

# **A Framework for Measuring Access to Justice Including Specific Challenges Facing Women**

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## Acronyms

**ABA ROLI:** American Bar Association Rule of Law Initiative  
**BRAC:** Bangladesh Rural Advancement Committee  
**CEDAW:** Convention on the Elimination of all Forms of Discrimination Against Women  
**CEPALSTAT:** Statistical Division United Nations Economic Commission for Latin America and the Caribbean  
**CEVI:** Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention  
**ECHR:** European Court of Human Rights  
**ECLAC:** United Nations Economic Commission for Latin America and the Caribbean  
**EIGE:** The European Institute for Gender Equality  
**CEPEJ:** European Commission for the Efficiency of Justice  
**COE:** Council of Europe  
**DHS:** Demographic and Health Surveys  
**DEMI:** Defensoria de la Mujer Indígena (Indigenous Women’s Legal Aid Office)  
**FRA:** Fundamental Rights Agency  
**GLSS:** Ghana Living Standard Survey  
**GREVIO:** Group of Experts on Action against Violence against Women and Domestic Violence (Istanbul Convention)  
**IAJW:** International Association of Women Judges  
**LSMS:** Living Standards Measurement Study  
**MDGs:** Millennium Development Goals  
**MESECVI:** Follow-up Mechanism to the Belém do Pará Convention  
**OEA:** Organización de los Estados Americanos (OAS – Organizations of American States)  
**OECD:** The Organisation for Economic Co-operation and Development  
**PEKKA:** Pemberdayaan Perempuan Kepala Keluarga (Women Headed Household Empowerment)  
**SIEH:** Sistema Integrado de Encuestas de Hogares (Integrated Household Survey System)  
**SIGI:** Social Institutions and Gender Index  
**SDGs:** Sustainable Development Goals  
**UNDP:** United Nations Development Program  
**UNODC:** United Nations Office on Drugs and Crime  
**UN:** United Nations  
**UNROLI:** United Nations Rule of Law Indicators  
**USAID:** United States Agency for International Development  
**WB:** World Bank  
**WBL:** Women Business and the Law  
**WJP:** World Justice Project

# Part I. Introduction

## Section 1. Background

**1.1 A focus on justice systems.** In recent years, the international community has increased its focus on the improvement of countries' justice systems. Strengthening legal frameworks and justice institutions either to fight corruption, attract investments, redress inequality, improve security or broaden individuals' access to resources has gained momentum among governments and international actors. With the increase in effort and interventions in the sector, there has been a need to create tools to assess justice systems, in order to identify the main elements affecting the workings of the justice machinery. Think tanks and international organizations working in the field have contributed to a substantial body of indicators assessing various aspects of justice systems. Existing indicators are currently used by governments, civil society and international partners to assess justice systems, monitor progress towards specific goals and targets, as well as to set standards against which governments' adherence to the rule of law can be measured and trends documented.

**1.2 Access to Justice.** In a context of increasing interest and engagement in justice systems reform and strengthening, the ability of citizens to access justice institutions to address their grievances and resolve conflicts has come to be seen as an essential element of development, human rights, democracy, and the rule of law.

In the broad definition we rely upon in this report, access to justice encompasses all the elements needed to enable citizens to seek redress for their grievances and to demand that their rights are upheld. Such elements include the existence of a legal framework granting comprehensive and equal rights to all citizens in accordance with international human rights standards; widespread legal awareness and literacy among the population; availability of affordable and quality legal advice and representation; availability of dispute resolution mechanisms that are accessible, affordable, timely, effective, efficient, impartial, free of corruption, that are trusted by citizens and that apply rules and processes in line with international human rights standards; and the availability of efficient and impartial mechanisms for the enforcement of judicial decisions<sup>1</sup>. In the right based approach underpinning this report, access to justice can also be referred to as the capacity of the "duty bearer" (i.e., the institutions entrusted with the authority and duty to render justice) to provide access, and the ability of the right holders (i.e. the individuals and entities entitled to seek and obtain justice) to exercise his or her rights.<sup>2</sup>

<sup>1</sup> There is no single definition of access to justice. UNDP broadly defines it as "[t]he ability of people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards". See UNDP (2005). *Programming for Justice: Access for All – A Practitioner's Guide to a Human-Right-Based approach to Access to Justice*. Bangkok: UNDP. P 5. According to the CEDAW Committee's General Recommendation No. 33 women's right to access to justice "encompasses justiciability, availability, accessibility, good quality and accountability of justice systems, and provision of remedies for victims. CEDAW Committee. (2015). General Recommendation on Women's Access to Justice. P 3.

<sup>2</sup> The analysis of access to justice and its constitutive elements carried out in this report is underpinned by a rights-based approach, based on the understanding that individuals have a right to obtain solutions to their grievances through justice institutions. Against such backdrop, we identify the elements of the justice chain that are key to an assessment of the accessibility of a justice system as those steps or components of the justice chain that most affect the ability of individuals to exercise such right. Such elements, when absent or malfunctioning, have been identified as the main barriers to access to justice, while, when properly designed and implemented, constitute best practice examples able to boost justice systems accessibility. See, for example, UNDP (2004). *Access to Justice Practice Note. Box 1*; UN Women. 2011. *Progress of the World's Women. In Pursuit of Justice*. New York: United Nations., pp 48-63 and 118-121; World Bank. 2011. *World Development Report 2012. Gender Equality and Development, 2011*. Washington, DC: The World Bank. Pp 166-168; American Bar Association Rule of

**1.3 Measuring Access.** Access to justice has been the object of studies and assessments, and indicators have been designed and implemented to track progress and collect data on the elements hindering and facilitating citizens' access to the justice system. The vast number of indicators includes “measures of institutional performance and compliance with international norms, surveys of user experience and perception, broad indices and “baskets” of indicators that aim to aggregate various concepts”<sup>3</sup>. Indicators may capture elements of the supply side of justice (i.e., the institutions and the individuals providing justice services) or the demand side of justice (i.e., the intended users of such services).

**1.4 The specificity of Women's Experience of Justice.** The right of women and men to equality before the law and equal access to dispute resolution mechanisms is enshrined in a number of international instruments, sanctioning access to justice as a universal human right and warranting its measurement in ways that capture the gender specificity of individuals' experiences<sup>4</sup>.

In this context, a number of studies and reports by international actors<sup>5</sup>- including the UN, the World Bank, the Council of Europe and the CEDAW Committee - have highlighted the unique challenges faced by women seeking to access justice and the importance of assessing them. All have indicated the lack of data measuring women's access to justice and documenting successful interventions as an issue requiring immediate and focused attention. Indeed, notwithstanding the increased relevance of access to justice in the development discourse, the specificity of women's experience of law and justice - both as users and providers - is, as yet, little documented by statistical evidence<sup>6</sup>. However, the fact that it is, on average, harder for women to gain access to institutional spaces to negotiate and protect their rights and obtain a fair resolution of their grievances, is widely accepted. While many of the barriers limiting access to justice stem from factors other than gender - such as poverty, illiteracy and lack of knowledge of official languages, lack of legal knowledge and awareness - they tend to affect women more than men. Indeed, a

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Law Initiative (ABA ROLI). .2012. *Access to Justice Assessment Tool. A guide to analyzing access to justice for civil society organizations*. Washington, DC: American Bar Association..

<sup>3</sup> Berg, A. and Deval Desai (2013). Background Paper: Overview on the Rule of Law and Sustainable Development for the Global Dialogue on Rule of Law and the Post- 2015 Development Agenda

<sup>4</sup> Article 2 of CEDAW creates an obligation for states to guarantee the “effective protection of women against any act of discrimination” also through the establishment of “competent national tribunals and other public institutions”. Article 15 provides that women and men shall be equal before the law. Finally, a number of general recommendations issued by the CEDAW Committee have interpreted CEDAW provisions to further bind states to ensure that “all women have access to education and information about their rights, to competent, gender-sensitive dispute resolution systems, as well as equal access to effective remedies” CEDAW Committee. 2015. Pp.4,5.

<sup>5</sup> See, for example, the 2012 UN Women .2012. Cit.; the World Bank. 2012. Cit; the Council of Europe. 2014. Council of Europe's Gender Equality Strategy 2014-2017. Strasbourg: Council of Europe; Council of Europe. 2014. Council of Europe; presentations and discussions held at the Seminar of the Council of Europe Gender Equality Commission: “Tackling the gaps in research and the lack of data disaggregated by sex concerning women's equal access to justice” (Paris, 26-27 June 2014) at [www.coe.int/equality-Paris2014](http://www.coe.int/equality-Paris2014); and CEDAW Committee. 2015. UN Women, Unicef and UNDP. 2009. Informal justice Systems - Charting a Course for Human Rights-Based Engagement.

<sup>6</sup> One area of women's access to justice that has received more attention is that of gender-based violence and violence against women. For example, the United Nations “Guidelines for Producing Statistics on Violence against Women: Statistical Surveys”, provides governments with tools for measuring and analyze data on violence against women; UNODC collects data on criminal justice, including on violence against women. The Organization of American States, through the Follow-up Mechanism on the Belem do Para Convention, provides guidelines on the implementation of the convention, and it's preparing a set of indicators to measure countries' progress in the implementation of the convention. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence ([Istanbul Convention](#)) sets binding requirements on states to collect data on violence against women. A monitoring mechanism will assess the implementation of the convention by the parties. The European Institute for Gender Equality (EIGE) prepared the report “Mapping Administrative Data Sources on Gender-based Violence in the EU-28: Current status and Potential” accounting for the status of governments' administrative data collection on gender-based violence, highlighting gaps and opportunities. In 2008, the Council of Europe published a report on “Administrative data collection on domestic violence in Council of Europe member states” (ref. EG-VEW-DC(2008)Study).

combination of social with institutional barriers aggravates women's difficulty to access justice institutions, across income quintiles, education levels and ethnic groups, creating higher barriers at entry, high attrition, and making women more vulnerable during the judicial process. In addition, barriers such as discriminatory laws and social stigma are gender specific and increase dramatically the access gap.

## Section 2. A New Development Framework.

**2.1 The post 2015 development framework. - a new space for justice.** As negotiations for a new global development compact are unfolding, achieving justice for all is emerging as a priority, and the new development framework is opening up a space for access to justice in the development agenda. Among the lesson learned in the past decade and through the implementation of the Millennium Development Goals is the recognition that a functioning and accessible justice system is an essential element of development, *per se* and as an enabling factor for the realization of other development goals.

Goal 16 of the proposed post 2015 sustainable development agenda, in its current formulation<sup>7</sup>, sets the commitment to “[p]romote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. In particular, Target 16.3 addresses the promotion of “the rule of law at the national and international levels” and the commitment to “ensure equal access to justice”. Targets 16.5, 16.6 and 16.7 seek to increase the efficiency, transparency, inclusiveness and representativeness of institutions, setting as their objectives the reduction of corruption (16.5), the development of “effective, accountable and transparent institutions at all levels,” (16.6) and the creation of “responsive, inclusive, participatory and representative decision-making at all levels” (16.7). A key element of the ability of individuals to claim their rights and access justice is the provision of legal identity, including birth registration, as set forth by target 16.9. Finally, Target 16.b focuses on the promotion and enforcement of non-discriminatory laws and policies for sustainable development. Goal 5<sup>8</sup>, also includes targets addressing aspects of gender equality and girls' and women's empowerment clearly linked to access to justice, such as ending all forms of discrimination against women and girls everywhere (target 5.1); eliminating all forms of violence against women (5.2); ensuring women's participation and equal opportunities for leadership at all level f decision-making (5.5); undertaking reforms to give women equal rights to economic resources, property, financial services, inheritance and natural resources (5.a); and, finally, adopting and strengthening sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels (5.c).

The creation of meaningful, measureable, technically sound indicators to track progress towards each goal and target is also emphasized in the new framework, as is the collection of “reliable and timely data sets, [through] new and non-traditional data sources”<sup>9</sup>, while a “broader and systematic disaggregation of data”

<sup>7</sup> All references to the SDG and related targets rely on the latest version of the Post 2015 Development Agenda available to the author at the time of this writing. See “Transforming our world by 2030: a new agenda for Global Action”, dated June 1, 2015.

<sup>8</sup> UN Women had been advocating for the inclusion of a stand-alone goal on gender equality, including a target on women's access to justice. Although the Post 2015 development agenda in its current formulation does include such a stand alone goal (Goal 5) such goal does not include a target aiming to “[e]nsure security, support services and justice for women and girl” as UN Women advocated ( see UN Women (2013). *A Transformative Stand-Alone Goal on Achieving Gender Equality, Women's Rights and Women's Empowerment: Imperatives and Key Components*. NY: UN Women. P 24). Such proposed target, which was intended to measure access to justice, was to include an indicator expressly tracking the “proportion of law enforcement professionals who are women (including judges and the police)”.

<sup>9</sup> UN. 2014. *The road to dignity by 2030: ending poverty, transforming all lives and protecting the planet*. Synthesis report of the Secretary-General on the post-2015 sustainable development agenda. Retrieved at [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/69/700&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/69/700&Lang=E);



is highlighted as fundamental to unearth inequities and to make evidence-based interventions truly responsive to the needs of the most vulnerable<sup>10</sup>. The UN Statistical Commission is leading the work of member states, civil society and international organizations to develop indicators measuring progress towards the SDGs. Such indicators are to be adopted by March 2016.

**2.2 CEDAW Committee’s general recommendation on women’s access to justice<sup>11</sup>.** Further adding to newly-gained relevance of access to justice for all in the new development agenda, CEDAW Committee’s General Recommendation No. 33 focuses on women’s access to justice. In the recommendation, the Committee identifies six essential components of access to justice: 1) justiciability, i.e., the unhindered ability of women to access justice and to claim their rights under CEDAW; 2) availability, which entails the existence of courts and other quasi-judicial bodies throughout the national territory, including rural and remote areas; 3) accessibility, requiring all justice systems to be secure, affordable, physically accessible to women and that they are adapted and appropriate to respond to the needs of women; 4) good quality, which includes elements such as competence, efficiency, independence, impartiality and timeliness, *inter alia*; 5) the provision of viable and meaningful remedies; and 6) accountability of the justice system(s).<sup>12</sup> Notably, data collection and use of indicators are among the measures the CEDAW Committee recommends to improve women’s access to justice. In particular, in order to improve accountability, states are encouraged to collect data on aspects of access to justice including, *inter alia*, number and geographical distribution of dispute resolutions mechanisms and lawyers; the number and gender distribution of professionals working in judicial and quasi-judicial bodies; the nature, number, length and outcome of cases lodged and dealt with by judicial and quasi-judicial bodies – all disaggregated by gender if complainant. Qualitative studies and critical gender analysis are also recommended to learn more about those factors hindering or promoting women’s access to justice, and inform policies aimed to improve the accountability of justice systems.<sup>13</sup> Finally, the creation of indicators measuring women’s access to justice is highlighted in the committee’s recommendations on the improvement of the quality of justice.<sup>14</sup>

**2.3 Measuring progress in combating violence against women.** Assessment and measurement tools have also been developed to track progress in states’ response to violence against women. The Organization of American States (OAS) has recently finalized, through the Follow-up Mechanism to the Inter American Convention on the Prevention, Punishment and Eradication of Violence Against Women “Belém do Pará Convention” (MESECVI) a set of indicators to monitor member states’ progress in the implementation of the Convention of Belem do Para. The set includes structural indicators, which assess the existence of national legal and institutional frameworks apt to implement and protect women’s rights in compliance with the convention, focusing in particular “on the domestic laws that relate to the right to live a life free from violence and on the institutional mechanisms that promote and enforce those laws”<sup>15</sup>; process indicators, which measure the extent to which policies, plans and strategies promote the realization of specific rights as provided by the convention; and outcome indicators, which “seek to

<sup>10</sup> High-Level Panel of Eminent Persons on the Post-2015 Development Agenda. 2013. *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development*. The Report of the High-Level Panel

of Eminent Persons on the Post-2015 Development Agenda. NY: United Nations

<sup>11</sup> Cedaw Committee 2015.

<sup>12</sup> Ibid., pp 5-6

<sup>13</sup> Ibid., p. 10

<sup>14</sup> Ibid., p 8

<sup>15</sup> OEA Follow-Up Mechanism to the Belém do Pará Convention (MESECVI) - Progress Indicators for Measuring the Implementation of the Inter American Convention on the Prevention, Punishment and Eradication of Violence Against Women “Belém do Pará Convention” adopted by the Committee of Experts (CEVI) on 21st May 2013. P 7

measure the actual impact of State strategies, programs, and interventions concerning the guarantees of women's rights"<sup>16</sup> This set of indicators will be used by state parties to the Belem do Para Convention to monitor progress in its implementation and report to the MESECVI.

The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) entered into force on August 1 2014, and it also provides for monitoring procedures through which the progress of states parties in realizing the rights afforded by the convention and implementing its provisions are evaluated. For this purpose, a body of independent experts, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) has been set up. The Convention creates research and data collection obligations for state parties. In particular, Article 11 requires state parties to "collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention" and to "endeavour to conduct population based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Convention". In addition, states must periodically report to GREVIO on their progress on implementation of the convention, providing data collected in the areas covered by the convention<sup>17</sup>.

### **Section 3. Purpose and Organization of the Report.**

Against such backdrop, this report seeks to advance the current discourse on access to justice indicators by mapping existing data collection efforts and measurement tools and proposing a set of indicators that governments, civil society and international organizations may adopt to assess the degree to which justice systems are accessible to all, with particular attention to the barriers to access faced by women.

The remainder of the report is structured as follows. Part II is dedicated to the mapping and analysis of existing indicators measuring access to justice. The first section explains the methodology followed in carrying out the mapping and compiling the indicators. Section 2 includes tables containing access to justice indicators, drawn from a sample of sources. Section 3 analyzes gaps in existing indicators, highlighting areas of access to justice which could be further explored, while section 4 focuses on approaches that could help to better capture women's barrier to access and address their needs.

Finally, Part III lays out a proposal for a basket of indicators able to capture aspects of access to justice particularly affecting women, gender gaps in access to justice and barriers encountered by women seeking to access justice. It includes Section 1, which explains the methodology used to select and present the indicators, and Section 2, providing a list of proposed indicators as well as the rationale behind their selection.

## **Part II. Stocktaking of Existing Indicators Measuring Access to Justice: Mapping and Analysis**

### **Section 1. Methodology**

**1.1. Sources.** The mapping of existing indicators used to assess access to justice has been conducted to take stock of the current status of access to justice measurements by learning which indicators are

<sup>16</sup> Ibidem.

<sup>17</sup> The monitoring process will begin in 2016.

currently used by international organizations, civil society and governments. The mapping was conducted through the following steps:

a. A desk review of existing sources of access to justice indicators was carried out. The review covered an array of diverse sources including: sets of global indicators used to assess countries adherence to the rule of law, business competitiveness, gender equality and women empowerment; national household and public opinion surveys; indicators used by national statistical offices and court statistical offices; and international conventions.

Given the vast number of existing access to justice indicators and the impossibility to account for all of them, the exercise aims to provide a sample of existing indicators, rather than a comprehensive list. These sources were selected with a view to provide a balanced sample of access to justice indicators used by (1) multilateral (global and regional) organizations, (1) civil society organizations, and (3) national governments – and they are, as mentioned, by no means exhaustive. The sample, including that of indicators used and/or developed by national governments (whether or not through their National Statistical Offices), ought to provide regional diversity. Given the purpose of this report, the content of which is open to input and revision by partners, additional sources may be added to the mapping, and relevant suggestions by partners and stakeholders are encouraged<sup>18</sup>.

