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## **INDICATORS**

**FOR MONITORING IMPLEMENTATION OF PROVISIONS  
OF COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING  
VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE**

**Banja Luka, 2014**

Indicators for monitoring implementation of provisions of Council of Europe Convention on preventing and combating violence against women and domestic violence have been developed within regional project "Coordinated Efforts – Toward new European standards in protection of women from gender-based violence", conducted in the period of 2012 to 2014.

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## Introductory remarks:

The attempt to turn the complex content of the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter Convention) into "set of indicators", that would enable monitoring of implementation of this international treaty, faced an entire range of dilemmas and challenges. Two main sources of information and interpretations of Convention's articles and standards, used for creation of indicators, were Convention's Explanatory report, document of The Committee of Ministers<sup>1</sup>, as well as methodology on compliance of legislative and strategic documents with Convention standards, developed within this project<sup>2</sup>. Indicators are established for **51 articles** of the Convention, in accordance with articles selected for analysis within Basic studies on compliance of legislative and strategic framework with the Convention standards, that is already created in 5 countries where authors operate, in order to facilitate future data collection regarding established indicators.

The above mentioned dilemmas and difficulties referred to:

- possibility to establish the list of indicators for entire Convention, or to set specific indicators for every particular article of the Convention - we have chosen the second possibility;
- complexity and comprehensiveness of provisions and standards contained in articles of Convention and their mutual permeation, disabled definition of simple and easily measurable indicators;
- at the same time, awareness of non-existence of appropriate records and publicly available data for many of stated indicators, faced us with dilemma whether to leave them out from the final version - we have decided to keep indicators for which data collection would not be easy, or maybe even possible, because the mere fact suggests that necessary changes should be made regarding records, statistics and data sources in that area;
- the fact that standards and provisions contained in every Convention's article should influence large number of documents of different levels of generality and bindingness created dilemma regarding their "scope" - we have chosen the formulation "relevant laws/by-laws/strategies and policies", leaving to those who apply these indicators to define/choose "relevant";
- at the same time, some of the "relevant documents" exist and/or reflect procedures and activities on various levels of authority and governance - state, regional and local, which complicates or even disables the process of data collection, so that fact influenced our preference to avoid consistent use of formulation that includes all levels of authority/governance - that doesn't necessarily mean that appropriate indicators can not be used on both regional and local level, if there is an interest or resources to do so;
- we have aspired to achieve balance between indicators related to laws and policies and those related to their implementation;
- we are aware that indicators that contain number and percentage don't (always) include information on relevance, effectiveness and efficacy, but we do believe that they could serve as the first, the most basic indicator on the condition of stated area;
- finally, the list of proposed indicators is neither final, nor unchangeable - their application will show direction in which to modify and develop them, or which should be abandoned.

The list of indicators proposed here does not impose obligation to women's organizations that conduct project "Coordinated efforts - toward new European standards in protection of women from gender based violence" to collect data for all indicators, it provides support in monitoring of application of the Convention, some of its chapters or particular articles, of the interest for each particular organization. Therefore, this list is a potential "tool", and provided data could become "the mean" for future advocacy in this area.

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<sup>1</sup> Council of Europe: Convention on preventing and combating violence against women and domestic violence - Explanatory report, Document of the Committee of Ministers, April 7<sup>th</sup> 2011.

<sup>2</sup> M. Lukić: Methodology on compliance of legislative and strategic documents with the standards of the Convention on preventing and combating violence against women and domestic violence, Belgrade, 2013

## ***Chapter I: PURPOSES, DEFINITIONS, EQUALITY AND NON-DISCRIMINATION, GENERAL OBLIGATIONS***

### ***Indicators for Article 3 – Definitions***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of definition "violence against women", in compliance with definition in the Convention.
2. The level of incorporation in relevant laws/by-laws/strategies/policies of definition "domestic violence", in compliance with definition in the Convention.
3. The level of incorporation in relevant laws/by-laws/strategies/policies of definition "gender", in compliance with definition in the Convention.
4. The level of incorporation in relevant laws/by-laws/strategies/policies of definition "gender-based violence against women", in compliance with definition in the Convention.
5. The level of incorporation in relevant laws/by-laws/strategies/policies of definition "victim", in compliance with definition in the Convention.
6. The level of incorporation in relevant laws/by-laws/strategies/policies of definition "women", in compliance with definition in the Convention.

### ***Indicators for Article 5 – State obligations and due diligence***

1. The level of incorporation in relevant laws/by-laws/strategies/policies of measures/provisions that ensure actions in compliance with the standard of due diligence to prevent, investigate, punish and provide reparation for acts of violence covered by the scope of this Convention that are perpetrated by non-state actors prevent.
2. The percentage of processed complaints against the work of state authorities, officials, agents, institutions and other actors acting on behalf of the state (police, judiciary, social protection, health protection, education) compared to the total number of complaints submitted to competent authority, for all acts of violence covered by the scope of this Convention, annually.
3. The number of sanctioned individuals - state authorities, officials, agents, institutions and other actors acting on behalf of the state ( police, judiciary, social protection, health protection, education) for violation of due diligence standards, compared to the total number of submitted complaints, for all acts of violence covered by the scope of this Convention, annually.

