorised inappropriately as not trafficked . . . . .	70
C. The protection of victims of trafficking . . . . .	73
C.5 Protection of All Victims (including those trafficked abroad and subsequently returned to their own country) . . . . .	73
C.6 Recovery and Reflection Period . . . . .	75
C.7 Protection of institutions or individuals that support victims . . . . .	76
C.8 Protection of victims of trafficking who have returned to their country of origin . . . . .	77
C.9 Protection of Child Victims . . . . .	79
C.10 Protection of Foreign Victims . . . . .	82
Residence Permits for foreign victims identified in the country . . . . .	82
Return to their country of origin (or to another country) of foreign victims identified in the country . . . . .	84

D. Assistance and support for victims . . . . .	87
D.3 Assistance for all victims in all categories . . . . .	87
D.3.a Shelter & Material Assistance . . . . .	87
D.3.b Medical assistance . . . . .	89
D.3.c Information . . . . .	91
D.3.d Vocational Training/Income-Earning Opportunities . . . . .	92
D.3.e Other . . . . .	92
D.4 Assistance and support for child victims . . . . .	93
D.4.a Shelter & Material Assistance . . . . .	93
D.4.b Medical Assistance . . . . .	95
D.4.c Education or Vocational Training . . . . .	95
D.5 Assistance provided to victims of trafficking who are nationals, who were identified as victims in another country and who were subsequently returned (or repatriated) to their country of origin, or who identified themselves to the authorities upon their unassisted return to their country of origin . . . . .	96
D.6 Legal Assistance and Legal Aid . . . . .	98
E. Compensation and Legal Redress . . . . .	100
E.2 Compensation and Legal Redress in practice . . . . .	100
F. Institutional Framework, including capacity, coordination and international cooperation . . . . .	103
F.2 Capacity . . . . .	103
F.3 Gender . . . . .	106
F.4 National coordination and cooperation . . . . .	107
F.5 International cooperation . . . . .	109
G. Data availability, data protection and protection of private life . . . . .	112
G.2 Data handling and protection in practice . . . . .	112
 ANNEX 1: List of Selected Relevant International Instruments and Standards . . . . .	 116

# FOREWORD

The world has seen a steady intensification of anti-trafficking activities since 2000, when the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, accompanying the UN Convention against Transnational Organized Crime, was adopted, especially in Europe once the Council of Europe's Convention on Action against Trafficking in Human Beings came into force in 2008. International legislative activity was followed by changes in national legislation, the development of national anti-trafficking policies and referral mechanisms, and strong civil society involvement, in particular in the area of victim assistance and especially awareness raising with the general public or particular target audiences. This decade has seen the emergence of a series of reports that assess the situation in the area of human trafficking, globally, regionally and/or locally. Governments and international organizations are trying to estimate the number of victims of trafficking and exploitation, as well as to assess the work of national governments and of the wider international community in combating this phenomenon. These assessments and estimates are based on different methodologies and are made from different points of view.

foreword

The initial idea for developing a monitoring came from Marija Anđelković from ASTRA (Anti Trafficking Action – Serbia). Aware of the importance of independent and objective assessments for further development and improvement of state responses to human trafficking since it first started its work, ASTRA has been monitoring and reporting on the work of relevant institutions, in particular in the fields of direct assistance to trafficked persons and the prosecution of traffickers. At some point we realized that it would be beneficial to have comprehensive, detailed and above all clearly defined indicators, not only of legislative and policy frameworks in Serbia, but also of what happens in practice, i.e. how and to what extent these frameworks are applied in practice and what is the overall level of compliance with international and European instruments and other standards that Serbia has ratified.

The **“Monitoring and Evaluation of Anti Trafficking Policies: Handbook for Victims’ Advocates”** developed within the EU-funded ***Balkans ACT Now!*** project seeks to present comprehensive and detailed indicators that would

6

enable monitoring – occasional or continuous – of national anti-trafficking policies, with the emphasis on the policies aimed at the protection of victims. It can be applied both in the countries of origin of people who are trafficked and countries of destination (and also in countries where people are trafficked and exploited within their own borders). The Handbook uses as its reference points the various treaty obligations accepted by governments that sign contemporary international instruments in this area. Without denying the immense significance of law enforcement and security issues, the starting point of this tool is the fact that human trafficking is above all the violation of victims' human rights and that all anti-trafficking policies should aim to restore and protect these rights. Especially important is that anti-trafficking policies must in no way do harm either to victims of trafficking or to other social groups that are in a broad sense considered to be at risk of falling victim to trafficking, all in the pursuit of some alleged higher purpose.

# 7

We believe that monitoring anti-trafficking policies, based on detailed and clearly defined indicators, will enable all anti-trafficking actors to make a true and reliable assessment on how things work in their respective countries and to take more appropriate measures as a result. It will also enable year-to-year country-based comparisons, as well as comparisons between countries. Comparisons are not important for ranking the performance of states, but for measuring progress, sharing good practice and adjusting policies to meet the challenges identified in the course of the implementation of laws and policies in practice, as well as for noting trends and developments in the area of trafficking in human beings. Poor information contributes to poor decision- and policy-making that does not correspond to needs on the ground, whether we talk about protection, prosecution, prevention or any other aspect of the fight against human trafficking; indeed, sometimes they even cause highly damaging, unintended outcomes. So, this Monitoring Handbook seeks to contribute to accurate information, accurate assessments of the situation and consequently appropriate identification of needs and gaps that need to be tackled.

Members of the BAN Project team and the consultants we worked with went through the indicators over and over again; we had further ideas for improvements and changes even when we were finalizing the final version. We also expect there to be a need for new indicators and for modifications in the ones we are presenting, as a result of changing trends and needs in the anti-trafficking field.

That is why we designed this tool as an open platform, where every organization or institution which is involved in monitoring can make changes and add what is missing, either in the global or their local context. The first reports based on the monitoring of some of the indicators listed, in four Balkan countries, concerning some areas of anti-trafficking operations are scheduled to be finished and presented in 2016.

ASTRA and BAN Project Team

# GLOSSARY

<b>Accountability</b>	A State can be held responsible when it fails to respect, protect and fulfil the human rights laid down in the treaties it has signed and ratified.
<b>Best interests of the child principle</b>	Article 3.1 of the UN Convention on the Rights of the Child (1989) stipulates that, "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration". This means that other 'primary interests' may be taken into account, but secondary interests may not be given greater priority than primary interests. In its second round Questionnaire, GRETA observes that, "The best interests of the child' means that any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is objectively best for that child, given her/his age and maturity" (GRETA(2014)13, page 5). Further details about the meaning of the term can be found in the Committee on the Rights of the Child General Comment No. 14 of 2013.
<b>Child</b>	The Convention on the Rights of the Child (article 1) states that a child is "[e]very human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier". Throughout this handbook, the word 'child' will however refer to every human being below the age of eighteen years.
<b>Exploitation</b>	The terms 'exploitation' (and exploited) have a technical meaning in the context of human trafficking, more limited than when people are referred to in a general way as 'exploited'. Both the Council of Europe Convention on Action against Trafficking in Human Beings and other international instruments referring to trafficking in persons state that "Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs". At national level, legislators can identify additional forms of exploitation as purposes of trafficking. See 'Trafficking in Human Beings' below.
<b>Gender equality</b>	Gender is the manifestation of socially constructed roles, behaviours, and expectations that are placed on people based on their sex, and vary across place and time. Gender equality is, first and foremost, a human right and refers to a social order in which women and men share the same opportunities and the same constraints on full participation in both the economic and the domestic realm. An important aspect of achieving gender equality is combating gender stereotypes.
<b>Guardian</b>	The Fundamental Rights Agency of the European Union defines a guardian as "[a]n independent person who safeguards a child's best interests and general well-being, and to this effect complements the limited legal capacity of the child. The guardian acts as a statutory representative of the child in all proceedings in the same way that a parent represents his or her child" <sup>1</sup> .
<b>Legal advisor</b>	Legal representatives or legal advisors are qualified lawyers or other legal professional who provides legal assistance, speaks on behalf of victims and legally represents them in written statements and in person before administrative and judicial authorities in criminal, asylum or other legal proceedings as provided in national law.

<sup>1</sup> Fundamental Rights Agency of the European Union, Guardianship for children deprived of parental care – A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking, 2014.

<b>Legal framework</b>	Refers to legislative and policy framework in force in a state, i.e. laws, official policies and practices which are governed by the rules of a government institution.
<b>Presumed (or potential) victim of trafficking</b>	A 'presumed' or 'potential' or 'suspected' victim of trafficking is a person for whom there are reasonable grounds to believe that she or he may be a victim of trafficking in human beings as defined below but who has not yet been formally recognised by the authorities as a victim. Presumed or potential victims should be entitled to the full range of protection services and procedural guarantees offered to recognised victims until their status is clarified (i.e. if they are a victim or not).
<b>Trafficked person</b>	See 'Victim of trafficking' below.
<b>Trafficking in Human Beings</b>	Trafficking in Human Beings is defined as "[...] the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs <sup>2</sup> ". Whenever the abusive means (threat, use of force, coercion etc.) specified in the paragraph above are used, the consent of a victim to the intended exploitation is irrelevant. Moreover, where the victim is a child, none of the means need to be identified in order for the offence to qualify as trafficking in children.
<b>Unaccompanied Minor</b>	The Committee on the Rights of the Child defined 'Unaccompanied children' (also called unaccompanied minors) as "children [...] who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so". For the purpose of this document, the term unaccompanied child also encompasses 'separated children', defined as children "who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives <sup>3</sup> ".
<b>Victim of trafficking</b>	For the purpose of this handbook, someone categorised as a "victim of trafficking" is a victim of crime (the offence of trafficking in human beings as defined above), who consequently regarded by the authorities as having a particular status as a 'victim'. The handbook refers to people who have been trafficked in three different ways: 'trafficked persons' refers to anyone who has been trafficked, whether or not they have come into contact with the authorities or been identified by the authorities as a 'victim'; 'presumed victim' of trafficking (or of traffickers) refers to anyone who comes into contact with the authorities and concerning whom there are reasonable grounds for the competent authorities to believe that a particular person has been trafficked and is therefore a 'victim of trafficking' (see Topic B below on 'Identification' for an explanation of the concept of 'reasonable grounds'); a person who has been positively/conclusively identified by the authorities as having been trafficked has the 'officially-recognised status of a victim of trafficking', either as a result of the authorities' identification procedures or after being identified as a victim in the course of a trial.

<sup>2</sup> Council of Europe, Council of Europe Convention on Action Against Trafficking in Human Beings, 16 May 2005, CETS 197, Article 4.

<sup>3</sup> UN Committee on the Rights of the Child (CRC), CRC General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6, § 7.

# ABBREVIATIONS

<b>BAN</b>	Balkans ACT Now!
<b>BID</b>	Best Interests Determination
<b>CoE</b>	Council of Europe
<b>CSO</b>	Civil Society Organisation NB this term is used to refer to both non-governmental organisations (NGOs) and other organisations involved in anti-trafficking activities, such as faith-based organisations or trade unions.
<b>EU</b>	European Union
<b>GRETA</b>	Council of Europe's Group of Experts on Action against Trafficking in Human Beings (established by the Council of Europe's Convention on Action against Trafficking in Human Beings, 2005).
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>JIT</b>	Joint Investigation Team
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MLA</b>	Mutual legal assistance
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>THB</b>	Trafficking in Human Beings
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime

11

# INTRODUCTION

Every year, thousands of people are victims of a crime nowadays called “trafficking in human beings” (human trafficking). Governments are the main entities responsible for preventing and combatting this crime and for protecting people who have been trafficked. Non-state actors, among them civil society organisations (CSOs), play an important role in both preventing the crime and protecting victims, but also in encouraging governments to meet the standards they have made commitments to respect and monitoring whether they do so.

The aim of this Handbook is to assist both state and non-state actors to monitor the authorities’ responses to human trafficking in their country in a systematic way, both at legislative and policy level, and in practice, to check whether commitments made in theory are being implemented in reality.

This Handbook provides a comprehensive framework of analysis which is intended to provide an opportunity to both state and non-state actors to improve their actions in eradicating the crime of trafficking in human beings, and in protecting its victims.

## BACKGROUND

This Handbook was developed in the framework of the Balkans ACT (Against the Crime of Trafficking) Now! project (hereafter referred to as ‘BAN’) in order to provide anti-trafficking practitioners with a monitoring and evaluation framework which will allow them to gather evidence and analyse the quality of the laws, procedures and practices related to combatting trafficking in human beings and protecting victims. The development of the Handbook was funded by the European Union.

It offers a Monitoring and Evaluation Framework for practitioners willing to take stock of the current situation and provide sufficient evidence to improve anti-trafficking policies and practice at national level and enhance cooperation at transnational level.

The Handbook is the result of intensive consultations with partners of the BAN project based in Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia. They met twice in 2014 and twice more in 2015 to exchange views on what it was a priority to monitor and how, and to comment on drafts of the Handbook. A first meeting in Skopje in February 2014 allowed partners of the project to agree on the scope and structure of the Handbook, while a second meeting held in Sarajevo in June 2014 gave room to extensively review and comment the first draft of the Handbook. After an initial series of tests in late 2014, a further meeting was held in Skopje in May 2015 to agree where changes were needed and a final meeting was held in September 2015 in Podgorica to agree the text and decide which specific issues to focus on during a monitoring exercise during the winter of 2015-2016.

## WHO CAN USE THIS HANDBOOK?

This Handbook is intended to be used by a wide variety of practitioners, from statutory service providers, decision makers and law enforcement officials, to practitioners working for civil society organisations and playing a role in the anti-trafficking work carried out at national and/or international level.

This Handbook has no limitation in its geographical scope, despite the strong inspiration drawn from the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as the ‘CoE Convention’).

The standards established in the CoE Convention are of a universal nature and can potentially be transposed to any other setting or region. Moreover, the CoE Convention is rooted in the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (hereafter referred to as the Trafficking Protocol) which supplements the United Nations Convention against Transnational Organized Crime (2000). This means that practitioners living outside Europe can also use this Handbook for guidance in monitoring how the Trafficking Protocol is implemented in their country.

The Handbook proposes a series of ‘indicators’ for monitors to measure, and suggests what conclusions they might reach on the basis of the measurement. As individual indicators only tell a fraction of the story, they are grouped together

under 'framework indicators': it is these that monitors need to focus on and measure in order to assess the progress (or lack of it) being made in responding to and stopping human trafficking in their country. The indicators listed in the second sections of each chapter of this Handbook will sometimes be difficult to measure. This means that monitors require some expertise and resources to gather data, as well as coordination with other actors. They will also need to process and analyse the data in a systematic way. This Handbook is therefore aimed at organisations or institutions rather than individual researchers.

Persons who were involved in the development of the Handbook are Marija Andjelkovic, Bénédicte Bourgeois, Nedimka Bećirović, Jasmina Dimishkovska Rajkovska, Amela Efendić, Ana Hećimović, Suzanne Hoff, Andrijana Lazić, Julia Koster, Amy Kowalski, Munir Podumljak, Ivana Radović, Maja Raičević, Marija Todorovska, Tamara Vukasović and Elma Zahirović. They were led by Pierre Cazenave and Roderick Ackerman in the first phase and Mike Dottridge in the second, who is responsible for the presentation and contents of this version of the Handbook.

## STRUCTURE OF THE HANDBOOK

The Handbook is divided into two parts. The first one offers an analytical grid against which users will be able to assess the level of compliance of their domestic legislative and policy frameworks with international instruments and standards.

Part 1 proposes a series of indicators which have been drawn mainly from international instruments and standards listed in Annex 1 (at the end of the Handbook).

Part 2 focuses on what happens in practice, offering a series of indicators to allow users to track how various state authorities are performing in meeting their international commitments.

Both parts review progress with respect to seven topics. These are:

- A. The law and the application of the law;
- B. Identification of trafficking victims;

- C. Provisions for the protection of victims of trafficking (and their application), both nationals and foreigners;
- D. Assistance and support for victims;
- E. Compensation and legal redress;
- F. The institutional framework, including coordination, capacity and international cooperation;
- G. Data availability, data protection and protection of private life.

So, for example, Part 1 starts by reviewing the law for punishing traffickers and the related legal framework (topic A), while Part 2 starts by reviewing the application in practice of the law and legal framework, in terms of the investigation and prosecution of suspected traffickers (again, topic A). As Part 2 focuses on what happens in practice, it requires monitors to focus on a limited period of time (such as a calendar year).

# 15

## FRAMEWORK INDICATORS

Each of the seven topics starts with a ‘framework indicator’, that is to say an indicator which represents the standard that governments should be respecting and which monitors are trying to find out about by assessing the subsequent, more detailed indicators. Some topics include several framework indicators, although on some issues no single general framework indicator is suggested. The following table summarises the 24 framework indicators mentioned for monitoring.

<b>A. The law and the national legal framework for criminalising trafficking in human beings</b>	
A.a	Domestic legislation offers a comprehensive framework to fight trafficking in human beings in line with the CoE Convention on Action against Trafficking in Human Beings or the UN Trafficking Protocol (the Trafficking Protocol).
A.b	Trafficking cases were prosecuted and adjudicated (judged) fairly in accordance with international criminal justice standards.
A.c	Prosecutors and judges understood and, where appropriate, implemented provisions to protect vulnerable victims and witnesses before, during and after trial, as provided by national law as well as by obligations incurred through ratification of treaties and accepted international prosecutorial and judicial good practice.

<b>B. Identification of trafficking victims</b>	
B.a	The legal framework is appropriate for ensuring the rapid and accurate identification of victims of trafficking in human beings.
B.b	Victims of trafficking were quickly and accurately identified.
B.c	CSOs supporting trafficking victims were not aware of any individuals whom they considered to have been trafficked but who were not identified as trafficking victims by the relevant 'competent authority'.
<b>C. The protection of victims of trafficking</b>	
C.a	The legal framework provides victims of trafficking in human beings with protection and support, i.e. victims of transnational crime, those trafficked within a country and those returning to their country of origin, including a right of access to remedies.
C.b	The legal framework provides specifically for victims to be given appropriate protection from potential retaliation and intimidation during and after investigation and prosecution of perpetrators.
C.c	Child victims of trafficking are identified, protected and supported in full accordance with the 'best interests of the child' principle.
C.d	Victims of trafficking (whether presumed or officially-recognised) were protected and assisted adequately during the period under review.
C.e	Victims of trafficking returning from abroad whose cases were brought to the attention of the authorities and who were protected and assisted adequately during the period under review.
C.f	Child victims of trafficking (whether presumed or officially-recognised) were protected and assisted adequately during the period under review.
C.g	Identified foreign victims (whatever their nationality) were provided with renewable residence permits and were provided with at least the same level of protection as victims who are nationals.
C.h	Identified foreign victims (whatever their nationality) who left the country were assisted and protected while doing so.
<b>D. Assistance and support for victims</b>	
D.a	The legal framework provides a comprehensive assistance framework for victims of trafficking, appropriate to their particular needs (e.g. taking into account gender, language, ethnicity and age).
D.b	The legal framework provides for the right to legal assistance for victims of trafficking (whether presumed or officially-recognised) in all relevant proceedings.
D.c	Everyone who was identified as a presumed or officially-recognised victim of trafficking was offered immediate assistance and support, including emergency shelter, medical assistance, information and legal advice, appropriate to their particular needs (e.g. gender, language, ethnicity and age) and the State provided sufficient finance to pay for such assistance.
D.d	Child victims were offered immediate age-appropriate assistance and support, including emergency shelter, medical assistance, and information and legal advice, appropriate to their particular needs (e.g. age and maturity, gender, language and ethnicity).
D.e	Victims of trafficking (both presumed and officially-recognised) were offered and able to access appropriate legal advice.

<b>E. Compensation and Legal Redress</b>	
E.a	The legal framework provides victims of trafficking in human beings with a right of access to remedies for the harm committed against them including restitution and compensation.
E.b	Victims were provided with real and effective access to compensation for harm and loss suffered as a result of having been trafficked.
<b>F. Institutional Framework, including coordination, capacity and international cooperation</b>	
F.a	The country's anti-trafficking institutional and policy framework and structures are appropriate, sufficient resources are allocated by the government to ensure these function effectively (including sufficiently well-trained staff), and appropriate agreements have been reached with other states to ensure effective mutual legal assistance in human trafficking cases.
F.b	Law enforcement officials and the staff of state-run organisations in contact with presumed or officially-recognised trafficking victims manifested an appropriate level of expertise and had adequate resources to carry out their work satisfactorily.
F.c	Specialist anti-trafficking investigative unit personnel had the necessary gender profile to implement reactive and proactive trafficking investigations (in accordance with Standard Operating Procedures).
<b>G. Data availability, data protection and protection of private life</b>	
G.a	Personal data concerning presumed or officially-recognised victims of trafficking is stored and used in conformity with the conditions provided for by the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (1981).

For reference purposes, Framework indicators have double letter references (such as "A.a"), while the specific indicators (referred to as 'sub-indicators') on each of the seven topics have consecutive numbers (such as A.1 to A.57, B.1 to B.30, etc.).

# PART 1: COMPLIANCE OF NATIONAL LEGISLATIVE AND POLICY FRAMEWORKS WITH INTERNATIONAL STANDARDS

Part 1 is designed to offer a framework for Handbook users to analyse the compliance of national policy with international instruments and standards.

## SECTION 1.1: INTRODUCTION TO INTERNATIONAL AND EUROPEAN INSTRUMENTS

The development and transposition of international and European standards related to combatting trafficking in human beings and the protection of victims of traffickers has had considerable influence on the development of national laws, policies and procedures in Europe and beyond.

Some governments have made considerable efforts to harmonise their legislation, policies and procedures with international standards but may still fall short of meeting their obligations to trafficked persons.

The indicators developed in this chapter provide a framework to analyse the extent to which national legislation, policies and institutions are in compliance with international and European anti-trafficking instruments and standards. The analytical framework presented below is intended to enable monitors to capture the overall picture of whether the rights of victims are guaranteed by law and policy, and to identify gaps which still require filling.

Monitors will have to link the analysis in Part 1 with their findings of what happens in practice (in Part 2) in order to know whether changes in the experiences of trafficked persons or in rates of prosecutions of traffickers, or in other aspects of law enforcement (such as investigations), seem to be linked to the adoption and proper implementation of a newly designed policy, law, regulation or initiative.

In turn, the implementation of policies may also have adverse consequences on the rights of trafficked persons and require further amendments to legislation or policies. Indeed, failure to monitor such adverse impacts (and make the necessary corrections) has been a short-coming both in Europe and elsewhere, where the authorities have tended to assume that new anti-trafficking legislation or policy was going to be beneficial for trafficked persons (or individuals at high risk of being trafficked), when sometimes it is not.