The following sources have been used to conduct the mapping:

- 1) Afrobarometer
- 2) Council of Europe Convention on preventing and combating violence against women and domestic violence
- 3) Demographic and Health Surveys
- 4) Economic Commission for Latin America and the Caribbean (ECLAC) - CEPALSTAT
- 5) European Commission for the Efficiency of Justice (CEPEJ - Council of Europe)
- 6) European Sourcebook of Crime and Criminal Justice Statistics 5<sup>th</sup> Edition
- 7) Follow-Up Mechanism to the Belém do Pará Convention (MESECVI) – Progress Indicators for Measuring the Implementation of the Inter American Convention on the Prevention, Punishment and Eradication of Violence Against Women “Belém do Pará Convention” adopted by the Committee of Experts (CEVI) on 21<sup>st</sup> May 2013.
- 8) Fundamental Rights Agency –Survey on women’s well-being and safety in Europe
- 9) Global Integrity Report
- 10) Government of Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report
- 11) Institut National de la Statistique – Annuaire Statistique du Cameroun 2013
- 12) The Justice Index
- 13) Kenya Facts and Figures 2014
- 14) Living Standards Measurements Surveys
  - a. 2011/12 Ethiopian Rural Socioeconomic Survey
  - b. Ghana Living Standard Survey Round 6
  - c. Guatemala National Survey of Living Conditions (2000)
  - d. Timor-Leste Survey of Living Conditions (2007) and Extension of Timor-Leste Survey of Living Conditions (2008)

<sup>18</sup> Additional indicators sets including measurements of access to justice, which have not been sampled in this study, are, among others: The Global Competitiveness Report; The Global Gender Gap Report; Transparency International Corruption Index; Freedom House “Freedom in the World” report; Doing Business; World Values Survey; UNICEF Multiple Indicators Cluster Surveys; Latinobarometro. With regard to indicators used by national governments, most countries collect justice related data on court staff, case flow, and public perception of security and institutions.

- e. Living in Bosnia and Herzegovina - Wave 4 Questionnaire 2004
- 15) OECD Social Institutions and Gender Index
  - 16) UN Rule of Law Indicators
  - 17) UN Gender Stats
  - 18) World Bank Gender Stats
  - 19) World Justice Project Indicators
  - 20) Women Business and the Law

**1.2 Identification and organization of indicators.** A review of the sources included in the sample was carried out to identify indicators addressing access to justice, including those focusing on gender-related issues and women's specific barriers to access. The indicators so identified have been compiled in Tables 1-5.

Table 1 presents access to justice indicators, grouped thematically, around 15 dimensions which mirror the unfolding of the justice chain, and reflect the broad understanding of access to justice presupposed in this exercise – which spans from the existence of substantial rights and entitlements to physical, economic and intellectual accessibility of courts to fair and effective processes, accountability and transparency and lack of corruption in judicial institutions.

Such dimensions are:

- 1) Rights and entitlements
- 2) Legal assistance and representation
- 3) Legal awareness and literacy/opinions and perceptions of the law and justice systems
- 4) Main justiciable issues experienced by citizens/actions taken/outcomes/ involvement with criminal justice
- 5) Trust/satisfaction in justice institutions
- 6) Accessibility of justice institutions
- 7) Procedures
- 8) Appeal mechanisms
- 9) Independence of the judiciary
- 10) Corruption
- 11) Transparency and accountability
- 12) Enforcement of judicial decisions
- 13) Capacity of the justice system
- 14) Special courts and procedures
- 15) Alternative dispute resolution

The tables provide the following information about the indicators:

*Entity which developed/uses the indicator*, i.e. the organization or government which designed the indicator and/or uses it to assess justice system accessibility.

*Data sources*, i.e., the data each indicator relies upon, including objective data, such as administrative and field data and document review and subjective data, such as household and public opinion surveys, experts' interviews and surveys.

*Sector of the justice sector covered by the indicator*, i.e., whether the indicator covers civil, criminal, administrative constitutional courts and laws or the whole justice system.

*Whether the indicator describes and/or assesses justice systems' inputs, outputs or outcomes*, where by inputs we understand elements that enable the justice system to function and to provide services, such as human and material resources, laws, regulations, procedures, mechanisms and institutions; by outputs we

understand the immediate results and services provided by the justice system, such as for example, the number of cases disposed of by courts, or the number of clients served by legal aid services; by outcome we understand the end result of justice services, also impacting users attitudes and ability to access the system, such as public trust in the justice system and overall costs of justice proceedings;

*Whether the indicator describes and/or assesses an element of the supply or demand side of the justice system*, where “demand side” refers to the intended beneficiaries of justice services or, in a rights-based approach to access to justice, the right-holders – i.e. the totality of citizens, whether or not they have come in contact with the justice system; while the “supply side” of justice refers to the laws and regulations, mechanism and institutions which make up the justice machinery.

Table 2 includes indicators on access to justice in relation to gender-based violence; Table 3 focuses on the Police (Table 3); and Table 4 on government services. Finally, Table 5, lists those, among the indicators included in the preceding tables, relying upon the collection of administrative data.

## Section 2. Mapping of Existing Indicators Measuring Access to Justice

**Color code:**   Indicators focusing on gender-related elements of access to justice  
  Indicators relying on administrative data

**2.1 Table 1. Access to Justice Indicators**

Target/indicator	Developed/used by	Data Sources	Constitutional/criminal/civil law	Input/output/outcome/imp act/process	Demand/supply side
<b>Rights and entitlements</b>					
<b>International treaties are part of the national legal framework</b>					
Conformity of domestic laws and regulations with international human rights treaties and conventions	Government of Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report. Data analysis by National Statistical Office and	Expert Evaluation	Constitutional, civil, Criminal, administrative	Input	Supply side

	Ministry of Economic Development – Poverty and MDG Monitoring and Assessment National System with the National Statistical Office				
<b>For additional indicators in this category, see Table 2 (gender-based violence indicators)</b>					
<b>Constitutional rights</b>					
Is there a non-discrimination clause in the constitution	WBL	Expert Survey Document Review	Constitutional	Input	Supply side
If there is a non-discrimination clause in the constitution, does it explicitly mention gender	WBL	Expert Survey	Constitutional	Input	Supply side
Does the constitution guarantee equality before the law?	WBL	Document Review	Constitutional	Input	Supply side
Is customary law recognized as a valid source of law under the constitution	WBL	Expert Survey	Constitutional	Input	Supply side
If customary law is a valid source of law, is it considered invalid if it violates constitutional provisions on non-discrimination or equality	WBL	Document Review	Constitutional	Input	Supply side
Is personal law recognized as a valid source of law under the constitution?	WBL	Expert Survey	Constitutional	Input	Supply side

If personal law is a valid source of law, is it considered invalid if it violates constitutional provisions on non-discrimination or equality?	WBL	Expert Survey	Constitutional	Input	Supply side
<b>National laws and regulations</b>					
<b>Legal Identity/citizenship</b>					
Can a married/unmarried woman apply for a national ID card in the same way as a man?	WBL	Expert Survey Document Review	Constitutional	Input	Supply side
Can a married/unmarried woman and men apply for a passport in the same way as a man?	WBL	Expert Survey Document Review	Constitutional	Input	Supply side
Can a married/unmarried woman confer citizenship to her children in the same way as a man	WBL	Expert Survey Document Review	Constitutional/Civil	Input	Supply side
Can a married/unmarried woman convey citizenship to her non-national spouse in the same way as a man	WBL	Expert Survey Document Review	Constitutional/Civil	Input	Supply side
Can a married/unmarried woman be “head of household” or “head of family” in the same way as a man	WBL	Expert Survey Document Review	Constitutional/Civil	Input	Supply side
<b>Marriage – in law</b>					



Legal age of marriage – Whether women and men have the same legal minimum age of marriage	OECD SIGI	Country profiles <sup>19</sup>	Civil	Input	Supply side
Parental authority in marriage – Whether women and men have the same right to be the legal guardian of a child during marriage	OECD SIGI	Country profiles	Civil	Input	Supply side
Parental authority in divorce – Whether women and men have the same right to be the legal guardian of and have custody rights over a child after divorce	OECD SIGI	Country profiles	Civil	Input	Supply side
Are married women required by law to obey their husbands	WBL	Expert Survey Document Review	Civil	Input	Supply side
Do married couples jointly share legal responsibility for financially maintaining the family's expenses			Civil	Input	Supply side
What is the default marital property regime?	WBL	Expert Survey Document Review	Civil	Input	Supply side
Who does legally administer property during marriage?	WBL	Expert Survey Document Review	Civil	Input	Supply side
If the husband legally administers property during marriage, does he need his wife's consent for major transactions?	WBL	Expert Survey Document Review	Civil	Input	Supply side
Are there special provisions governing	WBL	Expert	Civil	Input	Supply side

<sup>19</sup> OECD SIGI indicators rely on country profiles prepared by expert as well as on various secondary sources of quantitative and qualitative data (such as DHS, MICS, World Bank World Development Indicators etc.). Country profiles are prepared for each country in the SIGI index, by country experts relying on secondary data sources and existing literature.

(transaction regarding) the marital home?		Survey Document Review			
Does the law provide for valuation of nonmonetary contributions during marriage?	WBL	Expert Survey Document Review	Civil	Input	Supply side
<b>Marriage – in practice</b>					
Early Marriage Percentage of women married between 15-19 years of age	OECD SIGI	Secondary sources of quantitative data	Civil	Outcome	-
<b>Property – in law</b>					
Secure access to land – Whether laws guarantee women and men equal and secure access to land use, control and ownership	OECD SIGI	SIGI Country Profile	Civil	Input	Supply side
Secure access to non-land assets Whether laws guarantee women and men equal and secure access to non-land assets use, control and ownership	OECD SIGI	SIGI Country Profile	Civil	Input	Supply side
Do married/unmarried men and women have equal ownership rights to property?	WBL	Expert surveys Document Review	Civil	Input	Supply side
<b>Property – in practice</b>					
Ownership of house of residence or other house/ any agricultural or non-agricultural land either alone or jointly with someone else	DHS	Household surveys Gender /disaggregated data	Civil	-	Demand side

Existence of title deed for any house/ agricultural or non-agricultural land owned	DHS	Household surveys Gender /disaggregated data	Civil	-	Demand side
Whether respondent's name is on title deed	DHS	Household surveys Gender /disaggregated data	Civil	-	
<b>Inheritance</b>					
Inheritance rights of widows - Whether widows and widowers have equal inheritance rights	OECD – SIGI	SIGI Country Profiles	Civil	Input	Supply side
Inheritance rights of daughters – Whether daughters and sons have equal inheritance rights	OECD – SIGI	SIGI Country Profiles	Civil	Input	Supply side
Do sons and daughters have equal inheritance rights to property?	WBL	Expert Survey Document Review	Civil	Input	Supply side
Do female and male surviving spouses have equal inheritance rights to property?	WBL	Expert Survey Document Review	Civil	Input	Supply side
<b>Access to credit</b>					
<b>Access to financial services</b> Whether women and men have equal access to financial services	OECD – SIGI	SIGI Country Profiles	Civil	Input	Supply side
Can an unmarried woman open a bank account in the same way as a man	WBL	Expert Survey Document Review	Civil	Input	Supply side

<b>Commercial law</b>					
Can a married/unmarried woman sign a contract in the same way as a man	WBL	Expert Survey Document Review	Civil	Input	Supply side
Can a married/unmarried woman register a business in the same way as a man	WBL	Expert Survey Document Review	Civil	Input	Supply side
<b>Freedom of Movement</b>					
Access to public space Whether laws impose restrictions on women's freedom of movement and access to public space, such as restricted ability to choose their places of residence, visit their families and friends or to apply for a passport	OECD – SIGI	SIGI Country Profiles	Civil	Input	Supply side
Can married/unmarried women travel outside their home in the same way as men	WBL	Expert Survey Document Review	Civil	Input	Supply side
Can a married/unmarried woman travel outside the country in the same way as a man	WBL	Expert Survey Document Review	Civil	Input	Supply side
Can a married/unmarried woman choose where to live in the same way as a man	WBL	Expert Survey Document Review	Civil	Input	Supply side
<b>Right to work and related entitlements</b>					
Can a married/unmarried woman get a job or pursue a trade or profession in the same way as a man?	WBL	Expert Survey Document Review	Civil	Input	Supply side

Parental benefits <sup>20</sup> Retirement and pension Working hours and industry restrictions Workplace protection	WBL	Expert Survey Document Review	Civil	Input	Supply side
<b>Jurisdiction and procedural rules</b>					
Does the law recognize customary courts?	WBL	Expert Survey Document Review	Constitutional/civil/criminal	Input	Supply side
Does the law recognize personal courts?	WBL	Expert Survey Document Review	Constitutional/civil/criminal	Input	Supply side
Does a woman's testimony carry the same evidentiary weight in court as a man's?	WBL	Expert Survey Document Review	Civil/criminal	Input	Supply side
Is there compensation for victims of crime? For which kind of offences? What does compensation consist of?	CEPEJ	Country reports	Civil/criminal	Input	Supply side
<b>Availability of legal assistance/representation/legal aid</b>					
Likelihood that a poor person receives legal advice from a lawyer, paralegal, legal aid center	WJP	Qualified respondent s questionna ires	Civil/administrative	Output	Supply side
How likely it is that a detained suspect who requests access to a legal counsel receives adequate legal counsel from a public defender during initial police custody/pre-trial	WJP	Qualified respondent s questionna	Criminal	Output	Supply side

<sup>20</sup> Given the high number of indicators clustered under these “dimensions”, we are not including them in the matrix. For the complete list of indicators, please see the WBL website at <http://wbl.worldbank.org/data/exploretopics/getting-a-job>

detention/trial		ires			
How significant a problem is the insufficient number of state provided or pro bono attorneys for poor criminal defendants	WJP	Qualified respondent s questionnaires	Criminal	Impact	Demand side
Availability of free legal assistance for indigent defendants	UN RoL Indicators (focus on criminal justice)	Expert Survey	Criminal	Output	Supply side
Availability of legal assistance for children in conflict with the law	UN RoL Indicators	Expert Survey	Criminal	Output	Supply side
In law, the state provides legal counsel for defendants in criminal cases who cannot afford it	Global Integrity	Expert interviews	Criminal	Input	Supply side
In practice, the state provides adequate legal counsel for defendants in criminal cases who cannot afford it	Global Integrity	Expert interviews	Criminal	Input	Supply side
Whether respondents (who used courts in the previous 5 years) could not obtain legal counsel or advice	Afrobarometer	Household Surveys	Civil/Criminal	Outcome	Supply side
Number of attorneys that provide services to citizens who are not able to pay such service	Government of Mongolia – Achieving the Millennium Development Goals – Fifth	Administrative data	Constitutional, civil, Criminal, administrative	Input	Supply side

	National Progress Report. Data analysis by National Statistical Office and Ministry of Economic Development – Poverty and MDG Monitoring and Assessment National System with the National Statistical Office				
Number of Lawyers per 10,000 people in poverty (measured in each State in the USA, and compared with the number of lawyers per 10,000 people non in poverty).	The Justice Index	Desk Review Expert Interviews	Civil/Criminal/Administrative	Input	Supply Side
Does legal aid apply to: 1) representation in court 2) legal advice In: 1) criminal cases 2) other than criminal cases	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side

Does legal aid include the coverage of or the exemption from court fees?	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Can legal aid be granted for other costs (e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Number of cases referred to the court for which legal aid has been granted.	CEPEJ	Country Reports – Administrative Data	Civil/Criminal	Output	Supply side
Number of cases not brought to court (non litigious cases or cases not brought to court (legal consultation, ADR, etc) for which legal aid has been granted.	CEPEJ	Country Reports – Administrative data	Civil	Output	Supply side
In criminal cases, can accused individuals/victims who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer, and are individuals free to choose their lawyer within the framework of the legal aid system?	CEPEJ	Country Reports –	Criminal	Input	Supply side
Is there an income and assets evaluation for granting legal aid to the applicant?	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success), and who makes the decision whether to grant or refuse legal aid?	CEPEJ	Country Reports –	Civil	Input	Supply side
Total number of lawyers practicing in your country, including legal advisors who cannot represent their clients in court	CEPEJ	Country Reports – Administrative data	Civil/criminal	Input	Supply side



Do lawyers have a monopoly on legal representation?	CEPEJ	Country Reports –	Civil	Input	Supply side
How is the legal profession organized (e.g., through a bar association)	CEPEJ	Country Reports –	Civil	Input	Supply side
Is there a specific initial training and/or examination to enter the profession of lawyer?	CEPEJ	Country Reports –	Civil	Input	Supply side
Is there a mandatory general system for lawyers requiring in-service professional training?	CEPEJ	Country Reports –	Civil	Input	Supply side
Is the specialization in some legal fields tied with specific training, levels of qualification, specific diploma or specific authorizations?	CEPEJ	Country Reports –	Civil	Input	Supply side
Regulation of lawyers fees	CEPEJ	Country Reports –	Civil	Input	Supply side
Support for self-represented litigants	The Justice Index	Desk Review Expert Interviews	Civil/Criminal/Administrative	Input	Supply Side
<b>Accountability of Lawyers</b>					
Regulation of quality standards	CEPEJ	Country Reports –	Civil	Input	Supply side
Disciplinary procedures	CEPEJ	Country Reports –	Civil	Input	Supply side
<b>Quality of legal assistance/representation</b>					
Quality of legal representation generally available to defendants on criminal procedures	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
How significant a problem is the incompetence of state provided or pro bono attorneys for poor criminal defendants	WJP	Qualified Respondents questionnaire	Criminal	Impact	Demand side
<b>Cost of legal assistance/representation</b>					
How much would a typical lawyer charge to represent a client.	WJP	Qualified respondent	Civil	Input	Supply side

		s questionnaire			
Whether the process was expensive	WJP	General population questionnaire	Civil	Outcome	Demand side
<b>Legal awareness and literacy/opinions and perceptions of the law and justice systems</b>					
People are aware of available measures	WJP	Not measured	Civil	-	Demand side
Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to legal texts (e.g. codes, laws, regulations, etc.), case-law of the higher court/s, other documents (e.g. downloadable forms, online registration)?	CEPEJ	Country Reports –	Civil/criminal	Input	Supply side
Knowledge about any dispute resolution mechanism by region and locality	Ghana Living Standard Survey (GLSS)	Household Survey	Civil/criminal	-	Demand side
Respondent's knowledge/perception about whether or not an official land title is the strongest claim when pursuing a land claim in the court system	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil	-	
Respondent's knowledge/perception about whether, according to the constitutions, the <i>adat</i> process (traditional dispute resolution process) must be within certain guidelines or it is not subject to national standards as it is based on	Extension to Timor-Leste Survey of Living	Household Survey	Non-state system ( <i>adat</i> )	-	Demand side

local customs.	Conditions (2008)				
Respondent's knowledge/perception about whether, according to national law, all household property is under the control of the head of the household or the property acquired by the men or women prior to marriage remains under their personal control throughout the marriage.	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil	-	Demand side
Respondent's knowledge/perception about whether or not in certain circumstances a woman can obtain a divorce without the approval of the man.	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil	-	Demand side
Respondent's knowledge/perception about whether or not men and women are entitled to equal daily wage for the same tasks.	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil	-	Demand side
Respondent's knowledge/perception about whether only women who experienced physical violence can report to someone, or women who experienced pressure and threats can also report to someone.	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Criminal	-	Demand side
Respondent's knowledge/perception about whether or not parents must provide a birth or baptism certificate upon enrolling their children	Extension to Timor-Leste	Household Survey	Civil/Administrative		Demand side

in primary school	Survey of Living Conditions (2008)				
Whether respondents believe that it is acceptable for public officials to ask for additional payments beyond what is legally allowed in exchange for good services	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Criminal	-	Demand side
Respondents' opinion on whether the main responsibility for maintaining law and order in the community is with the police or with the chefe de suco (traditional leader) and the community itself.	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	-		Demand side
Respondents' opinion on whether women should be able to speak for themselves in the traditional Adat process (traditional dispute resolution mechanism)	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	-		Demand side
Respondents' opinion as to whether a process of land titling would help reduce conflict in the community or would cause more problems than it solves by stirring up old problems and offering the opportunity to steal land with fake claims	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil Administrative		Demand side
Public knowledge of institutions (including the	Ecuador –	Sistema	System-wide	Outcome	Demand

Judiciary, Public Prosecution, and the Police)	Instituto Nacional de Estadísticas y Censos – INEC  Gobernabilidad, Pobreza subjective y participación ciudadana.	Integrado de Encuestas de Hogares (SIEH – Integrated Household Survey System) – 3 <sup>rd</sup> round March 2004			side
<b>Main justiciable issues experienced by citizens/involvement with criminal justice/actions taken/outcome</b>					
Major causes of conflict in community or neighborhood by region and locality	Ghana Living Standard Survey (GLSS)	Household Surveys	Civil/criminal	-	Demand side
Problems faced by the community (gangs, drug consumption, alcohol, prostitution, land conflicts, water conflicts, boundary conflicts, other)	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Civil/criminal	-	Demand side
Crimes committed in the community	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Criminal	-	Demand side

Crimes committed in the community and perpetrators	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Criminal	-	Demand side
Whether respondents report the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Criminal	-	Demand side
What has resulted through reporting the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Criminal	-	Demand side
Reasons for not reporting the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Criminal	-	Demand side
Whether respondents or anyone in their household experienced a dispute regarding Resource, Family, Financial, Crime/disputes between individuals, Development Projects, government decision making or other issues.	Extension to Timor-Leste Survey of Living	Household survey	Civil/Administrative/Criminal	-	Demand side