## **Chapter II: INTEGRATED POLICIES AND DATA COLLECTION**

### ***Indicators for Article 7 – Comprehensive and co-ordinated policies***

1. The percentage of legally-binding documents compared to those of instructive nature that define roles and responsibilities of all relevant stakeholders and their mutual cooperation, for all acts of violence covered by the scope of this Convention.
2. The level of incorporation of measures/provisions that place the rights of the victim at the centre of all documents that define roles and responsibilities of all relevant stakeholders and their mutual cooperation, for all acts of violence covered by the scope of this Convention.
3. The level of incorporation of recommendations/suggestions submitted by women's non-governmental organizations in the final versions of relevant policies for protection of women victims of all acts of violence covered by the scope of this Convention.

### ***Indicators for Article 8 – Financial resources***

1. The percentage of allocations from annual budget intended for programs to prevent and combat all forms of violence covered by the scope of this Convention, in comparison to the total program funds in the following sectors: a) health, b) education, c) housing, d) youth, e) research and development.
2. The percentage of allocated funds from the annual budget assigned to the relevant women's non-governmental organization, in comparison to the total funds allocated to prevent and combat all forms of violence against women.

### ***Indicators for Article 9 – Non-governmental organisations and civil society***

1. The percentage of representatives of women's non-governmental organizations that actively participate in working groups for creation of relevant policies against all forms of violence covered by the scope of this Convention, in comparison to number of participants of working groups from other sectors.
2. The percentage of women's non-governmental organizations, independent providers of services to women that survived violence, that are financed from the budget, in comparison to the total number of such organizations, annually.

### ***Indicators for Article 10 – Co-ordinating body***

1. The number of state Co-ordinating bodies mandated to collect data, co-ordinate, implement, monitor and evaluate policies and measures to prevent and combat all forms of violence covered by the scope of the Convention.
2. The percentage of experts from relevant women's non-governmental organizations in comparison to the total number of members in Co-ordinating bodies.
3. The number of publicly available reports<sup>3</sup> on the activities from the mandate of the official state Co-ordinating bodies, annually.

### ***Indicators for Article 11 – Data collection and research***

1. Statistical administrative and judicial data on all forms of violence covered by the scope of the Convention, with obligatory disaggregation by sex, age, disability status, the relationship between the perpetrator and the victim, geographical location, as well as other factors, available to the public, at least once a year.
2. The number of relevant researches, focused on various forms of violence covered by the scope of this Convention, conducted by: a) state services, b) civil society, annually.

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<sup>3</sup> "Publicly available reports" or "data available to the public" are those that could be found on the Internet web sites of relevant bodies, without special addressing to those bodies (according to the Law on free access to information of public importance) and without additional expenses for processing and/or report or data delivery.

### *Chapter III : PREVENTION*

#### *Indicators for Article 15 – Training of professionals*

1. The number of trained professionals dealing with victims and perpetrators of all forms of violence covered by the scope of this Convention, annually, in following areas<sup>4</sup>:
  - the prevention and detection of violence;
  - the equality between women and men;
  - the needs and rights of victims;
  - prevention of secondary victimisation;
  - the appropriate and effective response from relevant authorities/services;
  - the significance of co-ordinated multi-agency co-operation.
2. The percentage of trainings for professionals dealing with victims and perpetrators of all forms of violence covered by the scope of this Convention supported by the state, in comparison to the total number of trainings designed and implemented by women's non-governmental organizations, annually.

#### *Indicators for Article 16 – Preventive intervention and treatment programmes*

1. The number of programs on the state level aimed at working with perpetrators of domestic violence to master and adopt non-violent behaviour in interpersonal relationships in order to prevent further violence and change violent behavioural patterns, organized and implemented in close cooperation with specialist support services for victims, annually.
2. The percentage of perpetrators that attended programmes aimed at adopting non-violent behaviour in interpersonal relationships, in comparison to the total number of perpetrators, on annual level.
3. The number of convicted<sup>5</sup> sex-offenders attending programmes for the work with perpetrators with the aim to prevent further violence, in comparison to the total number of convicted perpetrators, annually.
4. The percentage of attendees of programmes for perpetrators that re-offended in the monitoring period of 1, 3, 10 years, in comparison to the total number of attendees.

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<sup>4</sup> Stated areas are named within Convention Explanatory report, with this Article.

<sup>5</sup> Members of women's organizations participating in formulation of indicators share the attitude that programs for the work with sex-offenders that are applied with the aim to prevent further violence and change violent behavioural patterns, **should not be an alternative to criminal sanction in any way**, meaning that they should be applied only with appropriate criminal sanction.