The most relevant international instruments used in the developments of this Handbook, as reflected in the Annex I, read as follows:

- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;
- The Council of Europe Convention on Action against Trafficking in Human Beings.

Other standards set by United Nations agencies or other relevant stakeholders have also been used, such as:

- The UN High Commissioner for Human Rights' Recommended Principles and Guidelines on Human Rights and Human Trafficking;
- UNICEF's Guidelines on the protection of the rights of child victims of trafficking.

Finally, European Union instruments in the area of trafficking in human beings include:

- Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims of 5 April 2011;
- Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating sexual abuse and sexual exploitation of children, and child pornography.

The documents listed above constitute the basis upon which indicators of policy compliance were developed in the following sections.

# SECTION 1.2: INDICATORS OF COMPLIANCE WITH INTERNATIONAL STANDARDS AND GOOD PRACTICE

## A. THE LAW AND THE NATIONAL LEGAL FRAMEWORK FOR CRIMINALISING TRAFFICKING IN HUMAN BEINGS

### A.1 General information on the law and on legal procedures

Number	Indicator	Possible sources	Note
<b>A.a</b>	Domestic legislation offers a comprehensive framework to fight trafficking in human beings in line with the CoE Convention on Action against Trafficking in Human Beings or the UN Trafficking Protocol (the Palermo Protocol).		This is a framework indicator and can be answered through the analysis of all 23 sub-indicators listed below.
<b>A.1</b>	Legislation provides for effective, proportionate and dissuasive penalties to punish persons having been proven guilty of committing the crime of trafficking in human beings.	Law; Official Gazette; Criminal Code	This is also a framework indicator. It requires monitors to make a judgement as to whether the penalties foreseen in their domestic legal system are effective, proportionate and dissuasive, taking into account the penalties for other crimes of similar seriousness.
<b>A.2</b>	Legislation identifies all the methods of trafficking listed in the article 4 of the CoE Convention on action against Trafficking in Human Beings or article 3 of the Palermo Protocol.	Law; Official Gazette; Criminal Code	The methods provided in those instruments read as follows: "recruitment, transportation, transfer, harbouring or receipt of persons". Report on any which are not mentioned explicitly.
<b>A.3</b>	Legislation identifies all the means of trafficking listed in the article 4 of the CoE Convention on action against Trafficking in Human Beings or article 3 of the Palermo Protocol.	Law; Official Gazette; Criminal Code	The means provided in those instruments read as follows: "threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits". Report on any which are not mentioned explicitly.
<b>A.4</b>	Legislation identifies at a minimum all the purposes of exploitation listed in the article 4 of the CoE Convention on action against Trafficking in Human Beings or article 3 of the Palermo Protocol.	Law; Official Gazette; Criminal Code	The exploitation purposes provided those instruments read as follows: "the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs". Note any purposes which are not mentioned explicitly in legislation.

Number	Indicator	Possible sources	Note
	Legislation defines the following component and related offences (and the law provides for effective, proportionate and dissuasive penalties in relation to each):	Law; Criminal Cod	This indicator aims to assess the degree of compliance of Legislation with the EU anti-trafficking Directive. As it covers six categories of offences related to exploitation ('a' to 'f' below), the data available about each (recording the specific national legislation relating to each offence and the penalty involved) should be noted. A comment (i.e. a judgement) should be made on whether the penalty for each seems proportionate and dissuasive.
<b>A.5</b>	slavery, servitude and practices similar to slavery;	Law; Criminal Code	NB 'servitude' is often not defined in national law; nor was it clearly defined when the United Nations introduced the concept in the 1948 Universal Declaration of Human Rights. However, the term 'servitude' is sometimes used to describe cases of domestic workers subjected to forced labour or similarly oppressive abuse. It is also used to refer to debt bondage. The term 'practices similar to slavery' has a precise meaning in international law and was defined in a 1956 UN Supplementary Convention on Slavery to refer to four sets of practice, including debt bondage.
<b>A.6</b>	the use of forced labour or services, including forcing people to beg and to hand any of their earnings to a third person, other than a parent or legal guardian;	Law; Criminal Code; Labour Code	'Forced labour or services' are mentioned explicitly in the Palermo Protocol, whereas forced begging and exploitation of forced begging were not. The European Directive 2011 mentions begging explicitly in article 2 on offences (listing various forms of exploitation that are purposes of trafficking): "Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs". It points out that "forced begging should be understood as a form of forced labour or services as defined in the 1930 ILO Convention No 29 concerning Forced or Compulsory Labour. Therefore, the

Number	Indicator	Possible sources	Note
			exploitation of begging, including the use of a trafficked dependent person for begging, falls within the scope of the definition of trafficking in human beings only when all the elements of forced labour or services occur".
<b>A.7</b>	sexual exploitation, including the exploitation of the prostitution of others (e.g., pimping or pandering);	Law; Criminal Code	Different criminal codes define the offence of exploiting the prostitution of others (sometimes known as 'mediation in prostitution') in different ways. Some countries do not regard profiting from the prostitution of another person as an offence, but nevertheless make it an offence to use force, deception or threats to make a person engage in sexual acts in return for remuneration.
<b>A.8</b>	commercial sexual exploitation of children;	Law; Criminal Code	At a minimum, this should make it an offence to exploit (i.e. profit from) the prostitution of a boy or girl under 18 years of age. It may also be an offence to pay for a sexual act with a young person who is under 18. Some legal systems use the terminology of a UN Optional Protocol (to the Convention on the Rights of the Child) on the 'sale of children, child prostitution and child pornography'.
<b>A.9</b>	forced marriage;	Law; Criminal Code; Family Code	It is important not to confuse 'forced marriage' and 'arranged marriage' and also not to assume that all 'child marriages' are forced marriages'. Some legal systems refer to 'unlawful marriages', the penalty for which may be relatively minor if it is not recognised as a form of exploitation that is a purpose of trafficking.
<b>A.10</b>	the removal of organs for commercial profit.	Law; Criminal Code	Some legal systems do not categorise this as a purpose of human trafficking. Others confuse this purpose of human trafficking with 'trafficking in human organs' (i.e. when organs may have been obtained legitimately, but are subsequently sold for profit, which is qualitatively different to a human trafficking offence).

Number	Indicator	Possible sources	Note
A.11	Legislation defines at least one offence to allow the prosecution of those responsible for the severe economic exploitation of adults, which does not involve slavery (i.e. 'ownership' of another human being), but nevertheless a high level of control, related to servitude or forced labour.	Law; Criminal Code	This offence should cover debt bondage, i.e. situations in which employers or others invoke a debt to keep a person working for them, when the value of the work provided is significantly greater than the loan/debt.
A.12	Legislation defines at least one offence to allow the prosecution of those responsible for the economic exploitation of children (under 18), when the offence does not involve slavery, but a form of servitude or forced child labour, e.g. along the lines of the 'sale of children' on one of the 'practices similar to slavery'.	Law; Criminal Code	This offence might include obliging (even if not forcing) a child to beg and to hand some of their earnings to a third person, other than a parent or legal guardian. NB Not all situations in which children are begging constitute human trafficking: if it is an offence for a parent to ask their own child to beg or if a child her- or himself commits an offence by begging, neither of these is considered a trafficking offence under regional or international law.
A.13	Anti-trafficking legislation does not confuse trafficking in human being or related crimes against the person with crimes against the security of the state, notably migrant smuggling or people smuggling.	Law and Criminal Code	E.g. offences such as "Illegal crossing of the state border and smuggling of people".
A.14	Legislation on sexual offences, including the exploitation of the prostitution of others, is clear and does not categorise an offence as 'trafficking' unless the abusive means (specified in article 4(a) of the CoE Convention on Action against Trafficking in Human Beings and article 3 of the Palermo Protocol) have been involved in the act of recruiting, transporting, transferring, harbouring or receiving a person.	Law; Official Gazette; Criminal Code	The abusive means specified in article 4(a) of the CoE Convention are "the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits". This indicator checks whether routine sex work which does not involve coercion or abusive means of recruitment is nevertheless categorised by the authorities as human trafficking, which it is not under the terms of the CoE Convention.
A.15	Legislation provides that the consent of an adult victim of trafficking to the intended exploitation is irrelevant when any of the means set forth in article 4 of the CoE Convention on action against Trafficking in Human Beings or article 3 of the Palermo Protocol were used against the trafficked person.	Law; Official Gazette; Criminal Code	The means provided in those instruments read as follows: "threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits".

Number	Indicator	Possible sources	Note
<b>A.16</b>	Legislation provides that the crime of trafficking in human beings against a child qualifies as such even in the absence of the use of the abusive means specified in article 4 of the CoE Convention on Action against Trafficking in Human Beings or article 3 of the Palermo Protocol.	Law; Official Gazette; Criminal Code	Article 4(c) of the CoE Convention reads as follows: "The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in human beings' even if this does not involve any of the means set forth in subparagraph (a) of this article".
<b>A.17</b>	Legislation establishes as a criminal offence the use of the services which are the object of exploitation when the person using such services knows that the person is a trafficked person.	Law; Official Gazette; Criminal Code	The exploitation concerned could include paying for the sexual services of a person known to have been trafficked, but also for other categories of services, such as masseur or someone caring for an ill or old person. Note if the offence refers uniquely to sexual services provided by a trafficked person, but not to other services, as this would be a defect. Also note if it is an offence to pay for sexual services provided by anyone (whether trafficked or not), as this would not be a specific deterrent against paying for services with trafficked persons.
<b>A.18</b>	Legislation establishes as a criminal offence aiding or abetting the commission of the offence of trafficking in human beings.	Law; Official Gazette; Criminal Code	N/A
<b>A.19</b>	The national legal framework enables the tracing, seizure and confiscation of proceeds of trafficking-related crimes.	Law; Official Gazette; Criminal Code	N/A
<b>A.20</b>	The national legal framework establishes jurisdiction over trafficking-related offences when the offence is committed a. in the State's territory; or b. on board a ship flying its flag; or c. on board an aircraft registered under its laws; or d. by one of its nationals abroad; or e. against one of its nationals abroad; or or f. by a person who has her or his habitual residence in the State's territory.	Law; Official Gazette; Criminal Code	Note whether there is jurisdiction over all six, or, if not, for which the state has jurisdiction and for which it does not.
<b>A.21</b>	Trafficking-related offences are treated as extraditable offences under relevant treaties and domestic laws.	Law; Official Gazette; Criminal Code	N/A

Number	Indicator	Possible sources	Note
<b>A.22</b>	The national legal framework provides that victims of trafficking are not to be punished (or not even prosecuted) for unlawful acts committed by them as a direct consequence of their situation as trafficked persons or where they were compelled to commit such unlawful acts.	Law; Official Gazette; Criminal Code; prior court judgments	This concerns the 'non-punishment' of trafficked persons, notably those identified as presumed victims.
<b>A.23</b>	The national legal framework specifies that a potential or presumed victim of trafficking who has been detained (either without being identified as such or even when there was a suspicion that s/he might have been trafficked) should be released from custody.	Criminal Code or Criminal Procedure Code	This also concerns the 'non-punishment' of trafficking victims, but goes further and either provides that presumed trafficking victims should not be detained or that anyone who is identified as a presumed victim should be released from detention (e.g. irregular migrants in detention or children arrested and detained for crimes such as theft or growing cannabis).

## B. IDENTIFICATION OF TRAFFICKING VICTIMS

### B.1 Concerning the legal framework and procedures for identifying trafficking victims

Number	Indicator	Possible sources	Note
<b>B.a</b>	The legal framework is appropriate for ensuring the rapid and accurate identification of victims of trafficking in human beings.		This is a framework indicator and can be answered through the analysis of all 6 sub-indicators listed below.
<b>B.1</b>	The legal framework makes it clear which authority/authorities are entitled to formally identify someone in the country (or returning there) as a “victim of trafficking in human beings”.	Law; Official Gazette; Criminal Procedure Code; official documents such as Standard Operating Procedures used by police or others	
<b>B.2</b>	There are written procedures and guidelines on victim identification, which are developed and are expected to be known and used by all those involved in the detection, detention, reception and processing of irregular migrants, as well as by all those involved in the identification of possible trafficking victims or in supporting victims.	Standard Operating Procedures or other procedures formally adopted by the National Referral Mechanism or ‘competent authority’ responsible for formally identifying victims (e.g. police)	Written procedures or guidelines should be subjected to a ‘quality assessment’ to check (i) whether they conform to international standards and accepted good practice, e.g. as summarised in the OSCE ODIHR Handbook on National Referral Mechanisms, and (ii) whether they are reviewed and amended regularly (at least once since originally adopted). Note date when originally adopted and when last known to have been updated.
<b>B.3</b>	As a minimum response, the identification procedures consist of the cumulative assessment of two different ‘sources’ of information: (i) the results obtained through application of trafficking identification indicators prior to interview and (ii) the responses of the suspected victim during the course of structured interviews.	Standard Operating Procedures or other formal procedures for identifying victims; information shared by police responsible for investigating trafficking cases	On ‘trafficking identification indicators’, see the row immediately below.
<b>B.4</b>	Legislation or other policy documents make it clear that the competent authorities are to take account of specific indicators concerning the various forms of coercion and exploitation experienced by trafficked persons.	Official documents; Standard Operating Procedures or other procedures formally adopted by the National Referral Mechanism or police	This refers to the indicators that the authorities responsible for identification in some states are required to use or cite when identifying trafficked persons (e.g. ILO Operational Indicators of Trafficking in Human Beings).

Number	Indicator	Possible sources	Note
B.5	Publicly available indicators are based on international good practice.		The European Commission's 2007 draft paper on identification (Recommendations On Identification And Referral To Services Of Victims Of Trafficking In Human Beings) mentioned 'retention of identity documents,' 'debt bondage' and 'withholding of wages' as possible indicators. The Commission subsequently published, jointly with the ILO, Operational indicators of trafficking in human beings (2009), listing four sets of operational indicators for adult and child victims of trafficking for labour and sexual exploitation (67 in total).
B.6	The legal framework provides a clear and accessible procedure for anyone who feels entitled to be recognised as a victim of trafficking, but who has not been, to complain and to seek a reversal of an administrative or court decision made about their status as a trafficking victim.	Standard Operating Procedures or other formal procedures for identifying victims; Code of Criminal Procedure or other legal code.	N/A

## C . PROVISIONS IN THE LAW FOR THE PROTECTION OF VICTIMS OF TRAFFICKING

### C.1 Protection for all victims

Number	Indicator	Possible sources	Note
C.a	The legal framework provides victims of trafficking in human beings with protection and support, i.e. victims of transnational crime, those trafficked within a country and those returning to their country of origin, including a right of access to remedies.	Law; Official Gazette; Criminal Code; Official documents	This is a framework indicator and can be answered through the analysis of all 26 sub-indicators listed below.
C.1	The legal framework provides a clear definition of “victim of trafficking in human beings”.	Law; Official Gazette; Criminal Code	N/A
C.2	Legislation provides a clear definition of “presumed victim” or “potential” or “suspected” victim of trafficking in human beings; or legislation or another policy document specifies clear criteria for the relevant authorities to use when assessing whether there are reasonable grounds to believe that a particular person has been victim of trafficking in human beings.	Law; Official Gazette; Criminal Code; official documents (to be obtained, if necessary, under a Freedom of Information law)	The OSCE ODIHR Handbook on National Referral Mechanisms explains that, “Because victims of trafficking are often reluctant initially to identify themselves as such, the term ‘presumed trafficked persons’ is generally used to describe persons who are likely to be victims of trafficking and who should therefore come under the general scope of anti-trafficking programmes and services”. The CoE Convention specifies that presumed or potential victims are entitled to certain minimum forms of assistance and that non nationals may not be removed from the territory.
C.3	The legal framework ensures that the identity of victims is protected from public disclosure.	Code of Criminal procedure; law concerning victims of crime	N/A
C.4	The legal framework provides victims of trafficking in persons with a right of access to remedies for the harm committed against them, including restitution and compensation.	Code of Criminal procedure; law concerning victims of crime	N/A
C.5	The legal framework provides for a recovery and reflection period of a minimum of 30 days to presumed victims of trafficking (whether nationals or non- nationals).	Law; Official Gazette; Criminal Code	I.e. confirmation that legislative or administrative measures to offer a reflection period to presumed victims in place. This implies that a presumed victim of trafficking is entitled to a minimum period of recovery before being questioned by the police.

Number	Indicator	Possible sources	Note
			It does not imply that the police are not entitled to ask a presumed victim if she or he is ready to answer questions before the end of the reflection period.
C.6	The legal framework explicitly grants presumed victims entitlements to assistance and support measures during the recovery and reflection period.	Law; Official Gazette; Criminal Code	N/A
C.b	The legal framework provides specifically for victims (whether presumed or officially-recognised) to be given appropriate protection from potential retaliation and intimidation during and after investigation and prosecution of perpetrators.	Law; Official Gazette; Criminal Code; Official documents	This is also a framework indicator, which can be answered by assessing the sub-indicators below related to protection during and after criminal justice proceedings.
C.7	The legal framework foresees access of victims of trafficking to general witness protection schemes.	Law; Official Gazette; Criminal Code, Criminal Procedure Code; Official documents	This refers to general (and possibly minor) protection measures that are not covered by the subsequent sub-indicators. When major protection measures such as change of identity or residence are not envisaged or considered appropriate (by the authorities), are any other protection measures available?
C.8	The legal framework provides for the possibility for victims of trafficking to benefit from identity change.	Law; Official Gazette; Criminal Code; Official documents	N/A
C.9	The legal framework provides for the possibility for victims of trafficking to benefit from physical protection.	Law; Official Gazette; Criminal Code; Official documents	N/A
C.10	The legal framework provides for the possibility for victims of trafficking to benefit from relocation measures.	Law; Official Gazette; Criminal Code; Official documents	N/A
C.11	The legal framework provides for victim statements to be taken prior to trial and admitted as competent evidence at trial (under circumstances which protect the fundamental rights of the accused to receive a fair trial).	Law; Criminal Procedure Code.	
C.12	The legal framework provides for appropriate protection from potential retaliation and intimidation during and after investigation and prosecution of perpetrators for others (whether natural or legal persons) involved in victims' support, as witnesses or as relatives of victims.	Law; Official Gazette; Administrative Code; Administrative procedure Code; Official documents	'Others' might be relatives of victims or of witnesses, but also organisations providing assistance or support to victims.

## C.2 Special protection measures for children

Number	Indicator	Possible sources	Note
C.c	Child victims of trafficking are to be identified, protected and supported in full accordance with the 'best interests of the child' principle.		This is a framework indicator and can be answered through the analysis of the six sub-indicators listed below.
C.13	The legal framework provides for special protection measures for child victims aged under 18.	Government and department agencies, official websites, etc.	This indicator implies a simple desk research to identify the actual and accessible special protection measures available for child victims in a given country. It aims at establishing a listing of such services and requires judgement of CSO partners as to whether the services available meet the needs of child victims. Such judgement may in some cases require additional qualitative research to be undertaken.
C.14	The principle that the 'best interests of the child' is a primary consideration in all actions (and decisions) affecting a child is recognised in national law and formally integrated into the State's procedures and guidelines for protecting and assisting child victims of trafficking.	Law, including laws on child protection; Official Gazette; Criminal Code; government and CSO reports to the Committee on the Rights of the Child	This indicator requires the term "best interests of the child" to be mentioned and explained (or defined) in legislation and for a legal text or jurisprudence to stipulate that the best interests of a child or children must be a primary consideration (among other 'primary considerations') in actions and decisions affecting children.
C.15	The legal framework provides for any unaccompanied child who is a presumed victim to be represented by a legal guardian, organisation or authority.	Law; procedural rules on child protection or specific to unaccompanied children	Unaccompanied and separated children are generally understood to be foreign children. However, a child should also be regarded as unaccompanied if the whereabouts of their parent or legal guardian cannot be established or that person is unavailable to be involved in making decisions on behalf of the child.
C.16	The legal framework provides for any child who is a presumed victim to be assisted by a lawyer or legal advisor and for this advice to be free.	Law; procedural rules on child protection or specific to child victims of trafficking	I.e. the legal framework does not assume that a child victim may or may not want to seek legal advice.
C.17	The legal framework makes it clear that where there are any grounds to suspect that a child may be a victim of trafficking, that child is presumed to be a victim of trafficking pending formal confirmation and is accorded all the rights and protection due to a trafficked child.	Law; Official Gazette; Criminal Code; other procedural rules on child protection	N/A

Number	Indicator	Possible sources	Note
C.18	The legal framework makes it clear that where there are any grounds to suspect that a victim or presumed victim is under 18 years of age, that person is given the special protection measures to which children are entitled until such time as age is verified as being above 18 years.	Law; Official Gazette; Criminal Code; other procedural rules on child protection	N/A

### C.3 Protection of victims who are non-nationals (residence permits and return of victims), including children

Number	Indicator	Possible sources	Note
C.19	Non-nationals (as well as nationals) who are presumed victims of trafficking are entitled to a recovery and reflection period of a minimum of 30 days to victims of trafficking.	Law; Official Gazette; Criminal Procedure Code. Laws governing the status of foreigners	NB there is no framework indicator for section C.3
C.20	Legislation stipulates that foreign presumed victims are entitled to remain in the country (even if they have no prior legal residence status) or prohibits their removal from the country during the reflection period.	Law; Official Gazette; Criminal Procedure Code. Laws governing the status of foreigners	N/A
C.21	The legal framework provides for the possibility to grant a renewable residence permit to presumed victims (beyond the limit of any recovery period).	Law; Official Gazette; Laws governing the status of foreigners	Existence of regulations or guidelines concerning the issuance of residence permits.
C.22	The legal framework includes a guarantee of non-refoulement (repatriation of a refugee or a person facing the risk of torture in the country to which they are returned, including at the hands of criminals).	Law; Official Gazette; Official documents; bilateral agreements; agreement with the UNHCR (UN High Commissioner for Refugees)	
C.23	The legal framework foresees the establishment of formal assisted return (repatriation) programmes (involving relevant national or international institutions and non-governmental organisations), requiring the authorities to carry out a risk assessment before a presumed or officially-recognised trafficking victim is returned or moved to another country.	Law; Official Gazette; Official documents	See OSCE/ODIHR, Guiding Principles on Human Rights in the Return of Trafficked Persons, 2014.