<p>Note: for each dispute experienced, respondents are asked the following follow-up questions:</p> <ul style="list-style-type: none"> <li>• whether the problem resulted in property damage;</li> <li>• whether the problem resulted in injury to anyone;</li> <li>• whether the problem resulted in death;</li> <li>• which of the disputes experienced have had the most impact on the household;</li> <li>• which primary party the dispute was with;</li> <li>• brief description of dispute/s.</li> </ul>	<p>Conditions (2008)</p>				
<p>Where did respondents first sought help to solve the dispute (Including: Family member/Neighbor/Friend); Priest; Legal aid group/NGO; Chefe de aldeia/Chefe de suco; <i>Adat</i> process; Police; Local government official; Provincial/National Government Official; Court Official; other)</p> <p>Note: the survey includes a follow-up question asking whether respondent sought help from another individual/group.</p>	<p>Extension to Timor-Leste Survey of Living Conditions (2008)</p>	<p>Household survey</p>	<p>Civil/criminal/administrative – state/non-state system</p>	<p>Outcome</p>	<p>Demand side</p>
<p>Why did respondent chose such person/group</p>	<p>Extension to Timor-Leste Survey of Living Conditions (2008)</p>	<p>Household survey</p>	<p>Civil/criminal/administrative – state/non-state system</p>	<p>Outcome</p>	<p>Demand side</p>
<p>Whether the dispute was resolved at the time of survey</p>	<p>Extension to Timor-Leste Survey of</p>	<p>Household survey</p>	<p>Civil/criminal/administrative – state/non-state system</p>	<p>Output</p>	<p>Supply side</p>

	Living Conditions (2008)				
Who was able to resolve the dispute	Extension to Timor-Leste Survey of Living Conditions (2008)	Household survey	Civil/criminal/administrative state/non-state system –	Output	Supply side
Whether the dispute was resolved in favor of survey respondent	Extension to Timor-Leste Survey of Living Conditions (2008)	Household survey	Civil/criminal/administrative state/non-state system –	Outcome	Demand side/supply side
Whether survey respondent was awarded compensation	Extension to Timor-Leste Survey of Living Conditions (2008)	Household survey	Civil/criminal/administrative state/non-state system –	Outcome	Demand side/supply side
Whether survey respondent has, at the time of survey, collected compensation	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Surveys	Civil/criminal/administrative state/non-state system –	Outcome	Demand/supply side
No. of respondents who came in contact with courts/tribunals (as claimants,	Afrobarometer	Household Surveys	Civil/Criminal	-	Demand side



respondents/defenders, witnesses, or for other reasons) among the general population					
Offences recorded by the police, by type (including sexual assault, which includes rape and sexual abuse of a child)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Output	Demand/Supply side
Number of females, minors and aliens among suspected offenders in 2010	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	-	Demand/supply side
Total criminal cases handled by the prosecuting authorities (including input, pending and output)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup>	Administrative and survey data and court statistics – mainly	Criminal	Input/output	Demand/supply

	Edition	provided by national correspondents			
Criminal cases handled by the prosecuting authorities relating to minors	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Input/output	Demand/supply side
Number of cases relating to females and aliens among all criminal cases handled by the prosecuting authorities in 2010 (by status: input, pending, output)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Input/output	Demand/supply side
Persons in police custody	European Sourcebook of Crime and	Administrative and survey data and	Criminal	Output	Demand/supply side

	Criminal Justice Statistics 5 <sup>th</sup> Edition	court statistics – mainly provided by national correspondents			
Persons in pre-trial detention	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Output	Demand/supply side
Total number of persons convicted, by type of offence and by length of unsuspended custodial sanctions and measures imposed	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Output	Demand/supply side
Number of females, minors and aliens among	European	Administrative	Criminal	Output	Demand/supply side

persons convicted by type of offence	Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	ative and survey data and court statistics – mainly provided by national correspondents			pply side
Persons held in pre-trial detention (at least temporarily) among persons convicted	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Output	Demand/supply side
Prison population (including pre-trial detainees): STOCK (accounts separately for females, aliens, pretrial detentions, minors)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national	Criminal	Outcome	Demand/supply side

		correspondents			
<b>Trust/satisfaction in Justice Institutions</b>					
Level of confidence in dispute resolution mechanism by region and locality	Ghana Living Standard Survey	Household Surveys	Civil/criminal	Outcome	Demand side
Citizens' opinion about what are the main reasons for not going to a government court	Afrobarometer (data is gender disaggregated)	Household Surveys	Civil/criminal	Outcome	Demand side
Citizens' trust in courts of law	Afrobarometer	Household Surveys	System wide	Outcome	Demand side
Citizens' trust in traditional leaders	Afrobarometer	Household Surveys	System wide	Outcome	Demand side
Citizens' trust in religious leaders	Afrobarometer	Household Surveys	System wide	Outcome	Demand side
Public perception about activities of state organizations and law enforcement institutions	Government of Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report. Data analysis by National	Public Perception Surveys	System wide	Outcome	Demand side

	Statistical Office and Ministry of Economic Development – Poverty and MDG Monitoring and Assessment National System with the National Statistical Office				
<sup>21</sup> Does your country have surveys aimed at legal professionals and court users to measure their trust and/or satisfaction with the services delivered by the judicial system? (multiple options possible)	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Whether respondents think that it is better for non-violent disputes to be resolved within the community or that the formal court system is designed to be fair to all citizens and is the best place to take non-violent disputes	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Surveys	State/non-state systems	Outcome	Demand/supply side
Respondents' satisfaction with local institutions (including: traditional adat process/traditional	Extension to Timor-	Household Surveys	State/non-state systems	Outcome	Demand/supply side

<sup>21</sup> This in fact, what can be called a meta-indicator, i.e., and indicator tracking the existence of data collection on a certain phenomenon, instead of capturing the phenomenon itself. It is included in the list as states' responses provide valuable information about whether they are collecting the data mentioned by the indicator.

leaders; Chefe de aldeia/Chefe de suco; Provedor's office conflict resolution facilities; National Police; International Police; Paralegal/Lawyer/Legal Aid NGO; Courts/Judges; Sub-district Level Government Officials)	Leste Survey of Living Conditions (2008)				
Choice of dispute resolution mechanisms (for hypothetical disagreements)	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Surveys	Civil/criminal – State/non-state systems	Outcome	Demand side
Respondent's satisfaction with the dispute resolution process (Question is asked to respondents who experienced a dispute)	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Surveys	Civil/criminal – State/non-state systems	Outcome	Demand side
Trust in institutions (including judicial institutions)	Ecuador – Instituto Nacional de Estadísticas y Censos – INEC  Gobernabilidad, Pobreza subjetiva y participación	Sistema Integrado de Encuestas de Hogares (SIEH – Integrated Household Survey System) – 3 <sup>rd</sup> round March	System-wide	Outcome	Demand side

	ciudadana.	2004			
<b>Accessibility of legal institutions</b>					
<b>General</b>					
Whether, in the past 5 years, members of the community expressed a need for initiation/improvement of law enforcement	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Civil/Criminal	Outcome	Demand side
Whether, in the past 5 years, community leaders have organized the community to discuss a need for initiation/improvement of law enforcement	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Civil/Criminal	-	Demand/supply side
Whether, in the past 5 years, community members met to address the need for initiation/improvement of law enforcement	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Civil/Criminal	-	Demand side
What did the community do to address the need for initiation/improvement of law enforcement?	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Civil/Criminal	-	Demand/supply side
<b>Geographic/physical accessibility</b>					
Location of courthouses	WJP	Qualified	Civil	Input	Supply side



		respondent s questionnaire			
In practice, all citizens have access to a court of law, regardless of geographic location	Global Integrity	Expert Interviews	Civil/criminal	Outcome	Supply side
Number of courts considered as legal entities (administrative structures) and geographic locations	CEPEJ	Country Reports – Administrative data	Civil/criminal	Input	Supply side
Support for people with disabilities	The Justice Index	Desk Review	Civil/Criminal/Administrative	Input	Supply side
<b>Cost</b>					
Expected costs of procedure as a percentage of claim in regular civil or commercial court lawsuits and small-claim or magistrate court	WJP	Qualified respondent s questionnaire	Civil	Outcome	Supply side
Whether procedures are perceived as too expensive		General population questionnaire	Civil	Outcome	Demand side
Fees to obtain access to courts	UN RoL indicators	Public survey	Criminal	Input	Supply side
In practice, citizens earning the median yearly income can afford to bring a legal suit	Global Integrity	Expert interviews	Civil	Outcome	Demand side
In practice, a typical small retail business can afford to bring a legal suit	Global Integrity	Expert interviews	Civil	Outcome	Demand side
Minimum cost for a small claim in a small claim court/fast track procedure for small claims (as a	Women Business	Expert interview	Civil	Input	Supply side

percentage of income per capita)	and the Law	Document review			
Whether respondents (who used courts in the previous 5 years) were unable to pay the necessary costs and fees	Afrobarometer	Household Survey	Civil/criminal	Outcome	Demand side
How much money did the dispute resolution process cost	Extension to Timor-Leste Survey of Living Conditions (2008)	Household Survey	Civil/criminal	Outcome	Demand side
<b>Language</b>					
Importance of language barriers as a factor influencing people's decision on whether or not to go to court to resolve a dispute	WJP	Qualified respondents questionnaire	civil	Impact	Demand side
Access to interpreters by detained suspects	WJP	Qualified respondents questionnaire	Criminal	Output	Demand side
Availability of interpreters How available are the services of interpreters to assist defendants and victims of crime	UN RoL indicators	Expert surveys	Criminal	Input	Supply side
Reliance on "certified" interpreters" and the provision of court forms translated into languages other than English - See more at: <a href="http://www.justiceindex.org/methodology/#sthash.oryhxcDm.dpuf">http://www.justiceindex.org/methodology/#sthash.oryhxcDm.dpuf</a>	The Justice Index	Desk Review Experts interviews	Civil/Criminal/Administrative	Input	Supply side
Is the title of court interpreters protected?	CEPEJ	Country	Civil/Criminal	Input	Supply side

		Reports –			
Is the function of court interpreters regulated by legal norms?	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Number of accredited or registered court interpreters	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Are there binding provisions regarding the quality of court interpretation within judicial proceedings	CEPEJ	Country Reports –	Civil/Criminal	Input	Supply side
Who is responsible for selecting court interpreters?	CEPEJ	Country Reports –	Civil/Criminal	Process	Supply side
<b>Timeliness of judicial proceedings</b>					
Civil justice is not subject to unreasonable delays - How long would it take in practice to obtain a decision/judgment in regular civil or commercial court lawsuits/small-claim or magistrate court/local courts	WJP	Qualified Respondents Surveys	Civil	Process	Supply side
How long did a case take to resolve	WJP	General Population Surveys	Criminal	Process	Supply side
Ability of the judicial system to hear and conclude criminal cases without undue delay	UN RoL Indicators	Expert Survey	Criminal	Process	Supply side
How much time did the dispute resolution process take	Extension to Timor-Leste Survey of Living Conditions (2008)				
<b>Public perception of undue delay</b>					
Importance of case duration as a factor influencing people’s decisions on whether or not to go to court to resolve a dispute	WJP	Qualified Respondents Surveys	Civil	Impact	Demand side

How serious of a problem is case duration in civil and commercial courts	WJP	Qualified Respondents Surveys	Civil	Process	Supply side
Whether procedures are perceived as too slow	WJP	General population survey	Civil	Process	Supply side
Whether the public perceives that the courts complete criminal proceedings without unnecessary delay	UN RoL Indicators	Public Survey	Criminal	Process	Supply side
Whether respondents (who used courts in the previous 5 years) report that there were long delays in handling or resolving the case	Afrobarometer	Household Survey	Civil/criminal	Process	Supply side
<b>Procedures</b>					
<b>Complexity and availability of information</b>					
Importance of complexity and cumbersomeness of procedures as a factor influencing people's decisions on whether or not to go to court to resolve a dispute	WJP	Qualified respondents questionnaire	Civil	Impact	Demand side
Importance of lack of information on court procedures as a factor influencing people's decisions on whether or not to go to court to resolve a dispute	WJP	Qualified respondents questionnaire	Civil	Impact	Demand side
Whether respondents (who used courts in the previous 5 years) could not understand the legal processes and procedures	Afrobarometer	Household Surveys	Civil/criminal	Outcome	Demand side
Is there a public and free-of-charge specific information system to inform and to help victims of crime?	CEPEJ	Criminal	Criminal	Input	Supply side
Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side

<b>Responsiveness of courts</b>					
Difficulty in obtaining assistance from the courts	Afrobarometer	Household Surveys	Civil/criminal	Outcome	Supply side
<b>Standing</b>					
Possibility of class action	WJP	Qualified respondents questionnaire	Civil	Input	Supply side
<b>Efficiency and case flow management</b>					
Number of other than criminal law cases, for first, second and highest instance courts: Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Country Reports – Administrative data	Civil	Output	Demand/supply side
Number of criminal law cases for first, second and highest instance courts: Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Country Reports – Administrative data	Criminal	Output	Demand/supply side
Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases received and processed by first instance courts Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Country Reports – Administrative data	Civil/Criminal	Process	Demand/supply side
Average length of proceedings (of the cases listed above), in days (from the date the application for judicial review is lodged)	CEPEJ	Country Reports – Administrative	Civil/Criminal	Process	Demand/supply side

<p>% of decisions subject to appeal  % of pending cases for more than 3 years  Average length in 1<sup>st</sup> instance (in days)  Average length in 2<sup>nd</sup> instance (in days)  Average length in 3<sup>rd</sup> instance (in days)  Average total length of the total procedure (in days)</p>		<p>ative data</p>			
<p>Cases disposed of by the prosecuting authorities in 2010 (including those referred to courts, dropped, solved by prosecution)</p>	<p>European Sourcebook of Crime and Criminal Justice Statistics 5<sup>th</sup> Edition</p>	<p>Administrative and survey data and court statistics – mainly provided by national correspondents</p>	<p>Criminal</p>	<p>Output</p>	<p>Supply side</p>
<p>Cases brought before a court by offence group in 2010 (by type, including rape and child abuse)</p>	<p>European Sourcebook of Crime and Criminal Justice Statistics 5<sup>th</sup> Edition</p>	<p>Administrative and survey data and court statistics – mainly provided by national correspondents</p>	<p>Criminal</p>	<p>Output</p>	<p>Supply side</p>

Percentage of implementation/enforcement of judicial decisions	Government of Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report. Data analysis by National Statistical Office and Ministry of Economic Development – Poverty and MDG Monitoring and Assessment National System with the National Statistical Office	Administrative data	System wide	Output	Supply side
Proportion of persons convicted in relation to	Institutional National de	Ministry of Justice,	Criminal	Output	Supply side

persons indicted in a calendar year	la Statistique – Annuaire Statistique du Cameroun 2013	report on “the status of human rights in Cameroun in 2011”			
Recourses per calendar year – yearly change Recourses received; Convictions voided or reduced Provisional Convictions Revised	Institut National de la Statistique – Annuaire Statistique du Cameroun 2013	Ministry of Justice, report on “the status of human rights in Cameroun in 2011”	Criminal	Input/Output	Demand/Supply side
<b>Fairness/Absence of discrimination</b>					
Civil justice is free of discrimination on the basis of income, gender, ethnicity, religion. Nationality, sexual orientation and social and economic status (marginalization)	WJP	Qualified respondent questionnaire	Civil	Process	Supply side
Impartiality of the courts – Whether the courts are perceived by the population to be treating people fairly and impartially regardless of their income, race, national or social origin, gender and religion.	UN RoL Indicators	Public Survey - Perception	Criminal	Outcome	Demand side
Whether the public believes that prosecution decisions are made in a fair, efficient and effective manner	UN RoL Indicators	Expert Survey	Criminal	Outcome	Demand side
Equal application of the law by judges Whether judges impose different punishments for the same type of crime based on a defendant’s or victim’s personal or ethnic	UN RoL Indicators	Expert survey	Criminal	Process	Supply side



characteristics					
In practice, judgments in the criminal system follow written laws	Global Integrity Report	Expert interviews	Criminal	Process	Supply side
In practice, judicial decisions are not affected by racial or ethnic bias.	Global Integrity Report	Expert interviews	Civil/criminal	Process	Supply side
In practice, women have full access to the judicial system.	Global Integrity Report	Expert interviews	Civil/criminal	Outcome	Supply/dem and side
Whether respondents (who used courts in the previous 5 years) report that the judge or magistrate did not listen to their side of the story	Afrobarometer	Household Survey	Civil/criminal	Process	Supply side
Are there special favorable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons: Victims of sexual violence/rape Victims of terrorism Minors (witnesses or victims) Victims of domestic violence Ethnic minorities Disabled persons Juvenile offenders	CEPEJ	Country Reports –	Civil/criminal	Process	Supply side
<b>Treatment of children by the courts</b>					
Whether judges who adjudicate cases involving children as defendants apply procedures specifically designed for children	UN RoL Indicators	Expert survey Administrative data	Criminal	Process	Supply side
Special procedures for child victims or witness of crime Whether child friendly measures have been adopted by the courts and the prosecution for dealing with cases involving child victims or	UN RoL Indicators	Document review Administrative	Criminal	Process	Supply side

witnesses of crime					
<b>Due process</b>					
Presumption of innocence	WJP	Qualified Respondents Questionnaires	Criminal	Input	Supply side
Arrest and pretrial detention	WJP	Qualified respondents questionnaires	Criminal	Input	Supply side
Torture and abusive treatment to suspects	WJP	Qualified respondents questionnaires	Criminal	Input	Supply side
	WJP	General population polls			
Likelihood that detained suspects are tried and convicted in a secret trial	WJP	Qualified respondents questionnaires	Criminal	Input	Supply side
Suspects have full access to evidence	WJP	Qualified respondents questionnaires	Criminal	Input	Supply side
Suspects are able to challenge evidence	WJP	Qualified respondent	Criminal	Input	Supply side

		s questionnaires			
Protection of the rights of defendants and victims – Whether the rights of victims and defendants are sufficiently protected during criminal court proceedings.	UN RoL Indicators	Expert survey	Criminal	Input	Supply side
Judiciary’s respect for the rights of defendants and victims – public perception of how respectful judges and prosecutors are of the rights of defendants and victims	UN RoL Indicators	Public Survey (perception)	Criminal	Outcome	Supply side
Percentage of first instance criminal in absentia judgments	CEPEJ	Country Reports – Administrative data	Criminal	Output	Supply side
<b>Appeal Mechanisms</b>					
Whether an appeal mechanism for challenging criminal judgments exists in law	Global Integrity	Expert interview	Criminal	Input	Supply side
In practice, appeals are resolved within a reasonable time period	Global Integrity	Expert Interview	Criminal	Input	Supply side
In practice, citizens can use the appeals mechanism at a reasonable cost	Global Integrity	Expert Interview	Criminal	Input	Supply side
<b>Independence of the judiciary</b>					
Independence of the judiciary	Cigranelli Richards				
Civil/criminal justice is free from improper government influence: % of cases involving government where the latter exercised undue influence	WJP	Qualified respondents questionnaires	Civil/criminal	Process	Supply side
Government always obeys decision of high courts	WJP	Qualified respondent	Civil/criminal	Process	Supply side

		s questionnaires			
In practice, national and local courts are free of political influence	WJP	Qualified respondent s questionnaires	Civil/criminal	Process	Supply side
Likelihood that homeowners suing the government obtain fair compensation in court	WJP	General public survey	Civil	Outcome	Supply side
Opinion on whether most judges decide cases based on what government tells them to do	WJP	General public survey	Civil	Process	Demand/supply side
The (criminal) justice system is free of improper government influence	WJP	General public survey	Criminal	Process	Supply side
Independence of the judiciary (tenure and discipline)	UN RoL Indicators	Document review, Expert Surveys,	Criminal	Input	Supply side
Public perception of judicial independence	UN RoL Indicators	Public Surveys	Criminal	Input	Supply side
Independence of the judiciary	Global Competitiveness Report	Executive opinion survey	Civil/criminal	Input/Process	Supply side
In law, the independence of the judiciary is guaranteed.	Global Integrity	Expert interviews	Civil/criminal	Input	Supply side
In practice, national-level judges are protected from political interference	Global Integrity	Expert interviews	Civil/criminal	Input/Process	Supply side