## ***Chapter IV: PROTECTION AND SUPPORT***

### ***Indicators for Article 18 – General obligations***

1. The number of researches on effectiveness of cooperation between relevant public institutions (police, public prosecution, judiciary, social and health institutions), regional and local authorities and relevant non-governmental organizations, with the aim to protect and support victims, for all forms of violence covered by the scope of this Convention, annually, conducted by: a) state and b) non-governmental organizations.
2. The percentage of cases that have undergone the comprehensive assessment of needs, circumstances and safety risks<sup>6</sup>, including the risk from secondary victimization, in comparison to the total number of cases, for all forms of violence covered by the scope of this Convention, annually.
3. The percentage of cases from vulnerable groups, disaggregated by characteristics of victim (women with disabilities, members of ethnic minorities, older than 65, beneficiaries of social welfare and other) that have received free general and specialist services, in comparison to the total number of such cases, disaggregated by all forms of violence covered by the scope of this Convention, annually.
4. The percentage of cases in which victims have received free general and specialist services, but did not want to file complaints or testify against perpetrators, in comparison to the total number of such cases, disaggregated by all forms of violence covered by the scope of this Convention, annually.

### ***Indicators for Article 19 – Information***

1. The number of legal and institutional mechanisms that ensure that victims receive adequate and timely information on available support services and legal measures in a language they understand.
2. The number and type of informative materials on available services for victims of all forms of violence covered by the scope of this Convention, prepared by the competent state and regional authorities, annually.
3. The percentage of informative material prepared in minority languages, adapted for people with sensory disability, migrants and asylum seekers, in comparison to the informative material on available services for victims of all forms of violence covered by the scope of this Convention, prepared by the competent state and regional authorities, on annual level.

### ***Indicators for Article 20 – General support services***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of legal measures and measures of social and health protection that regulate provision of appropriate services of support to the victims (psychological and legal counselling, financial assistance, housing, education, training and assistance in finding employment, health and social protection), to ensure recovery from all forms of violence covered by the scope of this Convention.
2. The type and number of existing services of general support to the victims (psychological and legal counselling, financial assistance, housing, education, training and assistance in finding employment, health and social protection), to ensure recovery from all forms of violence covered by the scope of this Convention, annually, disaggregated by: a) region/town and b) type of service provider<sup>7</sup>.

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<sup>6</sup> Indicator for assessing the lethality risk, the seriousness of the situation and the risk of repeated violence are set within Article 51.

<sup>7</sup> Disaggregation by "the type of service provider" relates to classification of services providers from public, non-governmental/civil and private sector.

### ***Indicators for Article 21 – Assistance in individual/collective complaints***

1. The number of individual/collective complaints and the number of relevant institutions providing free legal aid to women victims of violence that want to submit such complaints, annually, disaggregated by: a) region/town and b) type of service provider.
2. The percentage of women victims of violence that obtained free legal aid in comparison to the total number of persons obtaining such aid, disaggregated by: a) region/town and b) type of service provider.

### ***Indicators for Article 22 – Specialist support services***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that define providing of immediate, short- and long-term specialist support services<sup>8</sup> to any victim subjected to any of the acts of violence covered by the scope of this Convention.

### ***Indicators for Article 23 – Shelters***

1. The level of compliance of policies and standards of providers of this specialist service to the victims of violence with the standards set within the Convention.
2. The number and geographical distribution of specialized, easily accessible and safe shelters for women victims of violence and their children, disaggregated by: a) region/town and b) type of service provider (number of places/beds in comparison to the number of inhabitants<sup>9</sup>).
3. The percentage of victims of violence and their children in shelters, in comparison to the identified need for accommodation in shelters, disaggregated by all forms of violence covered by the scope of this Convention, annually.
4. The percentage of allocation from the annual budget intended for the undisturbed functioning of shelters and accommodation for victims, especially women and their children, in comparison to the total budget for the services in this area, annually.

### ***Indicators for Article 24 – Telephone helplines***

1. The level of compliance of policies and standards of providers of this specialist service to the victims of violence with the standards set within the Convention.
2. The number of the round-the-clock (24/7) telephone helplines on a state/regional/local level<sup>10</sup> that provide counselling to victims, confidentially or with due regard for their anonymity, in relation to all forms of violence covered by the scope of this Convention and the number of beneficiaries of this service, annually.
3. The percentage of calls addressed to telephone helplines, disaggregated by all forms of violence covered by the scope of this Convention, annually.
4. The percentage of allocation from the annual budget intended for the functioning the round-the-clock (24/7) telephone helplines that provide free advice to callers, in relation to all forms of violence covered by the scope of this Convention, in comparison to the total budget for the services in this area, on annual level.