Number	Indicator	Possible sources	Note
C.24	The legal framework provides that the best interests of the child should be considered in return processes following risks and security assessments.	Law; Official Gazette: Official documents/ procedures	N/A

#### C.4 Protection of nationals who have been trafficked abroad and subsequently returned to their own country

Number	Indicator	Possible sources	Note
C.25	Trafficked persons who have been identified in another country and who have returned to their country (either with or without assistance) have the same rights to protection and assistance as those identified in the country.	Standard Operating Procedures or other formal procedures for identifying victims	NB there is no framework indicator for C.4
C.26	Written procedures and guidelines on victim identification (see #B on 'identification' above) refer to victims returning from abroad, as well as those identified in the country itself.	See #B above	N/A
C.27	Existence of a mechanism to ensure that the trafficked person retains their health records when being repatriated to or from another country.	Bilateral 'return' agreements. Health professionals who have treated returnee victims	In such cases, protection of (confidential) personal data is also an issue.

## D . ASSISTANCE AND SUPPORT FOR VICTIMS

### D.1 Assistance in general

Number	Indicator	Possible sources	Note
D.a	The legal framework provides a comprehensive assistance framework for victims of trafficking, appropriate to their particular needs (e.g. taking into account gender, language, ethnicity and age).	Law; Official Gazette; Criminal Code; Official documents	This is a framework indicator and can be answered through the analysis of all 16 sub-indicators listed below.
D.1	The legal framework does not make initial assistance and support to presumed victims conditional on the victim's willingness to press charges or testify against any perpetrator/ suspected criminal.	Law; Official Gazette; Criminal Code	N/A
D.2	The government's treasury or ministry or department of finance makes money available to either government agencies or CSOs (or both) which is used to pay for assistance for trafficked persons, whether or not it is explicitly earmarked for them.	Government budget; information from organisations providing assistance to victims	This indicator is not intended to suggest whether the budgeted amount is sufficient or appropriate. It is intended to show whether the government itself takes any responsibility for paying the costs of assistance. If data is clear, it may be possible to assess whether the budgeted amounts are increasing or decreasing from year to year.
D.3	The legal framework specifies that presumed and officially-recognised victims are to be provided with information promptly after they are first provisionally identified, in particular concerning their legal rights and on relevant court and administrative proceedings, including compensation or damages, and also on the services available to them, in a language that they can understand.	Law; Official Gazette; Criminal Code; Criminal procedure code and other relevant codes	The Explanatory report of the CoE Convention explains (para. 160) that "The information [to be provided] deals with matters such as availability of protection and assistance arrangements, the various options open to the victim, the risks they run, the requirements for legalising their presence in the Party's territory, the various possible forms of legal redress, how the criminal-law system operates (including the consequences of an investigation or trial, the length of a trial, witnesses' duties, the possibilities of obtaining compensation from persons found guilty of offences or from other persons or entities, and the chances of a judgment's being properly enforced). The information and counselling should enable victims to evaluate their situation and make an informed choice from the various possibilities open to them".

Number	Indicator	Possible sources	Note
D.4	The legal framework specifies that presumed and officially-recognised victims are entitled to counselling in a language that they can understand.	Law; Official Gazette; Criminal Code; Criminal Procedure Code and other relevant codes	This refers both to foreign nationals who do not speak the country's language and also to nationals of the country who do not speak its main language(s) fluently.
D.5	The legal framework entitles victims (identified in the country or abroad) to free safe accommodation and subsistence for at least 30 days (i.e. paid for by the government).	Standard operating procedures or legal provisions on identification and protection of trafficking victims	I.e. from the time someone is identified as a presumed victim in the country, or from the moment a victim arrives back in the country from abroad.
D.6	The legal framework entitles victims identified in the country or abroad to free emergency medical treatment, including mental health treatment, for at least 30 days.	Law; Official Gazette; Official documents	In the case of victims returning to their country from abroad, this means checking that victims who have not paid social security contributions in the country are nevertheless entitled to free medical treatment.
D.7	The legal framework entitles victims to translation and interpretation services.	Law; Official Gazette; Official documents	N/A
D.8	Domestic legislative or policy framework entitles victims lawfully resident to access the labour market (and get a job).	Law; Official Gazette; Official documents; Labour Code	N/A
D.9	Domestic legislative or policy framework entitles victims lawfully resident to access vocational training.	Law; Official Gazette; Official documents; Labour Code	N/A

## D.2 Legal Assistance and Legal Aid

Number	Indicator	Possible sources	Note
D.b	The legal framework provides for the right to legal assistance for victims of trafficking (whether presumed or officially-recognised) in all relevant proceedings.		This is a framework indicator and can be answered through the analysis of the six sub-indicators listed below.
D.10	The legal framework entitles victims to free, independent and competent legal assistance during criminal proceedings.	Law; Official Gazette; Criminal Code; Criminal Procedure Code	Legal aid provided by the state can help meet the costs of legal advice, and representation in a court. It may not meet all the costs, in which case not all legal assistance can be considered to be free.
D.11	The legal framework entitles victims to legal assistance during civil proceedings.	Law; Official Gazette; Criminal Code; Civil Procedure Code	N/A

Number	Indicator	Possible sources	Note
D.12	The legal framework entitles victims to legal assistance during administrative proceedings.	Law; Official Gazette; Criminal Code; Administrative procedure Code	N/A
D.13	The legal framework provides for the right to free legal aid for victims of trafficking in criminal proceedings.	Law; Official Gazette; Criminal Code; Criminal Procedure Code; Official documents	N/A
D.14	The legal framework provides for the right to free legal aid for victims of trafficking in civil proceedings.	Law; Official Gazette; Civil Code; Civil Procedure Code; Official documents	N/A
D.15	The legal framework provides for the right to free legal aid for victims of trafficking in administrative proceedings.	Law; Official Gazette; Administrative Code; Administrative procedure Code; Official documents	N/A
D.16	The legal framework provides for the possibility of CSOs, non-governmental organisations or other foundations, groups, or associations to assist and support victims during criminal or civil proceedings with their consent.	Law; Official Gazette; Criminal Code; Official documents	N/A

## E. COMPENSATION AND LEGAL REDRESS

### E.1 Compensation and Legal Redress available according to the law

Number	Indicator	Possible source	Note
E.a	The legal framework provides victims of trafficking in human beings with a right of access to remedies for the harm committed against them, including restitution and compensation.		This is a framework indicator and can be answered through the analysis of all four sub-indicators listed below.
	<p>Note: Compensation and restitution involving monetary payments may come from quite different sources: from a convicted offender (ordered to pay damages, or unpaid wages, or compensation), either upon conviction or as a result of a separate civil action, or from a suspected trafficked who has not been convicted, but is ordered to make a payment as a result of a civil action; or from a quite different course, a compensation fund managed by the state, in which case payments may be made only to victims of convicted criminals, or in the absence of a conviction. The draft UN basic principles on the right to an effective remedy for trafficked persons call on States to,</p> <p>“(a) Ensure that laws, mechanisms and procedures are in place to enable trafficked persons, if they desire, to:</p> <ul style="list-style-type: none"> <li>(i) Obtain civil damages for trafficking-related offences, including breaches of labour laws;</li> <li>(ii) Secure awards or orders from criminal courts for compensation from persons convicted of trafficking-related offences;</li> <li>(iii) Gain access to compensation from the State for injuries and damages” (UN document A/HRC/17/35, 13 April 2011).</li> </ul> <p>Indicators should be checked for each of these three potential sources.</p>		
E.1	Legislation provides for the right of victims to receive compensation or damages from the perpetrators.	Law; Official Gazette; Criminal Code; Official documents	N/A
E.2	The government has set up a general compensation fund to pay compensation to victims of crime, to which trafficking victims may have access upon the conviction of the person accused of trafficking them, whether or not the victim is resident in the country.	Law; Official Gazette; Criminal Code; Official documents	Such a fund is accessible to individuals who have been trafficked internally, within the country, and also to both nationals and non-nationals trafficked in the country or into or out of the country. It need not be accessible to nationals who have been trafficked while living in another country, who should be able, in principle, to request compensation in the state where they were trafficked or exploited.
E.3	The government has set up a specific compensation fund to make payments to victims of trafficking, whether or not the person suspected of trafficking them is prosecuted or convicted.	Law; Official Gazette; Criminal Code; Official documents	A fund to be accessed by similar individuals to those mentioned above, but without requiring a criminal to have been convicted.
E.4	Legislation does not require victims who have been involved in a criminal trial (as victims of the crime or victim-witnesses) to initiate new procedures to claim compensation (i.e. criminal proceedings routinely involve claims for damages or compensation, rather than requiring victims to lodge separate claims).	Law; Official Gazette; Criminal Code; Official documents	This indicator does not prejudice which system is best. It however allows stakeholders in charge of monitoring to assess the difference between countries on what system is more efficient in the event that the initiation of new proceedings is both heavy and lengthy for the victims.

## F. INSTITUTIONAL FRAMEWORK, INCLUDING COORDINATION, CAPACITY AND INTERNATIONAL COOPERATION

### F.1 The Institutional Framework established by law

Number	Indicator	Possible source	Note
F.a	The country's anti-trafficking institutional and policy framework and structures are appropriate, sufficient resources are allocated by the government to ensure these function effectively (including sufficiently well-trained staff), and appropriate agreements have been reached with other states to ensure effective mutual legal assistance in human trafficking cases.		This is a framework indicator and can be answered through the analysis of all 11 sub-indicators listed below.
F.1	The anti-trafficking institutional and policy framework includes a National Referral Mechanism (on trafficking in human beings) or a similar institution performing the functions either of coordinating institutional roles (in responding to trafficking cases or providing services to trafficking victims) or the referral of presumed victims by one organisation to another (or both).	Law; Official Gazette; Official documents; Standard operating procedures or other policy documents concerning identification of victims	It does not have to be called a National Referral Mechanism. However, the state may have an institution called a National Referral Mechanism which does not perform either of the two essential functions. NB the two separate functions are described in the OSCE-ODIHR National Referral Mechanism Handbook (2004).
F.2	Availability of formal cooperation agreements, frameworks or other type of policy frameworks between some or all relevant government institutions to prevent and combat trafficking in human beings and protect its victims	Law; Official Gazette; Official documents	Examples of organisations likely to be involved include Police, Health services, Shelters, Guardians, Social Services, Border Police, Judiciary, and Educational institutions.
F.3	Availability of formal cooperation agreements or other frameworks for cooperation between some CSOs providing services to trafficking victims and one or more relevant government institutions, either governing information about trafficking victims or concerning the referral of victims.	Services concerned confirm the existence of an agreement (likely to be confidential)	N/A
F.4	The government or legal framework has established an independent National Rapporteur on Trafficking in Human Beings or equivalent post and someone has been appointed to this post.	Law; Official Gazette; Official documents	'Independent' means that the office holder has her/his own budget, collects information as she or he deems appropriate and presents conclusions and recommendations to a government ministry or the government as a whole, or the national assembly, without being accountable to a government minister

Number	Indicator	Possible source	Note
			as a line manager. If a National Rapporteur has been appointed but it not independent, note this.
F.5	Law enforcement capacity includes a specialist anti-trafficking investigation unit (a specialist unit) with an appropriate mandate and powers to investigate trafficking effectively.		A simple yes or no (whether there is a specialist anti-trafficking investigation unit or not). Note if there is not such a specialist unit but if there is nevertheless some specialist investigative police expertise when a trafficking offence is suspected.
F.6	A specialist law enforcement (police) anti-trafficking unit is specifically included in annual budget calculations as a separate budget allocation item.	National budget of government; budget of police service	N/A
F.7	Specially trained and nominated prosecutors deal with trafficking cases and provide support to non-specialist colleagues as required.	Oral information from Prosecutor's Office	A simple yes or no (whether there are any specialist anti-trafficking prosecutors or not). Note if there no prosecutors are formally categorised as such, but if one or more prosecutors are nevertheless known to specialised in prosecutions of trafficking offences.
F.8	Total number of bilateral treaties concluded with other states by the end of the period under review (i.e. including those concluded in previous years and still in force), relating to combating trafficking in human beings and protection of its victims.	Government departments (Ministry of Foreign Affairs)	This indicator aims to show the extent of (potential) legal cooperation with other states. One second and subsequent monitoring exercises, a comparison will show if any new treaties have been concluded. Any bilateral agreements may be included which relate specifically to human trafficking or trafficking victims, but agreements which concern returns of migrants in general, including trafficking victims, should not be counted if they include no specific provisions to protect the victims.
F.9	The country's law provides for the possibility of investigating a trafficking case in the country being monitored, when the offence was committed on its territory, but the complaint was registered in the country of residence of a foreign trafficking victim.	Code of Criminal Procedure; Oral information from specialist anti-trafficking police	This would denote a certain degree of extraterritoriality.
F.10	Number of agreements with other states by the end of the period under review (i.e. including those concluded in previous years and still in force), relating to the protection of victims, witnesses and collaborators with the judicial authorities.	State institutions and agencies	This indicator is a simple number and does not involve any calculation.

Number	Indicator	Possible source	Note
F.11	Availability of a compulsory module about human trafficking in the university or professional curriculum of social workers.	Social services Universities Institutes Academies Professional bodies	This indicator aims to ascertain the existence of compulsory specialised human trafficking modules. Further insight may be provided by monitoring agents by making judgements on the quality of such modules.

## G. DATA AVAILABILITY, DATA PROTECTION AND PROTECTION OF PRIVATE LIFE

### G.1 Laws and policies surrounding data and protection of privacy

Number	Indicator	Possible source	Note
G.a	Personal data concerning presumed or officially-recognised victims of trafficking is stored and used in conformity with the conditions provided for by the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (1981).		This is a framework indicator and can be answered through the analysis of all nine sub-indicators listed below.
	<p>Note: The basis for all European data protection instruments is Article 8 of the 1950 European Convention on Human Rights: the right to respect for private and family life. Article 8 prevents public authorities from interfering with the private life of citizens unless certain conditions have been met. The CoE Trafficking Convention specifies in article 11 that "Each Party shall protect the private life and identity of victims. Personal data regarding them shall be stored and used in conformity with the conditions provided for by the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108)". The Explanatory Report to the Convention notes: "Convention No.108 provides, in particular, that personal data are to be stored only for specified lawful purposes and are not to be used in any way incompatible with those purposes. It also provides that such data are not to be stored in any form allowing identification of the data subject or for any longer than is necessary for the purposes for which the data are recorded and stored. Convention No.108 likewise makes it compulsory to take appropriate security measures preventing unauthorised access to and alteration or disclosure of data. It should be noted that under Article 11(1) Parties must comply, as regards personal data of trafficking victims, with the requirements laid down in Convention No.108 regardless of whether they have ratified it."</p>		
G.1	The country has data protection legislation.	Law.	The European Union's Data Protection Directive 95/46/EC (1995) requires that each EU Member State enacts laws to govern the processing of personal data satisfying certain minimum standards as laid down in the Directive. It does not cover the area of police and judicial cooperation in criminal matters, but does cover other areas, such as data recorded by CSOs/NGOs or shared with the media.
G.2	The country has a data protection authority (DPA).	Law. Statutory instruments.	The establishment of a national Data Protection Authority (DPA) is required by the EU Directive 95/46/EC.
G.3	There are written procedures and guidelines on victim identification, which contain a provision on the protection of the personal data of victims of trafficking (presumed or officially-recognised).	See indicator B.2 above.	'Personal data' means any information relating to an identified or identifiable individual ('data subject'). Data is considered personal when it enables anyone to link information to a specific person, even if the person or body holding the data cannot make that.

Number	Indicator	Possible source	Note
			link. That means any information that identifies or can lead to the identification of one person (data subject) from other people constitutes 'personal data'. The purpose of data protection is to protect the individual about whom data are processed. This is achieved through a combination of rights for the individual (called 'data subject' in data protection language) and obligations for those who process data (the 'data processor') or exercise control over such processing (the 'data controller') (see Roth et al, 2015).
G.4	Specific measures are in place to ensure that the identity of any trafficking victim is not revealed to the media.	State procedures or guidelines on identification; internal data protection regulations in any organisation in contact with presumed trafficking victims (children and adults)	Either the written procedures on victim identification or other policies or protocols mention explicitly the need to avoid the identity of trafficking victims being made known publicly. Check in particular whether such procedures prevent the identity of victims being revealed during any court trial, and if so to whom. Defendants and their legal advisors are usually entitled to know the identity of an adult or child who is presenting evidence against them. Is this the case? If so, is any procedure in place to prevent them from sharing this information with others, including journalists?
G.5	Criminal penalties can be imposed for publicly revealing information that leads to the identification of trafficking victims by the media or others.	Criminal Code	Article 11.3 of the CoE Convention requires States Parties to "consider adopting, in accordance with Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms as interpreted by the European Court of Human Rights, measures aimed at encouraging the media to protect the private life and identity of victims through self-regulation or through regulatory or co-regulatory measures".
G.6	Measures have been identified to protect the identity of victim-witnesses considered to be in need of such protection and are available to be used in the course of court proceedings.	Criminal Procedure Code; training materials for court officials; observation of trials	N/A
G.7	Police or other officials are required to give victims of trafficking information on both the right to the protection of personal data and on the procedures to be followed in order to effectively exercise this right.	Law; Official Gazette; Criminal Code; Criminal procedure code and other relevant codes; Standard Operating Procedures	This is a similar indicator to one mentioned in D.3 on the protection of trafficking victims.

Number	Indicator	Possible source	Note
G.8	CSO counselling centres may not be forced to provide data of their clients to governmental stakeholders or any other third party.	NGOs providing support or assistance to victims.	N/A
G.9	Personal data recorded by CSO service providers is encoded with an acronym or identification code.	NGOs providing support or assistance to victims.	N/A

# PART 2: MONITORING AND EVALUATING THE OUTCOMES OF NATIONAL ANTI-TRAFFICKING FRAMEWORKS

## SECTION 2.1: GUIDANCE ON MONITORING AND EVALUATING THE OUTCOMES OF NATIONAL ANTI-TRAFFICKING FRAMEWORKS

This section offers various insights into how best to use the indicators listed in Part 2 and how systematic their monitoring has to be. First, it presents different monitoring and evaluation (M&E) systems. It continues with a short description of the indicators, how to refine them and what are the best ways to document the M&E process, assigning roles and responsibilities and drawing up operational plans. This part of the Handbook also addresses issues relating to the source(s) of data. It concludes by describing different types of monitoring structures.

43

### **Topic 1: Monitoring and evaluating a Project compared with monitoring and evaluating a general anti-trafficking system**

Monitoring and evaluation (M&E) is the process by which data are collected, analysed and presented in order to provide information to programme and project managers, policy-makers and others interested in the progress and results of the implementation and effectiveness of laws, policies and programmes. A distinction should be made between M&E of projects, and M&E of systems and institutions. Project M&E seeks to identify the change in the performance, attitudes, or behaviour of target institutions, systems and groups resulting from a specific intervention. The reference frame for Project M&E is provided by the project's objectives and expected results. This type of M&E is 'finite' – it ends when the project ends, or soon after the intervention ends. While Project M&E may be incorporated into a wider M&E system, it is common for Project M&E structures to be fragmented, resulting in their closure when the project is completed, limiting the extent to which lessons can be learnt from the project and the way it was designed, managed or implemented.

In contrast, this Handbook addresses the question of how anti-trafficking systems, structures and institutions should be monitored and evaluated in a generic way. In other words, it is not linked to a specific anti-trafficking project or programme: it suggests ways to monitor and evaluate a country's anti-trafficking system anywhere, not just in South East Europe. The reference framework for monitoring anti-trafficking systems concerns the obligations and responsibilities of state and non-state actors, as established in national laws and regulations and international and regional conventions.

## Topic 2: Indicators

For each of the policy areas covered by international instruments that are listed in the Annex 1, the Handbook provides:

- One or more indicators;
- Possible sources of monitoring data;
- Notes (in some cases);
- The suggested calculation method (in cases where a calculation is required).

The Handbook is not intended as a blueprint. Indeed, this would be problematic, given the different issues, structures, actors, legislation, procedures, and available sources of data in each country. Moreover, the Handbook consists of approximately 300 indicators and it is unlikely that the resources or data exist to monitor all of these in a systematic way. Rather, it is intended as a starting point for monitors in each country, and it is envisaged that it will be refined and reduced to address the key issues in each country, the available resources, and the availability of data.

Once the relevant indicators have been selected and refined, it is good practice to document the required monitoring actions for each indicator, to assign named staff to specific actions, and to specify deadlines for each action.

A basic requirement of the Handbook is the availability of reliable and complete official data providing the number of victims during any given period, disaggregated by age and gender.

In addition to this basic data, indicators require specific secondary data in order to calculate the percentage of victims affected, such as the number of victims whose data has been publicly disclosed during the reporting period as percentage of all victims.

In Part 2, there are several general types of indicator:

- Indicators requiring a simple calculation, for example to calculate the percentage of victims whose identity has been disclosed;
- Indicators requiring only a number without any calculation, for example the number of meetings of formal coordination structures;
- Indicators requiring a simple 'Yes' or 'No' answer, in which case the column about 'calculations' mentions the implications of the two answers.

The Handbook does not suggest what is an 'acceptable' or 'unacceptable' statistic. In applying the indicators developed in Part 2, monitors have to make judgements about the significance of the statistics they learn about, taking into account the context specific to each country, and trends from one period to the next. The issue of gender balance is an example of such a judgement: disaggregated statistics may provide information about the number of male and female victims affected by different issues covered in the Handbook, however, on the basis of the statistics alone, it is not possible to state categorically that there is gender balance or gender discrimination. This requires judgments to be made about whether the number of male and female victims affected reflects what you know to be the overall gender distribution of victims.

A number of indicators aim to track whether something is done within a specified time. In these cases, the Handbook does not specify the time. What is considered acceptable in each case may vary between countries. Instead, it uses the notation '...within [time]...' to indicate that stakeholders should specify the time limit.

### **Topic 3: Definition of a 'victim of trafficking'**

It is often unclear what statistics or other information referring to people described as "victims of trafficking" mean precisely, in particular whether they refer to:

1. individuals who have been provisionally identified as 'potential' or

‘presumed’ victims as there are reasonable grounds to believe that they have been trafficked; or

2. Individuals who have been more definitively and officially identified as victims by a police or other government agency or by a court.

For the purposes of this Handbook, unless otherwise stated, information on the numbers and other details about victims should be disaggregated, if possible, between these two categories:

1. Category 1 = ‘presumed’ or ‘potential’ victims;
2. Category 2 = ‘officially-recognised’ or ‘formally identified’ victims.

If it is not clear to monitors whether some particular information refers to presumed victims or officially-recognised victims, the term ‘generic victims’ can be used to indicate this lack of clarity. In both cases, however, indicators are intended to assess how many people have been regarded as presumed or officially-recognised victims by state agencies, so it is important not to add in information available to CSOs about other people who are known to CSOs and regarded by them as victims, but not by any state agency.

The Handbook also includes references to people who have been trafficked but who have not been identified by any official procedure, and to people who have had some experience which suggests they may have been trafficked. In both cases these are referred to as “non-identified victims”. The estimates of people in this category are referred to as “grey numbers”.