In practice, national-level judges are protected from political interference	Global Integrity	Expert interviews	Civil/criminal	Input/Process	Supply side
In law, national-level judges are protected from removal without relevant justification	Global Integrity	Expert interviews	Civil/criminal	Input	Supply side
Are judges/prosecutors appointed to office for an undetermined period (i.e. “for life” = until the official age of retirement)? If yes, are there exceptions?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Can a judge/prosecutor be transferred to another court without his consent: <ul style="list-style-type: none"> <li>• For disciplinary reasons</li> <li>• For organizational reasons</li> <li>• For other reasons</li> </ul>	CEPEJ	Country Reports	Civil/Criminal	Input	Supply side
Is there a probation period for judges/prosecutors, and how long is it?	CEPEJ	Country reports	Civil/criminal	Input	Supply side
If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?	CEPEJ	Country reports	Civil/criminal	Input	Supply side
Is the status of prosecution services: <ul style="list-style-type: none"> <li>• independent</li> <li>• under the authority of the Minister of justice ?</li> </ul>	CEPEJ	Country reports	Civil/criminal	Input	Supply side
<b>Corruption</b>					
<b>Bribery</b>					
Bribes to judges, court personnel, commercial arbitrators and labor inspectors	WJP	Qualified Respondent Questionnaires	Civil	Outcome	Supply side
Likelihood that judges, magistrates, court personnel, and labor inspectors request a bribe	WJP	Qualified Respondent	Civil	Outcome	Supply side

		Questionnaires			
Seriousness of corruption of judges and judicial officers in civil and commercial courts	WJP	Qualified Respondent Questionnaires	Civil	Outcome	Supply side
Frequency by which people have to pay bribes, informal payments or other inducements to expedite a court process	WJP	Qualified Respondent Questionnaires	Civil	Outcome	Supply side
	Afrobarometer	Household Survey	Civil/criminal	Outcome	Supply side
<b>Perception of corruption</b>					
Whether the population believes that people can avoid a conviction or receive a more lenient sentence by paying a bribe to a judge, a prosecutor or other court personnel	UN RoL Indicators	Public Survey	Criminal	Outcome	Demand/supply side
Importance of corruption of judges and judicial officers as a factor influencing people's decisions on whether or not to go to court to resolve a dispute	WJP	Qualified respondents questionnaires	Civil	Impact	Demand/supply side
People's opinion on whether most judges decide cases according to what powerful private interests tell them to do	WJP	General Population Polls	Civil	Outcome	Demand/supply side
Whether citizens think judges and magistrates are involved in corruption	Afrobarometer	Household survey	Civil/Criminal	Process	Demand/supply side
Whether citizens think police are involved in corruption	Afrobarometer	Household survey	Criminal	Outcome	Demand side
Perception of corruption in political organizations, judicial and law enforcement	Government of	Public opinion	Constitutional, civil, Criminal, administrative	Outcome	Demand side

institutions.	Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report. Data analysis by National Statistical Office and Ministry of Economic Development – Poverty and MDG Monitoring and Assessment National System with the National Statistical Office	survey			
Public perception of corruption	Ecuador – Instituto Nacional de Estadísticas	Sistema Integrado de Encuestas	System-wide	Outcome	Demand side

	y Censos – INEC Gobernabilidad, Pobreza subjective y participacion ciudadana.	de Hogares (SIEH – Integrated Household Survey System) – 3 <sup>rd</sup> round March 2004			
<b>Improper influence by private interests</b>					
Improper influence by powerful private interests  % of cases in the past year reflecting judges' honest evaluation evidence and applicable law  % of cases in the past year where the final decision was influenced by undue pressure of one of the parties or by corruption	WJP	Qualified Respondent Questionnaires	Civil	Output	Supply side
Police, military, prosecutors and criminal judges are free of improper influence	WJP	Qualified Respondent Questionnaires General Population Polls	Criminal	Process	Supply side
In practice, in the last year, no judges have been physically harmed/killed because of adjudicating corruption cases.	Global Integrity	Expert interviews	Criminal	Outcome	Supply side
<b>Transparency and Accountability</b>					
Public access to criminal trials	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side



Publicly available information about complaints against judges	UN RoL Indicators	Document review	Criminal	Input	Supply side
Publicly available reports on courts spending	UN RoL Indicators	Document review	Criminal	Input	Supply side
Investigation of prosecutors' alleged misconduct	UN RoL Indicators	Expert survey	Criminal	Input	Supply side
Investigation of judges' alleged misconduct	UN RoL Indicators	Expert survey	Criminal	Input	Supply side
Judges are subject to removal or other discipline measures for serious misconduct	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Prosecutors are subject to removal or other discipline measures for serious misconduct	UN RoL Indicators	Expert survey	Criminal	Input	Supply side
Performance monitoring system exist for prosecutors	UN RoL Indicators	Document review	Criminal	Input	Supply side
Performance monitoring system exist for judges	UN RoL Indicators	Document review	Criminal	Input	Supply side
Access to redress for miscarriage of justice	UN RoL Indicators	Expert survey	Criminal	Input	Supply side
Frequency of reporting of corruption cases	Afrobarometer	Household survey	Criminal	Outcome	Demand side
Whether authorities took action upon receiving reports of corruption	Afrobarometer	Household survey	Criminal	Output	Supply side
Whether citizens who reported corruption suffered retaliation or other negative consequences	Afrobarometer	Household survey	Criminal	Outcome	Demand/supply side
Main reasons for failure to report corruption of court officials	Afrobarometer	Household survey	Criminal	Outcome	Demand/supply side
In law, there is a transparent and objective system for distributing cases to national-level judges	Global Integrity	Expert interview	Civil/criminal	Input	Supply side
Is there a system for compensating users in the following circumstances: <ul style="list-style-type: none"> <li>excessive length of proceedings?</li> </ul>	CEPEJ	Country Reports	Civil/criminal	Input	Supply side

<ul style="list-style-type: none"> <li>• non execution of court decisions?</li> <li>• wrongful arrest?</li> <li>• Wrongful condemnation?</li> </ul>					
Is there a national or local procedure for lodging complaints about the functioning of the judicial system, and which authority is responsible for such procedure?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Number of complaints that are upheld and the amount of compensation given to users in [12 months period] for complaints about the functioning of the judicial system	CEPEJ	Country Reports Administrative data	Civil/criminal	Output	Supply side
Is there a specialized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Does this institution publish statistics on the functioning of each court on the internet?	CEPEJ	Country Reports Administrative data	Civil/criminal	Output	Supply side
Are individual courts required to prepare an annual activity report?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Do you have, within the courts, a regular monitoring system of court activities concerning Number of incoming cases? Number of decisions delivered? Number of postponed cases? Length of proceedings	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Are there performance and quality indicators for court activities, and if yes, what are the main 4 indicators?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Are there quantitative performance targets (for	CEPEJ	Country	Civil/criminal	Input	Supply side

instance a number of cases to be addressed in a month) defined for each judge, and who sets such targets?		Reports			
Are there performance targets defined at the level of the court and who sets such targets?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Who is responsible for evaluating the performance of the courts	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Are quality standards determined for the whole judicial system (are there quality systems for the judiciary and/or judicial quality policies)?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Do you have specialized court staff that is entrusted with these quality standards?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Do you monitor backlogs and cases that are not processed within a reasonable timeframe for: <ul style="list-style-type: none"> <li>• civil law cases</li> <li>• criminal law cases</li> <li>• administrative law cases</li> </ul>	CEPEJ	Country Reports Administrative data	Civil/criminal/administrative	Input	Supply side
Do you monitor waiting time during court procedures?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Is there a system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Is there a system for monitoring and evaluating the performance of the public prosecution service?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side

Number of successful challenges in a year	CEPEJ	Country Reports Administrative data	Civil/criminal	Output	Supply side
Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non- execution.	CEPEJ	Country Reports Administrative data	Civil/criminal	Output	Supply side
Who is authorized to initiate disciplinary proceedings against judges/prosecutors (e.g., citizens, ombudsman, executive power, etc.)?	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Which authority has disciplinary power on judges/prosecutors?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Number of disciplinary proceedings initiated against judges/public prosecutors/enforcement agents (total and by type of misconduct) and number of sanctions pronounced (total and by type of sanction)	CEPEJ	Country Reports Administrative data	Civil/criminal	Output	Supply side
<b>Effective enforcement</b>					
How serious a problem is effective enforcement	WJP	Qualified Respondent Questionnaires	Civil	Output	Supply side
How long does it take to enforce a decision and collect payment or compensation through a regular civil/commercial court or small claim or magistrate court	WJP	Qualified Respondent Questionnaires	Civil	Output	Supply side
How long did it take to enforce a decision in practical case	WJP	General Population Opinion	Civil	Output	Supply side

		Poll			
In practice, judicial decisions are enforced by the state	Global Integrity	Expert Interviews	Civil/Criminal	Output	Supply side
Functioning of enforcement procedures	CEPEJ	Country reports	Civil/Criminal	Input	Supply side
Efficiency of enforcement procedures	CEPEJ	Country reports Administrative data	Civil/Criminal	Input	Supply side
Quality of enforcement services and accountability	CEPEJ	Country reports	Civil/Criminal	Input	Supply side
<b>Capacity</b>					
<b>Human resources</b>					
Percentage of judges who are women	UN RoL Indicators	Administrative Data	Criminal/Civil	Input	Supply side
	UNODC		Criminal/Civil	Input	
	World Bank gender stats	No data available	Criminal/Civil	Input	Supply side
No. of justices on the constitutional court and No. of judges on the constitutional court who are women	WBL	Expert Survey Administrative Data	Constitutional	Input	Supply side
Whether the chief justice is a woman	WBL	Expert Survey Administrative Data	Constitutional	Input	Supply side
Percentage of women judges in the highest court or supreme court	ECLAC	Administrative data/court statistics	Constitutional	Input	Supply side
Competence (skills and knowledge) of judges	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side

Competence (skills and knowledge) of prosecutors	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Competence (skills and knowledge) of defense counsels	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Number of professional judges, by gender, sitting in First instance courts Second instance courts Supreme courts	CEPEJ	Country Reports Administrative Data	Civil/criminal	Input	Supply side
Number of court presidents (professional judges), by gender.	CEPEJ	Country Reports Administrative Data	Civil/criminal	Input	Supply side
Number of professional judges sitting in courts on an occasional basis and who are paid as such	CEPEJ	Country Reports Administrative Data	Civil/criminal	Input	Supply side
Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs	CEPEJ	Country Reports Administrative Data	Civil/criminal	Input	Supply side
Number of non-judge staff who are working in courts for judges, by gender	CEPEJ	Country Reports Administrative Data	Civil/criminal	Input	Supply side
Number of public prosecutors, by gender, in First instance level Second instance level Supreme court level	CEPEJ	Country Reports Administrative Data	Criminal	Input	Supply side
Number of heads of prosecution offices, by gender	CEPEJ	Country Reports Administrative Data	Criminal	Input	Supply side

Number of staff (non-public prosecutors) attached to the public prosecution service	CEPEJ	Country Reports Administrative Data	Criminal	Input	Supply side
Staff of the prosecuting authority (of which, prosecutors?) (non disaggregated)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Criminal	Input	Supply side
Distribution of Magistrates and Judges in Law Courts by Cadre,	Kenya Facts and Figures 2014	Administrative data	Civil/Criminal/Administrative/constitutional	Input	Supply side
<b>Recruitment</b>					
How are judges/prosecutors recruited	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges/prosecutors?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Which authority is competent for recruiting and nominating judges/prosecutors and is it	CEPEJ	Country Reports	Civil/criminal	Input	Supply side

<ul style="list-style-type: none"> <li>• an authority made up of judges only?</li> <li>• an authority made up of non-judges only?</li> <li>• an authority made up of judges and non-judges?</li> </ul>					
Which authority competent for the promotion of judges/prosecutors?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges/prosecutors?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Which procedures and criteria are used for promoting judges/prosecutors?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Is there a system of qualitative individual assessment of judges'/prosecutors' activity?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
<b>Training</b>					
<p>Is compulsory/optional training for judges/prosecutors provided:</p> <ul style="list-style-type: none"> <li>• Initial training (e.g. attend a judicial school, traineeship in the court)</li> <li>• General in-service training</li> <li>• In-service training for specialized functions (e.g. judge for economic or administrative issues/ public prosecutor on organized crime)</li> <li>• In-service training for management functions of the court (e.g. court president/Head of prosecution office, manager)</li> <li>• In-service training for the use of computer facilities in courts</li> </ul>	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Frequency of training	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Do you have public training institutions for	CEPEJ	Country	Civil/criminal	Input	Supply side



judges and / or prosecutors? If yes, what is the budget of such institution(s)?		Reports			
If there is no initial training for judges and/or prosecutors in such institutions, how are judges and/or prosecutors recruited and trained	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
<b>Compensation</b>					
Salaries and benefits of judges/public prosecutors	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Can judges/prosecutors combine their work with other functions?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
Productivity bonuses: do judges receive bonuses based on the fulfillment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time)?	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
<b>Material Resources</b>					
<b>Justice Sector's Budget - yearly change</b>	Institut National de la Statistique – Annuaire Statistique du Cameroun 2013	Ministry of Justice, report on “the status of human rights in Cameroun in 2011”	System wide	Input	Supply side
Whether the material resources available to the court are adequate	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Whether prosecutors have the material resources to record testimonies, store and maintain evidence, and keep track of pending cases and hearing dates	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Quality of court records	UN RoL Indicators	Field Data	Criminal	Input	Supply side

Quality of prosecution records	UN RoL Indicators	Field Data	Criminal	Input	Supply side
Computer facility and teleconference services used in courts	CEPEJ	Country Reports	Civil/criminal	Input	Supply side
<b>Administrative and management capacity</b>					
Strategic planning and budgeting capacity of courts	UN RoL Indicators	Expert Survey Document review	Criminal	Input	Supply side
Strategic planning and budgeting capacity of prosecutors	UN RoL Indicators	Expert Survey Document review	Criminal	Input	Supply side
Administrative systems of the courts	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
Administrative systems of the prosecutors	UN RoL Indicators	Expert Survey	Criminal	Input	Supply side
<b>Special Courts/procedures</b>					
Is there a small claim court or a fast track procedure for small claims, and what is the maximum amount for a small claim (as a percentage of income per capita)?	WBL	Expert Survey Document review	Civil	Input	Supply side
Number (legal entities) of first instance specialized courts (or specific judicial order)	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side
Number of first instance courts (geographic locations) competent for a case concerning: <ul style="list-style-type: none"> <li>• a debt collection for small claims</li> <li>• a dismissal</li> <li>• a robbery</li> </ul> * respondents are asked to provide a definition of small claims	CEPEJ	Country Reports Administrative data	Civil/criminal	Input	Supply side

Are there specific procedures for urgent matters as regards: civil cases criminal cases? Administrative cases?	CEPEJ	Country Reports	Civil/criminal/administrative	Input	Supply side
Are there simplified procedures for: civil cases? (small disputes) criminal cases? (small offences) administrative cases?	CEPEJ	Country Reports	Civil/criminal/administrative	Input	Supply side
For these simplified procedures, may judges deliver an oral judgment with a written order and dispense with a full reasoned judgment?	CEPEJ	Country Reports	Civil/criminal/administrative	Input	Supply side
Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?	CEPEJ	Country Reports	Civil/criminal/administrative	Input	Supply side
<b>Alternative Dispute Resolution</b>					
Accessibility (cost)					
Expected cost (as a % of the claim) of commercial arbitration mechanisms	WJP	Qualified respondent's questionnaires	Civil	Input	Supply side
Impartiality					
ADR are impartial	WPJ	Not measured	Civil	Output	Supply side
ADR are free of improper influence					
Likelihood that commercial arbitrators request a bribe	WPJ	Qualified respondent's questionnaires	Civil	Output	Supply side

ADR are effective – not subject to unreasonable delays					
In practice, how long would it take to enforce (i.e. collect payment) the arbitral award through the local courts if the award came from a national arbitration panel	WJP	Qualified respondent s questionnaires	Civil	Process	Supply side
In practice, how long would it take to enforce (i.e. collect payment) the arbitral award through the local courts if the award came from an international arbitration panel	WJP	Qualified respondent s questionnaires	Civil	Process	Supply side
In practice, how long would it take to obtain a decision using a commercial arbitration mechanism?	WJP	Qualified respondent s questionnaires	Civil	Process	Supply side
In practice, after a decision or an agreement is reached, how long would it take to obtain enforcement using a commercial arbitration mechanism?	WJP	Qualified respondent s questionnaires	Civil	Process	Supply side
Does the judicial system provide for judicial mediation procedures?	CEPEJ	Country Reports	Civil	Input	Supply side
In which cases is mediation mandatory?	CEPEJ	Country Reports	Civil	Input	Supply side
Is there a possibility to receive legal aid for judicial mediation procedures?	CEPEJ	Country Reports	Civil	Input	Supply side
Number of accredited or registered mediators who practice judicial mediation	CEPEJ	Country Reports Administrative data	Civil	Supply side	Supply side
Number of judicial mediation procedures, by	CEPEJ	Country	Civil	Output	Supply side

case type		Reports Administrative data			
Does the legal system provide for the following ADR: Mediation other than judicial mediation? Arbitration? Conciliation? Other alternative dispute resolution?	CEPEJ	Country Reports	Civil	Supply side	Supply side
<b>Effective enforcement</b>					
Likelihood of enforcing arbitral award against a government agency if the award is obtained from a national arbitration panel	WJP	Qualified respondents questionnaires	Civil	Outcome	Supply side
Likelihood of enforcing arbitral award against a government agency if the award is obtained from an international arbitration panel	WJP	Qualified respondents questionnaires	Civil	Outcome	Supply side

**2.2 Table 2. Gender-Based Violence – Access to Justice Indicators**

Target/indicator	Developed/used by	Data Sources	Constitutional/criminal/civil law/courts	Input/output/outcome/impact/process	Demand/supply side
<b>Rights and entitlements</b>					
Is there legislation that specifically addresses domestic violence?	WBL	Expert Surveys Document Review	Criminal	Input	Supply side

Does domestic violence legislation protect women in unmarried intimate relationships?	WBL	Document Review	Criminal	Input	Supply side
Does domestic violence legislation include emotional, physical, financial and sexual abuse?	WBL	Expert Surveys	Criminal	Input	Supply side
Laws on domestic violence – Whether the legal framework offers women legal protection from domestic violence	OECD – SIGI	SIGI Country Profiles	Criminal	Input	Supply side
Laws on rape – Whether the legal framework offers women legal protection from rape	OECD – SIGI	SIGI Country Profiles	Criminal	Input	Supply side
Laws on sexual harassment – Whether the legal framework offers women legal protection from sexual harassment	OECD – SIGI	SIGI Country Profiles	Criminal	Input	Supply side
Existence of laws criminalizing: psychological and criminal violence, stalking, sexual violence including rape (including when perpetrated by	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)	-	Criminal	Input	Supply side

spouse/partner), forced marriage, female genital mutilation, forced abortion and forced sterilization, sexual harassment, and attempt of, and aiding and abetting any of such offences.	Articles 33-41				
Existence of laws criminalizing all forms of violence against women as specified above irrespective of the nature of the relationship between victim and perpetrator.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) Article 43	-	Criminal	Input	Supply side
<b>Procedural provisions for combating and preventing violence against women</b>					
Investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay while taking into consideration the rights of the victim during all stages of the criminal proceedings.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 48		Criminal	Input	Supply side
Laws and other measures exist to ensure the effective investigation and prosecution of offences established in accordance with the Istanbul convention	Council of Europe Convention on preventing and combating violence against women and domestic violence	-	Criminal	Input	Supply side

	(Istanbul Convention). Article 48				
Laws or other measures exist to ensure that the responsible law enforcement agencies respond to all forms of violence covered by the Istanbul Convention promptly and appropriately by offering adequate and immediate protection to victims.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 50	-	Criminal	Input	Supply side
Existence of judicial proceedings that provide mechanisms for enforcing protective measures and guarantee the safety of women victims of violence, their children, and their witnesses. These mechanisms include: <ul style="list-style-type: none"> <li>• Relocation funds</li> <li>• Mechanisms for rescuing women</li> <li>• Changes of identity</li> <li>• Witness protection</li> <li>• Safe-conducts to leave the country</li> <li>• Safe reference networks</li> <li>• Panic buttons</li> </ul>	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Competence of ministries or supervisory offices to receive complaints from health system users.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert	-	Criminal	Process	Supply side