### ***Indicators for Article 25 – Support for victims of sexual violence***

<sup>8</sup> In explanations for this Article of the Convention it is stated that these "specialist support services" ensure "optimal support" to victims and "assistance catered to their specific needs", "address the different types of violence covered by the scope of this Convention and provide support to all groups of victims, including hard-to-reach groups", and include "shelter and safe accommodation, immediate medical support, the collection of forensic medical evidence in cases of rape and sexual assault, short and long-term psychological counselling, trauma care, legal counselling, advocacy and outreach services, telephone helplines to direct victims to the right type of service and specific services for children as victims or witnesses" and that "much of this is best ensured by women's organisations and by support services". (par. 132).

<sup>9</sup> The recommended number for domestic violence is one family place per 10 000 head of population, geographically well distributed (EG-TFV (2008)6), but the number of shelter places should depend on the actual need regarding various forms of violence (par. 135).

<sup>10</sup> It is recommended to establish free national helpline covering all forms of violence against women operating 24 hours a day 7 days a week and providing crisis support in all relevant languages for all forms of violence covered by the scope of this Convention (EG-TFV (2008)6) (par. 136).



1. The level of compliance of policies and standards of providers of this specialist service to the victims of violence with the standards set within the Convention.
2. The number and regional spread of rape crisis centers or sexual violence referral centers (number of centers in comparison to number of inhabitants<sup>11</sup>).
3. The number of victims of rape or sexual violence that were provided specialist service in rape crisis centers or sexual violence referral centers, in comparison to the total number of reported cases for that type of violence, in regard to regional distribution, annually.
4. The percentage of allocations from the state, regional and local budget intended for undisturbed functioning of rape crisis centers or sexual violence referral centers, annually.

***Indicators for Article 26 – Protection and support for child witnesses***

1. The level of compliance of policies and standards of providers of this specialist service to the victims of violence with the standards set within the Convention.
2. The percentage of children witnesses of all forms of violence that used support services (including psychological counseling) in comparison to the total number of identified children witnesses to all forms of violence covered by the scope of this Convention, annually.
3. The percentage of proceedings (criminal, misdemeanor and/or for protection measures) in which perpetrator was convicted or issued protection measures and with respect to the minors, witnesses of the violence, in comparison to the total number of court proceedings where perpetrator and/or victim had minor children, annually.

***Indicators for Article 27 – Reporting***

1. The percentage of reports regarding all forms of violence covered by the scope of this Convention made by witnesses or persons having reasonable grounds to believe that such violence happened, in comparison to the total number of all forms of reported violence, annually.
2. The number of campaigns and/or initiatives intended to raise awareness on significance of the importance of the reporting of all forms of violence covered by the scope of this Convention, conducted annually by: a) state, b) non-governmental organizations.
3. The percentage of support services for victims and witnesses of criminal offenses in comparison to the number of courts and prosecution offices in the state.

***Indicators for Article 28 – Reporting by professionals***

1. The level of incorporation of internationally recognized and appropriate rules and standards in relevant local laws/by-laws/professional codes of conduct on the obligation of professionals (medical experts, therapists, priests, police, social services) to report violence or suspicion of violence to competent authorities.
2. The percentage of reports of all forms of violence covered by the scope of this Convention made by professional within their institutions or independently, in comparison to the total number of reports regarding violence registered annually<sup>12</sup>.
3. The level of compliance of confidential data bases on victims and witnesses of violence with internationally recognized standards/rules related to reporting all forms of violence covered by the scope of this Convention.

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<sup>11</sup> It is recommended that one such centre should be available per every 200.000 inhabitants and that their geographic spread should make them accessible to victims in rural areas as much as in cities ( EG-TFV (2008)6 (par. 142).

<sup>12</sup> In case this data is officially recorded, it is possible to set even more specific indicators: The percentage of reports submitted with victim's consent and reports submitted without victim's consent, in comparison to the total number of reports made by professionals within their institutions or independently, for all forms of violence covered by the scope of this Convention.

## ***Chapter V: SUBSTANTIVE LAW***

### ***Indicators for Article 29 – Civil lawsuits and remedies***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions based on which victims are provided with the appropriate civil law remedies against perpetrators of all forms of violence covered by the scope of this Convention.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions based on which victims are provided, in accordance with general principles of international law, appropriate civil law remedies against state authorities which have failed in their duty to take the necessary preventive or protective measures, for all forms of violence covered by the scope of this Convention.
3. The percentage of victims that have used appropriate civil law remedies against perpetrators in comparison to the number of registered victims of all forms of violence covered by the scope of this Convention, annually.
4. The percentage of victims that have used appropriate civil law remedies against state authorities which have failed in their duty to take the necessary preventive or protective measures, in comparison to the total number of registered failures, for all forms of violence covered by the scope of this Convention, annually.