This definition of victim clearly omits some people whom monitoring organisations and other stakeholders believe to have been wrongly classified by the relevant authorities as ‘non-victims’ of traffickers. However, it is important for credibility, consistency, and comparability that your monitoring report uses official statistics, since there are variations in the way in which different actors, including NGOs, define ‘victim’.

This is not to suggest that unidentified victims should be overlooked when compiling your report. Section B.3 in Part 2 focuses on ‘Disputed identification and people categorised inappropriately as not trafficked’ and is intended to enable monitoring organisations to collect information that may allow them to

reach conclusions about 'grey' numbers of unidentified victims. Indeed, the mere fact that people who have been trafficked are not identified or do not receive assistance could be regarded as an indicator of significant weaknesses in the anti-trafficking system. This should be noted in connection with other relevant indicators to highlight the fact that official statistics may not fully reflect problems in the system, because the overall number of victims is under-reported.

#### Topic 4: Reporting period

Monitors will need to decide on the length of the reporting period (e.g. monthly, quarterly, semi-annually, or annually) and the frequency of reporting (i.e. how often a monitoring exercise is repeated and reports published). Section 2.2 refers to the "period under review", leaving monitors to decide the length of time. Previous monitoring reports by intergovernmental, governmental or non-governmental organisations have generally reported on a specific **twelve-month period**. Some are repeated every year. However, changes may be more apparent if monitoring occurs more seldom, enabling monitors (for example) to compare the situation in 2012 with the situation five years later, in 2017.

Monitoring will be affected by the availability of data and the availability of resources for monitoring and reporting. For example, a CSO may be able to tell you at the start of the calendar year precisely how many people it assisted during the previous calendar year. However, government offices may take a year or longer to compile statistics. So, an organisation intending in April 2010 to monitor what happened in its country in 2009 quickly found out that government sources were about to publish statistics (how many people had been identified at 'trafficked') for 2008, meaning that some essential information about 2009 was not going to be available until 2011! This led the monitoring organisation to decide to collect information (in 2010) about 2008 instead of 2009. However, some NGOs providing assistance to people who had been trafficked found it difficult to locate their own records about what had happened two years earlier, in 2008!

Some data will be available only annually, while other data will be available more frequently. Even where statistics are available more frequently, there may be reasons for not reporting on it more frequently, for example because seasonal fluctuations distort the picture. On the other hand, even where this is a factor,

comparing the same period/season from year to year does provide important insight into trends. Where data are available only annually, they may nevertheless be disaggregated by month, allowing for reporting on indicators by periods of less than year (e.g. by month).

More frequent reporting and/or a shorter reporting period may be constrained by a lack of resources for monitoring and reporting.

### **Topic 5: Calculations to be made by Monitors**

Section 2.2 contains indicators that are simple numbers (e.g. “number of people arrested” during the period under review). The right-hand column also suggests a series of calculations that will reveal percentages (%) or proportions that are being achieved (e.g. “% of people arrested who were brought to trial”). In many (but not all) cases, the implication is that the percentage should be as near to 100% as possible for the proportion to be judged satisfactory. However, in a few cases this is not the case. Either way, calculations are required to reveal percentages which monitors can interpret and comment on when preparing a report for publication. Further, if the same calculation is repeated a year or more later, concerning a subsequent review period, the results for different reviews can be compared, to indicate if both absolute numbers and percentages have changed. As Topic 6 suggests, ultimately it is up to monitors to make an assessment or comment on what absolute numbers and percentages signify.

### **Topic 6: Assessments to be made by Monitors**

Making a subjective assessment during a monitoring exercise is a process of ‘interpreting’ a piece of data, taking account of the context and applying knowledge and experience in order to reach a conclusion (e.g. whether the data represents an improvement or a deterioration in comparison to the situation in the past). For example, an increase in the number of prosecutions for trafficking-related offences may reflect different causes and trends, such as changes in the level of trafficking activity, and changes in detection and prosecution rates. Table 1 lists 14 possible scenarios that could fit with an increase in the number of prosecutions from one reporting period to the next.

**Table 1 Possible scenarios for explaining an increase in prosecutions**

	Trafficking activity	Detection rates	Prosecution rates
Scenario 1	Increase	Increase	Increase
Scenario 2	Increase	No change	No change
Scenario 3	Increase	Decrease	No change
Scenario 4	Increase	Decrease	Increase
Scenario 5	No change	Increase	Increase
Scenario 6	No change	No change	Increase
Scenario 7	No change	Increase	No change
Scenario 8	No change	Decrease	Increase
Scenario 9	No change	Increase	Decrease
Scenario 10	Decrease	Increase	Increase
Scenario 11	Decrease	No change	Increase
Scenario 12	Decrease	Increase	No change
Scenario 13	Decrease	Decrease	Increase
Scenario 14	Decrease	Increase	Decrease

49

An assessment has to be made about what an increase in prosecution numbers means in practice and what its causes may have been. As suggested in this table, it may conceal deterioration in the performance of one or more parts of the anti-trafficking system, or it may reflect improvements. In order to make such an assessment, the context (i.e. relevant associated factors and trends) must be understood, and knowledge and experience must be applied to ‘interpret’ the data that has been collected. It is possible that two experts may make assessments that lead to two different conclusions because they assign more or less importance to different factors, or because they have access to different types of information. Moreover, their experiences may lead them to interpret the same information differently.

**Topic 7: Sources of data**

The Handbook provides suggestions on possible sources of data and the column marked ‘Sources’ should be regarded as a suggestion (about where suitable

data may be obtained) rather than a requirement. Since the sources of available data vary between countries, the actual sources used will have to be decided by monitors on a country-by-country basis. Access to data will depend, among other things, on:

- The type of statistics that are already collected by different bodies and their willingness to share them;
- The resources available to collect data that is not readily available.

It is likely that these considerations will rule out your using many indicators during a first round of monitoring, although what is considered feasible will vary between countries. An important outcome of this is that stakeholders will identify clearly where there are important data gaps, what needs to be done to fill them, and whether or not it is feasible fill the gaps.

Some data should have already been collected by the authorities (although whether or not monitors can have access to such data is another question) e.g.:

- Police;
- Investigators;
- Courts;
- Social services.

Other data will need to be collected by the monitors themselves. Examples include:

- Monitoring of the media as a source of:
  - › Information about complaints or disputes concerning the way the authorities have treated a victim;
  - › Disclosure of victims' identity by the media, and related sanctions.
- Collecting data from other CSOs, e.g.:
  - › Through requests for statistics;
  - › Surveys, which may cover qualitative and quantitative information;
  - › Focus group meetings to identify general perceptions regarding key indicators.
- Feedback from people who have been trafficked (adults or children) and who have some relevant experience of the country's systems for providing protection or assistance to trafficking victims (including the experience of not being identified or not being assisted). In most cases feedback from trafficked persons could come from their legal advisors or from the CSOs

providing them with services and assistance. However, there have also been various exercises to collect feedback from trafficking victims in a systematic and objective way, while avoiding retraumatising them in any way;<sup>4</sup>

- Surveys of relevant public bodies and agencies;
- Anonymous public surveys.

A CSO that is involved in collecting data for M&E purposes generally already possesses a considerable amount of relevant data as a result of its contacts with individuals who have been trafficked. It is important that no personal data about individuals or their experiences should be used which could possibly identify the individuals who have provided the information. However, suitably anonymised data which include no personally identifiable characteristics can be shared with others.

Monitoring multiple media outlets can be very resource intensive if done manually. However, it can be done efficiently and at low cost using tools to automate the process once the outlets have been identified (e.g. web-scraping using open source Python frameworks).<sup>5</sup>

# 51

## Topic 8: Monitoring structures

Comprehensive monitoring of the implementation of anti-trafficking measures is likely to be complex and resource intensive for two main reasons:

- There are numerous indicators, reflecting the many provisions of international instruments and standards listed in Annex 1;
- In many cases, the relevant monitoring data will not be readily available, either because it is not currently collected, or because relevant bodies may be unable to provide data that they already possess, whether for legal reasons or due to a general reluctance to share the data.

This implies a need for coordination between stakeholders involved in monitoring, for example to:

<sup>4</sup> Several examples are available which describe the methods used to safeguard the privacy and well-being of the trafficked adults and children who provided information. E.g. (1) M. Dottridge. Young People's Voices on Child Trafficking: Experiences from South Eastern Europe. Innocenti Working Paper-2008-05. UNICEF Innocenti Research Centre. 2008. Available at: [http://www.unicef-irc.org/publications/pdf/iwp\\_2008\\_05.pdf](http://www.unicef-irc.org/publications/pdf/iwp_2008_05.pdf). (2) La Strada Moldova. The Impact of the Republic of Moldova Anti-Trafficking Policy on the Trafficked Persons' Rights. Chisinau, 2013. (3) Global Alliance Against Traffic in Women (GAATW). Hacia una mayor rendición de cuentas/ responsabilidad; monitoreo participativo de iniciativas contra la trata de personas. Informe regional. (Towards better accountability: participative monitoring of initiatives against trafficking in persons. Latin American regional report). 2015, available at <http://gaatw.org/resources/publications> (including a summary in English).

<sup>5</sup> <http://docs.python-guide.org/en/latest/scenarios/scrape/>

- Avoid monitoring gaps;
- Avoid overlap or duplication of effort;
- Agree on monitoring roles and responsibilities
- Agree on a common approach to monitoring e.g.:
  - › Which indicators to track;
  - › Fine-tuning of specific indicators;
  - › Data collection methods;
  - › Reporting frequency;
  - › Common data exchange format, etc.
- Share the cost and effort involved in establishing and maintaining systems to collect, store, analyse, and disseminate monitoring information in a systematic manner.

A monitoring and evaluation system needs:

- Organisational structures with clearly defined roles and responsibilities;
- Documented rules and guidelines to support the application of common standards and approaches by different actors within and between countries;
- An strategy to ensure that maximum effectiveness is made of the information collected during a monitoring exercise and the comments that are made about the implications of this information, e.g. when publishing a report or presenting an unpublished version to policy-makers;
- An operational plan;
- Resources (experts, money, IT, and other infrastructure);
- A mechanism to assess the effectiveness and impact of monitoring and evaluation, and to help refine and adjust the system where necessary.

### **Topic 9: Preparing a report for publication on the basis of monitoring data**

While analysing the data you have collected (the information related to each framework indicator and sub-indicator listed in the Handbook) and drafting a report, you need to focus on the Framework indicator', for each of these summarises the standard that States are expected to meet – on a total of 24 issues.

To help you visualise your results, the Handbook is accompanied with a specially designed software. If for any reason you have difficulty in using this, please note

that it is helpful to visualise your results by including them in a table format (either in a spreadsheet format such as EXCEL or a word-processing format, such as WORD) alongside the indicators themselves and the other columns in the Handbook. In both EXCEL and WORD formats it is possible to add extra columns on screen (even if the text becomes too wide to print easily). Extra columns can be used to add the following information:

- Your conclusion about whether the standard in each indicator is being met or not (sometimes a Yes/No answer, particularly for Section 1.2 on compliance with international standards) or the other key information required to measure an indicator.
- The monitor's own observations, either about the quality of the data that has been recorded or about a conclusion that you can reach on the basis of the data obtained. Different colour fonts can be used on screen to denote different things:(e.g. green text can be used to note that the answer is unclear or, in your opinion, possibly inaccurate; and red text can be used to denote a particularly interesting finding).
- If it is clear that the standard required by an indicator in Section 1.2 (compliance with international standards) is not met, it may be helpful to add an extra column to note in what ways the State does not yet comply with the indicator<sup>6</sup>.<sup>[1]</sup> This, in turn, should suggest what recommendation to include in the monitoring report about the action required by the State to comply with the standard.

53

The analysis of data is the process of 'interpreting' data, requiring monitors to take account of the context and to using their own knowledge and experience (or that of their colleagues) to reach a conclusion about the significance of the data (e.g. whether particular numbers represent an improvement or a deterioration in comparison to a previous year). An analysis must be objective and based on the evidence collected: monitors should focus on the information collected (about each indicator), rather than what they knew about a particular issue before the monitoring exercise.

For example, an increase in the number of prosecutions for trafficking-related offences may reflect different causes and trends, such as changes in the level

<sup>6</sup> With 23 indicators linked to the first Framework Indicator about the national anti-trafficking framework, it is unlikely that monitors will find a State to be compliant with all 23 indicators, at least in the first occasion that they monitor compliance. For the purposes of a report, monitors need to say whether the State complies with most of the indicators (but fails on some specific requirements, such as A.9 on forced marriage) or whether the State complies with relatively few of the indicators.

of trafficking activity, and changes in detection and prosecution rates. An assessment has to be made about what an increase in prosecution numbers means in practice: it may conceal deterioration in the performance of one or more parts of the anti-trafficking system, or it may reflect improvements.

A final report should be structured around the topics listed in the Handbook (or less, if only some have been monitored). Whereas the Handbook is divided into two sections (section 1.2 concerning information about compliance, which does not vary much from year to year, and section 2.2 concerning information on what happened over a specified period), a report for publication is likely to be clearer if it presents all the information collected on each topic together, dividing each topic into several parts by referring to the Framework Indicators as sub-headings (some of which refer to compliance with regional and international standards, while others report on the actions taken to implement anti-trafficking laws, policies and regulations). Within each topic, use sub-sections to distinguish the different parts. When information on the same sub-topic has been collected on both part 1 and part 2, try and keep this together, e.g. all the sub-sections reporting on the protection of children who have been trafficked.

# SECTION 2.2: INDICATORS TO MONITOR AND EVALUATE THE OUTCOMES OF NATIONAL ANTI-TRAFFICKING FRAMEWORKS DURING A SPECIFIC PERIOD OF TIME

## A. THE LAW AND THE LEGAL FRAMEWORK: INVESTIGATIONS AND PROSECUTIONS OF TRAFFICKERS

### A.2 General information on investigations and prosecutions

Number	Indicator	Possible sources	Note	Calculation
A.b	Trafficking cases were prosecuted and adjudicated (judged) fairly in accordance with international criminal justice standards.		This is a framework indicator and can be answered through the analysis of all 21 sub-indicators listed below.	NB This framework indicator should enable monitors to conclude whether the State has acted with 'due diligence' in prosecuting trafficking cases in a particular period.
A.24	Trials of suspected traffickers respected internationally-recognised standards for fair trials.	Observation of trials or reports by trial observers. Media reports	These standards are not detailed here and may be beyond the capacity of monitors of anti-trafficking responses to assess.	
	<p>Note: Article 14(3) of the International Covenant on Civil and Political Rights contains a summary of minimum standards for a fair trial, indicating that, in the determination of any criminal charges, all accused persons have and enjoy the right to be:</p> <ul style="list-style-type: none"> <li>• Informed promptly and in detail of the nature and cause of the charge against him/her</li> <li>• Given adequate time and facilities for preparation of defence and to communicate in private with counsel of his/her choosing</li> <li>• Tried without undue delay</li> <li>• Tried in his/her presence</li> <li>• Provided legal assistance where required by interests of justice</li> <li>• Able to examine or have examined the witnesses against him/her and to obtain the attendance and examination of witnesses on his/her behalf under the same conditions as witnesses against him/her</li> <li>• Provided services of an interpreter if required</li> <li>• Not compelled to testify against him or herself or to confess guilt</li> </ul>			
A.25	There were compelling reasons to suspect that one or more public official was involved in trafficking human beings or was an accomplice to traffickers in some way.	Only to be noted if a public official was brought to trial or on the basis of media reports or such information provided in a published report (including the	I.e. Not an indicator on trials or legal procedures, but basic information required to assess if the legal system was able to respond if and when public officials were	Relevant in assessing whether an indicator in A.55 (convictions of public officials) is relevant.

Number	Indicator	Possible sources	Note	Calculation
		US Department of State annual Trafficking in Persons report)	suspected of complicity with traffickers. NB Monitors should not use information provided by trafficking victims to assess this, as this might place them at risk.	
A.26	Trials of suspected traffickers respected the rights of victims and witnesses.	Observation of trials and feedback from victim-witnesses or their legal advisors	This is also a general indicator (though not a framework one such as A.b) on an analysis of the other sub-indicators below concerning victims.	
<b>A.2.a The Investigation Stage (investigations by law enforcement officials)</b>				
A.27	Confirmation that police did not engage in general 'round ups' of sex workers, while justifying these as operations to assist trafficking victims.	Feed-back from trafficking victims to organisations providing support to them; information from organisations representing sex workers or providing services to them	General allegations that law enforcement officials engage in such round-ups are likely to be known to organisations providing specialist support to trafficking victims. Objective evidence should be sought to support any allegations.	
A.28	Confirmation that anti-trafficking investigators used the legal and supervised application of financial investigation powers and pursuit of assets confiscation orders in appropriate cases.	Published report from specialist investigators or National Rapporteur; or evidence presented during trials noted in media or during trial observations	N/A	
A.29	Quality of interviews of presumed victims by special anti-trafficking investigators (not general frontline police) met international 'good practice' standards.	Feed-back from trafficking victims to organisations providing support to them (systematic interviews to collect feed-back or more anecdotal information provided by victims to staff responsible for their care)	Minimum standards <sup>7</sup> to check in relation to interviews include: Victim-witnesses not questioned aggressively or too early, during a 'reflection period'; Victim-witnesses report feeling safe during interviews, not	

<sup>7</sup> Appropriate minimum standards can be found in: M. Rădulescu and P. Holmes, Best practice. Law enforcement manual for fighting against trafficking of human beings. UNDP, Bucharest, 2003. Appropriate minimum standards for interviews with child victims are summarized in: Barbara Mitchels, "Let's Talk: Developing effective communication with child victims of abuse and human trafficking. A practical handbook for social workers, police and other professionals," the UN Administered Province of Kosovo, 2004 (accessed in 2015 at [http://www.childtrafficking.org/pdf/user/handbook\\_lets\\_talk\\_a5\\_eng.pdf](http://www.childtrafficking.org/pdf/user/handbook_lets_talk_a5_eng.pdf)).

Number	Indicator	Possible sources	Note	Calculation
			threatened; Victim-witnesses were not asked on repeated occasions to provide much the same information.	
A.30	Number of cases concerning trafficked persons who were newly identified in the period under review, where there was no investigation, or the investigation was stopped as a result of reluctance of a victim as a key witness to cooperate.	Information published by the authorities OR interviews with trafficking victim-witnesses	This indicator is intended in particular to detect cases in which victim-witnesses were reluctant to cooperate with law enforcement officials.	No calculation. Number of cases where there was no investigation, or the investigation was stopped as a result of reluctance of key witnesses to cooperate due to intimidation or fear of retaliation.
A.31	% of investigations in which newly identified victim-witnesses collaborated with the criminal justice system during the criminal investigation.	Information published by the authorities OR interviews with trafficking victim-witnesses	Note that the denominator in the calculation includes victims who may not report a crime to the police in the first place due to intimidation or fear of retaliation.	Number of investigations in which newly-identified victim-witnesses agreed to provide evidence/ Total number of investigations started.
<b>A.2.b Prosecution Stage (Public Prosecutor/Attorney)</b>				
A.32	Prosecutors ensured appropriate support to victims prior to trial.	Interviews with trafficking victim-witnesses or other feedback from them	This sub-indicator is key to assessing Framework Indicator A.b. This means that (1) Prosecutors assured that during the pre-trial period, regular and frequent contact was maintained with the victim to make certain that the victim was kept fully apprised of the status of the case, that the victim was in a safe and secure environment, free from the possibility of threats or tampering by the traffickers, and that the victim's basic needs are being met; and (2) Prosecutors adequately prepared victims and other witnesses to be effective witnesses at trial by meeting individually with the victim and witnesses prior to trial to explain the trial process; to make clear that the only obligation of the victim and witnesses was to tell the truth; to review, without coaching, the substance of the testimony to be given; and to prepare the victim and witnesses to respond truthfully to questioning by the defence.	
A.33	Trafficked persons were informed about their rights and applicable administrative and judicial procedures.	Interviews with or other feedback from trafficking victim-witnesses or information from their legal advisors	This refers to general information about the rights and procedures.	

Number	Indicator	Possible sources	Note	Calculation
A.34	Trafficking victims were kept informed of relevant court and administrative proceedings.	Interviews with or other feedback from trafficking victim-witnesses or their legal advisors	This indicator means that victims are kept updated on any significant development in the proceedings they are involved in, e.g. the defendant is released on bail, the verdict is delivered, the trial is suspended etc.	
A.35	Trafficked persons were informed promptly of the outcome of trials in which they were a victim or witness, both guilty verdicts and not-guilty verdicts.	Interviews with trafficking victim-witnesses or other feedback from or their legal advisors	Important to note if victims were only informed promptly if there was a particular kind of verdict (e.g. 'guilty').	
A.36	Number of cases where there was no prosecution, or the prosecution was stopped as a result of reluctance of a victim as a key witness to cooperate.	Police statistics; CSOs		Number of cases where there was no prosecution or the prosecution was stopped as a result of reluctance of key witnesses to cooperate due intimidation or fear of retaliation.
A.37	There was at least one prosecution under the terms of legislation that establishes the liability of legal persons for direct or indirect involvement in the commission or attempt to commit the crime of trafficking in human beings.	Criminal Code; judgments delivered by courts in trafficking cases; information from prosecuting authority or reports of trials of suspected traffickers in the media	The existence of such an offence can be confirmed in the Criminal Code. It may be easy for the prosecuting authority to confirm that NO prosecutions have occurred under such a law, or to indicate if one has occurred or been considered.	
<b>A.2.c Trials &amp; Convictions</b>				
A.38	The courts imposed effective, proportionate and dissuasive penalties.	Court judgments reported in official documents and/or in media	Note sentences imposed by the courts for trafficking offences according to appropriate sub-categories, e.g. Fine only (number of convicted traffickers) Less than 1 year's imprisonment (number/no.) 1-4 years imprisonment (no.)	Absolute numbers which may merit comment (e.g. if no custodial sentences imposed or if all sentences were notably severe). No calculation the first time data collected, but on subsequent occasions, numbers may be compared to identify changes in sentencing.

Number	Indicator	Possible sources	Note	Calculation
			5-9 years imprisonment (no.) 10-19 years imprisonment (no.) 5-19 years imprisonment (no.) More than 20years imprisonment (no.)	
A.39	The courts respected the non-discrimination principle (i.e. did not discriminate against defendants on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status).	Court judgments and/or media reports of trials; trial observation	Note any possible salient characteristics about defendants (such as gender or ethnicity) to see whether there is any sign that those convicted of human trafficking come disproportionately from particular categories, in particular from a minority/ethnic group. If so, although this may not denote institutional discrimination, monitors should start a more detailed analysis, to check whether the criminal justice system is institutionally discriminatory.	
A.c	Prosecutors and judges understood and, where appropriate, implemented provisions to protect vulnerable victims and witnesses before, during and after trial, as provided by national law as well as by obligations incurred through ratification of treaties and accepted international prosecutorial and judicial good practice.	Trial observation; victims' feedback	This is a framework indicator for the trial stage, for which specific evidence may be sought and subsequent sub-indicators taken into account.	