	(CEVI)				
Existence of specific mechanism to receive complaints from users regarding the justice system	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of constitutional relief (amparos, protective actions, custody).	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Laws or other measures exist to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 56	-	Criminal	Input	Supply side
Laws or other measures exist to ensure that appropriate restraining or protection orders are available to victims of all forms of violence covered by the scope of the Istanbul Convention.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 53	-	Criminal	Input	Supply side
Competent authorities are granted the power to issue	Council of Europe	-	Criminal	Input	Supply side

barring orders.	Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 52				
Laws or other measures exist 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.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 54	-	Criminal	Input	Supply side
Procedures exist ensuring that competent authorities take into account lethality risk, risk of repeated violence and possession or access to firearms during investigations and proceedings and provide co-ordinated safety and support.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 51	-	Criminal	Input	Supply side
Availability of procedural guarantees in judicial proceedings involving violence: (i) independence and impartiality of the court; (ii) reasonable time; (iii) equality of arms; (iv) res judicata; (v) appeals to higher courts against judgments.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side

Existence of criminal investigation protocols on crimes of violence against women, femicide and violent deaths of women, with a gender perspective.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Laws and procedures exist to ensure that the proceedings related to offences contemplated in the Istanbul Convention may continue even if the victim withdraws her or his statement or complaint.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 55	-	Criminal	Input	Supply side
Existence of legislation that explicitly bans the use of such methods as conciliation, mediation, suspended sentences, probation, application of the opportunity, commutation of sentences and others intended to resolve cases of violence against women extra-judicially	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of provisions prohibiting mandatory alternative dispute resolution processes, including mediation and conciliation, in relation to all forms of violence covered by the scope of this Convention.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 48	-	Criminal	Input	Supply side

Existence of legislation on protective measures, at the request of the victim or third parties or on an ex officio basis, before and during administrative and/or judicial proceedings.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of legislation and rapidly available mechanisms for protection of indigenous, rural, girls and adolescents, adult women and elderly women victims of violence, with particular attention of intercultural backgrounds.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of adequate civil remedies against perpetrators of violence against women and domestic violence	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 29	-	Criminal	Input	Supply side
Existence of procedures ensuring 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.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 48	-	Criminal	Input	Supply side
Existence of a right to compensation for victims of violence against women	Council of Europe Convention on preventing and	-	Criminal	Input	Supply side

and domestic violence	combating violence against women and domestic violence (Istanbul Convention). Article 30				
Existence of laws or other measures ensuring that the determination of custody and visitation rights for children incidence of violence against women and domestic violence (as defined by the Istanbul convention) are taken into account.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 31	-	Criminal	Input	Supply side
Existence of provisions ensuring that marriages concluded under force may be voidable, annulled or dissolved without undue financial or administrative burden placed on the victim.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 32		Criminal	Input	Supply side
Existence of provisions ensuring broad domestic jurisdiction(territorial and personal) over offences contemplated in the Istanbul Convention	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 44	-	Criminal	Input	Supply side
Existence of provisions ensuring that extradition of persons convicted for an offence contemplated in the	Council of Europe Convention on preventing and	-	Criminal	Input	Supply side

Istanbul Convention is not granted solely on the basis of nationality	combating violence against women and domestic violence (Istanbul Convention). Article 44				
Existence of effective, proportionate and dissuasive sanctions, for the punishment of the offences contemplated in the Istanbul convention	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 44	-	Criminal	Input	Supply side
Existence of provisions for the protection and support for child witnesses	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 26	-	Criminal	Input	Supply side
Existence of measures to encourage reporting of acts of violence covered by the scope of the Istanbul Convention to the competent organisations or authorities.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 27	-	Criminal	Input	Supply side
Measures are in place to ensure that the confidentiality rules imposed by internal law on certain professionals do not	Council of Europe Convention on preventing and combating violence	-	Criminal	Input	Supply side

constitute an obstacle to their reporting to the competent organisations or authorities act of violence covered by the Istanbul Convention	against women and domestic violence (Istanbul Convention). Article 28				
<b>Existence of institutions and services for preventing and combating violence against women</b>					
Is there a specialized court or procedure for cases of domestic violence?	WBL	Expert Surveys	Criminal	Input	Supply side
Existence of agencies for receiving complaints. If they exist, their number and locations.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of administrative agencies for filing complaints regarding failing to abide by obligations related to the right to a life without violence.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of legal representation services, either public or state-supported, specializing in women affected by violence.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of nationwide toll-free telephone lines for women victims of violence	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert	-	Criminal	Input	Supply side

	(CEVI)				
State-wide round-the-clock (24/7) telephone helplines free of charge providing advice to callers in relation to all forms of violence covered by the scope of the Istanbul Convention.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 24	-	Criminal	Input	Supply side
Appropriate, easily accessible shelters providing safe accommodation for and to reach out pro-actively to victims, especially women and their children.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 23, are available		Criminal	Input	Supply side
Existence of free and comprehensive legal services to protect the right to a life without violence.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of free and comprehensive legal services intended for indigenous, rural, girls and adolescents, adult women and elderly women, taking care of inter-culturality, according to legislation in force.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Input	Supply side
Existence of an office,	Follow-up Mechanism	-	Criminal	Input	Supply side



rapporteurship, or other kinds of specific agency within the trials and appeals courts and at the supreme court.	to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)				
Provision of the right to legal assistance and to free legal aid for victims under the conditions provided by states' internal law.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 57	-	Criminal	Input	Supply side
Existence of services facilitating the recovery of victims of violence. Including, when necessary, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 20	-	Criminal	Input	Supply side
Victims have access to health care and social services that are adequately resourced and staffed with professionals who are trained to assist victims and refer them to the appropriate services.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 20	-	Criminal	Input	Supply side

Immediate, short- and long-term specialist support services for victims are available, including specialist women's support services to all women victims of violence and their children.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 22	-	Criminal	Input	Supply side
Easily accessible rape crisis or sexual violence referral centers for victims providing medical and forensic examination, trauma support and counselling for victims are available.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 25	-	Criminal	Input	Supply side
<b>Public Awareness</b>					
Women's awareness of organization/services for <b>preventing and combating violence against women</b>	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Women's awareness of advertising addressing campaigns against violence against women	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Women's awareness of laws or political initiatives in their countries for the prevention of violence	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side

against women or the protection of women in cases of domestic violence					
Awareness raising campaign or programs to increase awareness and understanding among the general public of the different manifestations of all forms of violence covered by the Istanbul Convention, their consequences on children and the need to prevent such violence, are conducted or promoted on a regular basis	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 13	Women's public survey	Criminal	-	Demand side
Information about available measures to prevent acts of violence covered by the Istanbul Convention is disseminated to the public	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 13	Women's public survey	Criminal	-	Demand side
Curricula at all level of education contain, as appropriate, modules on gender equality, non-stereotyped gender roles, mutual respect, non-	Existence of Council of Europe Convention on preventing and combating violence against women and domestic violence	Women's public survey	Criminal	-	Demand side

violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, and such principles are promoted through informal educational facilities, as well as in sports, cultural and leisure facilities and the media.	(Istanbul Convention). Article 14				
Victims receive adequate and timely information on available support services and legal measures in a language they understand.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 13	Women's public survey	Criminal	-	Demand side
Victims have information on and access to applicable regional and international individual/collective complaints mechanisms.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 21	Women's public survey	Criminal	-	Demand side
<b>Role of civil society/monitoring, control and support entities</b>					

Number and characteristics of civil society organizations involved in monitoring and control initiatives, considering organizations particularly working with girls and adolescents, adult women and elderly women of diverse ethnic origin, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	-	Input	-
Number and characteristics of civil society organizations that are involved as advisors or as complainants in criminal proceedings for violence against women and femicide.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	-	Input	-
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 the Istanbul Convention.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 55	-	Criminal	Input	Supply side

Access to the justice system					
Unreported violence rate: number of girls and adolescents, adult women and elderly women who were victims of different forms of violence over the past twelve months and who did not report those acts of violence, divided by the total number of women in their age groups.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	-	Demand side
Number of women lodging complaints for violence with the police.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Outcome	Demand side
Number of users served by telephone lines.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	-	-	Demand side
Number of complaints involving violence received, investigated, and resolved by competent national human rights institutions in the country.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output/outcome	Demand side/supply side
Number of users of free legal representation services, be they public or private, with or without state subsidies.	Follow-up Mechanism to the Belem do Para Convention (MESECVI)	-	Criminal	Output	Demand side

	Committee of Expert (CEVI)				
Number and percentage of girls and adolescents, adult women and elderly women who access the emergency kit in institutions.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output/outcome	Demand side
Whether women victims of sexual harassment spoke about the incident or reported it to anyone (including, inter alia, police, victim support organizations, and lawyers)	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Satisfaction with response obtained from individuals/institutions women referred incidents of sexual harassment to	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Reasons for not talking/reporting incidents of sexual harassment to anyone	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Whether police came to know of incidents of sexual violence <sup>22</sup> suffered by respondents	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Reasons why respondents did not contact the police	Fundamental Rights Agency EU-Wide	Women's public survey	Criminal	Outcome	Demand side

<sup>22</sup> Sexual violence includes violence against women perpetrated by their current partner. See Fundamental Rights Agency, Survey on women's well-being and safety in Europe. P. 33 and ff.

with regard to incidents of sexual violence they suffered	Survey on women's well-being and safety in Europe				
Information, advice and support respondents felt they needed after experiencing an incident of sexual violence.	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Whether respondents who experienced incidents of sexual violence talked about it with anyone and/or contacted certain organizations, including hospitals, doctors/health care institutions, social services, women's shelter, victim support organization, church/religious organization, legal service/lawyer.	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Reason for not seeking help from such organizations	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Whether bringing charges/conviction in court helped victims of sexual violence overcome the consequence of violence	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	-	Demand side
Whether respondents who have experienced any kind of gender based violence have ever tried	DHS	Household Surveys Data is gender disaggregated	Criminal	Outcome	Demand side



to seek help					
If respondents who have experienced any kind of gender based violence have tried to seek help, where did they go	DHS	Household Surveys	Criminal	Outcome	Demand side
Victims have information on and access to applicable regional and international individual/collective complaints mechanisms.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 21	Women's public survey	Criminal	-	Demand side
<b>Response of the justice system to gender-based violence</b>					
Number of complaints involving violence received, investigated, and resolved by competent national human rights institutions in the country.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output/outcome	Demand side/supply side
Percentage of protective orders issued in cases of violence against women, in proportion to the number of protective orders requested, broken down by the type of crime and/or type of violence reported.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output	Supply side
Judgments and rulings that make use of and include the Convention of Belém do Pará	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert	-	Criminal	Output	Supply side

	(CEVI)				
Number of judicial sentences or rulings on domestic violence or any other form of violence (physical, sexual, psychological, patrimonial, economic, institutional, political, workplace violence, sexual harassment, political harassment, obstetric violence, etc.) broken down by sex, age, race, ethnic origin, and socio-economic status.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/Administrative/Criminal	Output	Supply side
Number of judgments or resolutions related to reparation of victims, type of reparation	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output	Supply side
Number and percentage of cases reported to the investigating agency, for violence against women in its various manifestations and violent deaths of women, according to the process status: <ul style="list-style-type: none"> <li>✓ Research</li> <li>✓ Accusation</li> <li>✓ Judicial decisions</li> <li>✓ Dismissed</li> <li>✓ Archived</li> </ul>	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal/administrative/civil	Output	Supply side
Number and percentage of	Follow-up Mechanism	-	Criminal	Output	Supply side

cases heard by the Criminal Courts (routine and specialized) for different crimes: violence against women, femicide, attempted femicide, in relation to the number and percentage of judgments (convictions and / or acquittals) issued by the courts (ordinary and specialized)	to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)				
Number and percentage of cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/Criminal	Input	Demand side
The number of convictions for violence against women in proportion to the total number of reports.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	output	Supply side
The number of victims of femicide in the past twelve months, by age, marital status, cause of death, and geographic location.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	-	Demand side
Number of femicide prosecutions with sentences in the past twelve months in proportion to the total	Follow-up Mechanism to the Belem do Para Convention	-	Criminal	Output	Supply side

number of recorded cases.	(MESECVI) Committee of Expert (CEVI)				
Number of cases solved involving indigenous, rural, girls and adolescents, adult women and elderly women as victims of violence	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal	Output	Supply side
Whether reports/complaints of incidents of sexual harassment were followed by official action	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Respondents' overall satisfaction or dissatisfaction with the contact they had with the police in relation with incidents of sexual violence they suffered	Fundamental Rights Agency EU-Wide Survey on women's well-being and safety in Europe	Women's public survey	Criminal	Outcome	Demand side
Preventive intervention and treatment programmes are set up or supported	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 16	-	Criminal	Input	Supply side
<b>Timeliness of procedures</b>					
Average time between the initial phase of a criminal trial for violence against women in its various	Follow-up Mechanism to the Belem do Para Convention (MESECVI)	-	Criminal	Outcome	Supply side

manifestations and/or femicide and judgment (conviction or acquittal).	Committee of Expert (CEVI)				
<b>Capacity</b>					
<b>Human Resources/training</b>					
Do all prosecution offices have specially trained prosecutors in domestic and sexual violence?	CEPEJ	Country reports	Criminal	Input	Supply side
Are there special favorable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons: Victims of sexual violence/rape [...] Victims of domestic violence [...]	CEPEJ	Country Reports	Civil/criminal	Process	Supply side
Policies to train judges, prosecutors, defence attorneys, lawyers, and justice operators, as well as in the law schools programs, on the topic of violence. Thematic coverage and scope	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/criminal administrative	Input	Supply side
Existence of training programs for justice operators from a gender perspective and interculturality.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert	-	Civil/criminal administrative	Input	Supply side

	(CEVI)				
Number of trained personnel in the justice system with a gender perspective and taking care of inter-culturality.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/criminal administrative	Output	Supply side
Number of indigenous, rural, women holding decision-making positions for conflict resolution in indigenous, rural, communities.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI) Committee of Expert (CEVI)		Civil/criminal administrative – state/non-state systems	Input	Supply side
Number of women in positions of decision on prosecution, courts and other administrative bodies of justice.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/criminal administrative – state/non-state systems	Input	Supply side
Number of civil servants and public officials who have accessed training processes, awareness and training on the issue of violence against women.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Civil/criminal administrative – state/non-state systems	Output	Supply side
Number of public servants who work in positions that have direct interaction with	Follow-up Mechanism to the Belem do Para	-	Civil/criminal administrative – state/non-state systems	Input	Supply side

<p>women affected by violence against women in all its manifestations:</p> <ul style="list-style-type: none"> <li>✓ Number and percentage of female officers in relation to the number of cases reported to the institution.</li> <li>✓ Number and percentage of women psychologists and psychiatrists in relation to the number of cases reported to the institutions responsible for dispensing justice.</li> <li>✓ Number and percentage of social workers in relation to the number of cases reported to the institutions responsible for dispensing justice.</li> <li>✓ Number and percentage of women lawyers in relation to the number of cases reported to institutions responsible for counselling women in criminal proceedings (as aggrieved or accused of crimes)</li> <li>✓ Number of interpreters</li> </ul>	<p>Convention (MESECVI) Committee of Expert (CEVI)</p>				
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with knowledge of the rights of women.					
	Un RoL Indicators	Public Survey – Perception Note: the analysis of the responses to this question includes a gender-based comparison of responses	Criminal	Outcome	Demand side
Existence of training programs for the relevant professionals dealing with victims or perpetrators of all acts of violence covered by the scope of the Istanbul Convention, on the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as on how to prevent secondary victimisation.	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 15	-	Criminal	Input	Supply side
<b>Transparency and access to information</b>					
Database records with relevant precedents from higher federal and state courts on violence against women, including documentation of emblematic cases.	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	Criminal/civil	Output	Supply side
Publication of and access to information on judgments	Follow-up Mechanism	-	Criminal/civil	Outcome	Supply side



and rulings enacted.	to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)				
Publication of and access to information of girls and adolescents, adult women and elderly women victims of violence served, in the different languages that are spoken in the country	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)	-	-	Outcome	Supply side
<b>Attitudes Towards Gender-Based Violence</b>					
Attitudes toward violence: Percentage of women who agree that a husband/partner is justified in beating his wife/partner under certain circumstances	OECD SIGI	DHS MICS World Values Survey	-	-	Demand side
Whether respondent believes a husband is justified in hitting or beating his wife in the following situations: a) If she goes out without telling him b) If she neglects the children c) If she argues with him d) If she refuses to have sex with him e) If she burns the food	DHS	Household Surveys Men's Module and Women's Module	-	-	Demand side



**2.3 Table 3. Police**

Target/indicator	Developed/used by	Data Sources	Input/output/outcome/impact/process	Demand/supply side
<b>Access/ Performance</b>				
No. of respondents who sought assistance from the police	Afrobarometer	Household survey	Outcome	Demand side
Whether respondents or any household member normally use a police station	Timor-Leste Survey of Living Conditions (2007)	Household survey	Outcome	Demand side
How far is it from respondent's house to the police station his/her household normally goes to	Timor-Leste Survey of Living Conditions (2007)	Household survey	Input	Supply side
How does respondent normally travel to this police station	Timor-Leste Survey of Living Conditions (2007)	Household survey	Input	Supply side
How long does it take to travel from respondent's house to this police station	Timor-Leste Survey of Living Conditions (2007)	Household survey	Input	Supply side
Existence of police post in the community Note: the community questionnaires further includes the following questions, which may apply to the police: Does the community have any protective systems (National police, private police, from community); and What are the problems/benefits with the existing protective service	Guatemala National Survey of Living Conditions	Community Questionnaire – Informed Individuals Surveys	Input	Supply side
Difficulty of obtaining assistance from the police	Afrobarometer	Household survey	Outcome	Supply side
Population's perception of the police to	UN RoL Indicators	Public Survey	Outcome	Demand side

control crime in the community				
Satisfaction with police response to crime reports	UN RoL Indicators	Public Survey	Outcome	Supply side
Police Response to requests of assistance (“To what extent do you agree that the police responds promptly to requests for assistance from the public?”)	UN RoL Indicators	Expert Surveys	Outcome	Supply side
Response to domestic violence incidents (“To what extent do you agree that the police respond seriously and competently to incidents of domestic violence (Violence occurring in the family)”)	UN RoL Indicators	Expert Surveys	Outcome	Supply side
Responses to sexual crimes against women and children. (“To what extent do you agree that the police respond seriously and competently to incidents of sexual crimes against women and children?”)	UN RoL Indicators	Expert Surveys	Outcome	Supply side
Control of vigilantism – Ability of the police to prevent people from taking the law into their own hands (e.g., vigilantism, mob violence)	UN RoL Indicators	Expert Surveys	Outcome	Supply side
Intentional homicide cases resolved by the police	UN RoL Indicators	Administrative Data	Output	Supply side
Whether, in the past 5 years, members of the community expressed a need for initiation/improvement of law enforcement	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Outcome	Demand side
Whether, in the past 5 years, community leaders have organized the community to discuss a need for	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals	-	Demand/supply side

initiation/improvement of law enforcement		Survey		
Whether, in the past 5 years, community members met to address the need for initiation/improvement of law enforcement	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Outcome	Demand side
What did the community do to address the need for initiation/improvement of law enforcement?	2011/12 Ethiopian Rural Socioeconomic Survey	Community Questionnaire – Informed Individuals Survey	Outcome	Demand/supply side
<b>Crime recording, reporting and Trust in the Police</b>				
Offences recorded by the police, by type (including sexual assault, which includes rape and sexual abuse of a child)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Output	Supply side
Crime reporting to the police – Percentage of victimized individuals who reported their victimization to the police within the last 12 months (questions on the specific authority to whom the crime was reported and the level of satisfaction are asked to respondent who say they reported a crime)	UN RoL Indicators	Population survey	Input	Demand side
Crime reporting by women – percentage of victimized women who reported their victimization to the police within the last 12 months (a supplementary question is asked of respondents who did not report the crime to the police: “did you report it to	UN RoL Indicators	Population survey	-	Demand side

other authorities?")				
Police service to the community – whether the police are perceived by the population to be doing as much as they can to be of service to the community	UN RoL Indicators	Population survey	-	Demand side
Gender and confidence in the police – ratio of percentage of women and men respondents to the public survey who say they trust the police	UN RoL Indicators	Population survey		Demand side
Public perception of police behavior – whether the population perceives the police to be abusive in their contacts with people	UN RoL Indicators	Population survey		Demand side
Public confidence in police leaders	UN RoL Indicators	Population survey		Demand side
Satisfaction with the police	Living in Bosnia and Herzegovina (2004) (Survey of Living Standards)	Household Survey	Outcome	Demand side
Households which experienced stealing or attempted stealing during the last five years by member involved, region and locality and Households for which incidence of theft was reported to the Police by region and locality	Ghana Living Standard Survey (GLSS)	HH Survey	Outcome	Demand side
Household members who experienced sexual offences by region and locality and Households reporting sexual offence to the Police by region and locality	Ghana Living Standard Survey (GLSS)	HH Survey	Outcome	Demand side
Reasons for not reporting incidence of sexual offence to the Police by region	Ghana Living Standard Survey (GLSS)	HH Survey	Outcome	Demand side