### ***Indicators for Article 30 – Compensation***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions based on which victims are provided with the right to seek compensation from perpetrator for damages (both pecuniary and non-pecuniary damages) suffered as a result of any of the offences established by this Convention.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions based on which victims are provided with adequate compensation by the state in situations where the victim has sustained serious bodily injury or impairment of health to such extent that level of bodily injury is not covered from other sources (perpetrator, insurance, and state-funded health and social security schemes).
3. The percentage of victims that were, by final court decision/res judicata, granted the right to compensation from the perpetrator (in criminal or civil law proceedings), in comparison to the total number of victims of such offenses and the number of victims that claimed that right during court proceedings, annually.
4. The percentage of victims that have initiated proceedings for compulsory execution of court decision on compensation from perpetrators or were granted subsidiary right to compensate from the state, in comparison to the total number of victims that were granted such right within court proceedings, annually.

### ***Indicators for Article 31 – Custody, visitation rights and safety***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that in the determination of custody and visitation rights of children, incidents of violence covered by the scope of this Convention are taken into account.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the exercise of any visitation or custody rights does not jeopardise the rights and safety of the victim or children.
3. The percentage of proceedings where perpetrator is ordered supervised visitations with child and percentage of proceedings where perpetrator is denied any visitation rights, in comparison to the total number of court proceedings when court decides on visitation rights, annually.

### ***Indicators for Article 32 – Civil consequences of forced marriages***

1. The level of incorporation in relevant laws/by-laws/strategies and policies on state, regional, and local level of measures/provisions that ensure that marriages concluded under force may

- be voidable, annulled or dissolved without undue financial or administrative burden placed on the victim.
2. The percentage of forced marriages that were annulled or dissolved due to force, where victim did not pay or paid a minimal amount of tax fees, in comparison to the total number of annulled or dissolves marriages due to force, annually.

***Indicators for Article 33 – Psychological violence<sup>13</sup>***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning offense/offenses of psychological violence, in compliance with definition from this Convention.
2. The number of reports of acts of only psychological violence against women, reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of the perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of only psychological violence against women, reported to public prosecution, in comparison to the total number of reports of psychological violence only, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for only psychological violence against women, in comparison to the total number of such reports, annually.
5. The percentage of final court decisions for only psychological violence against women, in comparison to the total number of such reports, annually.
6. The percentage of imposed effective prison sentences for only psychological violence against women in comparison to the total number of such reports <sup>14</sup>(or finished court proceedings), annually.
7. The percentage of criminal and/or misdemeanor reports/charges initiated by the police or public prosecution against women and men as perpetrators of domestic violence, in comparison to the total number of reports/charges for domestic violence, annually.

***Indicators for Article 34 – Stalking***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of stalking, in compliance with definition from this Convention.
2. The number of reports of act of stalking reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of act of stalking reported to public prosecution, in comparison to the total number of reports of stalking submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for stalking in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for stalking, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for stalking in comparison to the total number of such reports (or finished court proceedings), annually.

***Indicators for Article 35 – Physical violence***

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<sup>13</sup> The indicators for data disaggregated by specific characteristics and relationships between victim and perpetrator, as well as indicators on conducted filed researches for all forms of violence covered by the articles 33-40 have been encompassed by article 11; Indicators about the number of call to telephone helplines for all forms of violence covered by articles 33-40 has been encompassed by article 24.

<sup>14</sup> Due to the duration of criminal proceedings, charges and convictions for violence usually don't correspond in the same year, why alternative measure is proposed - finished court proceedings. this comment is relevant for all articles 33 - 40.

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of physical violence, in compliance with definition from this Convention.
2. The number of reports of acts of physical violence reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of physical violence against women reported to public prosecution, in comparison to total number of reports of physical violence submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for physical violence against women in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for physical violence against women, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for physical violence against women in comparison to the total number of such reports (or finished court proceedings), annually.

#### ***Indicators for Article 36 – Sexual violence, including rape***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of sexual violence against women, including rape, in compliance with definition from this Convention.
2. The number of reports of acts of sexual violence against women, including rape reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of sexual violence against women, including rape, reported to public prosecution, in comparison to the total number of such reports submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for sexual violence against women, including rape, in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for sexual violence against women, including rape, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for sexual violence against women, including rape in comparison to the total number of such reports (or finished court proceedings), annually.

#### ***Indicators for Article 37 – Forced marriage***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of forced marriages, in compliance with definition from this Convention.
2. The number of reports of acts of forced marriages reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of forced marriage reported to public prosecution, in comparison to the total number of reports of physical violence submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for acts of forced marriage in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for acts of forced marriage, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for acts of forced marriage in comparison to the total number of such reports (or finished court proceedings), annually.

***Indicators for Article 38 – Female genital mutilation***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of female genital mutilation, in compliance with definition from this Convention.
2. The number of reports of acts of female genital mutilation reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of female genital mutilation reported to public prosecution, in comparison to the total number of reports of female genital mutilation submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for acts of female genital mutilation in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for acts of female genital mutilation, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for acts of female genital mutilation in comparison to the total number of such reports (or finished court proceedings), annually.