Number	Indicator	Possible sources	Note	Calculation
A.40	No. of cases involving in-court protection measures, e.g. victim-witness shielded from view of defendant and public, or videoed evidence accepted instead of witness appearing in period, or victim-witness given a special place to wait, avoiding direct contact with defendant or defendant's associates (including defendant's legal advisor).	Potentially various sources including: trial observation; information from prosecutors or court managers; Feed-back from victim-witnesses or their legal advisors; feedback from CSO staff supporting a victim in court; Information from a National Rapporteur; or from prosecutors prosecuting trafficking cases	Virtually any in-court protection measure can be taken into account if it is at all unusual in the court system, e.g. Victim-witness shielded from the view of the defendant or members of the public; Victim-witness able to wait (before testifying to court) in a separate place to associates of the defendant; Victim-witness able to give evidence over a video link, without being present in court.	Note what the protection measure consisted of. If more detailed information is available (about the proportion of traffickers' trials at which such measures are used out of the total of such trials), calculate this.
A.41	Number of victims punished for involvement in unlawful activities that they were compelled to carry out while under the control of traffickers or exploiters.	Court statistics; CSOs; Victims and their legal advisors	Unlawful activities should be understood as any action or facilitation of action that is prohibited and/or sanctioned by domestic law (be it criminal or administrative). Further, the degree of coercion that victims were subjected to should not be assessed and it should be generally assumed that victims were compelled to perform illegal activities as a direct result of their being trafficked.	No calculation. It is suggested that the numbers are broken down per type of criminal or administrative offence (i.e. illegal stay, illegal work, sex work, theft, begging etc.).
A.42	Government officials and politicians in government did not make (or are not reported to have made) public statements confusing human trafficking with migrant smuggling.	(National) media	Statements by politicians in government have on occasion deliberately confused trafficking with migrant smuggling, to imply that measures relates to irregular migrants will in some way benefit trafficking victims or reduce levels of human trafficking.	

60

Number	Indicator	Possible sources	Note	Calculation
A.43	% of traffickers convicted in two successive calendar years (the period under review and the previous calendar year) where a penalty imposed on a convicted trafficker was not fully applied by the end of the second calendar year.	Complaints of victim; victims' legal advisors; CSOs; other actors; Court records; Ombudsperson	For the purposes of this indicator, penalties (such as fines) that are not fully applied, or not applied at all within the specified time are treated as the same. In the case of a fine, 'not fully applied' means that the financial penalty has not been fully collected within the specified time. In the case of an order to pay compensation, it means that the full amount has not been received by the victim(s). In the case of non-monetary sanctions, it means that the specified actions have not been carried out within the specified time.	Number of cases where imposed penalties were not fully applied by the end of the specified time (i.e. a trafficker has been sentenced to a prison term but has not yet entered prison or had a fine imposed that has not been paid)/ Total number of cases where penalty was fully applied (i.e. a convicted trafficker is now serving a sentence or has already left prison after completing a sentence).

### A.3 Statistics on prosecutions and convictions (in a specified period of time)

Number	Indicator	Possible sources	Note	Calculation
<b>A.3.a The Investigation Stage (police)</b>				
A.44	Number of police reports that a possible crime of trafficking in human beings has taken place (prior to an investigation which may, or may not, confirm that a crime has occurred).	Data from specialist anti-trafficking police, or from a National Rapporteur, or from other published government statistics		Absolute number, not a calculation the first time the data is collected. On subsequent occasions, data concerning different periods (e.g. calendar years) may be compared. NB It is not simply an increase or decrease in numbers of identified crimes, investigations or convictions that denotes the authorities are making progress.
<b>A.3.b Charges &amp; Prosecutions (Public Prosecutor/Attorney)</b>				

Number	Indicator	Possible sources	Note	Calculation
A.45	Number of suspected criminals charged with trafficking in human beings (or a trafficking-related offence).	Data from specialist anti-trafficking police, or from a National Rapporteur		Absolute number. No calculation the first time data collected, but on subsequent occasions, numbers may be compared.
A.46	Number of prosecution cases (also note the total number of people prosecuted, as more than one defendant maybe prosecuted during one case) by the state for trafficking offences committed on its territory, on a ship flying its flag or on an aircraft registered in that state.	Prosecution service; Courts' statistics	This indicator is a simple number (of recorded cases over a specific time, such as a calendar year) and does not involve any calculation. 'One prosecution' refers to a single case referred for trial, involving any number of defendants or victims.	Absolute number. No calculation the first time data collected, but on subsequent occasions, numbers may be compared.
A.47	Proportion of prosecutions (and of people prosecuted) for offences concerning trafficking for the purpose of sexual exploitation, versus prosecutions for offences concerning trafficking for the purpose of labour exploitation (including forced labour, servitude, forced begging, etc., but omitting trafficking for organ removal).	Prosecution service; Media reports, Courts' statistics	Disaggregate for types of exploitation.	Divide the total number of prosecutions for a particular purpose by the total number of prosecutions to show proportion (e.g. $6/12 = 50\%$ ). Also divide the total number of defendants (traffickers being prosecuted) by the number involved in each type of exploitation (e.g. $5/20 = 25\%$ ). NB some cases involve both types of exploitation and in others the intended exploitation may not be clear.
A.48	% of criminal proceedings for likely trafficking offences that were requalified as another offence with a lower penalty.	Prosecution service statistics		Criminal proceedings for trafficking offences that were requalified as another offence with lower penalties/Total number of criminal proceedings initiated with a trafficking in human beings offence.

Number	Indicator	Possible sources	Note	Calculation
A.49	% of trials of suspected traffickers at which evidence was presented by victim-witnesses at which expert witnesses were called to court to provide evidence on the psychological status of the victim (e.g. degrees of trauma, continuing fear of trafficker or the trafficker's associates, etc.).	Prosecution service; CSOs or others providing expert witnesses; Media reports of trials; judgments	I.e. do not include trials at which judges were not required to assess evidence provided by victims or to assess damages or compensation for victims.	Number of trials involving expert witnesses / Total number of trials of traffickers involving victim-witnesses.
A.50	Expert witnesses who testified at trials of suspected traffickers (or were otherwise involved in legal proceedings involving trafficked persons) demonstrated an appropriate level of expertise concerning both the psychological status of victims and other issues affecting victims.	Complaints of victim; victims' legal advisors; CSOs; victim's therapists, other actors; Court records; Analyses of expert witness reports; Trial observation	As no international or regional standards exist concerning expert witnesses, monitors should use their judgment to assess if the levels of expertise demonstrated were "appropriate".	Subjective assessment by monitors.
<b>A.3.c Convictions</b>				
A.51	Number of convictions (noting the number of people convicted) for trafficking offences committed on a state's territory, on a ship flying its flag or on an aircraft registered in that state.	Prosecution service Courts' statistics	This indicator is a simple number and does not involve any calculation. One conviction denotes that one defendant has been convicted, so 'one prosecution' may result in 6 convictions and 3 acquittals.	No calculation
<b>A.3.d General</b>				
A.52	Average duration of trafficking in human beings criminal proceedings (i.e. from beginning of investigation of a case) involving court cases which ended in the period being reviewed.	Statistics of courts; statistics of state institutions and agencies; CSOs	This indicator tracks the average duration of criminal proceedings from their initiation to their completion (i.e. from the start of a criminal investigation until the conclusion of a trial, excluding any appeal or subsequent proceedings). It does not	Simple average of the duration of the cases which ended in the period under review.  If possible, compare this average period of time to the average length of criminal proceedings in comparable criminal non-trafficking cases and

Number	Indicator	Possible sources	Note	Calculation
			cover proceedings related to compensation when those are not decided upon during criminal proceedings (see specific indicator under compensation). It is advised to calculate the duration in months.	comment on any implications of the comparison.
A.53	Number of (presumed) victims officially identified in a previous calendar year whose alleged trafficker, though reportedly located in your country, is not reported to have been charged or tried by the end of the following year (either in the country or in another country).	Prosecution service; Courts' statistics. Organisations supporting victims may receive relevant data from victims or their legal advisors.	This is likely to be difficult to track, but should indicate the success of law enforcement officials in investigating and prosecuting trafficking cases.	Use indicator B.9 (Total number of individuals identified by the authorities as presumed or potential victims) for a previous year and check against reports of charges and trials both in the same year and in the following year. Note possible reasons why alleged trafficker was not charged or tried (as these vary).
A.54	At least one prosecution and conviction for a trafficking-related offence was reported with the aggravating circumstance of involvement of one or more public officials in the exercise of their functions.	Courts' statistics. Media reports.	This measures whether any public official was convicted for involvement in trafficking, not whether such involvement was alleged but inadequately investigated.	No calculation. Simply 'yes' or 'no'. 'Yes' indicates that the state may be able to respond to such cases. If the answer is 'No', this could suggest that there were not such cases, but could also signify that, even though there were incidents of public officials being complicit in trafficking, the official concerned was not prosecuted.
<b>A.3.e Civil Claims</b>				
A.55	% of (presumed) trafficking victims involved in court cases who pursued a civil claim in the civil courts.	Reports by trafficking victims supported by one or more CSO (whether or not the person concerned was willing to provide evidence to law enforcement officials or	These indicators are intended to find out whether civil claims are being made and, if so, what proportion are successful.	

Number	Indicator	Possible sources	Note	Calculation
		not); court records; legal advisors of trafficked persons		
A.56	% of cases involving a civil claim in which any financial settlement was awarded.	As above	To find out whether civil claims resulted in money being awarded.	
A.57	% of cases involving a civil claim that resulted in a financial settlement being awarded, in which victims received all the money awarded.	As above	To find out whether civil claims ordering a payment actually resulted in trafficked persons receiving any payment.	

65

## B. IDENTIFICATION OF TRAFFICKING VICTIMS

### B.2 Concerning people who were identified

Number	Indicator	Possible sources	Note	Calculation
B.b	Victims of trafficking were quickly and accurately identified.		This is a framework indicator and can be answered through the analysis of all 15 sub-indicators listed below.	I.e. There is an acceptable rate of victim identification relative to the acknowledged scope of the problem, confirming that a substantial proportion of trafficked persons are in fact being identified.
B.7	Procedures concerning the identification of trafficking victims (however they were set) were adhered to by law enforcement officials and others involved.	Feedback from victims, via legal advisors or CSOs providing services to presumed trafficking victims	This indicator can be monitored if procedures have been set and are known publicly. It is more likely that monitors will learn that that procedures were not followed in some cases, than that they will be able to confirm that procedures were generally adhered to.	
B.8	Specialist anti-trafficking CSOs/NGOs contributed to the identification of victims.	CSOs providing services to presumed trafficking victims	It is not the theoretical provisions of the identification system which is the question here, but rather whether the authorities took into account information (about identification) provided by civil society and non-governmental organisations.	Simply yes (CSOs did contribute) or no (they did not).
B.9	Total number of individuals identified by the authorities as presumed or potential victims (reasonable grounds' identifications), disaggregated (if possible) by adult women, adult men, girls under 18 and boys under 18, country of origin.	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism	This is a simple number and does not require calculation. The proportion (or percentage) may suggest that identification methods are appropriate or inappropriate for men or for children (or girls or boys) and possibly suggest whether there is a gender or age bias	No calculation the first time noted, but on subsequent occasions, any changes may be noted.

b. identification of trafficking victims

66

67

Number	Indicator	Possible sources	Note	Calculation
			in the identification process.	
B.10	Total number of individuals identified by the authorities as officially-recognised victims.	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism	If 'victim of trafficking' status is only confirmed at the end of a trial (i.e. when a defendant is convicted of a crime), this number will be the number of victims whose trafficker was convicted of a crime.	No calculation the first time noted, but on subsequent occasions, any changes may be noted.
B.11	Total number of foreign nationals (and proportion of total) identified by the authorities as presumed or potential victims ('reasonable grounds' identifications), disaggregated (if possible) by adult women, adult men, girls under 18 and boys under 18, country of origin.	Police, victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism or recognition of non-nationals as trafficking victims		Number of foreign nationals who are presumed victims; Number of foreign nationals / Total number identified as presumed victims.
B.12	Total number of foreign nationals identified by the authorities as officially-recognised victims.	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism or recognition of non-nationals as trafficking victims		Number of foreign nationals who are officially-recognised victims; Number of foreign nationals / Total number identified as officially-recognised victims.
B.13	Number and proportion of the total of identified presumed victims reportedly subjected to (or intended for) a form of sexual exploitation, versus the number and proportion reportedly subjected to forced labour (non-sexual forms of exploitation).	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism	Omit presumed victims reportedly subjected to both categories of exploitation from the calculation, which is intended to suggest whether identification procedures are biased towards one or other category, and also to indicate whether changes occur from year to year.	Ratio or proportion (e.g. 80% sexual exploitation and 20% labour exploitation).

b. Identification of trafficking victims

Number	Indicator	Possible sources	Note	Calculation
B.14	Number and proportion of the total of identified officially-recognised victims reportedly subjected to (or intended for) a form of sexual exploitation, versus the number and proportion reportedly subjected to forced labour (or other non-sexual forms of exploitation).	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism		No Calculation the first time noted, but on subsequent occasions, any changes may be noted.
B.15	Number of men identified as (presumed) trafficking victims.	Records for identified adult trafficking victims, women and men	The proportion (or percentage) may suggest that identification methods are appropriate or inappropriate for men and possibly suggest whether there is a gender bias in the identification process.	Note the number of men as a proportion (percentage) of all identified adults (i.e. compared to adult women).
B.16	Numbers of both girls and boys under 18 who were identified as victims, and of identified victims who report having been trafficked before they reached the age of 18.	Records for identified child trafficking victims, boys as well as girls.	Both the proportion of children aged under 18 at the time they were first trafficked (not the time they were identified, by which time they may have become adults) out of all identified victims, and proportion of girls and of boys out of all identified child victims should be noted, to assess whether the identification process is appropriate for identifying both trafficked girls and trafficked boys.	Note the proportion (percentage) of children among all identified victims. Also note the proportion of girls and boys, to monitor any changes when monitored subsequently.
B.17	Proportion of identified (presumed) victims who had presented themselves to the authorities (i.e. rather than being identified by the police or another authority while being moved, exploited or while recovering).	Police, Complaints of victim; victims' legal advisors; CSOs; National anti-trafficking Rapporteur; ministry overseeing any National Referral Mechanism	This indicator also shows what proportion was identified as a result of a 'pro-active' investigation or action by the authorities themselves.	Number identified after presenting themselves to the authorities / Total number of presumed victims who were identified.

69

Number	Indicator	Possible sources	Note	Calculation
B.18	An agency responsible for detecting illegal exploitative working practices (such as a specialist police unit or labour inspectors) investigated at least one case in an unprotected sector, including the sectors in the country where migrant women are reported to work or earn.	Law enforcement agencies (police and labour inspectors)	Confirmation that they include inspections of sectors in which women constitute more than half those who are working or earning, such as sex work, domestic work or others.	'Yes' or 'No', but report on identity of any agency involved.  No calculation the first time noted, but on subsequent occasions, any changes may be noted.
B.19	An agency responsible for detecting illegal exploitative working practices (such as a specialist police unit or labour inspectors) investigated at least one case in an unprotected sectors, including the sectors in the country where migrant men are reported to work or earn.	Law enforcement agencies (police and labour inspectors)	Confirmation that they include inspections of sectors in which men constitute more than half those who are working or earning, such as construction work.	'Yes' or 'No', but report on identity of any agency involved.  No calculation the first time noted, but on subsequent occasions, any changes may be noted.
B.20	An agency responsible for child protection or for detecting illegal exploitative working practices investigated at least one case involving children working or earning in unprotected sectors.	Publications of agency/ agencies responsible for child protection. Or Information provided by exploited children to relevant support organisations.	This indicator is intended to measure cases involving economic exploitation rather than sexual exploitation, e.g. children who beg or are employed by someone (other than their own parent) in a unlawful way. Seek confirmation that either a child protection agency or another law enforcement agency actually investigated a case in which a child was being exploited.	'Yes' or 'No', but report on identity of any agency involved.

Number	Indicator	Possible sources	Note	Calculation
B.21	Members of minorities did not experience any additional difficulty in being identified or accessing assistance (in comparison to people others who were identified and do not belong to minorities).	Information provided by trafficking victims who are members of minorities to support organisations or others	Confirmation that the non-discrimination principle was respected. The minorities concerned do not need to be formally recognised as national minorities. They include RAE (Roma, Ashkali, Egyptian) and Sinti, religious minorities	No = They did not experience additional difficulties or discrimination and the non-discrimination principle was respected; Yes = They did experience additional difficulties and the principle may not have been respected.
B.22	Lesbian, gay, bisexual, and transgender (LGBT) individuals did not experience any additional difficulty in being identified or accessing assistance (in comparison to people others who were identified and are not LGBT).	Information provided by LGBT individuals to CSO organisations providing services to trafficking victims. Organisations representing LGBT	This indicator assumes that some victims identified by support organisations (if not by officials) are LGBT. It is possible that this is not the case or that they also do not identify themselves to CSOs providing services to trafficking victims.	No = They did not experience additional difficulties; Yes = They did experience additional difficulties.
<b>B.3 Disputed identification and people categorised inappropriately as not trafficked</b>				
B.c	CSOs supporting trafficking victims were not aware of any individuals whom they considered to have been trafficked but who were not identified as trafficking victims by the relevant 'competent authority'.	CSOs providing support to trafficking victims and to other people who might include trafficking victims (migrants, working children, sex workers, etc.)	This is not a framework indicator as such, but this and the following seven sub- indicators are intended to show whether information is available about disputed identification.	Yes = CSOs not aware of any such cases; No = CSOs were aware of such cases, in which case note how many were reported and whether enough data is available to expression this as a proportion of the number who were officially identified as (presumed) victims.
B.23	Legal advisors supporting presumed trafficking victims, irregular migrants, sex workers, or unaccompanied children were not aware of any individuals whom they thought had been trafficked but who were not identified as trafficking victims by the relevant 'competent authority'.	Lawyers or bar association (NB asked to provide anonymous information, not to reveal any personal details about their clients)		Yes = Lawyers not aware of any such cases; No = lawyers were aware of such cases, in which case note how many were reported and whether any pattern could detected of categories of people who were not being identified.

Number	Indicator	Possible sources	Note	Calculation
B.24	Any prosecutions of sex workers for engaging in prostitution (or related offences) did not reveal evidence that they had been trafficked or that the authorities failed to identify them as trafficking victims.	Judgments. Feedback from sex worker organisations or CSOs providing services to sex workers	Some states categories any offence involving pimping as 'trafficking'. However, such states do not necessarily provide protection or assistance to sex workers nominally exploited by pimps.	Yes = no evidence of failure to identify; No = there was some evidence that sex workers had been trafficked without this being noted by the authorities.
B.25	CSOs involved in child protection or in supporting child victims of trafficking report were not aware of any categories of exploitation associated with trafficking being ignored by the authorities.	CSOs involved in child protection or in supporting child victims of trafficking, both nationals and foreign children	This refers uniquely to children trafficked or exploited in the country being monitored, not those exploited who went abroad without being trafficked, but who were subsequently exploited while abroad. NB forms of exploitation which are easily overlooked include begging (as officials often find it hard to find out if an adult taking earnings from a child beggars is a parent, relative, or unrelated), forced marriage.	Yes = no evidence of authorities ignoring any type of exploitation (even if they focused mainly on only one or two);  No = there was evidence of their failure or reluctance to investigate particular types of exploitation and possible trafficking offences connected with these.
B.26	Number of presumed victims where designation as an adult (rather than a child) is disputed (e.g. by a presumed victim or their legal advisor or a CSO supporting the victim).	Complaints of victim; victims' legal advisors; CSOs; other actors	'Disputed' means that the decision by the authorities not to designate the victim as a child is challenged by the victim or someone else before the competent authorities.	Number of cases involving dispute.
B.27	Cases of misidentification were promptly acknowledged and remedied.	CSOs or legal advisors providing support to trafficking victims or to migrants or other people who included people who had probably been trafficked		Yes = there were cases of misidentification and these were remedied. No = two very different options, so it is important to report these clearly as either (1) "There were no known cases of mis-identification", or (2) "There were cases of misidentification, but the authorities either did not acknowledge these or did not take adequate action to remedy them".

Number	Indicator	Possible sources	Note	Calculation
				Option 2 includes cases in which CSOs or legal advisors were aware of misidentification, but did not inform the authorities.
B.28	Officials responsible for vetting irregular migrants (including officials involved in refugee protection or considering asylum requests) attended at least one training session about human trafficking.	Immigration authorities		
B.29	Some or all consulate staff received training concerning human trafficking and/ or demonstrated their awareness of identification and referral procedures both in the country where they were based and in their own country.	Foreign Ministry (or any consular staff who received training) or feedback from trafficked persons who were assisted by consular staff	This indicator is intended to find out whether consulate staff made a positive contribution to the protection of trafficked persons, rather than to check whether they had received training but not put it to use.	No calculation.
B.30	Appropriate measures were taken to identify trafficking victims during the examination of asylum applications, and prior to the return of persons whose asylum applications were rejected.	Immigration authorities. Trafficking victims supported by one or more CSO. Legal advisors of trafficking victims or migrants	Similar to a question being asked by GRETA in its Round 2 Questionnaire for States Parties (#31). Such measures include, at a minimum, questioning migrants who have been detained or are scheduled to be returned (repatriated) about how they have earned money and to whom they have contributed all or part of their earnings, or how they were expecting to earn a living.	Yes = some appropriate measures were taken; No = No evidence of any appropriate measures being taken.