Crimes committed in the community and perpetrators	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	-	Demand side
Whether respondents report the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Outcome	Demand side
What has resulted through reporting the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Outcome	Supply side
Reasons for not reporting the crime	Guatemala National Survey of Living Conditions (2000)	Community questionnaire (Informed individuals surveys)	Outcome	Demand side
Satisfaction with Police services	Living in Bosnia and Herzegovina – Wave 4 Questionnaire 2004	Household Survey	Outcome	Demand side
<b>Integrity, Transparency and Accountability</b>				
<b>Corruption</b>				
Frequency – how often did respondents have had to pay a bribe, give a gift, or do a favor for a police officer in order to get the assistance they needed, or to avoid a problem like passing a checkpoint or avoiding a fine or arrest	Afrobarometer	Household survey	-	Demand/supply side
Public perception of whether it is possible to avoid arrest by offering a bribe to a police offices	UN RoL Indicators	Population survey		Demand side
Frequency of reporting of corruption cases	Afrobarometer	Household survey	Outcome	Demand side
Whether authorities took action upon	Afrobarometer	Household survey	Outcome	Supply side

receiving reports of corruption				
Whether citizens who reported corruption suffered retaliation or other negative consequences	Afrobarometer	Household survey	Outcome	Demand/supply side
Main reasons for failure to report corruption of police officers	Afrobarometer	Household survey	Outcome	Demand/supply side
<b>Integrity</b>				
Use of police powers – whether the police use their law enforcement powers (e.g., arrest, search, seizure and detention) in strict accordance with the law	UN RoL Indicators	Expert survey	Process	Supply side
Use of force to obtain confessions – whether and to what extent the police are perceived to be using force to obtain confessions	UN RoL Indicators	Population survey	Process	Demand side
<b>Accountability</b>				
Investigation of Police Misconduct – Ability of members of the public to trigger an investigation of alleged misconduct by the police	UN RoL Indicators	Expert Survey	-	Demand/Supply side
Procedure for investigating police misconduct – whether there is a formal procedure set in law for an independent investigation of serious incidents of police misconduct	UN RoL Indicators	Document Review	Input	Supply side
Number of disciplinary proceedings initiated against judges/public prosecutors/enforcement agents (total and by type of misconduct) and number of sanctions pronounced (total and by type of sanction)	CEPEJ	Country Reports	Output	Supply side
Prosecution of police corruption or	UN RoL Indicators	Expert Survey	Process	Supply side



misconduct – Whether alleged incidents of police misconduct or corruption are seriously investigated and, when required by law, prosecuted		Administrative data  (Administrative data to be used, when available, to calculate the percentage of investigations of alleged incidents of police misconduct which, in a given year, resulted in a disciplinary action or the prosecution of a police officer)		
Do the police have separate powers to drop proceedings, conditionally dispose of them or issue a penal order that counts as a conviction? If yes, which powers do they have?	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Input	Supply side
<b>Transparency</b>				
Public availability of reports on police complaints	UN RoL Indicators	Document review	Output	Supply side
Public reports on police budgets and expenditures	UN RoL Indicators	Document review	Output	Supply side
Public reports on deaths in police custody or as a result of police actions	UN RoL Indicators	Document review	Output	Supply side
<b>Treatment of members of vulnerable groups</b>				
Perception of discrimination by the police – whether the population perceives the police as treating people of all groups fairly and without	UN RoL Indicators	Population survey	-	Demand side

discrimination				
Existence and implementation of child-friendly policies and procedures	UN RoL Indicators	Document review	Input/process	Supply side
Existence and implementation of policies and procedures to respond to the needs of children in conflict with the law and protect their rights	UN RoL Indicators	Expert survey	Input/process	Supply side
Whether operational policies and procedures provide adequate guidance to the police dealing with mentally ill suspects or offenders	UN RoL Indicators	Document review	Input	Supply side
<b>Capacity</b>				
<b>Material resources</b>				
Availability of equipment to perform basic police duties	UN RoL Indicators	Expert survey	Input	Supply side
Availability of private areas for receiving crime reports and holding cells	UN RoL Indicators	Field data	Input	Supply side
Availability of forensic test capacity	UN RoL Indicators	Expert survey	Input	Supply side
<b>Human Resources</b>				
Police staff (non disaggregated)	European Sourcebook of Crime and Criminal Justice Statistics 5 <sup>th</sup> Edition	Administrative and survey data and court statistics – mainly provided by national correspondents	Input	Supply side
Perception of recruitment practices as fair and effective	UN RoL Indicators	Population survey	Input	Supply side
Remuneration – whether entry-level salaries for police officers are sufficient to recruit and retain qualified individuals	UN RoL Indicators	Expert survey	Input	Supply side
Whether police have the necessary skills to gather and protect physical	UN RoL Indicators	Expert survey	Input	Supply side

evidence				
Whether there is a functioning and adequate vetting process in place	UN RoL Indicators	Expert survey	Input	Supply side
Public perception of effectiveness of vetting process	UN RoL Indicators	Expert survey	Input	Supply side
Gender balance – percentage of police personnel who are women	UN RoL Indicators	Administrative data	Input	Supply side
Competence of frontline police officers	UN RoL Indicators	Expert survey	Input	Supply side
Ability of Police leaders – perceived ability and determination of police leaders to improve the capacity, integrity and performance of the police	UN RoL Indicators	Expert survey	Input	Supply side
Record management capacity – quality and accuracy of police records of individuals held in custody	UN RoL Indicators	Expert survey Field data	Input	Supply side

#### 2.4 Table 4. Government Services

Target/indicator	Developed/used by	Input/output/outcome/impact/process	Demand/supply side
<b>Access</b>			
Existence of civil registry in community	Guatemala National Survey of Living Conditions (2000)	Input	Supply side
Whether respondents have tried in the past 12 months to get an identity document like a birth certificate, driver's license, passport or voter's card, or a permit, from government	Afrobarometer	-	Demand side
Identity card applications made, processed and collected (jn a given timeframe)	Kenya Facts and Figures 2015	Output	Demand/Supply side
<b>Procedures</b>			
Difficulty in obtaining the document needed	Afrobarometer	Output	Supply side
<b>Corruption</b>			
Frequency - how often did respondents have to	Afrobarometer	Outcome	Supply side

pay a bribe, give a gift, or do a favour for a government official in order to get the document needed			
Whether authorities took action upon receiving reports of corruption	Afrobarometer	Process	Supply Side
Whether citizens who reported corruption suffered retaliation or other negative consequences	Afrobarometer	Outcome	Demand/supply side
Main reasons for failure to report corruption of government officials	Afrobarometer	Outcome	Demand side
Whether authorities took action upon receiving reports of corruption	Afrobarometer	Process	Supply Side
Whether citizens who reported corruption suffered retaliation or other negative consequences	Afrobarometer	Outcome	Demand/supply side
Main reasons for failure to report corruption of government officials	Afrobarometer	Outcome	Demand side

**2.5 Table 5. Access to Justice Indicators Relying on Administrative Data**

Target/indicator	Developed/used by	Constitutional/criminal/civil law/courts	Input/output/outcome/impact/process	Demand/supply side
<b>Legal Assistance and representation</b>				
<b>Availability of legal assistance/representation/legal aid</b>				
Number of cases referred to the court for which legal aid has been granted.	CEPEJ	Civil/Criminal	Output	Supply side
Number of cases not brought to court (non litigious cases or cases not brought to court (legal consultation, ADR, etc) for which legal aid has been granted.	CEPEJ	Civil	Output	Supply side
Total number of lawyers practising in your country, including legal advisors	CEPEJ	Civil/criminal	Input	Supply side

who cannot represent their clients in court				
<b>Accountability of Lawyers</b>				
Number of disciplinary proceedings initiated against lawyers Total and by type of misconduct	CEPEJ	Civil/criminal	Output	Supply side
Number of sanctions Total and by type of sanction	CEPEJ	Civil/criminal	Output	Supply side
<b>Accessibility of legal institutions</b>				
<b>Prevalence of violence/reporting rates</b>				
Number of women victims of sex crimes, by age, racial or ethnic origin, and socio-economic status.	MESECVI <sup>23</sup>	Criminal	-	Demand side
Unreported violence rate: number of girls and adolescents, adult women and elderly women who were victims of different forms of violence over the past twelve months and who did not report those acts of violence, divided by the total number of women in their age groups.	MESECVI	Criminal	-	Demand side
Number of women lodging complaints for violence with the police.	MESECVI	Criminal	Outcome	Demand side
Number of users served by telephone lines.	MESECVI	-	-	Demand side
Number of complaints involving violence received, investigated, and resolved by competent national human rights institutions in the country.	MESECVI	Criminal	Output/outcome	Demand side/supply side
Number of users of free legal representation services, be they public or private, with or without state subsidies.	MESECVI	Criminal	Output	Demand side
Number and percentage of girls and adolescents, adult women and elderly women	MESECVI	Criminal	Output/outcome	Demand side

<sup>23</sup> The MESECVI indicators have not been finalized, and discussions about their data sources are still ongoing among member states. However, the indicators included in Table 5 will most likely be based on administrative data collected by governments.

who access the emergency kit in institutions.				
<b>Geographic accessibility</b>				
Number of courts considered as legal entities (administrative structures) and geographic locations	CEPEJ	Civil/criminal	Input	Supply side
<b>Language</b>				
Number of accredited or registered court interpreters	CEPEJ	Civil/Criminal	Input	Supply side
<b>Timeliness of Process</b>				
Number of other than criminal law cases, for first, second and highest instance courts: Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Civil	Output	Demand/supply side
Number of criminal law cases for first, second and highest instance courts: Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Civil	Output	Demand/supply side
Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases and intentional homicide cases received and processed by first instance courts Pending cases on 1 Jan Incoming cases Resolved cases Pending cases on 31 Dec	CEPEJ	Civil/Criminal	Process	Demand/supply side
Average length of proceedings (of the cases listed above), in days (from the date	CEPEJ	Civil/Criminal	Process	Demand/supply side

the application for judicial review is lodged) % of decisions subject to appeal % of pending cases for more than 3 years Average length in 1 <sup>st</sup> instance (in days) Average length in 2 <sup>nd</sup> instance (in days) Average length in 3 <sup>rd</sup> instance (in days) Average total length of the total procedure (in days)				
Average time between the initial phase of a criminal trial for violence against women in its various manifestations and/or femicide and judgment (conviction or acquittal).	MESECVI	Criminal	Outcome	Supply side
<b>Procedures</b>				
<b>Fairness/Absence of Discrimination</b>				
<b>Treatment of children by the courts</b>				
Whether judges who adjudicate cases involving children as defendants apply procedures specifically designed for children	UN Indicators	RoL Criminal	Process	Supply side
Special procedures for child victims or witness of crime Whether child friendly measures have been adopted by the courts and the prosecution for dealing with cases involving child victims or witnesses of crime	UN Indicators	RoL Criminal	Process	Supply side
<b>Due Process</b>				
Percentage of first instance criminal in absentia judgments	CEPEJ	Criminal	Output	Supply side
<b>Response of the justice system to violence against women</b>				
Number of complaints involving violence received, investigated, and resolved by competent national human rights institutions	MESECVI	Criminal	Output/outcome	Demand side/supply side

in the country.				
Percentage of protective orders issued in cases of violence against women, in proportion to the number of protective orders requested, broken down by the type of crime and/or type of violence reported.	MESECVI	Criminal	Output	Supply side
Judgments and rulings that make use of and include the Convention of Belém do Pará <sup>24</sup>	MESECVI	Criminal	Output	Supply side
Number of judicial sentences or rulings on domestic violence or any other form of violence (physical, sexual, psychological, patrimonial, economic, institutional, political, workplace violence, sexual harassment, political harassment, obstetric violence, etc.) broken down by sex, age, race, ethnic origin, and socio-economic status.	MESECVI	Civil/Administrative/Criminal	Output	Supply side
Number of judgments or resolutions related to reparation of victims, type of reparation	MESECVI	Criminal	Output	Supply side
Number and percentage of cases reported to the investigating agency, for violence against women in its various manifestations and violent deaths of women, according to the process status: <ul style="list-style-type: none"> <li>✓ Research</li> <li>✓ Accusation</li> <li>✓ Judicial decisions</li> <li>✓ Dismissed</li> <li>✓ Archived</li> </ul>	MESECVI	Criminal/administrative/civil	Output	Supply side
Number and percentage of cases heard by the Criminal Courts (routine and specialized) for different crimes: violence against women, femicide, attempted femicide, in relation to the number and percentage of judgments	MESECVI	Criminal	Output	Supply side

<sup>24</sup> Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women “Convention of Belem do Para”. Adopted in Belem do Para, Brazil, on June 9, 1994 and entered into force on March 5, 1995.



(convictions and / or acquittals) issued by the courts (ordinary and specialized)				
Number and percentage of cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women.	MESECVI	Civil/Criminal	Input	Demand side
The number of convictions for violence against women in proportion to the total number of reports.	MESECVI	Criminal	Output	Supply side
The number of victims of femicide in the past twelve months, by age, marital status, cause of death, and geographic location.	MESECVI	Criminal	-	Demand side
Number of femicide prosecutions with sentences in the past twelve months in proportion to the total number of recorded cases.	MESECVI	Criminal	Output	Supply side
Number of cases solved involving indigenous, rural, girls and adolescents, adult women and elderly women as victims of violence	MESECVI	Criminal	Output	Supply side
<b>Transparency and Accountability</b>				
Number of complaints that are upheld and the amount of compensation given to users in [12 months period] for complaints about the functioning of the judicial system	CEPEJ	Civil/criminal	Output	Supply side
<sup>25</sup> Do you have, within the courts, a regular monitoring system of court activities concerning Number of incoming cases? Number of decisions delivered? Number of postponed cases?	CEPEJ	Civil/criminal	Input	Supply side

<sup>25</sup> This indicator does not, in itself, rely on administrative data. States' responses provide, however, valuable information about whether they are collecting the data mentioned therein.

Length of proceedings				
Number of complaints that are upheld and the amount of compensation given to users in [12 months period] for complaints about the functioning of the judicial system	CEPEJ	Civil/criminal	Output	Supply side
<sup>26</sup> Is there a specialized institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?	CEPEJ	Civil/criminal	Input	Supply side
Does this institution publish statistics on the functioning of each court on the internet?	CEPEJ	Civil/criminal	Input	Supply side
Are individual courts required to prepare an annual activity report?	CEPEJ	Civil/criminal	Input	Supply side
Do you have, within the courts, a regular monitoring system of court activities concerning Number of incoming cases? Number of decisions delivered? Number of postponed cases? Length of proceedings	CEPEJ	Civil/criminal	Input	Supply side
Do you monitor backlogs and cases that are not processed within a reasonable timeframe for: • civil law cases • criminal law cases • administrative law cases	CEPEJ	Civil/criminal/administrative	Input	Supply side
Do you monitor waiting time during court procedures?	CEPEJ	Civil/criminal/administrative	Input	Supply side
Is there a system to evaluate the overall	CEPEJ	Civil/criminal/administrative	Input	Supply side

<sup>26</sup> This and some of the following indicators, as noted in the previous footnote, are mentioned here as the relevant states' responses provide information about what kind of justice-related statistics countries are collecting.

(smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?				
Is there a system for monitoring and evaluating the performance of the public prosecution service?	CEPEJ	Criminal	Input	Supply side
Number of successful challenges against a judge if a party considers that the judge is not impartial? in a year	CEPEJ	Civil/criminal	Output	Supply side
Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non- execution.	CEPEJ	Civil/criminal	Output	Supply side
Number of disciplinary proceedings initiated against judges/public prosecutors/enforcement agents (total and by type of misconduct) and number of sanctions pronounced (total and by type of sanction)	CEPEJ	Civil/administrative/criminal	Output	Supply side
<b>Effective Enforcement</b>				
Is there a system measuring the length of enforcement procedures: for civil cases? for administrative cases?	CEPEJ	Civil/administrative	Process	Supply side
<b>Capacity</b>				
<b>Human resources</b>				
Percentage of judges who are women	UN RoL Indicators	Criminal/Civil	Input	Supply side
Percentage of judges who are women	UNODC	Criminal/Civil	Input	Supply side
Percentage of judges who are women	World Bank gender stats (No data available)	Criminal/Civil	Input	Supply side
No. of justices on the constitutional court and No. of judges on the constitutional	WBL	Constitutional	Input	Supply side

court who are women				
Whether the chief justice is a woman	WBL	Constitutional	Input	Supply side
Number of professional judges, by gender, sitting in First instance courts Second instance courts Supreme courts	CEPEJ	Civil/criminal	Input	Supply side
Number of court presidents (professional judges), by gender	CEPEJ	Civil/criminal	Input	Supply side
Number of professional judges sitting in courts on an occasional basis and who are paid as such	CEPEJ	Civil/criminal	Input	Supply side
Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs	CEPEJ	Civil/criminal	Input	Supply side
Number of non-judge staff who are working in courts for judges, by gender	CEPEJ	Civil/criminal	Input	Supply side
Number of public prosecutors, by gender, in First instance level Second instance level Supreme court level	CEPEJ	Criminal	Input	Supply side
Number of heads of prosecution offices, by gender	CEPEJ	Criminal	Input	Supply side
Number of staff (non-public prosecutors) attached to the public prosecution service	CEPEJ	Criminal	Input	Supply side
Number (legal entities) of first instance specialized courts (or specific judicial order)	CEPEJ	Civil/criminal	Input	Supply side
Number of first instance courts (geographic locations) competent for a case concerning: <ul style="list-style-type: none"> <li>a debt collection for small claims</li> </ul>	CEPEJ	Civil/criminal	Input	Supply side

<ul style="list-style-type: none"> <li>• a dismissal</li> <li>• a robbery</li> </ul> <p>* respondents are asked to provide a definition of small claims</p>				
Whether all prosecution offices have specially trained prosecutors in domestic and sexual violence?	CEPEJ	Criminal	Input	Supply side
Number of trained personnel in the justice system with a gender perspective and taking care of inter-culturality.	MESECVI	Civil/criminal administrative	Output	Supply side
Number of indigenous, rural, women holding decision-making positions for conflict resolution in indigenous, rural, communities.	MESECVI	Civil/criminal administrative – state/non-state systems	Input	Supply side
Number of women in positions of decision on prosecution, courts and other administrative bodies of justice.	MESECVI	Civil/criminal administrative – state/non-state systems	Input	Supply side
Number of civil servants and public officials who have accessed training processes, awareness and training on the issue of violence against women.	MESECVI	Civil/criminal administrative – state/non-state systems	Output	Supply side
<p>Number of public servants who work in positions that have direct interaction with women affected by violence against women in all its manifestations:</p> <ul style="list-style-type: none"> <li>✓ Number and percentage of female officers in relation to the number of cases reported to the institution.</li> <li>✓ Number and percentage of women psychologists and psychiatrists in relation to the number of cases reported to the institutions responsible for dispensing justice.</li> <li>✓ Number and percentage of social workers in relation to the number of cases reported to the institutions responsible for dispensing justice.</li> </ul>	MESECVI	Civil/criminal administrative – state/non-state systems	Input	Supply side

<ul style="list-style-type: none"> <li>✓ Number and percentage of women lawyers in relation to the number of cases reported to institutions responsible for counseling women in criminal proceedings (as aggrieved or accused of crimes)</li> <li>✓ Number of interpreters with knowledge of the rights of women.</li> </ul>				
<b>Alternative Dispute Resolution</b>				
Number of accredited or registered mediators who practice judicial mediation	CEPEJ	Civil	Supply side	Supply side
Number of judicial mediation procedures, by case type	CEPEJ	Civil	Output	Supply side

<b>Police</b>			
<b>Access Performance</b>			
Intentional homicide cases resolved by the police	UN RoL Indicators	Output	Supply side
<b>Accountability</b>			
Prosecution of police corruption or misconduct - Whether alleged incidents of police misconduct or corruption are seriously investigated and, when required by law, prosecuted	UN RoL Indicators	Output/process	Supply side
<b>Capacity</b>			
Gender balance – percentage of police personnel who are women	UN RoL Indicators	Input	Supply side

### **Box 1. Access to Justice Indicators Used and/or Relying on Data Collected by Governments**

Although most of the indicators included in the tables above have been developed and are used by international and civil society organizations (such as the UN, World Bank, OECD, OEA, the Council of Europe, Global Integrity and the World Justice Project), a number of measurements are used by governments, which directly collect the data such indicators rely upon.