***Indicators for Article 39 – Forced abortion and forced sterilisation***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning of forced abortion and forced sterilization, in compliance with definition from this Convention.
2. The number of reports of acts of forced abortion and forced sterilization reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), annually.
3. The number of reports of acts of forced abortion and forced sterilization reported to public prosecution, in comparison to the total number of reports of acts of forced abortion and forced sterilization submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for acts of forced abortion and forced sterilization in comparison to the total number of such reports submitted to relevant services, annually.
5. The percentage of final court decisions for acts of forced abortion and forced sterilization, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for acts of forced abortion and forced sterilization in comparison to the total number of such reports (or finished court proceedings), annually.

***Indicators for Article 40 – Sexual harassment***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure sanctioning acts of sexual harassment in compliance with definition from this Convention.
2. The number of reports of acts of sexual harassment reported to police and other authorities/services (social service, public prosecution, health institutions, relevant non-governmental organizations), disaggregated by the sex of perpetrator and the relationship with the perpetrator, annually.
3. The number of reports of acts of sexual harassment reported to public prosecution, in comparison to the total number of reports of acts of sexual harassment submitted to relevant services, annually.
4. The percentage of initiated criminal/misdemeanor proceedings for the acts of sexual harassment in comparison to the total number of such reports submitted to relevant services, annually.

5. The percentage of final court decisions for the acts of sexual harassment, in comparison to the total number of such reports submitted to relevant services, annually.
6. The percentage of imposed effective prison sentences for the acts of sexual harassment in comparison to the total number of such reports (or finished court proceedings), annually.

***Indicators for Article 41 – Aiding or abetting and attempt***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that establish as an offence, when committed intentionally, aiding or abetting the commission of the offences established in accordance with Articles 33, 34, 35, 36, 37, 38.a, and 39 of this Convention.
2. The percentage of convictions for aiding or abetting in the offences established in accordance with Articles 33, 34, 35, 36, 37, 38.a, and 39 of this Convention in comparison to: a) the total number of charges for aiding or abetting the commission of the above mentioned offences, and b) the total number of convictions for any of these offences, annually.

***Indicators Article 42 – Unacceptable justifications for crimes, including crimes committed in the name of so-called “honour”***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition or so-called “honour” shall not be regarded as justification for such acts.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that incitement by any person of a child to commit any of the acts referred to in paragraph 1 shall not diminish the criminal liability of that person for the acts committed.
3. The percentage of court decisions in which the perpetrator is not convicted, or is released, or some of the above mentioned circumstances is taken as mitigating when issuing sentence, in comparison to the total number of decisions in which the perpetrator invoked such circumstances in his/her defense, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 43 – Application of criminal offences***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the offences established in accordance with this Convention shall apply irrespective of the nature of the relationship between victim and perpetrator.

***Indicators for Article 44 – Jurisdiction***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure jurisdiction over any offence established in accordance with this Convention, as described in all 7 paragraphs in Article 44.

***Indicators for Article 45 – Sanctions and measures***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that the offences established in accordance with this Convention are punishable by effective, proportionate and dissuasive sanctions, taking into account their seriousness.
2. The ratio between legally prescribed and the number of sanctions imposed by court/prosecution for any act of violence covered by the scope of this Convention, annually.
3. The number of measures/provisions that prescribe monitoring of convicted perpetrators, that are embedded in relevant laws/by-laws/strategies and policies.

***Indicators for Article 46 – Aggravating circumstances***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that circumstances described in Article 46 are taken into consideration as aggravating circumstances in the determination of the sentence in relation to the offences established in accordance with this Convention.
2. The percentage of court decisions where some of the circumstances described in Article 46 are taken as aggravating circumstances in the determination of the criminal or misdemeanor sentence, in comparison to the total number of court decision, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 47 – Sentences passed by another Party***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to provide for the possibility of taking into account final sentences passed by another Party in relation to the offences established in accordance with this Convention when determining the sentence.
2. The percentage of court decisions where final sentences passed by another Party in relation to the offences established in accordance with this Convention were taken into account when determining the criminal or misdemeanor sentence, in comparison to the total number of court decisions for all acts of violence, and in comparison to the number of perpetrators that were convicted by the final sentences passed by another Party, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 48 – Prohibition of mandatory alternative dispute resolution processes or sentencing***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that prohibit mandatory alternative dispute resolution processes, including mediation and conciliation, in relation to all forms of violence covered by the scope of this Convention.
2. The percentage of alternatively resolved criminal/misdemeanor proceedings disaggregated by all forms of violence covered by the scope of this Convention and in relation to the type of alternative resolution, and in comparison to the total number of reports for such acts, annually.
3. The percentage of imposed alternative sanctions, disaggregated by all forms of violence covered by the scope of this Convention and in relation to the type of alternative resolution, and in comparison to the total number of sanctions for such acts, annually.
4. The percentage of conducted processes of conciliation/mediation in civil law proceedings for acts of violence covered by the scope of this Convention, disaggregated by all forms of violence covered by the scope of this Convention, and in relation to the authority that conducted conciliation or mediation, annually.
5. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that if the payment of a fine is ordered, due account shall be taken of the ability of the perpetrator to assume his or her financial obligations towards the victim.
6. The percentage of issued monetary sentences, disaggregated by all forms of violence covered by the scope of this Convention in comparison to the total number of sanctions for such acts, annually.