## C. THE PROTECTION OF VICTIMS OF TRAFFICKING

### C.5 Protection of All Victims (including those trafficked abroad and subsequently returned to their own country)

Number	Indicator	Possible sources	Note	Calculation
C.d	Victims of trafficking (whether presumed or officially-recognised) were protected and assisted adequately during the period under review.		This is a framework indicator and can be answered through the analysis of all 9 sub-indicators listed below.	
C.28	At least one case in which a trafficking person was offered a special protection measure at the stage of investigation of a possible trafficking case, such as accommodation in a shelter that is under armed guard, or change of identity.	Feedback from trafficked persons via legal advisors or CSOs providing assistance; or information from a National Rapporteur; or from the police investigating trafficking cases		
C.29	At least one case reported in which police or others were involved in action to protect a victim after the end of a trial (action compatible with or based on respect for the human rights of the victim).	Feedback from trafficked persons via legal advisors or CSOs providing assistance; or information from a National Rapporteur; or from the police investigating trafficking cases and/or providing protection to a trafficking victim-witness	Such protection might be discreet and not obvious. It might be provided by police or by others, such as social services or a multidisciplinary team. In some cases, post-trial 'protection' amounts to interference in the private life of a trafficking victim and is consequently not acceptable. Victim witnesses should always be provided with information about the results of a trial in which they have been involved, but this, by itself, does not constitute 'action to protect a victim'.	Mention here any cases reported of police or other officials responding appropriately if/when a victim or a relative or associate of a victim was threatened with reprisals.

73

Number	Indicator	Possible sources	Note	Calculation
C.30	No. of victims who benefited from any other 'special protection measures'.	Feedback from trafficked persons via legal advisors or CSOs providing assistance; or information from a National Rapporteur; or from the police investigating trafficking cases	i.e. Measures taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings. Information also required by GRETA's round 2 questionnaire (GRETA (2) # 53).	Simple number.
C.31	At least one victim is reported to have benefited from some form of protection despite refusing to cooperate with police or other law enforcement officials (i.e. refusing to provide information or evidence for use in a prosecution) and for this protection not to have been withdrawn as a result.	Feedback from trafficked persons via legal advisors or CSOs providing assistance; or information from a National Rapporteur; or from the police investigating trafficking cases	The fact that no victim has benefited in this way does not necessarily reveal a problem. It may be that every victim was happy to cooperate with police investigators (but this would be unusual). However, the indicator seeks to measure whether protection or assistance are, in practice, made conditional in some way on victims' willingness to testify.	
C.32	% of victims in contact with a specific organisation providing them with services (such as assistance) who report feeling unsafe six months after first contacting the organisation.	Case management records of an organisation providing services (identity not to be divulged)		Number of victims who report feeling unsafe as a percentage of the total of victims checked six months after contacting the organisation.
C.33	% of victims in contact with a specific organisation providing them with services (such as assistance) who have cooperated with the police or criminal justice system (providing evidence) who report feeling unsafe (or report more serious	Case management records of an organisation providing services (identity not to be divulged)		Number of victims identified in a specific period who have cooperated with the police or in a prosecution who report feeling unsafe /Total of victims identified in same period, checked 12 months after contacting the organisation.

Number	Indicator	Possible sources	Note	Calculation
	threats) 12 months after first contacting the organisation.			
C.34	% of victims formally provided with a protection measure during criminal proceedings.	Statistics of state agencies e.g. police, social services; Feedback from trafficked persons via legal advisors or CSOs providing assistance	This indicator assumes that formal protection is justified/ desirable/ necessary in the majority of cases. E.g., check number of cases involving a risk assessment but no action taken, even though risk was identified.	Number of victims in need of protection who were not protected / Number of victims who were assessed as being in need of in-court protection.  If possible, compare to other comparable crimes.
C.35	% of victims receiving protection such as physical protection, relocation, and identity change.	Police statistics Feedback from trafficked persons via legal advisors or CSOs providing assistance	It is understood that each of these protection measures differ and should therefore be measured separately.	Number of victims receiving protection such as physical protection, relocation, and identity change/ total number of victims.
C.36	% of court cases during which victims are subject to intimidation or harm.	Complaints of victims, their legal advisors, CSOs. Police or prosecution statistics	Also check what, if any, response there was from the courts to report of intimidation of harm and note number of cases in which there was an inadequate response.	Number of court cases during which victims are subject to intimidation or harm/total number of court cases involving victims.

## C.6 Recovery and Reflection Period

Number	Indicator	Possible sources	Note	Calculation
C. 37	% of cases where presumed victims benefited from a minimum of 30-day recovery and reflection period.	Complaints of victim; victims' legal advisors; CSOs; Statistics of state institutions and agencies	This indicator also shows the reverse, i.e., % of cases where presumed or officially-recognised victims do not benefit from a minimum of 30-day recovery and reflection period, and it is this that is likely to be highlighted in complaints.	To find out how many did not have the recovery and reflection period, find out the number of presumed and officially-recognised victims that had contact against their will with law enforcement and prosecution authorities within 30 days of their identification as presumed or officially-recognised victims.

Number	Indicator	Possible sources	Note	Calculation
C.38	% of presumed victims who received assistance to support their physical, psychological and social recovery during the recovery and reflection period granted to them.	Complaints of victim; victims' legal advisors; CSOs	This indicator also shows the reverse, i.e. % of officially-recognised or presumed victims not receiving assistance to support their physical, psychological and social recovery during the recovery and reflection period granted to them.	Number of officially-recognised or potential victims not receiving assistance to support their physical, psychological and social recovery during the recovery and reflection period/ total number of officially-recognised or potential victims provided with recovery and reflection period.

## C.7 Protection of institutions or individuals that support victims

Number	Indicator	Possible sources	Note	Calculation
C.39	Number of cases where members of CSOs were subject to intimidation and/ or retaliation during or after investigation or prosecution.	Complaints to police and police files; CSOs	The CSOs referred to in this indicator are those active in the field of combating trafficking and/ or supporting victims of trafficking in any way. This indicator is a simple number and does not involve any calculation.	No calculation.
C.40	Number of cases where members of CSOs reported intimidation or retaliation at any time, irrespective of whether or not this was connected to any specific investigation or prosecution.	CSOs	The CSOs referred to in this indicator are those active in the field of combating trafficking and/ or supporting victims of trafficking in any way. This indicator is a simple number and does not involve any calculation. Note how many CSOs were involved in assisting trafficked persons and what proportion were affected by acts of intimidation or retaliation.	Number of cases where members of CSOs are reporting intimidation or retaliation at any time, irrespective of whether or not this is connected to any specific investigation or prosecution.

Number	Indicator	Possible sources	Note	Calculation
C.41	% of cases where, after members of a CSO were subject to intimidation and/or retaliation during or after investigation or prosecution and this was reported to law enforcement officials, law enforcement officials reacted in an adequate way to contain the threat or punish the perpetrators.	CSOs	'An adequate way' implies that the CSO involved thought the reaction could contain the threat or noted that it did so.	Number of cases with adequate law enforcement response / total number of cases in which members of CSOs were threatened.

## C.8 Protection of victims of trafficking who have returned to their country of origin

Number	Indicator	Possible sources	Note	Calculation
C.e	Victims of trafficking returning from abroad whose cases were brought to the attention of the authorities were protected and assisted adequately during the period under review.		This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	
C.42	Number or informed estimate of the number of victims of trafficking who returned to the country in a specified period, whether the return was assisted or with the knowledge of the authorities, or organised by themselves without assistance.	CSOs; National Rapporteur; IOM or other international or national organisations facilitating returns	GRETA Round 2 asked for this statistic (section E), seeking information disaggregated by sex, age, country of destination, and form of exploitation.	No calculation.
C.43	Procedures followed by consular staff (or others involved in returns) included a risk assessment.	Foreign ministry consular section; any Standard Operating Procedures for consular staff; repatriated victims giving feedback to CSOs or legal advisors		No calculation. Yes or no.

77

Number	Indicator	Possible sources	Note	Calculation
C.44	Procedures followed by consular staff (or others involved in returns) included requesting a family inquiry if family reunification was envisaged for a child identified abroad.	Foreign ministry consular section; any Standard Operating Procedures for consular staff; repatriated child victims giving feedback to CSOs or legal advisors	A family inquiry should be requested by the authority in another country which is contemplating returning a child to her/his country of origin. Such a request might be made directly to a partner agency in the child's country of origin (such as social services). This indicator is to check if consular staff are aware of the need for such inquiries and involved in organising them.	If not, is there any evidence that consular staff are aware of the need for such inquiries, or aware of the need for a best interests determination before a child is repatriated?
C.45	% of victims who are nationals and whose return to the country being monitored was delayed by actions/ inaction of the authorities in their 'home' state (i.e. the country being monitored).	Complaints of: victim; victims' legal advisors; CSOs Statistics of state institutions and agencies	N/A	Number of victims whose return is delayed by actions or inaction of their 'home' state/ total number of victims returned.
C.46	% of forced repatriations (of nationals identified as trafficking victims) to the country being monitored from other countries.	Complaints of: victim; victims' legal advisors; CSOs, including those in other countries from which victims were returned to your country; statistics of state institutions and agencies	N/A	Number of forced repatriations/ total number of victims returned.
C.47	% of returnees who reported any sort of protective measure was taken to protect them from harassment (or other harm) by a trafficker or his/ her associates after their arrival back in the country (and the measure was compatible with or based on respect for the human rights of the victim).	Feedback from victims via legal advisors or CSOs providing assistance; or information from a National Rapporteur; or from the police investigating trafficking cases and/or providing protection to a trafficking victim	Such protection might be discreet and not obvious. It might be provided by police or by others, such as social services or a multidisciplinary team. In some cases, 'protection' amounts to interference in the private life of a trafficking victim and is consequently not acceptable.	Number reporting a protective measure / total number of known returnee trafficking victims.

Number	Indicator	Possible sources	Note	Calculation
C.48	% of returned victims reported to have subsequently participated in a formal return programme in their country of origin (i.e. the country being monitored).	Statistics of: state institutions and agencies; CSOs	This indicator aims to measure the percentage of returns carried out under a formal return programme. A return programme qualifies as 'formal' if it involves international organisations, and state institutions and agencies and civil society organisation in both the receiving state and the state of return and that procedures are laid down in official documents of State institutions or international organisations involved in return and is implemented on that basis and not in a 'ad hoc' way.	Number of returned victims participating in a formal return programme involving international organisations, and state institutions and agencies and civil society organisation in both the receiving state and the state of return/ total number of returned victims.

## C.9 Protection of Child victims

Number	Indicator	Possible sources	Note	Calculation
C.f	Child victims of trafficking (whether presumed or officially-recognised) were protected and assisted adequately during the period under review.	Consult B.16 for numbers of children identified in the period under review.	This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	
C.49	% of unaccompanied children (both non-nationals and nationals – see Note) who were identified as victims of trafficking and who were formally provided with a guardian or legal representative (i.e. not just a legal advisor) within a month of identification as a	Complaints of victim; victims' legal advisors; CSOs; other actors	Once again, while measuring something positive, this indicator is also intended to reveal the percentage of unaccompanied child victims of trafficking who are not formally provided with a representative to act in their best interests. While a guardian should be appointed	Number of unaccompanied children who are identified as victims of trafficking who are not formally provided with a representative to act in their best interests within one week of identification as a presumed victim/ total number of unaccompanied children

Number	Indicator	Possible sources	Note	Calculation
	presumed victim (or whatever other period is specified by law).		in as short a time as possible, this indicator allows a relatively long time (one week) from the time a child there is first identified as a presumed victim for such an appointment to be made. In theory such a guardian should not be appointed in the child's own country, where her/his parent or usual guardian could be contacted. In large countries or in circumstances where it is difficult to locate a parent, or there is reason to suspect that a parent may have been complicit in the child's trafficking, a guardian should be appointed.	who are identified as victims of trafficking.
C.50	% of unaccompanied children who are nationals and who were identified as victims of trafficking (i.e. internal trafficking or possibly children repatriated from abroad), whose family had not been located within a reasonable period of time (e.g. a matter of days) of their identification as presumed victims of trafficking (unless contacts with the family and/or family reunification were assessed as not being in the child's best interests).	Statistics of national child protection agency or other state authorities; information from CSOs or organisations supporting such children	If the state authorities do not have this data, the general assumption should be that they are failing to meet the requirements in the majority of cases. Where the authorities provide data indicating that they are meeting this requirement in the majority of cases, this should be independently verified e.g. with feedback from relevant CSOs or other organisations supporting the children.	Number of unaccompanied national children who are identified as victims of trafficking whose family has not been located within a reasonable time of their identification as victims of trafficking, when this is in their best interests/ total number of unaccompanied national children for whom contacts with their own family are assessed as being in their best interests.

Number	Indicator	Possible sources	Note	Calculation
C.51	% of presumed child victims who were questioned by the police about possible offences committed against them.	Child protection agency or organisations providing services to presumed trafficked children; child victims' legal advisors; police unit responsible for investigating such cases	The police are likely to have questioned all the children who were identified as presumed victims. However, there may be children whom CSOs thought had been trafficked (e.g. to beg or for forced marriage) who were not identified or questioned.	(1) Number questioned / Total number of children identified by authorities as presumed victims; (2) Number questioned / Total number of children identified by CSOs as presumed victims.
C.52	% of presumed child victims who received independent legal advice (i.e. from a lawyer) at the same time as the police were investigating their cases.	Child protection agency or organisations providing services to presumed trafficked children; child victims' legal advisors/ representatives; police unit responsible for investigating such cases	Receiving legal advice at later stages (either while a prosecution is being prepared or, in the absence of a prosecution, for other purposes) would not ensure the same benefits as legal advice provided at the same time as police investigate a case.	Number of presumed child victims receiving independent legal advice while an investigation is ongoing / Total number of child victims whose cases were investigated by the police.
C.53	% of child victim-witnesses who were able to provide evidence for use in a trial without being present in court or encountering their alleged trafficker/ exploiter.	Trial observation. Child's legal representative; Prosecution service; Child protection agency; National Rapporteur	Various options make this possible, such as video-recording a child's statements before a trial or using a remote camera link (so the child can be questioned during a trial, but not in the courtroom). This indicator focuses on trials during the period under review, not on evidence collected during the period.	Number of child victim-witnesses whose evidence was heard at a trial but who were not present in court or in the actual courtroom / Total number of child victim-witnesses whose evidence was presented during a trial.
C.54	% of presumed and officially-recognised child victims who received a form of protection that was not made available to adult victims.	Children's legal representatives, Prosecution service, National Rapporteur, CSOs, social service	Forms of protection such as video-recording a child's statements before a trial or using a remote camera link (so the child can be questioned during a trial, but not in the courtroom).	Number of presumed child victims receiving such a form of protection / Total number of presumed child victims.

## C.10 Protection of Foreign Victims

### Residence Permits for foreign victims identified in the country

Number	Indicator	Possible sources	Note	Calculation
C.g	Identified foreign victims (whatever their nationality) were provided with renewable residence permits and were provided with at least the same level of protection as victims who are nationals.	See B.2 (indicators 4 & 5) for data on non-nationals who were identified.	This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	If no foreign nationals were identified as victims of trafficking by either government agencies or CSOs, there is no need to assess the indicators in this section.
C.55	Even if no foreigners were identified by the authorities as presumed victims of trafficking, CSOs were aware of foreigners who they believed had been trafficked in the country.	CSOs providing services to presumed trafficking victims.	i.e. CSOs consider the identification scheme to be at fault.	Yes or No.
C.56	% of victims not provided with renewable residence permits despite opinion that their stay is necessary owing to their personal situation.	Complaints of victim; victims' legal advisors; CSOs	Article 14.1.a of the CoE convention refers specifically to 'the competent authority'. It is assumed that there is an implicit understanding in the Convention that the 'competent authority' has the capacity to reach the appropriate decision. Given that in practice this may not be the case, the 'opinion' referred to in the indicator covers the opinion of a range of actors: the representative of a state institution, agency, or service; a medical or psychological professional; a legal professional; a competent CSO, etc.	Number of victims not provided with renewable residence permits despite opinion that their stay is necessary owing to their personal situation/ Total number of foreign victims.

Number	Indicator	Possible sources	Note	Calculation
C.57	% of foreign victims not provided with renewable residence permits despite request of relevant authorities that their stay is necessary in the context of investigation or criminal proceedings.	Complaints of: victim; victims' legal advisors; CSOs Police and/ or prosecutors	This indicator assesses whether resident permits are not renewed even when this is requested by law enforcement officials.	Number of victims not provided with renewable residence permits despite request of relevant authorities that their stay is necessary in the context of investigation or criminal proceedings/ Total number of foreign victims.
C.58	% of foreign adult victim cases where residence permit was not issued/ renewed and this is disputed.	Complaints of: victim; victims' legal advisors; CSOs; social services	'Disputed' means that the decision by the authorities not to issue/ renew a visa is challenged by the victim before the competent authorities. 'Victim' means the victim her/ himself or any person, agency, body, CSO, etc. acting on behalf of the victim.	Number of cases where an adult victim is not issued with a residence permit, or a renewed residence permit, and this is disputed/ Total number of foreign adult victims.
C.59	% of child victim cases where residence permit was not issued/ renewed and this is disputed.	Complaints of: victim; victims' legal advisors; CSOs providing services to presumed trafficking victims; social services	'Disputed' means that the decision by the authorities not to issue/ renew a visa is challenged by the victim before the competent authorities. 'Victim' means the victim her/ himself or any person, agency, body, CSO, etc. acting on behalf of the victim.	Number of cases where a child victim is not issued with a residence permit, or a renewed residence permit, and this is disputed/ Total number of foreign child victims.
C.60	% of cases where non-renewal or withdrawal of a residence permit did not comply with national laws and regulations.	Complaints of victims; victims' legal advisors; CSOs providing services to presumed trafficking victims	N/A	Number of cases where non-renewal or withdrawal of a residence permit does not comply with national laws and regulations/ Total number of foreign victims identified in the same period.

Number	Indicator	Possible sources	Note	Calculation
C.61	Number of asylum applications (if any) by foreign presumed victims.	Victims' legal advisors; CSOs	In some countries lodging a request for asylum is a more effective way of obtaining protection than relying uniquely on procedures to identify and protect trafficking victims.	
C.62	% of successful asylum applications (if any) by foreign presumed victims.	Victims' legal advisors; CSOs; courts or other authorities responsible for recognising refugees (or UNHCR)		Number of successful asylum applications / Total number of asylum applications by foreign presumed victims of trafficking.

### Return to their country of origin (or to another country) of foreign victims identified in the country

Number	Indicator	Possible sources	Note	Calculation
C.h	Identified foreign victims (whatever their nationality) who left the country were assisted and protected while doing so.		This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	
C.63	Number of returns of foreign victims identified in the country in a specified period (disaggregated by adult women and men and by girl and boy children).	CSOs providing services to presumed trafficking victims; National Rapporteur; IOM	N/A	Numbers disaggregated according to data available.
C.64	Number of returns of foreign victims (and % of total returns) which are reported to have been preceded by a risk assessment (or, in the case of a child, a best interests determination that included a risk assessment).	CSOs providing services to presumed trafficking victims; National Rapporteur; Immigration authorities; IOM	Sending a trafficking victim to another country without conducting a risk assessment is unacceptable bad practice. The Committee on the Rights of the Child has recommended risk and safety assessments for unaccompanied children whose return is being contemplated.	Number of returns of foreign victims who were the subject of a risk assessment / Total number of people (adults and children) returned; If more than two children were involved, make a separate calculation for returned children.

Number	Indicator	Possible sources	Note	Calculation
C.65	Number of returns (and % of total returns, both adults and children) reported to have occurred despite a risk assessment identifying risks in returning (or, in the case of a child, despite a best interests determination which suggested the child should not return to her/his country of origin).	Complaints of: victim; victims' legal advisors; CSOs; IOM, social service or child protection service (in case of a child)	This would be an indicator of bad practice.	Number of returned despite a risk assessment that suggested significant risks / Total number of returned persons who were the subject of a risk assessment or best interests determination If total number of returned under such conditions is more than 5, disaggregate the total number by adult women and men and by girl and boy children.
C.66	Number (and % of total returns) of foreign adult and child trafficking victims deported or sent from the country being monitored back to their country of origin (or another country) which were reported to have been non-voluntary or forced.	Complaints of: victim; victims' legal advisors; CSOs; statistics of state institutions and agencies	NB Governments and international organisations sometimes categorise a return as 'voluntary' (and assisted) when the returnee was offered no alternative, i.e. was obliged to accept this arrangement because of the lack of alternative. This should be categorised as 'non-voluntary', even if no physical force was used.	Number of forced repatriations/ Total number of victims returned, disaggregated by adults and children.
C.67	% of foreign trafficking victims whose return to their country of origin was delayed by actions or inaction of officials their 'home' state.	Complaints of: victim; victims' legal advisors; CSOs Statistics of state institutions and agencies	N/A	Number of victims whose return is delayed by actions or inaction of their 'home' state/ Total number of victims returned.
C.68	% of forced repatriations carried out without communication with the authorities of the country of origin or permanent residence.	Complaints of: victim; victims' legal advisors; CSOs Statistics of state institutions and agencies	N/A	Number of forced repatriations carried out without communication with the authorities of the country of origin or permanent residence/ Total number of victims returned.

Number	Indicator	Possible sources	Note	Calculation
C.69	% of foreign victims who were returned to their country of origin or to another country who were reported to have subsequently participated in a formal return programme in the country to which they returned.	Victims' legal advisors or CSOs which supported victims while in the country who remain in contact with them and receive follow-up information; National Rapporteur; Immigration or other authority which oversees returns	This indicator aims to measure the percentage of returns carried out under a formal return programme. A return programme qualifies as 'formal' if it involves international organisations, and state institutions and agencies and civil society organisation in both the receiving state and the state of return and that procedures are laid down in official documents of State institutions or international organisations involved in return and is implemented on that basis and not in a 'ad hoc' way.	Number of returned victims participating in a formal return programme involving international organisations, and state institutions and agencies and civil society organisation in both the receiving state and the state of return/ Total number of returned victims.
C.70	% of cases where return of foreign victims (adults or children) was disputed as not safe.	Complaints of: victim; victims' legal advisors; CSOs	'Disputed' means that the decision by the authorities to return the victim is challenged by the victim before the competent authorities. 'Victim' means the victim her/ himself or any person, agency, body, CSO, etc. acting on behalf of the victim.	Number of cases where return of victims is disputed as not safe/ Total number of victims returned.
C.71	% of cases where return of child victims was disputed as not in the best interests of the child.	Complaints of: victim; victims' legal advisors; CSOs	'Disputed' means that the decision by the authorities to return the child is challenged by the victim before the competent authorities. 'Victim' means the victim her/ himself or any person, agency, body, CSO, etc. acting on behalf of the victim.	Number of cases where return of child victims is disputed as not in the best interests of the child/ Total number of children returned.