**1. The European Commission for the Efficiency of Justice Indicators.** The Council of Europe European Commission for the Efficiency of Justice Indicators (CEPEJ) has developed a very comprehensive set of indicators, which it uses to assess member states' justice systems. Member states are asked to prepare reports in response to the CEPEJ questionnaire, based on administrative and other data regularly collected by the government. As table 1- 5 show, the CEPEJ requests to governments to provide data on a number of dimensions of access to justice, including:

- 1) Legal assistance and representation
- 2) Access to justice institutions
- 3) Timeliness of Process
- 4) Procedures
- 5) Independence of the judiciary
- 6) Transparency and accountability
- 7) Rights of victims of crime
- 8) Enforcement
- 9) Capacity
- 10) Special courts and procedures
- 11) Alternative dispute resolution
- 12) Domestic violence

Member states provide a written response to the questionnaire, providing the data requested, unless data are not available or the specific dimension covered by an indicator is not applicable to a country's justice system. Data collected and provided by states include administrative data, such as number of judges and prosecutors – including number of courts and geographic location number of judges and prosecutors who are women – case flow, duration of cases, number of cases for which legal aid was granted, among others, and other “objective data” on existence of legislations, institutions, and procedures.

**2. Surveys of Living Standards.** The Living Standards Measurement Study (LSMS) is a program housed within the World Bank's Development Research Group. At the request of national governments, LSMS teams work with national statistical offices to design and implement household surveys focusing on issues identified as national priorities, such as education, health, agriculture, labor, access to finance, migration. A small number of living standards surveys has been sampled for the purpose of this mapping. Although to (very) different degrees, living standard surveys include justice-related indicators – some of which specifically focused on elements of access to justice.

In general, these indicators seek to capture country specific aspects of access to justice, covering

legal needs (i.e., main causes of conflict in the community), respondents' actions when a conflict or dispute occurred, reasons for not reporting conflict/dispute, and satisfaction with justice institutions. The Extension of Timor-Leste Survey of Living Conditions (2008) has the most comprehensive set of access to justice indicators among the sampled questionnaires. It includes, notably, sections on "opinions about justice" and "perceptions about justice" seeking to capture respondents attitudes towards certain issues (e.g, whether or not a women should be able to speak for herself in traditional *adat* process) and perception/knowledge of the law (e.g., whether or not a women can obtain divorce without the approval of the man).

**3. Demographic and Health Surveys.** Funded by the U.S. Agency for International Development (USAID) the Demographic and Health Surveys (DHS) aim to collect data on health and demographic trends in developing countries. With the technical assistance of USAID teams, survey design and data collection is a country-led effort. Notwithstanding their focus, DHS surveys include a few justice-related questions. Of particular interest, are those on respondents' experience of gender-based violence, and choice of forum for those victims who took action. Other questions cover attitudes towards domestic violence and home ownership, including existence of title deed and inclusion of respondent's name in such deed – all gender disaggregated.

**4. Follow-Up Mechanism to Belém do Pará Convention (MESECVI) - Progress Indicators for Measuring the Implementation of the Inter American Convention in the Prevention, Punishment and Eradication of Violence Against Women "Belém do Pará Convention" Adopted by the Committee of Experts (CEVI) on 21st May 2013.** These indicators, designed through an extensive and inclusive consultative process among states members of the Organization of American States (OAS/OEA) bound by the Belém do Pará Convention, seek to provide a set of standardized tools to measure progress towards the implementation of the convention. The set includes a section focusing on access to justice covering aspects such as: the existence of legislation recognizing women's right to a life free of violence; the existence of legislation ensuring the rights of victims to a fair trial and to the provision of protecting measures; the presence of institutions and procedures for reporting, investigating, prosecuting and punishing violence against women; prevalence of violence among women; reporting rate; and the response of the justice system to cases of violence against women, including human resources and the provision of specific training to justice professionals. Similarly to the CEPEJ mechanism, governments are required to respond to the MESECVI's request for data. Although yet to be finalized and implemented, the progress indicators for measuring the implementation of Belém do Pará Convention will catalyze governments' efforts to collect relevant data.

**5. Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).** The Convention creates research and data collection obligations for state parties. In particular, Article 11 requires states parties to "collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention" and to "endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Convention". In addition, states must periodically report to the Group of experts on action against violence against women and domestic violence ("GREVIO") on their progress on implementation of the convention, providing data collected in the areas covered by the



convention<sup>2728</sup>.

#### **6. Administrative data collected by government agencies and national statistical offices.**

Government agencies usually collect and update justice-related data. Justice ministries, through court statistical offices, when available, maintain rolls accounting for the number of justice professional employed, salaries paid, and collect data on case flow, crime reporting, investigation, prosecution and sentencing. National statistical offices also collect and publish justice-related data, such as the ratio of judges to population or the number of users of legal aid services.

In addition to the indicators included in data collection tools such as the CEPEJ report, the Surveys of Living Standards and the Demographic and Health Surveys, the mapping includes indicators used by the national statistical offices of a Ghana, Kenya, Mongolia, and Cameroun. These indicators are included in the mapping to provide a snapshot of what kind of data governments and national statistical offices collect on a regular basis. The selection seeks to provide examples from different regions, and is by no means exhaustive.

### **Section 3. Gaps in Existing Measures of Access to Justice**

**3.1. Focus on supply side and input indicators.** A quick look at the tables above makes it evident that the universe of existing measures of access to justice is vast and diverse, covering most of the dimensions of the justice chain. The list includes indicators of different nature, which capture aspects of access to justice from different angles and with different levels of granularity. Some, such as for example the Global Integrity indicators, are broader in their formulation and attempt to capture complex situations reflecting interactions of different elements and actors of the justice systems. Others, like the indicators used by CEPEJ, are more specific and offer a detailed portrait of the access to justice machinery, zooming in on its distinct elements. However, notwithstanding this variety, there are areas of access to justice which have been object of little attention and some which have been left unexplored and unmeasured. A clear trend highlighted by the mapping is the focus on the supply side aspects of access to justice, while fewer focus on the demand side. Moreover, most measure inputs into the system, such as the existence of certain institutions or regulations, and fewer are concerned with the end results of the justice process and the impact that some of its elements have on users.

**3.2 Legal needs and barriers to access.** There are few examples<sup>29</sup> of data collection and analysis aiming to build a knowledge base on the demand side of justice, i.e. on what are the needs and the challenges encountered by the intended beneficiaries and end users of justice services. Data on the main challenges faced by women and men in accessing justice would be most useful in designing policies and interventions, and in measuring progress toward a more accessible justice system. In addition, it would be useful to learn what the main justiciable issues (or issues that can be solved through legal means) faced by citizens are. While there are indicators and data collected on incoming cases, a systematic analysis of such data disaggregated by sex

<sup>27</sup> The monitoring process will begin in 2016.

<sup>28</sup> See also a forthcoming publication by the Council of Europe focusing on Article 11 of the Istanbul Convention.

<sup>29</sup> The Afrobarometer, UNROL index and some of the SLS are among the sources including indicators on the demand side of justice. For example, the Ghana Living Standard Survey (round 6), the Guatemala National Survey of Living Conditions (2000), and the Extension to Timor-Leste Survey of Living Conditions (2008), include questions on the main conflicts experienced in the community or directly by respondents or their household members. The Extension to Timor-Leste Survey of Living Conditions also includes detailed questions on what did respondents who experienced a dispute do about it, and why. In addition, the Ghana Living Standard Survey, the extension to the Timor-Leste Survey of Living Conditions, The Afrobarometer and the UN ROL index include questions on respondents trust in justice institutions.

and type of case would help understand what are the main issues for which women and men seek justice. While not an indicators per se, such data should constitute the evidence base for the design of meaningful, context and gender specific indicators.

**3.3 Awareness of rights, remedies and institutions and legal literacy.** While recognized as an essential element of access to justice<sup>30</sup>, data on how much women and men know about their own rights and about what constitutes a justiciable issue, the institutions tasked with the resolution of controversies and grievances, and procedures and the mechanisms through which their rights can be protected and enforced, is scarce. Documenting levels of legal literacy and awareness is indeed, challenging. Designing questions so that respondents understand what they are asked; administering surveys in ways they minimize the risk of leading respondents to one answer over another; interpreting data and understanding what is indeed lack of knowledge, ingrained attitudes and social values, and perception of the justice system, are not easy task. However, learning about the levels of legal awareness and literacy, and the gaps in such knowledge between men and women is essential in guiding interventions and design policies<sup>31</sup>.

**3.4 Justice Outcomes.** Existing indicators account for efficiency and fairness of the judicial process. But it is also important to know what the trends are as to outcomes of cases and, complementing such information, how people feel about those outcomes. Disaggregation of data on outcomes by sex (of plaintiff, defendant, offender and victim) and type of case could provide valuable information on judges' attitudes and biases, as well as public perceptions about the working of justice.

## **Section 4. Integrating Gender into Access to Justice Indicators – lack of disaggregation and gender-sensitive data analysis.**

The challenges faced by women in accessing justice are rarely brought to light by the existing assessment and measurement tools. While many access to justice indicators address areas where women are at a disadvantage vis-a-vis men, the lack of disaggregated data and the failure to combine different sets of data (for example average distance of courts from users with the availability of means of transportations to women) obscure situations of uneven access. Some areas of access to justice are particularly relevant for women and should be the object of gender-sensitive analysis.

**4.1 Geographic and economic accessibility.** The geographic distribution of courts is an essential element of access to justice, and there are a number of indicators designed and used by different actors<sup>32</sup> to measure it. Distance of courts and travel time clearly affects both men and women – in varying degrees depending on whether they live in urban or rural areas whether they have access to means of transportation, and their economic situation. However, women are often at a disadvantage compared with men – and this is hardly captured by existing indicators. Women are likely to have less access to means of transportation, and the economic means to pay for their travels; they are more likely to enjoy limited mobility, and are particularly affected by time poverty. The lack of childcare facilities easily accessible by women near their home or in the court buildings is indeed an important element affecting women's ability to access justice. In

<sup>30</sup> See, for example, American Bar Association – Rule of law Initiative 2012; Council of Europe 2013; CEDAW Committee 2015.

<sup>31</sup> An indicator on “public knowledge of the main dispute resolution mechanisms available” is used, for example, in the Ghana Living Standard Survey.

<sup>32</sup> Table 1 provides examples of indicators measuring physical accessibility. The WJP set includes an indicator on court's location, while global integrity asks experts whether all citizens have access to courts “regardless of geographic location”. CEPEJ monitors number and location of courts.

addition, specialized courts dealing with issues of particular relevance to women, such as family courts or small claim courts, as well special police and prosecution units (such as those dealing with gender-based and domestic violence) are usually located in urban areas, often in the district or provincial capital. Costs of procedures may, likewise, represent a higher barrier to access for women than for men, given the uneven distribution of household resources and the average lower income of female-headed households compared to male headed households.

**4.2 Access to legal counseling and representation/legal aid.** Likewise, the availability of legal professionals providing affordable counsel and representation in judicial proceedings is fundamental to guarantee access to justice for all. However, women are likely to benefit more from the ready availability of legal assistance, and, on the other hand, suffer disproportionately from the lack thereof. Lower literacy rates and knowledge of official languages than men, limited access to media and, often, to public life, likely translate into lower awareness of rights, procedures and available dispute resolution mechanisms. While there are indicators measuring the availability and quality of legal assistance and representation and of legal aid services, there is a lack of measures and data accounting for how women and men experience such services and in what specific ways they are affected by the lack of them.

**4.3 Gender training for legal and justice professionals.** Measurement of in-service training for judges and prosecutors is rarely included in baskets of indicators measuring capacity of the justice system. Among the eight sources reviewed, only the CEPEJ report covers this area. Even less attention is given to specific gender training – focused on 1) building the capacity of justice professionals to identify gender specific needs and challenges in the justice process and appropriately respond to them, and 2) strengthening their knowledge of specific laws, regulations and procedures addressing areas such as gender-based violence, and domestic violence. Only one among the CEPEJ indicators on training is gender specific, tracking whether all prosecution offices have specially trained prosecutors in domestic and sexual violence.

**4.4 A way forward - a paradigm shift in data collection and analysis.** As noted, with the exception of indicators on gender-based violence and violence against women, a small number of indicators listed in the tables above address women’s challenges in access to justice. Such indicators are clustered around specific areas, including the existence of a legal framework affording equal rights to women and men, and equal representation in the legal and judicial professions. However, general indicators assessing aspects of access to justice affecting both men and women can provide valuable information on the gender differentials in access if the data they rely upon are systematically disaggregated and analyzed in conjunction with demographic data highlighting gender gaps in specific areas.

Indeed, in order for a justice system to ensure access to all, it must have the ability to detect and respond to the needs and challenges of all users. An essential step in that direction is the use of measurement tools that can capture the composite nature of the demand side of justice, and account for the different ways in which women and men experience justice, and the different barriers they face. For example, to capture the degree and the specific ways in which barriers to geographic and economic accessibility affects women and men, data should be systematically disaggregated and perception data should be collected to complement the administrative and field data on location of courts and costs of procedures. In addition, data analysis should include a correlation with disaggregated data on intra-household distribution of resources, access to means of transportation, gender roles in society and in the household, literacy rates, and levels of legal awareness.

## **Box 2. Trends and gaps in indicators used, and/or relying on data collected by governments**

Indicators intended for use by governments, and the relevant data collected, are of different nature and serve different purposes. Some, such as the CEPEJ indicators, those collected by administrative or statistical bodies within the justice sector, and, to some extent, the MESECVI indicators, seek to assess structural and functional aspects of the of the justice machinery – such as responsiveness, efficiency, effectiveness, accountability etc. Others, such as the indicators included in some of the SLS capture demand side aspects of access to justice, including main justiciable issues, forum preference and confidence in justice institutions. There is, thus, no lack of examples of governments’ efforts to assess and collect information about their justice systems. A few observations are, however, needed. First, CEPEJ indicators, for example, invite countries to report on certain issues, but governments are not obliged to collect the data requested, and may indicate their unavailability. Second, more research is needed to assess the extent to which countries are collecting data on access to justice, and whether all countries are collecting at least some of them. As to the identification of gaps in the indicators used and data collected by governments, that is a task that must be undertaken on a case by case basis. Indeed, governments’ choices to measure certain aspects of access to justice will depend on identified national priorities, which may or may not be in line with global trends. On the other hand, a flexible basket of indicators, such as the one proposed in this report, could be useful to provide countries with a set of measurements to assess the basic supply and demand side elements that must be present for a justice system to be accessible to all.

## **Part III. Proposed Indicators for Measuring Access to justice including specific challenges affecting women.**

Indicators provide a snapshot of the status and progress of a social, economic or other phenomenon - through an assessment of its constitutive elements – or proxies thereof. Access to justice is a complex phenomenon that, in the broad definition underpinning this exercise, encompasses the existence of rights and obligations enshrined in laws and regulations, public awareness of such rights, and the ability to exercise and claim those rights through dispute resolution mechanisms that are fair, efficient and accountable.

The space that the current dialogue on a new post-2015 development agenda is opening for measuring justice, including access to justice, provides a unique opportunity to expand on the indicators proposed in such context and create a comprehensive set of indicators measuring the accessibility, availability, acceptability and quality of justice and the systems that support its delivery. In addition, the CEDAW General Recommendation on Women’s Access to Justice and good practices emerging from the field (see Annex 1) provide a valuable springboard for the design and implementation of indicators able to account for the specific challenges faced by women seeking to access justice. What follows is a framework for building a basket of such indicators.

## Section 1. Purpose and Methodology.

**1.1 Purpose.** Building upon the indicator mapping and analysis, here follows a list of indicators intended to assess the degree of accessibility of a justice system, with particular focus on women's barriers to access. The main purpose driving the design of such indicators is to provide governments, civil society and international organizations with tools for

- a. Guiding legal reform, policy making and interventions to improve women's and men's access to justice;
- b. Assessing existing gaps in the supply of and demand for justice services affecting women's and men's access to justice;
- c. Facilitating monitoring and reporting on progress in improving women's and men's access to justice and implementing women's rights and entitlements;
- d. Enabling comparison of trends in women's and men's access to justice, over time and within and between countries;
- e. Incentivizing the collection of gender-disaggregated data on areas directly or indirectly affecting women's and men's access to justice; and
- f. Raising awareness on the status of women's and men access to justice and on the barriers affecting it.

**1.2 Structure.** The proposed indicators are organized around three dimensions: 1) **the enabling environment**, covering the legal framework setting forth the rights and entitlements, regulations and safeguards defining the space within which citizens and the state can negotiate access to justice and justice outcomes; 2) **the supply side of justice**, including the elements making up the justice machinery, such as institutions and human resources, essential to the provision of justice services; and 3) **the demand side of justice**, focusing on those elements enabling citizens to seek remedies through the justice system.

Throughout and within such dimensions, indicators are grouped around the main elements of access to justice reflecting the steps along the justice chain, starting from the protection of rights enshrined in laws and regulations and the occurrence of grievances or offences, to the tools individuals need to access and navigate the justice system, to the mechanisms and safeguards to guarantee that processes and outcomes are acceptable to the parties involved, as follows:

- 1) Legal framework;
- 2) Justice needs;
- 3) Legal awareness, access to legal advice and representation – legal aid;
- 4) Access to courts;
- 5) Fair process and outcome; and
- 6) Trust in the justice system.

A more elaborate discussion of each element is provided below.

The following are the criteria used in the selection of the proposed indicators:

- a. Indicators are measurable;
- b. Indicators are easy to understand and to convey to the public; and
- c. Indicators capture elements of access to justice that are particularly relevant for women.

**1.3. Measuring non-state justice.** Non state justice systems - i.e., customary and religious legal systems existing alongside the state legal and judicial system and whose source of legitimacy lies in custom and tradition or has a religious connotation – play an essential role as dispute resolution mechanisms in a number of countries characterized by plural legal systems – and they are often the preferred – or only – choice for women seeking justice. Although we recognize such role of non-state justice systems, this study focuses on state justice systems, and the indicators we developed include only a few measurements expressly addressing non-state justice systems (such as those seeking to measure trust in justice systems and length of procedures), while others can be applied to both state and non-state justice systems. These are meant to provide examples of possible measures of elements of non-state justice systems that may be easily captured by standard indicators. The choice not to include non-state justice in the focus of our work is in part due to the fact that measuring aspects of non-state legal systems through quantitative methods is challenging and the measurements obtained can be highly misleading unless properly contextualized. However, we recognize that in order to have a comprehensive picture of the normative and justice systems available to women and men in a country, indicators targeting such non-state systems should be developed. Given the highly idiosyncratic and local character of customary and religious legal systems, such indicators are best designed through a country-led consultative process including stakeholders from both the state and non-state justice systems.

**1.4. Selection of indicators.** The indicators below were selected with a view to respond to the institutional needs of UN Women, which commissioned this study, and the Council of Europe. Within such framework, the following principles guided our selection. While we believe that indicators should not exceedingly burden governments with demanding data collection requirements, we are of the opinion that indicators should also play a role catalyzing new data collection efforts and capacity building, as part of the quest for a “data revolution”. In short, indicators should be realistic, but also aspirational in nature. The proposed basket tries to strike such a balance. To the extent possible, each dimension includes indicators relying on objective/administrative data and subjective/perception data, in order to provide as an exhaustive picture as possible of the status of access to justice. Finally, some of the measures proposed are drawn from existing indicators included in the mapping attached; some are borrowed from proposals made by participants to the dialogue on the post-2015 development agenda, while others seek to fill the gaps identified in the existing measurement tools.

The following list aims to provide a framework for measuring the degree to which women and men have equal access to the justice system. Within each dimension, stakeholders can pick and choose, or design anew, specific indicators according to their needs and circumstances. In order ensure a thorough assessment of women’s access to justice across the justice chain it is recommended that a comprehensive approach is adopted by selecting at least one indicator under each dimension.