## **Chapter VI – INVESTIGATION, PROSECUTION, PROCEDURAL LAW AND PROTECTIVE MEASURES**

### ***Indicators for Article 49 – General obligations***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure that investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay<sup>15</sup> while taking into consideration the rights of the victim during all stages of the criminal proceedings.
2. The level of incorporation in relevant laws/by-laws/strategies and policies on state, regional and local level of measures/provisions, in conformity with the fundamental principles of human rights and having regard to the gendered understanding of violence, to ensure the effective<sup>16</sup> investigation and prosecution of offences established in accordance with this Convention.
3. The percentage of timely and effective investigations in comparison to the total number of investigations related to all forms of violence covered by the scope of this Convention, annually.
4. The percentage of timely and effective criminal proceedings in comparison to the total number of criminal proceedings related to all forms of violence covered by the scope of this Convention, annually.

### ***Indicators for Article 50 – Immediate response, prevention and protection***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the responsible law enforcement agencies respond to all forms of violence covered by the scope of this Convention promptly and appropriately by offering adequate and immediate protection to victims.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provision to ensure that the responsible law enforcement agencies engage promptly and appropriately in the prevention and protection against all forms of violence covered by the scope of this Convention, including the employment of preventive operational measures and the collection of evidence.
3. The number of specially-trained law enforcement officers for the work with victims of all forms of violence covered by the scope of this Convention, annually.
4. The percentage of reported cases of violence where victim was not provided with adequate and immediate protection from responsible law enforcement agencies in comparison to the total number of reported cases of violence, annually.

### ***Indicators for Article 51 – Risk assessment and risk management***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order to manage the risk and if necessary to provide co-ordinated safety and support.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the assessment referred to in paragraph 1 is taken into account at all stages of the investigation and application of protective measures.

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<sup>15</sup> In Explanatory report for Convention it is not precisely determined what the phrase “without undue delay” actually means. It is stated that it is important “to ensure swift investigations and proceedings” and that it is equally important “to respect the rights of victims during these stages” and to avoid “to the extent possible aggravating any harm experienced by victims during investigations and judicial proceedings and to provide them with assistance during criminal proceedings” (par.255).

<sup>16</sup> In Explanatory report for Convention “effective” investigation and criminal proceedings are described as “establishing the relevant facts, interviewing all available witnesses, and conducting forensic examinations, based on a multi-disciplinary approach and using state-of-the-art criminal investigative methodology to ensure a comprehensive analysis of the case” (par. 256).



3. The percentage of cases where risk management plan was created (the protection plan according to the assessed risk), disaggregated by all forms of violence covered by the scope of this Convention, in comparison to the total number of such reported cases, annually.

***Indicators for Article 52 – Emergency barring orders***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the competent authorities are granted the power to order the perpetrator of domestic violence, immediately or with 24 hours deadline, in situations of immediate danger, to vacate the residence of the victim or person at risk for a sufficient period of time.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the competent authorities are granted the power to prohibit the perpetrator, immediately or with 24 hours deadline, in situations of immediate danger, from entering the residence of or contacting the victim or person at risk.
3. The percentage of cases in which competent authorities issued immediate order to perpetrators of domestic violence to vacate the residence of the victim or person at risk for a sufficient period of time, in comparison to the total number of reports of domestic violence annually.
4. The percentage of cases in which competent authorities issued immediate order to perpetrators of domestic violence prohibiting perpetrators from entering the residence of or contacting the victim or person at risk, in comparison to the total number of reports of domestic violence annually.

***Indicators for Article 53 – Restraining or protection orders***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that appropriate restraining or protection orders are available to victims of all forms of violence covered by the scope of this Convention.
2. The percentage of issued restraining or protection orders in comparison to the total number of requested orders, disaggregated by all forms of violence covered by the scope of this Convention, annually.
3. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that breaches of restraining or protection orders issued pursuant to paragraph 1 shall be subject to effective, proportionate and dissuasive criminal or other legal sanctions.
4. The percentage of ordered sanctions for breaches of restraining or protection orders, in comparison to the total number of such orders, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 54 – Investigations and evidence***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that, in any civil or criminal proceedings, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary.
2. The percentage of court decisions in which evidence relating to the sexual history and conduct of the victim were permitted as relevant and necessary, in comparison to the total number of court decisions, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 55 – Ex parte and ex officio proceedings***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that investigations into or prosecution of offences established in accordance with Articles 35, 36, 37, 38 and 39 of this Convention shall not be wholly dependant upon a report or complaint filed by a victim if the offence was committed in whole