## D. ASSISTANCE AND SUPPORT FOR VICTIMS

### D.3 Assistance for all victims in all categories

Number	Indicator	Possible sources	Note	Calculation
D.c	Everyone who was identified as a presumed or officially-recognised victim of trafficking was offered immediate assistance and support, including emergency shelter, medical assistance, information and legal advice, appropriate to their particular needs (e.g. gender, language, ethnicity and age) and the State provided sufficient finance to pay for such assistance.		This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	Throughout #D, the focus is on trafficked persons who were newly identified in the calendar period under review, not ALL victims identified in previous periods who were still being assisted.
D.17	% of CSO expenditure related to assistance to trafficking victims (presumed or officially-recognised) that was financed by the government budget or by grants from government structures.	CSOs (concerning their expenditure on assistance and the proportion provided by the government); relevant government ministries or departments; National Rapporteur	This indicator requires monitors to find out how much was spent by some or all CSOs on victim assistance, as well as to find out how much was provided by the government. As this is sensitive information and may not be provided, an estimate could be made on the basis of data from only one or two CSOs, if their budgets and expenditure is believed to be typical of that of others.	Amount of money provided from government sources to CSOs for assistance / Total CSO expenditure on victim assistance.
<b>D.3.a Shelter &amp; Material Assistance</b>				
D.18	% of victims (newly identified in the period under review) not provided with appropriate and safe accommodation within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	Appropriate accommodation includes, for example, secure accommodation when required, or accommodation able to cater for the needs of victims (i.e. child-appropriate accommodation)	Number of victims not provided with appropriate accommodation within [time]/ Total number of victims in need of accommodation.

87

Number	Indicator	Possible sources	Note	Calculation
			<p>in the cases of children). The Explanatory report of the CoE Convention explains (para. 154) that “The type of appropriate accommodation depends on the victim’s personal circumstances (for instance, they may be living in the streets or already have accommodation, and in the latter case it will be necessary to make sure that the accommodation is appropriate and does not present any security problems). Where trafficking in human beings is concerned, special protected shelters are especially suitable and have already been introduced in various countries... The purpose of such shelters is to provide victims with surroundings in which they feel secure and to provide them with help and stability. The protection and help which the refuges provide is aimed at enabling victims to take charge of their own lives again”.</p>	
D.19	% of victims offered accommodation options which they considered unsatisfactory.	Complaints of (or feedback from) victims; victims’ legal advisors; CSOs; other actors; Ombudsperson	This indicator intends to measure the % of victims that may have been imposed to stay in premises where they did not want to be accommodated (such as shelters), regardless of the reasons why only one option was offered (i.e. be it for financial constraints or assessment of placement needs or in a closed shelter when the authorities deemed that	Number of victims offered unsatisfactory accommodation options/ Total number of victims offered accommodation.

89

Number	Indicator	Possible sources	Note	Calculation
			there was a risk justifying de facto protective detention).	
D.20	Presumed and officially-recognised trafficking victims benefited from a series of payments as material assistance, based on an assessment of their needs.	Feedback from assisted victims; CSOs supporting them.	This indicator is intended to find out whether material assistance (e.g. cash) was provided as a single payment to each presumed trafficking victim or in the form of a series of payments. The former implies a support system that is inflexible and not designed to respond to the needs of trafficked persons.	
D.21	Presumed and officially-recognised trafficking victims benefited from material assistance provided by government sources for long enough to recover and cease needing assistance.	Feedback from assisted victims; CSOs supporting them.	This indicator is intended to find out for what period of time presumed and officially-identified trafficking victims received material assistance from government sources and whether it was for long enough for them to ceases needing assistance, or whether they habitually needed material assistance for a longer time.	
D.22	% of victims not provided with adequate material assistance within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	Adequate material assistance includes, for example, financial support allowing victims to secure a standard of living capable of ensuring their subsistence.	Number of victims not provided with material assistance within a reasonable time/ Total number of victims.
D.23	% of victims who stopped benefiting from assistance after 1 month / 6 months / 12 months.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	This indicator intends to measure whether the length of the support and assistance scheme is adequate. This requires judgement to be made regarding the adequacy of the length of assistance and support services offered to victims on an individual basis.	Number of victims who stopped benefiting from assistance after [time]/ Total number of victims who benefit from assistance.

Number	Indicator	Possible sources	Note	Calculation
<b>D.3.b Medical assistance</b>				
D.24	Victims were able to rely on the public health service for free (or almost free) treatment for health-related problems.	Complaints of victim; CSOs which arrange medical assistance for victims	In some countries where free medical treatment is in theory available from the public health service, CSOs observe that, in practice, access to such services is so slow or difficult that they resort instead of paying for private medical attention, either in general or to meet particular needs.	Yes / No. Note any health-related needs or places which required services to be paid for or to be provided by private treatment, e.g. dentistry or mental health care.
D.25	% of victims in need of emergency medical treatment, who did not receive such treatment within a reasonable time.	Case management records of CSOs and others providing care to victims, including health-related needs assessment, when CSOs have clients' authorisation to share anonymised data. Complaints of victim; victims' legal advisors; Ombudsperson	N/A	Number of victims in need of emergency medical treatment not receiving such treatment within [time]/ Total number of victims in need of emergency medical treatment. If data is available, disaggregate according to nationals and non-nationals.
D.26	% of victims not provided with medical assistance within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	N/A	Number of victims not provided with medical assistance within [time]/ Total number of victims in need of medical assistance.
D.27	There was no discrimination against either non-nationals (foreign victims) or victims of domestic trafficking (i.e. who were trafficked, exploited and identified as victim in their country of origin) in terms of access to emergency medical assistance.	Complaints of victim; victims' legal advisors; CSOs; other actors; a health ombudsperson	Discrimination occurs in different ways. In some countries, victims of internal trafficking experience difficulty in accessing public healthcare, which is free in theory, but not in practice. In some, non-nationals (sometimes also nationals who have lived abroad) experience difficulty in accessing free healthcare because they have not paid appropriate contributions to the social insurance (or private insurance) system.	Comment if there was evidence that particular categories of victims had difficulty in accessing free medical assistance.

Number	Indicator	Possible sources	Note	Calculation
D.28	There was no discrimination against either women or men identified as presumed or officially-recognised victims in terms of access to medical assistance.	Complaints of victim; victims' legal advisors; CSOs supporting men, as well as women trafficking victims; other actors; a health ombudsperson	There might be discrimination in particular medical services, such as access to mental health services (e.g. if women are routinely given access to such services, but an assumption is made that trafficked men do not need such access).	
D.29	% of victims in need of psychological services not provided with psychological assistance within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	N/A	Number of victims not provided with psychological assistance within [time]/ Total number of victims in need of psychological assistance.
D.30	% of cases where victims were obliged to receive a service to which they did not consent.	Complaints of victim; victims' legal advisors; CSOs; feedback from health professionals; other actors	This applies, for example, to tests for HIV/AIDS, which may be carried out without the patient's consent. The Explanatory Report on the CoE Convention refers to the issue of medical testing, noting that "... victims must be able to agree to the detection of illness such as HIV/AIDS for [the tests] to be licit" (paragraph 171).	Number of cases where victims do not consent to the services provided/ Total number of victims.
<b>D.3.c Information</b>				
D.31	% of victims who did not receive comprehensive and accurate information about their legal rights and services available to them.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	This indicator requires judgement to be made on how comprehensive information shared with victims must be. It also implies that the information must be accurate and shared in a language that victims can understand. A checklist could be used, developed at country level, listing the information to be shared with victims based on domestic and international requirements.	Number of victims not receiving comprehensive and accurate information about their legal rights and services available to them/ Total number of victims.

Number	Indicator	Possible sources	Note	Calculation
<b>D.3.d Vocational Training/Income-Earning Opportunities</b>				
D.32	% of victims lawfully resident within the territory who were not allowed to obtain employment, or had no access to vocational training or education.	Complaints of victim; victims' legal advisors; CSOs; other actors	This indicator concerns lawfully resident victims (be they nationals or foreigners) who are unable to access the labour market or vocational training or education due to formal or informal obstacles.	Number of lawfully resident victims unable to access the labour market or vocational training or education/ Total number of lawfully resident victims.
<b>D.3.e Other</b>				
D.33	% of cases where assistance to victims was in any way conditional on their willingness to act as a witness (i.e. the conditionality does not need to be spelled out explicitly).	Feedback from victims; victims' legal advisors; CSOs; other actors	In this case, the denominator is the Total number of victims, rather than the number of investigations or prosecutions because if the latter are used, the statistics may be distorted due to the lack of investigations or prosecutions in cases where victims have declined to act as witnesses.	Number of cases where assistance to victims is conditional on willingness to act as witness/ Total number of victims.
D.34	% of non-native victims who did not receive required translation and interpretation services.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	The term 'non-native' in this context refers to any person who was not able to understand and speak fluently the language used by authorities or services providers. This indicator therefore applies to both foreign victims as well as national victims who do not master the language of authorities (as in the case of some people belonging to ethnic minorities).	Number of non-native victims not receiving required translation and interpretation services/ Total number of non-native victims.

## D.4 Assistance and support for child victims

Number	Indicator	Possible sources	Note	Calculation
D.d	Child victims were offered immediate age-appropriate assistance and support, including emergency shelter, medical assistance, and information and legal advice, appropriate to their particular needs (e.g. age and maturity, gender, language and ethnicity).		This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	
<b>D.4.a Shelter &amp; Material Assistance</b>				
D.35	Average time for which presumed and officially-recognised child victims were provided with board and lodging and other material assistance after being identified (i) as paid for by the state, and (ii) as supported by CSOs or other privately-funded organisations.	Child victims' legal advisors; state organisation or CSOs providing residential accommodation for child victims; other actors; Ombudsperson	This indicator is intended to show whether child victims were supported for too short a time or too long a time, and also whether the state provided an adequate proportion of the support.	Average time for which both kinds of assistance lasted / Total number of child victims, noting particular variations.
D.36	% of child victims in need of material assistance not provided with adequate material assistance within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	Adequate material assistance includes, for example, financial support allowing child victims to secure a standard of living capable of ensuring their subsistence.	Number of child victims in need of material assistance not provided with adequate material assistance within [time]/ Total number of child victims.
D.37	% of child victims who stopped benefitting from assistance after [specified time].	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	This indicator intends to measure whether the length of the support and assistance scheme is adequate. This requires judgements to be made regarding the adequacy of the average length of assistance and support services offered to victims.	Number of child victims who stopped benefitting from assistance after [time]/ Total number of child victims who benefit from assistance.

93

Number	Indicator	Possible sources	Note	Calculation
D.38	% of child victims provided with accommodation in shelters that were specifically designed for children who have been trafficked.	Statistics of state authorities and agencies, CSOs, child protection services, other actors etc.	This indicator tracks the availability of specialised shelters for child victims and their potential use.	Number of child victim provided with accommodation in specialised shelters for victims of trafficking / Total number of child victims.
D.39	% of child victims provided with age-appropriate accommodation and % not provided with age-appropriate accommodation.	Complaints of victims; victims' legal advisors; CSOs; other actors; Ombudsperson	Age-appropriate accommodation implies separate accommodation from adults, but also not requiring 16 or 17-year-olds to reside in a children's home with much younger children. If 16 or 17-year-olds are accommodated with young adults, this should be noted but not regarded as inappropriate.	Number of child victims (i) provided and (ii) not provided with age appropriate accommodation/Total number of child victims.
D.40	% of child victims provided with age-appropriate services and % not provided with age-appropriate services.	Complaints of victims; victims' legal advisors; CSOs; other actors; Ombudsperson	Age-appropriate services include, for example, appropriate psychological and material assistance from practitioners who specialise in working with children, when such practitioners are available.	Number of child victims (i) provided and (ii) not provided with age appropriate services/ Total number of child victims.
D.41	% of child victims provided with accommodation in foster families.	Statistics of state authorities and agencies	This indicator tracks the availability of foster families for child victims and their potential use.	Number of child victim provided with accommodation in foster families/Total number of child victims.
D.42	% of child victims provided with accommodation in institutions that are not specialised in the treatment of children who have been trafficked or have suffered similar trauma (even if designed for children).	Statistics of state authorities and agencies	This indicator tracks the use of non- specialised institutions for child victims. 'Institutions' here should be understood as any institutional accommodation that is not a specially designed for victims of trafficking.	Number of child victim provided with accommodation in non-specialised institutions /Total number of child victims.

Number	Indicator	Possible sources	Note	Calculation
D.43	% of child victims provided with accommodation in shelters that are specialised for victims of trafficking, but not for children.	Statistics of state authorities and agencies	This indicator tracks the availability of specialised shelters for child victims and their potential use.	Number of child victim provided with accommodation in specialised shelters for victims of trafficking, but not for children / Total number of child victims.
<b>D.4.b Medical Assistance</b>				
D.44	% of child victims who had access to age-appropriate psychosocial counselling, and % of child victims deemed in need of psychological services by the organisation supporting them who were not provided with such services.	Complaints of victim; victims' legal advisors; CSOs; other actors; child protection services. Ombudsperson	N/A	Two different proportions: Number of child victims in need of psychological services who did/ did not receive psychosocial/ psychological assistance / Total number of child victims.
D.45	% of child victims in need of medical assistance not provided with medical assistance within a reasonable time.	Complaints of victim; victims' legal advisors; CSOs; other actors; Ombudsperson	This indicator implies that the child was the subject of a needs assessment that included identification of any need for medical assistance. If there was no such needs assessment, this should be noted (and criticised).	Number of child victims in need of medical assistance not provided with medical assistance within [time]/ Total number of child victims.
<b>D.4.c Education or Vocational Training</b>				
D.46	% of child victims who were below the school leaving age who were not in regular education within a reasonable time (e.g. one month) of identification as a child victim.	Feedback from victims; victims' legal advisors; CSOs; child protection agency.	N/A	Number of child victims not in regular education within [time] of identification as child victim/ Total number of child victims.
D.47	% of child victims who were not attending school, or vocational training, or in a job within three months of being identified.	Feedback from victims; victims' legal advisors; CSOs; child protection agency.		Number of child victims who were not attending school, or vocational training, or in a job within three months of being identified/ Total number of child victims

## D.5 Assistance provided to victims of trafficking who are nationals, who were identified as victims in another country and who were subsequently returned (or repatriated) to their country of origin, or who identified themselves to the authorities upon their unassisted return to their country of origin

Number	Indicator	Possible sources	Note	Calculation
			NB There is no single framework indicator for section D.5	
D.48	Number of victims known to have returned to the country after being identified in another country in the period under review (disaggregated by adult women and men and by girl and boy children).	National Rapporteur or other official sources; Victims' legal advisors; CSOs; partner CSOs in other countries from which victims are returned		Simple number.
D.49	Number of victims who were not identified as victims while abroad, but who were identified as victims only after their arrival back in their country of origin.	CSOs; health professionals	Though there may be people in this category, it is likely that many such returnees do not identify themselves to government agencies. However, they may come to the notice of health professionals or others when seeking services. In this case, an estimate should be made of the number known, even if they did not contact the police or other government agencies and were not formally identified as victims.	Estimate based on case-related information.
D.50	% of returned victims reported to have received protection or assistance in the country (their country of origin) to which they might not have been entitled if they had not been identified as a victim.	Statistics of: state institutions and agencies; CSOs	This indicator aims to measure the percentage of returning victims who were known to the authorities in their own country as victims of trafficking and who subsequently benefited from some forms of assistance to which they might not otherwise have had access	Number of returned victims receiving assistance / Total number of all victims reported to have returned to the country.

Number	Indicator	Possible sources	Note	Calculation
			(i.e. if they had not been categorised as 'trafficked').	
D.51	% of returned victims who benefited from reintegration measures aiming at their integration into labour market within a reasonable time. (e.g. three months) of their arrival back in their country of origin.	Statistics of: state institutions and agencies; CSOs	N/A	Number of returned victims who benefit from reintegration measures aiming at their integration into labour market within [time] of their arrival in [country being monitored]/ Total number of returned victims.
D.52	% of returned victims who benefited from reintegration measures aiming at their education (including vocational training) within a reasonable time (e.g. six months) of their arrival back in their country of origin.	Statistics of: state institutions and agencies; CSOs	N/A	Number of returned victims who benefit from reintegration measures aiming at their education within [time] of their arrival in [country being monitored]/ Total number of returned victims.
D.53	% of returnees who were known to have brought health records with them from the country in which they were initially identified (i.e. records of a health-related needs assessment, any treatments already received, etc.).	Victim support agencies; returnee victims	N/A	Number of returnees bringing health records with them / Total number of returnees.
D.54	% of returned child victims who benefited from reintegration measures aiming at their inclusion in formal or non-formal education systems and provision of adequate care.	Statistics of: state institutions and agencies; CSOs	N/A	Number of returned child victims who benefit from reintegration measures aiming at their inclusion in formal or non-formal education systems and provision of adequate care within [time] of their arrival in [country being monitored]/ Total number of returned child victims.

Number	Indicator	Possible sources	Note	Calculation
D.55	% of cases where the planned family reunification of a child victim returned from another country was disputed (after his/her arrival back in country of origin) as not being in the best interests of the child.	Complaints of: victim; victims' legal advisors; CSOs	'Disputed' means that the decision by the authorities to reunify (with her/his family) the child is challenged by the child victim or any person or organisation (whether a state agency or a CSO) acting on her or his behalf.	Number of cases where family reunification following return of child victims is disputed as not in the best interests of the child/ Total number of children returned.

## D.6 Legal Assistance and Legal Aid

Number	Indicator	Possible sources	Note	Calculation
D.e	Victims of trafficking (both presumed and officially-recognised) were offered and able to access appropriate legal advice.		This is a framework indicator and can be answered through the analysis of all sub-indicators listed below.	
D.56	% of cases where adult victims, upon first contact with the authorities, were not immediately provided with information on relevant judicial and administrative proceedings in a language they could understand.	Complaints of: victim; victims' legal advisors; CSOs Statistics of state institutions and agencies	N/A	Number of adult victims who, upon first contact with the authorities, are not immediately provided with information on relevant judicial and administrative proceedings in a language they can understand/ Total number of adult victims having contact with the authorities.
D.57	% of victims who were involved in legal proceedings (criminal trials or other proceedings) as victims or witnesses, who had access to independent legal advice and/or assistance prior to or during the proceedings (and the % of victims who did not).	Information from victims (including victims who did not have such advice); CSOs		Number of victims who received advice or other support from a lawyer / Total number of victims whose cases were the subject of criminal proceedings against offenders.

99

Number	Indicator	Possible sources	Note	Calculation
D.58	% of victims involved in criminal proceedings against perpetrators of trafficking-related offences who were supported by CSOs during such proceedings where the State was not able to provide such support.	CSOs; Criminal statistics	This indicator tracks the reliance of the system on CSOs' support. 'Support' refers to legal aid and assistance provided by CSOs in the course of criminal proceedings.	Number of victims involved in criminal proceedings against perpetrators of trafficking-related offences who are supported by CSOs during such proceedings where the State is not able to provide such support / Total number of victims involved in criminal proceedings.
D.59	% of victims' requests for legal assistance and free legal aid which were not granted or when victims were not able to get legal assistance from a suitably qualified lawyer.	Complaints from victims; Statistics of state institutions and agencies	The denominator in the calculation refers to 'victims involved in legal proceedings'. This means any type of proceeding, whether criminal, civil, or administrative.	Number of victims not provided with legal assistance and free legal aid upon request / Total number of victims involved judicial proceedings.
D.60	% of cases where child victims or their parent, guardian or legal representative, upon initial contact with the authorities, were provided promptly with information on relevant judicial and administrative proceedings in language they could understand (and % who were not).	State agencies or CSOs assisting child victims; Child guardianship service or individual guardians	In theory the indicator should assess the adequacy of information provided to children's guardians. If some or most unaccompanied child victims were not provided with guardians, the indicator should assess whether the children themselves were provided with the relevant information (in language they could understand).	Number of child victims who were (or were not) provided with information / Total number of child victims.
D.61	% of child victims who were involved in legal proceedings who received independent legal advice/assistance (and % who did not).	State agencies or CSOs assisting child victims; Child guardianship service or individual guardians		Number of child victims who did receive legal advice or assistance / Total number of child victims involved in legal proceedings as victims or victim-witnesses.

## E. COMPENSATION AND LEGAL REDRESS

### E.2 Compensation and Legal Redress in practice

Number	Indicator	Source	Note	Calculation
E.b	Everyone who was trafficked was provided with real and effective access to compensation for harm and loss suffered as a result of having been trafficked.		This is a framework indicator and can be answered through the analysis of all 12 sub-indicators listed below. NB references to 'compensation' should be interpreted to refer to all forms of damages, compensation, payment of unpaid wages or other restitution.	
E.5	Number of presumed and officially-recognised trafficking victims who formally claimed compensation (during the period under review) and who received compensation (also during the period under review), if possible, disaggregated by sex, age, nationality, and form of exploitation, with clarification on whether the compensation was provided by the offender or the state, and the amount awarded.	Victims' legal advisors; CSOs; Statistics of prosecution service (if they lodge compensation claims) or other state institutions and agencies responsible for paying of compensation to victims of crime	As compensation claims routinely take more than one year to be processed and paid, it is unlikely that the claims made and the claims paid in a single year (or other period) will relate to the same trafficking victims. NB GRETA's Round 2 Questionnaire (section E) asks for this statistic.	Once data is available for more than 1 year, compare numbers between years to assess if any change is apparent and, if so, due to what cause.
E.6	% of presumed and officially-recognised trafficking victims who claimed compensation in the course of criminal proceedings against their alleged trafficker or exploiter.	Victims' legal advisors; CSOs; trial judgments or trial observation reports		Number of victims who have submitted a claim for damages in criminal proceedings / total number of victims who participated in criminal proceedings.
E.7	% of trial judgments (at first instance) involving suspected traffickers which included an order that the convicted criminal should pay compensation, damages	Victims' legal advisors; CSOs; trial judgments or trial observation reports		Number of trial judgments ordered compensation payment / Total number of trial judgments in which traffickers were convicted.

