

4.3.3 Criminal justice capacity building Indicators

Criminal justice capacity building goal: Beneficiary countries provide a strengthened criminal justice response to trafficking in persons and smuggling of migrants.

HRBA / gender goal: Criminal justice duty bearers have increased capacity to take human rights based and gender sensitive approaches to their work to prevent and address human trafficking and migrant

Expected result	Human rights and gender INDICATOR	Source of information and Means of verification	Results / Targets
3. Criminal Justice capacity building Beneficiary countries provide a strengthened criminal justice response to trafficking in persons and smuggling of migrants			
3.1. Comprehensive, realistic and sustainable criminal justice capacity development strategy on TIP and SOM developed and agreed by key stakeholders, including funders	Country has introduced capacity development strategy to prevent and address human trafficking and migrant that explicitly integrates human rights, gender-equality, and child protection components	National strategy / strategies Stakeholder consultations	Criminal justice system adequate to respond to TIP and SOM in accordance with human rights, gender equality and child-protection
	Number of national initiatives to strengthen / implement criminal justice strategy in accordance with human rights and gender equality obligations	National strategies Stakeholder consultations	Strategies are tailored to country context (including conflict and humanitarian crises) and capacity

Expected result	Human rights and gender INDICATOR	Source of information and Means of verification	Results / Targets
<p>3.2. Strengthened national capacity to provide criminal justice responses to trafficking in human beings and / or migrant smuggling</p>	<p>Training materials specifically refer to relevant local laws and procedures Training is tailored to the specific TIP/SOM patterns found in the country, including conflict settings Training is aligned to specific standards agreed with national / local counterpart institutions Curriculum identifies and addresses potential national / local barriers to implementation of human rights, gender sensitive and child-friendly process.</p>	<p>Training curricula Agreements entered into with national training academies</p>	<p>Training curricula tailored to local context and capacity Training curricula delivered effectively</p>
	<p>Number of participants (male / female) trained in human rights, gender equality and child protection issues in combating TIP and SOM</p>	<p>Participant lists Workshop agendas</p>	<p>Nominated participants are appropriately qualified or positioned to participate in trainings Staff, consultants and others who deliver training have TIP / SOM related human rights, gender and child-protection expertise</p>

Expected result	Human rights and gender INDICATOR	Source of information and Means of verification	Results / Targets
	Percentage of training participants (male / female) demonstrating improved knowledge of human rights, gender equality and child protection issues	Pre and post-evaluations Workshop reports Assessment reports	Nominated participants are appropriately qualified or positioned to participate in trainings Law staff turnover facilitates skill retention Increased number of female investigators and prosecutors participating in capacity building activities
	Increased number of female investigators and prosecutors participating in capacity building activities	Participant / contact lists	Female attendees nominated by States are appropriately skilled / qualified to participate Application of gender quotas results in increased participation of appropriately skilled / qualified females (rather than merely increasing number of female participants)
	Number of TIP / SOM cases investigated and prosecuted in accordance with human rights obligations to victims, witnesses and perpetrators	Reports from beneficiary countries on official statistics Consultation with State stakeholders Mission reports Reports from human rights and other groups	Reports from beneficiary countries on official statistics Consultation with State stakeholders Mission reports Reports from human rights and other groups

Expected result	Human rights and gender INDICATOR	Source of information and Means of verification	Results / Targets
	Number of investigations and prosecutors of overall portion of all investigators and prosecutors to have received training on human rights based approaches to investigating and prosecuting TIP and SOM; proportion of female trainees among them	Mission reports Training evaluations Participant lists	Low turnover of personnel strengthens impact / sustainability of trainings Female participants sent to participate in trainings are appropriately skilled / qualified
	Proportion of law enforcement officers (male / female) to have received training on human rights implications use of detention for migrants in irregular situations; proportion of female trainees among them	Mission reports Training evaluations Participant lists	Training on human rights based and gender-sensitive approaches to detention does not inadvertently increase detention of migrants
	Proportion of persons arrested / detained (male / female) for alleged trafficking and smuggling crimes provided with legal representation (including through legal aid)	Case files / reports Consultations with stakeholders	Persons arrested are high-level actors; legal representation appointed have sufficient TIP / SOM expertise to provide sufficient defence
	Legal time limits for arrest or detention before being informed of reasons for arrest and detention, and being brought before court	Laws / policy setting time limits Case and court files / records Consultations with persons arrested / detained	Pressure to reduce time limits does not result in poor quality evidence-gathering

Expected result	Human rights and gender INDICATOR	Source of information and Means of verification	Results / Targets
	Proportion of officials formally investigated for abuse of power, complicity or other crime relevant to TIP / SOM; Proportion of formal investigations resulting in disciplinary action	Case files / reports Consultations with stakeholders	Powerful actors are targeted in abuse of power / complicity investigations (and low-level actors are not used as scapegoats)
	Number of smuggling of migrants sentences that are aggravated on the basis of circumstances provided for in article 6(3) of the Smuggling Protocol	Court records / media reports Consultations with stakeholders	Domestic legislation on smuggling of migrants accords with international definition
	Proportion of requests for legal assistance and free interpreters (male/female) being met in criminal proceedings	Court records / case files Stakeholder consultations	Interpreters sufficiently screened, certified or trained in TIP / SOM issues; recruitment process upholds integrity of criminal proceedings