- or in part on its territory, and that the proceedings may continue even if the victim withdraws her or his statement or complaint.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure, in accordance with the conditions provided for by the internal law, the possibility for governmental and non-governmental organisations and domestic violence counsellors to assist and/or support victims, at their request, during investigations and judicial proceedings concerning the offences established in accordance with this Convention.
  3. The percentage of ex officio proceedings that public prosecutor continued after victim withdrew her or his statement or complaint, in comparison to the total number of initiated proceedings, disaggregated by all forms of violence covered by the scope of this Convention, annually.
  4. The percentage of cases in which non-governmental organisations and domestic violence counsellors provided assistance and/or support to victims, at their request, during investigations and judicial proceedings, in comparison to the total number of cases, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 56 – Measures of protection***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings, as described in Article 56, paragraph 1.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that children victims and children witnesses of violence against women and domestic violence are afforded, where appropriate, special protection measures taking into account the best interests of the child.
3. The percentage of proceedings in which measures defined by points d – i of this article were applied, in comparison to the total number of proceedings, disaggregated by all forms of violence covered by the scope of this Convention, annually.

***Indicators for Article 57 – Legal aid***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims of all forms of violence covered by the scope of this Convention are provided with the right to legal assistance and to free legal aid under the conditions provided by the internal law.
2. The number of offices/organizations that provide free legal aid to victims of all forms of violence covered by the scope of this Convention, disaggregated by: a) region/town, b) type of provided legal aid, c) type of provider (lawyers, public sector, non-governmental organizations).
3. The percentage of relevant women's non-governmental organizations that receive state funds for providing free legal aid to victims of all forms of violence covered by the scope of this Convention, in comparison to the total number of women's non-governmental organizations that provide such aid, annually.

***Indicators for Article 58 – Statute of limitation***

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that the statute of limitation for initiating any legal proceedings with regard to the offences established in accordance with Articles 36, 37, 38 and 39 of this Convention, shall continue for a period of time that is sufficient and commensurate with the gravity of the offence in question, to allow for the efficient initiation of proceedings after the victim has reached the age of majority.
2. The percentage of cases for which statute of limitation occurred, in comparison to the total number of charges for criminal acts stated in this article of Convention, disaggregated by the stated forms of violence, submitted in the same year as charges in which statute of limitation occurred.

## Chapter VII – MIGRATION AND ASYLUM

### *Indicators for Article 59 – Residence status*

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims whose residence status depends on that of the spouse or partner as recognised by internal law, in the event of the dissolution of the marriage or the relationship, are granted in the event of particularly difficult circumstances, upon application and with prescription of symbolic fee, an autonomous residence permit irrespective of the duration of the marriage or the relationship.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims may obtain the suspension of expulsion proceedings initiated in relation to a residence status dependent on that of the spouse or partner as recognised by internal law to enable them to apply for an autonomous residence permit.
3. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims could be issued a renewable residence permit to victims in compliance with Article 59, paragraph 3.
4. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims of forced marriage brought into another country for the purpose of the marriage and who, as a result, have lost their residence status in the country where they habitually reside, may regain this status.
5. The percentage of women whose expulsion proceedings were suspended due to their status of victim of violence, in comparison to the total number of such cases annually.
6. The number of (re)issued residence permits to women that were granted such right based on the fact that they were victims of some type of violence covered by the scope of this Convention, in comparison to the total number of residence permits issued to women (whose status has expired), annually.

### *Indicators for Article 60 – Gender-based asylum claims*

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that gender-based violence against women may be recognised as a form of persecution within the meaning of Article 1, A (2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection.
2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that a gender-sensitive interpretation is given to each of the Convention grounds and that where it is established that the persecution feared is for one or more of these grounds, applicants shall be granted refugee status according to the applicable relevant instruments.
3. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure development of gender-sensitive reception procedures and support services for asylum-seekers as well as gender guidelines and gender-sensitive asylum procedures, including refugee status determination and application for international protection.
4. The number of gender sensitive guidelines and procedures for asylum on state, regional and local level.
5. The number of providers of support services for asylum seekers, disaggregated by: a) region/town and b) type of service provider (public, private, civil sector).
6. The percentage of women granted asylum based on the fact that they are the victims of gender based violence in comparison to the number of women that submitted asylum request, annually.

### *Indicators for Article 61 – Non-refoulement*

1. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions that ensure respect of the principle of *non-refoulement* in accordance with existing obligations under international law.

2. The level of incorporation in relevant laws/by-laws/strategies and policies of measures/provisions to ensure that victims of violence against women who are in need of protection, regardless of their status or residence, shall not be returned under any circumstances to any country where their life would be at risk or where they might be subjected to torture or inhuman or degrading treatment or punishment.
3. The percentage of women victims of violence returned to countries where their life could be at risk or where they might be subjected to torture or inhuman or degrading treatment or punishment, in comparison to the total number of returned women, annually.