Number	Indicator	Source	Note	Calculation
	or another payment to victims of their crime.			
E.8	Number of trial judgments (at first instance) which ordered compensation for unpaid wages (or underpaid remuneration) to victims of trafficking and % of such judgments (ordering compensation) out of all trial judgments in trafficking cases.	Victims' legal advisors; CSOs; trial judgments or trial observation reports	This indicator is mentioned to find out whether courts have ordered damages or compensation in a general way, or have explicitly calculated losses in earnings. NB GRETA's Round 2 Questionnaire (section E) asks for this statistic.	1. Simple number 2. Number of trial judgments involving a court order for unpaid or underpaid wages to be paid / Total number of trial judgments in trafficking cases.
E.9	Number of presumed and officially-recognised trafficking victims who were ordered by a trial court to be paid compensation, damages or another payment to victims; and % of these victims out of all victims of traffickers convicted during the period under review.	Victims' legal advisors; CSOs; trial judgments or trial observation reports		1. Simple number 2. Number of victims whom a trial court ordered to be paid compensation/ Total number of victims reportedly trafficked by traffickers who were convicted during the period under review.
E.10	Number of presumed and officially-recognised trafficking victims who were ordered to receive compensation as a result a civil proceedings and % of victims initiating civil proceedings (to seek compensation) who were successful in obtaining an order for compensation. (out of all victims initiating civil proceedings to seek compensation).	Victims' legal advisors; CSOs; judgments in civil proceedings	Calculating the percentage (%) is likely to require examining records for more than one year; i.e. reviewing the total number of cases submitted from the start to the end of the proceedings.	1. Simple number 2. Number of victims initiating civil proceedings (to seek compensation) who were successful in obtaining an order for compensation / Total number of victims initiating civil proceedings to seek compensation.
E.11	Average duration of proceedings relating to compensation of presumed and officially-recognised trafficking victims.	Statistics of courts; statistics of state institutions and agencies; CSOs	This indicator tracks the average duration of compensation proceedings from their initiation to their completion. It does not cover proceedings related to compensation	Length of all human trafficking -related compensation proceedings / Total number of victims involved in compensation proceedings.

Number	Indicator	Source	Note	Calculation
			when those are decided upon within the criminal proceedings.	
E.12	% of compensation awards paid to victims in full within a reasonable time (e.g. six months) of award being ordered.	Statistics of courts; statistics of state institutions and agencies	N/A	Number of compensation awards paid to victims in full within [time] of award/ Total number of compensation awards.
E.13	Average amount of compensation awarded to victims by courts.	Statistics of courts; statistics of state institutions and agencies	This requires judgements to be made regarding the adequacy of the average compensation awarded to victims. When considering the level of awards, it is also necessary to take into account the possibility that averages may be distorted by a small number of particularly high awards.	Total amount of compensation awarded to victims/ Total number of compensation awards against perpetrators.
E.14	% of victims receiving compensation from state-run fund(s) for victim compensation.	Statistics of courts; statistics of state institutions and agencies	N/A	Number of victims awarded compensation from funds for victim compensation/ Total number of victims.
E.15	Average amount of compensation awarded to victims from state-run funds for victim compensation.	Statistics of courts; statistics of state institutions and agencies	In commenting on the average amount, monitors should take into account the possibility that averages may be distorted by a small number of particularly high awards.	Total amount awarded to victims from funds for victim compensation/ Total number of awards to victims from funds for victim compensation.

## F. INSTITUTIONAL FRAMEWORK, INCLUDING CAPACITY, COORDINATION AND INTERNATIONAL COOPERATION

### F.2 Capacity

Number	Indicator	Possible source	Note	Calculation
F.b	Law enforcement officials and the staff of state-run organisations in contact with presumed or officially-recognised trafficking victims manifested an appropriate level of expertise and had adequate resources to carry out their work satisfactorily.		This is a framework indicator and can be answered through the analysis of the 10 sub-indicators listed below.	
F.12	Any specialist law enforcement (police) anti-trafficking unit had adequate resources (staff and budget) to implement reactive and proactive trafficking investigations (as appropriate in accordance with whatever standard operating procedures were in force).	Publications by police or National Rapporteur. Feedback from victims	If no standard operating procedures were in force, Monitors should still assess whether adequate resources were available.	This is likely to be a subject assessment by the Monitor, who should note that most units complain of being short of resources most of the time, and consequently take into account the resources provided to other, comparative specialist investigation units.
F.13	Dedicated interview suites were available for police investigators' interviews with children suspected of being victims of sexual violence or exploitation, including trafficking, and were used in at least some cases investigated during the period under review.	Publications by police, National Rapporteur or national child protection agency. Feedback from child victims via legal advisors, CSOs or child protection officials	'Dedicated' signifies that they contained specialised equipment to put children at ease. This indicator is a simple number and does not involve any calculation.	

Number	Indicator	Possible source	Note	Calculation
F.14	% of investigators working on investigation of trafficking crimes that have received advanced training in human trafficking within a specified period (such as the last two years).	Police	'Number of investigators working on investigation of trafficking crimes' refers to the number of investigators that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of investigators working on investigation of trafficking crimes that have received advanced training in human trafficking within the last [X] years/ Total number of investigators working on investigation of trafficking crimes.
F.15	% of investigators working on investigation of trafficking crimes that have received basic training in human trafficking within a specified period (such as the last two years).	Police	'Number of investigators working on investigation of trafficking crimes' refers to the number of investigators that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of investigators working on investigation of trafficking crimes that have received basic training in human trafficking within the last [X] years/ Total number of investigators working on investigation of trafficking crimes.
F.16	% of prosecutors working on prosecution of trafficking crimes that have received advanced training in human trafficking within a specified period (such as the last two years).	Prosecution services	'Number of prosecutors working on prosecution of trafficking crimes...' refers to the number of prosecutors that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of prosecutors working on prosecution of trafficking crimes that have received advanced training in human trafficking within the last [X] years/ Total number of prosecutors working on prosecution of trafficking crimes.
F.17	% of prosecutors working on prosecution of trafficking crimes that have received basic training in human trafficking within a specified period (such as the last two years).	Prosecution services	'Number of prosecutors working on prosecution of trafficking crimes...' refers to the number of prosecutors that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of prosecutors working on prosecution of trafficking crimes that have received basic training in human trafficking within the last [X] years/ Total number of prosecutors working on prosecution of trafficking crimes.

Number	Indicator	Possible source	Note	Calculation
F.18	% of judges presiding over trafficking cases that have received advanced training in human trafficking within a specified period (such as the last two years).	Judiciary	'Number of judges presiding over trafficking cases ...' refers to the number of judges that have been presided over trafficking cases during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of judges presiding over trafficking cases that have received advanced training in human trafficking within the last [X] years / Total of judges presiding over trafficking cases.
F.19	% of judges presiding over trafficking cases that have received basic training in human trafficking within a specified period (such as the last two years).	Judiciary	'Number of judges presiding over trafficking cases ...' refers to the number of judges that have been presided over trafficking cases during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of judges presiding over trafficking cases that have received basic training in human trafficking within the last [X] years / Total of judges presiding over trafficking cases.
F.20	% of social workers providing support to victims of trafficking that have received advanced training in human trafficking within a specified period (such as the last two years).	Social services	'Number of social workers providing support to victims of trafficking...' refers to the number of social workers that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of social workers providing support to victims of trafficking crimes that have received advanced training in human trafficking within the last [X] years/ Total number of social workers providing support to victims of trafficking.
F.21	% of social workers providing support to victims of trafficking that have received basic training in human trafficking within a specified period (such as the last two years).	Social services	'Number of social workers providing support to victims of trafficking...' refers to the number of social workers that have been involved during the reporting period. '... within the last [x] years' means within [x] years before the start of the reporting period.	Number of social workers providing support to victims of trafficking crimes that have received basic training in human trafficking within the last [X] years/ Total number of social workers providing support to victims of trafficking.

## F.3 Gender

f. institutional framework, including capacity, coordination and international cooperation

Number	Indicator	Possible source	Note	Calculation
F.c	Specialist anti-trafficking investigative unit personnel had the necessary gender profile to implement reactive and proactive trafficking investigations (in accordance with Standard Operating Procedures).		This is a framework indicator and can be answered through the analysis of the 5 sub-indicators listed below.	
F.22	Any specialist anti-trafficking investigation unit included women investigators, who took part in some investigations.	Police; feedback from victims		
F.23	Investigators (men and women) were reported to have treated presumed or officially-recognised victims with respect during interviews.	Feedback from victims via their legal advisors or CSOs		
F.24	Interviews with girls (aged under 18) about sexual violence (including in the context of human trafficking) were carried out by specialist women investigators.	Police; CSOs (NGOs) specialising on sexual violence against children		
F.25	Availability of sufficient male and female interpreters of an adequate standard.	Government departments agencies	'Available' means that they exist (e.g. on relevant registers and lists of police, prosecutors, and courts, etc.) and they are available to provide interpretation when needed, as often as needed, and for as long as needed. 'Adequate standard' means that they are able to provide interpretation to a standard that enables the victim to: (a) fully	No calculation

Number	Indicator	Possible source	Note	Calculation
			understand legal issues, processes, procedures; (b) fully understand their rights, and the services and support available to them; (c) communicate facts and their wishes clearly to relevant authorities; (d) make informed decisions. This indicator requires a number of judgements to be made regarding: (a) whether the gender balance adequately reflects the overall gender balance of victims; (b) the availability of interpreters; (c) the quality of interpreters.	
F.26	Proportion of CSOs participating in the national anti-trafficking coordination body, which had a specialist focus on women.	Secretariat of anti-trafficking coordination body; CSOs participating in such a body		Number of CSOs with a specialist focus on women / Total number of CSOs in the coordination body.

#### F.4 National coordination and cooperation

Number	Indicator	Possible source	Note	Calculation
F.27	Number of meetings of a national anti-trafficking coordination body (whatever its title) in the period under review.	Secretariat of anti-trafficking coordination body. Minutes of meetings (if available)	This indicator is a simple number and does not involve any calculation. An assessment has to be made as to whether or not the number of meetings is adequate. If no coordination body existed or functioned, this should be noted.	No calculation.
F.28	Participation of relevant government departments and agencies in all meetings of anti-trafficking coordination body.	Minutes of meetings. Secretariat of anti-trafficking coordination body	This is a qualitative indicator to measure what proportions of the government organisations that were members of the	For each meeting about which attendance is available, the proportion of government members attending.

Number	Indicator	Possible source	Note	Calculation
			coordination body actually attended its meetings.	
F.29	Average number of CSOs represented at each meeting of the national anti-trafficking coordination body.	Minutes of meetings. CSOs		
F.30	% of CSOs invited to meetings of the national coordinating body which were organisations specialising on women's rights or issues related to violence against women.	Minutes of meetings; Secretariat of anti-trafficking coordination body		Number of CSOs invited to meetings of the national coordinating body which were organisations specialising on women's rights or issues related to violence against women / Total number of CSOs invited to meetings of the national coordinating body.
F.31	% of CSOs invited to meetings of the national coordinating body which were organisations specialising on child rights or child protection.	Minutes of meetings. Secretariat of anti-trafficking coordination body		Number of CSOs invited to meetings of the national coordinating body which were organisations specialising on child rights or child protection / Total number of CSOs invited to meetings of the national coordinating body.
F.32	Level of involvement of CSOs with role or responsibility in national system for combating trafficking or supporting victims of trafficking.	CSOs Government departments and agencies	This requires judgements to be made as to whether CSOs are sufficiently involved in the national anti-trafficking system.	No calculation.
F.33	Number of CSOs with formal role or responsibility in national system for combating trafficking or supporting victims of trafficking.	CSOs Government departments and agencies	This indicator is the same as F.32 except that here the aim is identify if the involvement of CSOs is formal. This is demonstrated by the written documentation of the role of the CSO in official documents, such as written agreements with the CSO, institutional guidelines, procedures, action plans, etc.	No calculation.

Number	Indicator	Possible source	Note	Calculation
			This requires judgements to be made as to whether CSOs are sufficiently involved in the national anti-trafficking system.	
F.34	The national anti-trafficking coordination body made a decision on at least one policy or practice during the period under review, which took into account comments or recommendations made by some CSOs.	Minutes of meetings; CSOs		
F.35	% of potential trafficking cases where state institutions or agencies seek assistance from relevant CSOs.	CSOs	N/A	Number of potential trafficking cases where state institutions or agencies seek assistance from relevant CSOs/ Total number of cases.
F.36	% of requests from CSOs to state institutions and agencies for information on/ support to potential victims that are satisfactorily answered within [specified time].	CSOs	In order to systematically monitor the performance of state institutions and agencies in this regard, it is suggested that all victims' assistance CSOs in each country coordinate to establish a database and information exchange mechanism by which all requests for information and/or support sent by CSOs to state institutions can be documented, analysed, and reported upon.	Number of requests from CSOs to state institutions or agencies for information on or support to potential victims that are satisfactorily answered within [time]/ Total number of such requests.

## F.5 International cooperation

Number	Indicator	Possible source	Note	Calculation
			NB There is no single framework indicator for section F.5	
F.37	Number of investigations on trafficking in human beings cases carried out in collaboration with other states.	Foreign Ministry; Police	This indicator is a simple number and does not involve any calculation.	No calculation.
F.38	Number of investigations concerning non-nationals reported to be 'missing', carried out at the request of a foreign government (or agency) or an international organisation (such as Interpol).	Foreign Ministry; police investigation unit concerned with missing persons	This indicator is a simple number and does not involve any calculation.	No calculation.
F.39	Number of occasions on which intelligence is transmitted to authorities of another state without a request from the other state for such information.	Police	This indicator aims to show whether or not such a procedure exists, and the extent of its use.	No calculation.
F.40	% of presumed victims of trafficking whose cases were investigated in the country following a complaint/report submitted by competent authorities of another State.	Official statistics of the state where the crime(s) were committed against the victim ; State institutions and agencies	This indicator tracks the number of investigations that are triggered by a complaint or report of one State to another State. For example, a victim makes a complaint to their State of residence (State A for this example) about an offence committed against them in another State (State B). On the basis of the victim's complaint, State A transmits the complaint to State B, where the offence took place, and State B then undertakes an investigation on the basis of the complaint from State A. The indicator therefore tracks	Number of potential victims of trafficking cases subject to an investigation following a complaint or report submitted by competent authorities of another State/ Total number of complaints or reports received by [country being monitored].

Number	Indicator	Possible source	Note	Calculation
			the situation from the perspective of State B.	
F.41	No. of cases involving mutual legal assistance (MLA) with another State, including Joint Investigation Teams (JITs), financed by the European Commission, set up to carry out an investigation in two or more states.	State institutions and agencies (such as specialist police investigation unit); European Commission; National Rapporteur.	A Joint Investigation Team (JIT) is an investigation team set up for a fixed period, based on an agreement between two or more EU Member States and/or competent authorities, for a specific purpose. Non EU Member States may participate in a JIT with the agreement of all other parties. The aim of a JIT is to investigate specific cases: it is not possible to establish a generically competent task force for a certain type of crime, nor is it possible to set up a permanent operational team by using the JIT setup and concept.	A straight forward number, if possible disaggregated to indicate how many cases of MLA occurred with which other countries.

## G . DATA AVAILABILITY, DATA PROTECTION AND PROTECTION OF PRIVATE LIFE

### G.2 Data handling and protection in practice

Number	Indicator	Possible source	Note	Calculation
			NB There is no single framework indicator for section G.2, as it covers several different topics.	
G.10	The government or a government-appointed official, such as a National Rapporteur on Trafficking in Human Beings, issued at least one public report in the 12 months that included the period under review, about the country's progress in responding to human trafficking.	Published report	Such a report contained, at a minimum, data about arrests, prosecutions and convictions of traffickers, and about the identification of trafficked adults and children.	Yes or no. Comment on contents of public information. Note if the information was deemed inaccurate by specialist anti-trafficking organisations.
G.11	In addition to information published by the government or by individual government agencies, the authorities responded to additional requests for data about responses to trafficking (whether telephone calls, letters or Freedom of Information law requests).	Journalists, legislators, CSOs or others who asked for additional data		Yes / No. If responses were received to certain categories of request only, note what these categories were.
G.12	The procedures and guidelines used to identify trafficking victims, during the period under review, including criteria for identifying them as presumed victims or as officially-recognised victims, were publicly available or at least available to specialist anti-trafficking CSOs and lawyers.	National Rapporteur; National Referral Mechanism; feedback from victims' legal advisors and CSOs	This indicator is not only intended to confirm that written procedures and guidelines existed, but also that these were used to determine decisions during the period under review (and not just procedures 'on paper', which were not followed in practice).	Yes / No (i.e. comment critically if accurate information on the procedures and guidelines used were not available).

Number	Indicator	Possible source	Note	Calculation
G.13	% of victims whose identity and privacy were protected adequately (as a result of application of the procedures and guidelines observed by those involved in the identification, protection and support of victims).	National Rapporteur. National Referral mechanism. Feedback from victims via legal advisors or CSOs	The percentage can be researched by establishing in how many cases, the identity of victims was revealed (whether directly or indirectly) and how many reported that their privacy was violated.	Number of victims identified and receiving any sort of protection during the year whose identity was not made known to the public, the media or otherwise inappropriately / Total number of victims identified and receiving any sort of protection during the year.
G.14	% of cases where a victim's personal data was not stored or used in conformity with the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108).	Complaints of victim; victims' legal advisors; CSOs; other actors; Media monitoring, including the Internet	This indicator primarily refers to another Council of Europe Convention. Those stakeholders wishing to monitor their State practice as far as storage and use of personal data is concerned may consider using other regional Conventions on data protection.	Number of cases where victim's personal data is not stored or used in conformity with the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108)/ Total number of victims.
G.15	% of cases where authorities disclosed information on, or personal data about a victim in ways that were inappropriate or violated the victim's right to privacy.	Complaints of victim; victims' legal advisors; CSOs; other actors; Media monitoring, including the Internet	This indicator is to be measured regardless of whether the disclosure of personal data or information about a victim had adverse consequences on the situation of a victim.	Number of cases where authorities disclosed information on or personal data of a victim /Total number of victims.
G.16	% of cases where the identity of an adult victim of trafficking was made public, or details were made public that allowed identification of the victim, in the national media, without their full consent.	Complaints of victim; victims' legal advisors; CSOs; other actors; Media monitoring, including the Internet	This indicator tracks the disclosure of a victim's identity in the media both when a victim was identified by authorities of another State abroad, or when a victim was identified in the territory of the State being monitored.	Number of cases where the identity of a victim of trafficking is made public in the media/ Total number of victims.
G.17	% of cases where the identity of a child victim was made public, or details were made public that allowed identification of the child victim, in the national media.	Complaints of victim; victims' legal advisors; CSOs; other actors; Media monitoring, including the Internet	This indicator assumes that making the identity of child victims public, or making available details that enable the victims to be identified, is rarely in the best interests of the child.	Number of cases where the identity of a child victim is made public/ Total number of child victims of trafficking.

Number	Indicator	Possible source	Note	Calculation
G.18	Number of media outlets that identified a victim of trafficking (adult or child) or provided details that might make identification of the victim possible.	Complaints of victim; victims' legal advisors; CSOs; other actors; Media monitoring, including the Internet; Ombudsperson; State media agency	This means the Total number of media outlets that publicly identify a victim of trafficking by any means, including the press, television, radio, Internet. This indicator assumes that any such disclosure by the media is undesirable/ unwarranted. The number of media outlets means individual publications, TV shows, radio shows, websites, and can relate to online, printed and broadcasted media outlets.	No calculation.
G.19	% of cases in which sanctions were applied by the authorities, the courts or by a collective organisation representing the media, on a media organisation for its disclosure of a victim's identity without their consent.	Complaints of victim; victims' legal advisors; CSOs; other actors; Court records; Ombudsperson; State media agency	For the purposes of this indicator, it is assumed that any disclosure is undesirable/ unwarranted when victims did not give their formal consent.	Number of cases where media are sanctioned for disclosing victims' identity/ Total number of unwanted disclosures of victims' identity.
G.21	% of cases where a sanction imposed on the media was not fully applied within [specified time].	Complaints of victim; victims' legal advisors; CSOs; other actors; Court records; Ombudsperson; State media agency	For the purposes of this indicator, sanctions that are not fully applied, or not applied at all within the specified time are treated as the same. In the case of monetary sanctions, 'not fully applied' means that the financial penalty has not been fully collected within the specified time. In the case of non-monetary sanctions, it means that the specified actions have not been carried out within the specified time.	Number of cases where imposed sanction is not fully applied within [time] / Total number of cases where a sanction is applied.

Number	Indicator	Possible source	Note	Calculation
G.22	Either the authorities themselves or an international organisation working with the authorities conducted research about the experience of emigrants from the country while working abroad.	National Rapporteur; National statistics office (or labour statistics unit); ICMPD; IOM	Easiest to report on if research resulted in a publication. This indicator is relevant only for countries with significant numbers of nationals working abroad. Conducting (or commissioning) research of this sort denotes an interest in finding out whether significant numbers of migrants experienced forced labour or other forms of exploitation for which they might be trafficked.	Yes = some data was collected during the time period being investigated. No = No data known to have been collected (even if relevant data had been collected previously).

115

# ANNEX 1: LIST OF SELECTED RELEVANT INTERNATIONAL INSTRUMENTS AND STANDARDS

Council of Europe, Council of Europe Convention on Action Against Trafficking in Human Beings, 16 May 2005, CETS 197.

European Union, Directive 2011/36/EU of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, 5 April 2011.

Fundamental Rights Agency of the European Union, Guardianship for children deprived of parental care – A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking, 2014.

International Labour Office, ILO Operational Indicators of Trafficking in Human Beings (2009), accessed at [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_105023.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf).

International Organization for Migration (IOM), Handbook on Direct Assistance for Victims of Trafficking, 2007.

OSCE/ODIHR, National Referral Mechanisms. Joining Efforts to Protect the Right of Trafficked Persons. A Practical Handbook, 2004.

OSCE/ODIHR, Guiding Principles on Human Rights in the Return of Trafficked Persons, 2014, accessed at <http://www.osce.org/odihr/124268?download=true>.

Roth, P., Uhl, B., Wijers, M., and Zikkenheiner, W., Data Protection Challenges in Anti-Trafficking Policies. A Practical Guide, DatACT (data protection in anti-trafficking action). KOK e.V. – German NGO Network against Trafficking in Human Beings, Berlin, 2015, accessed at <http://www.dataact-project.org/en/materials/study.html>.

UN Children’s Fund (UNICEF), Guidelines For Protection of the Rights of Children Victims Trafficking in Southeastern Europe, May 2003.

UNICEF, Reference Guide on Protection of the Rights of Children Victims of Trafficking in Europe, UNICEF Regional Office for CEE/CIS, Geneva, 2006.

UNICEF, Guidelines on the Protection of Child Victims of Trafficking, September 2006.

UN Committee on the Rights of the Child (CRC), CRC General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6.

UN Committee on the Rights of the Child (CRC), General Comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1), 29 May 2013, CRC /C/GC/14.

UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations.

UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

UN High Commissioner for Human Rights, Recommended Principles and Guidelines on Human Rights and Human Trafficking, 20 May 2002, E/2002/68/Add.

UN Office of the High Commissioner for Human Rights (OHCHR), Commentary. Recommended Principles and Guidelines on Human Rights and Human Trafficking, 2010, HR/PUB/10/2.

United Nations High Commissioner for Refugees (UNHCR), Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked, HCR/GIP/06/07, 7 April 2006.

UN Office on Drugs and Crime (UNODC). International Framework for Action To Implement the Trafficking in Persons Protocol. United Nations, New York, 2009.







BELGRADE, 2016