## **Section 2. Basket of Proposed Indicators for Measuring Access to Justice Including Specific Challenges Affecting Women.**

### **2.1 Enabling Environment**

#### *Legal framework*

Courts and efficient judicial processes are meaningless if citizens are not granted secure rights they can claim and enforce through such courts and processes. It is the legal framework that defines what issues are *justiciable*. i.e., can potentially be resolved through legal means. The existence of a legal framework granting equal rights to citizens is the foundation of a justice

system accessible to all. Unequal laws, or gender blind laws which formally grant equal rights to women and men but practically penalize women, impair women’s ability to obtain fair justice outcomes. Laws defining legal capacity and legal standing, property and inheritance rights, marriage, and divorce are among those most likely to perpetuate discrimination and hinder women’s empowerment.

Indicator	Data source/Means of Verification	Used/proposed by/comments
Extent to which national laws are in accordance with binding international treaties on human and women’s rights	Expert interviews/Legal document review	MESECVI
Extent to which the case law of international and regional human rights bodies is in accordance with binding international treaties on human and women’s rights	Expert interviews/case law review	This indicator seeks to complement the previous one by monitoring the body of human rights judicial decisions, which, as case law, constitutes an additional source of law.
Extent to which national laws are in accordance with binding international treaties on violence against women.	Expert interviews/Legal document review	MESECVI
Extent to which the case law of international and regional human rights bodies is in accordance with binding international treaties on violence against women.	Expert interviews/case law document review	This indicator seeks to complement the previous one by monitoring the body of judicial decisions related to rights and entitlements arising from binding international treaties on violence against women.
Extent to which national laws prohibit direct and indirect discrimination in the following areas [stakeholders to choose one or more among the following depending on their needs and priorities]:  1) legal capacity/standing 2) property rights 3) inheritance rights 4) rights within marriage 5) rights to obtain a divorce and custody over children 6) capacity to open a bank account	Expert interviews/Legal document review	Areas addressed by CEDAW and WBL index

<p>7) rights to acquire, change, retain or convey their nationality  8) rights to education  9) rights to employment</p>		
<p>Whether national laws grant to women and men equal [stakeholders to choose one or more among the following depending on their needs and priorities]:</p> <p>1) legal capacity/standing  2) property rights  3) inheritance rights  4) rights within marriage  5) rights to obtain a divorce and custody over children  6) capacity to open a bank account  7) rights to acquire, change, retain or convey their nationality  8) rights to education  9) rights to employment</p>	<p>Expert interviews/Legal document review</p>	<p>Areas addressed by CEDAW and WBL index</p>
<p>Existence of laws criminalizing [stakeholders to choose one or more among the following depending on their needs and priorities:]:</p> <p>1) psychological and criminal violence  2) stalking  3) sexual violence including rape (including when perpetrated by spouse/partner)  4) forced marriage  5) female genital mutilation  6) forced abortion and forced sterilization,  7) sexual harassment and attempt of, and aiding and abetting any of such offences.  8) sexualized forms of corruption</p>	<p>Legal document review</p>	<p>Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) Articles 33-41  A similar indicator is used by MESECVI;</p> <p>UNODC has proposed an indicator (without specifying the offences that should be included in the law) in the context of the dialogue on the post-2015 development agenda.</p>
<p>Standing in court is granted to legal entities (e.g., NGOs, labor unions)</p>	<p>Expert interview  Desk review</p>	<p>The possibility afforded to legal entities to bring cases to court is an valuable asset to make women's access to justice affective. Indeed, in a number of cases NGOs</p>



		through strategic litigations, have been able to bring about significant gains in women rights. Furthermore, organizations championing women rights, may be able to take on cases affecting individuals who, for different reasons, might not be able or willing to pursue personally, or join forces with the affected individual adding weight (in terms of economic means and visibility) to the case.
Existence of laws providing non-criminal sanctions, such as protective orders, in cases of gender-based violence, rape, and domestic violence.	Expert interview Desk review	Criminal sanctions alone might not provide an adequate response in cases of violence against women, including rape. In certain cases, for example, women depend on their husband for their and their children's subsistence, so that sanctions such as protective orders might constitute a more adequate remedy than a prison sentence.

## 2.2 Supply side

### a) Capacity

Measuring capacity means gauging the ability of the justice system to respond to citizens' justice needs. Capacity refers to a complex phenomenon, which spans the entire justice chain. Both objective (human resources, training) and subjective (user's satisfaction, expert opinion) aspects of capacity are relevant, and measuring both allows for a balanced assessment. The indicators proposed below capture elements positioned at opposite ends of the justice chain. Measuring inputs, such as No. of judges and magistrates per 100,000 inhabitants provides hard data on the actual capacity of the system (the relevance of the indicator being based on the assumption that adequate staffing, although not sufficient, is necessary to ensure the provision of civil, administrative and criminal justice services). The disaggregation of data by sex allows to gauge the diversity and representativeness of the justice system – an essential element of capacity of the system – as [w]omen's participation in the judiciary [...] is important in order for the [...] justice system to reflect the society it serves. Women judges [...] can promote the strengthening of the rule of law by contributing to an impartial judiciary [...] as well through their role in the implementation of laws (including on access to justice for women and girls)<sup>33</sup>.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
Number of judges/magistrates per 100,000 inhabitants, by sex	Administrative data	Similar Indicators: Ghana Statistical Service

<sup>33</sup> UNODC. 2013. *Accounting for Security and Justice in the Post-2015 Development Agenda*. New York: UNODC. P. 59.

<p>Number of judges, by sex, sitting in:  First instance courts  Second instance courts  Supreme courts</p>	<p>Administrative data</p>	<p>CEPEJ  CEDAW Committee's recommendation on women's access to justice.<sup>34</sup></p> <p>Note: similar indicators exist that are formulated in a gender specific manner, explicitly measuring women's participation in the judicial profession. Such indicators are:  % of judges who are women (UNRoL, UNODC, WB Gender Stats; MESECVI); and  No. of justices on the constitutional court and No. of judges on the constitutional court who are women and whether the Chief Justice is a woman (WBL).</p>
<p>Number of filed cases per judge, disaggregated by gender and type of case.</p>		<p>This indicator seeks to measure the actual capacity of a justice system, as expressed by judges' caseload. Disaggregating data by gender and type of case can highlight possible trends in the number and typology of cases assigned to male and female judges.</p>
<p>Proportion of administrative court staff (non-judges) who are women, disaggregated by position.</p>	<p>Administrative data</p>	<p>CEPEJ; CEDAW  CEDAW Committee's General Recommendation on Women's Access to Justice</p>
<p>Provision of mandatory initial/in service training for justice personnel (police/judges/prosecutors) on gender issues</p>	<p>Expert Survey/interview; field data</p>	<p>Included in the CEDAW Committee's General Recommendation on Women's Access to Justice  Similar indicators:  MESECVI  CEPEJ</p>
<p>How serious of a problem is the lack of capacity of justice personnel (police/judges/prosecutors)</p>	<p>Expert Surveys  Surveys of judicial personnel</p>	<p>Similar Indicators:  WJP</p>

<sup>34</sup> CEDAW Committee. 2015. P 10

Percentage (of total number of eligible individuals) of civil servants and public officials who have accessed training processes, awareness and training on the issue of violence against women.	Administrative data	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)
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*b) Availability and quality of legal aid*

The existence of free or affordable legal advice and assistance for both criminal and civil cases is essential to foster equal access to justice for all. Interventions focusing on the delivery of legal advice and assistance have shown a positive impact on women’s access to justice, in situations ranging from reporting rape or abuse to obtaining birth, marriage or divorce certificates. Free or affordable legal assistance and representation may be offered by the government, but is often complemented by private lawyers working pro-bono and by civil society organization through lawyers, law students or paralegals.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
No. of legal aid providers <sup>35</sup> for civil and criminal cases per 100,000 inhabitants, by sex	Administrative data; Field data	Adapted from Government of Mongolia – Achieving the Millennium Development Goals – Fifth National Progress Report.
Existence of legal provisions or tradition requiring lawyers to provide <i>pro bono</i> services to indigent individuals.	Expert interviews/desk review	This indicator covers an alternative method of delivering legal services to the poor. The development of pro bono services can be a valuable tool in increasing the capacity of a legal system to expand access to justice to the poor disadvantaged.
Availability of free legal assistance for indigent defendants	Expert Survey/desk review	UN RoL Indicators (focus on criminal justice)
Percentage of legal expenses covered by the government in cases where free legal aid is afforded	Administrative data	In order for a legal aid service to be effective and of good quality, it needs to have adequate resources. This indicator seeks to ascertain that legal aid services are provided with an appropriate budget.
Whether legal aid includes	Expert Survey/desk review	CEPEJ <sup>36</sup>

<sup>35</sup> The term “legal aid” includes, for the purposes of the formulation of this indicator, lawyers and non-lawyers, providing legal advice, assistance or representation, whether or not they are part of governmental legal aid programs and whether or not they are funded by the government, as well as legal empowerment.

<sup>36</sup> While the provision of free or subsidized legal assistance and representation certainly lowers economic barriers to access to justice, court fees might still be prohibitive for a large part of those seeking justice – and, in particular for example for women with limited or no autonomous access to economic resources, disadvantaged categories such as women heads of households, those seeking alimony after a divorce, or those fleeing a situation of domestic violence. In Cambodia, fees for forensic examinations in rape cases were equal about two weeks average

fee waiver programs	Surveys of administrative and professional personnel of entities providing legal aid services Users surveys	
Existence of an income and assets evaluation for granting legal aid to the applicant based on real income or disposable assets available to the person requesting assistance	Expert interviews - Administrative data Court clerks interviews	CEPEJ/CEDAW Committee general recommendation on Women Access to Justice
Quality of legal aid service provided	Expert Survey	WJP and UN RoL include similar indicators
No. of legal aid providers who are women	Administrative data/field data	MESECVI
Percentage of criminal defendants who had a lawyer during trial, by sex	Administrative data	Adapted from WJP indicator

### c) Geographic accessibility

Distant justice fora are another main barrier to access to justice, and, again one that affect disproportionately the poor and disadvantaged, including women, – and rural dwellers with poor access to means of transportation. Distance affects people’s ability to access justice in many ways – traveling great distances is time consuming and costly. It may cause a loss of income, due to the hours or days a person needs to leave work to travel to courts and participate to court proceedings. Poor women are at a particular disadvantage, as they may have limited access to household resources, enjoy limited mobility, due to tradition or simply to time poverty, childcare duties and lack of means of transportation. Measures of ease of access in terms of distance of justice fora should rely on both objective/administrative data and perception data, in order to capture not only the actual physical distance, but also how much the latter impacts people’s perceptions of the accessibility of the justice system.

Indicator	Data source/ Means of Verification	Used/proposed by/ comments
No. of justice fora per 100,000 inhabitants, and geographic location.	Administrative data	Adapted from CEPEJ
% of people who live within	Administrative data;	Adapted from indicator proposed by

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income in rural areas (2007 data); in Indonesia, where the average cost of a divorce was around 10 times a poor woman’s monthly income, fee waivers helped increase women’s access to courts and government benefits. See UN Women 2011, cit., p. 54; The World Bank 2011, cit, pp. 168 and 367; Chiongsong, Rea, Deval Desai, Teresa Marchiori and Michael Woolcock (2011). *The Role of Law and Justice in Achieving Gender Equality*. Background paper to the World Development Report 2012 Gender Equality and Development. P. 19

[X amount of time] from a justice forum, by sex	Field data	Open Society Foundation and Namati in the context of the dialogue on the post 2015 development agenda
% of people reporting that physical access to justice fora is convenient in terms of distance, by sex	Household survey	This indicator approaches the issue of geographic accessibility from the point of view of the individual seeking justice, and seeks to complement objective data on distance of justice forums. Subjective data on geographic access is essential to capture circumstances specific to certain areas or individuals, such as difficulties to travel certain roads, lack of means of transportation, socio-cultural barriers limiting mobility. In Indonesia, for example, only a minority of respondents to survey conducted by UNDP and the Government of Indonesia, reported “that courts were located within accessible distance from their home” <sup>37</sup>
Existence of procedures and facilities affording privacy (e.g., separate rooms) for crime reporting, collecting testimonies, victim's waiting areas (list all of existing procedures and facilities)	Expert interviews Field Data	The existence of procedures and facilities ensuring privacy and confidentiality is an essential component of justice system accessibility. In rape cases, for example, the availability of separate rooms for victims and witnesses to provide their deposition can minimize the trauma and fear and be an incentive for reporting. <sup>38</sup>
Availability of easily accessible rape crisis or sexual violence referral centers for victims providing medical and forensic examination, trauma support and counseling for victims.	Expert interviews Field Data	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Article 25

Data on travel time and perception of distance could be complemented by disaggregated data on availability of public transportation (existence and cost) access to private transportation, and existence of informal barriers, such as the need of permission from community leaders. -

*d) Cost*

<sup>37</sup> UN Women, 2011, cit., p. 54.

<sup>38</sup> See CEDAW Committee 2015, p. 8, which included among its recommendations on accessibility “the creation of gender units as components of justice institutions”.

Official and unofficial costs also represent a disincentive to accessing justice, more so for the poor and disadvantaged - including women – who have limited access to economic resources. Cost of legal representation, court fees, travel, loss of income due to absence from work, might be coupled with requests for bribes – further penalizing vulnerable groups.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
Average cost of judicial proceedings (including legal assistance/representation) for claims related to [stakeholders to choose one or more among the following depending on their needs and priorities]: 1) divorce 2) contract enforcement 3) employment dismissal cases 4) immovable property 5) insolvency cases 6) inheritance claim 7) child custody 8) robbery cases 9) intentional homicide cases 10) rape cases 11) domestic violence cases 12) sexual violence (other than rape and domestic violence) 13) restraining orders in instances of domestic violence, including rape 14) as a percentage of per capita GNI	Administrative data; Field data; Household surveys; expert survey	Adapted from UN ROL and Extension to Timor-Leste Survey of Living Conditions (2008)
% of people reporting that access to courts is affordable, by sex	Household survey	Adapted from WJP
% of people who report having been asked to pay bribes, informal payments or other inducements, including sexual favors, to initiate or expedite a court process or to obtain a favorable decision, by sex	Expert surveys/interviews Household survey	Proposed by UNODC in the context of the dialogue on the post 2015 development agenda; Included in the <i>Prioritized indicators for Goal 16</i> proposed by the Technical Support Team on the Post 2015 Development Agenda

*e) Time*

Undue delays in court procedures impair access to justice by depriving plaintiffs of a timely remedy to their grievance, victims of crimes of protection (through, for example, a restraining or protective order) and detained suspects of an expedite process ascertaining his/her responsibilities. In addition, repeated and lengthy trips to court may represent an excessive

burden. Like distance and cost, length of procedures is likely to affect different individuals and groups in different ways, warranting the collection of disaggregated administrative, opinion and perception data.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
<p>Average length of procedures in cases related to [stakeholders to choose one or more among the following depending on their needs and priorities:]</p> <ol style="list-style-type: none"> <li>1) divorce</li> <li>2) contract enforcement</li> <li>3) employment dismissal case</li> <li>4) immovable property</li> <li>5) insolvency cases</li> <li>6) inheritance claim</li> <li>7) child custody</li> <li>8) robbery cases</li> <li>9) intentional homicide cases</li> <li>10) rape cases</li> <li>11) domestic violence cases</li> <li>12) sexual violence (other than rape and domestic violence)</li> <li>13) restraining orders in instances of domestic violence, including rape</li> </ol> <p>take to resolve - disaggregated by sex of plaintiff/defendant/victim/perpetrator and by type of case.</p>	Administrative data	CEPEJ
How long did a case take to resolve - disaggregated by sex of respondent.	Users survey	Adapted from WJP
How serious of a problem is case duration in criminal, civil and commercial courts/traditional/religious justice fora	Expert survey/interview Users Survey	Adapted from WJP (WJP's indicator addresses only state justice resolution mechanisms)
Existence of interim measures (list all existing measures, such as custody arrangements or restraining orders)	Expert interviews, desk review	The existence of interim measures significantly affects the timeliness of the justice system's response to the justice needs of individuals. The availability of interim measures, such as custody arrangements or restraining orders, is particularly important, for

		example, in cases of domestic violence.
Number of detained suspects in pre-trial custody for more than 12 months, disaggregated by sex	Administrative data	Included in the Technical Support Team Prioritized Indicators for Goal 16 proposal (in the context of the dialogue on the post 2015 development agenda

*f) Specialized Courts*

The existence of special courts with simplified and less costly procedures, such as family courts, or small claim courts can significantly lower barrier to access. Certain groups, such as for example, small business owners (a category including most women business owners) or spouses seeking divorce or payment of alimony, may be particularly benefited by the provision of cheaper, simpler and quicker justice procedures.

Indicators	Data source/ Means of Verification	Used/proposed by/comments
Existence of a small claim court or a fast track procedure for small claims, and what is the maximum amount for a small claim (as a percentage of income per capita)?	Expert survey/interview	WBL
Existence of a specialized court or procedure for cases of domestic violence	Expert Surveys	WBL
No. of small claims/family courts per 100,000 inhabitants, and geographic location.	Administrative data	Adapted from CEPEJ
% of people who live within [X amount of time] from [specialized court].	Administrative data; Field data	Adapted from indicator proposed by Open Society Foundations and Namati in the context of the dialogue on the post 2015 development agenda
% of people reporting that physical access to [specialized court] is convenient in terms of distance, by sex	Household survey	New Indicator – see footnote 10
Number cases received and processed by special courts in a calendar year Pending cases on 1 Jan	Administrative data	Adapted from CEPEJ indicators



Incoming cases Resolved cases Cases dropped/exiting the system (attrition) Pending cases on 31 Dec		
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*g) Fairness of process (including rights of victims) and outcome*

The ability of the justice system to ensure fair and non-discriminatory process and outcome is an essential element of access to justice. Accessing justice means more than being able to bring a claim to court: it also includes the right to a process that adjudicates disputes fairly and without biases and discrimination, that leads to an outcome that both parties consider as an acceptable resolution of their dispute, and which is enforced/executed, and that provides adequate protection and support for victims of crimes, including to avoid secondary victimization.

Indicator	Data source	Used/proposed by/comments
Civil and criminal justice is free of discrimination on the basis of gender.	Expert surveys	WJP
Existence of victims' support services and procedures (list all existing services and procedures such as, for example, the right of victims of crimes to be accompanied by support persons) during trial).	Expert interview Desk review	In addition to a fair trial, support services are essential to guarantee effective access to justice for victims of crimes. Shelters, trauma support and counseling, advice on financial issues related to the crime, advice on risk and prevention of secondary victimization, are all measures, provided for by the Directive 2012/29/EU, 25 October 2012 (Victims' Directive) for the protection of victims' fundamental rights, including access to justice <sup>39</sup> .
Outcomes of cases, disaggregated by type of dispute and sex of victim/perpetrator, plaintiff/defendant	Court files review	CEDAW Committee's General Recommendation on Women's Access to Justice

### 2.3 Demand side

*a) Most common justice issues experienced by citizens and actions taken to access justice*

Learning about citizens' needs and challenges in accessing justice is crucial to ensure that policies and interventions effectively focus on relevant issues. However, indicators focusing on this area are few. Evidence on the type of disputes women and men experience and crimes committed, actions taken by citizens, and barriers to access - encountered or perceived – should be gathered

<sup>39</sup> See European Union Agency for Fundamental Rights. 2014. Victims of Crime in the EU. The Extent and Nature of Support for victims. Luxembourg: Publications Office of the European Union. Pp. 25 and ff. and 95 and ff.

through a variety of sources, including household and user surveys, expert interviews, administrative data and case file review, in order to complement and cross-validate the data collected.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
Types and number of complains lodged with dispute resolution mechanisms, disaggregated by sex	Administrative data Case file review	CEDAW Committee's General Recommendation on Women's Access to Justice
Main justiciable issues experienced by citizens – disaggregated by sex	User surveys Expert interviews	Surveys of living standard Afrobarometer
Action taken to solve a dispute (including turning to a dispute resolution mechanism), and why – disaggregated by sex	User surveys Expert interviews Case file review	Surveys of living standard
Unreported violence rate: number of girls and adolescents, adult women and elderly women who were victims of different forms of violence over the past twelve months and who did not report those acts of violence, divided by the total number of women in their age groups (disaggregating data by age , including girls over the age of consent and under the age of consent)	Household Surveys	Follow-up Mechanism to the Belem do Para Convention (MESECVI) Committee of Expert (CEVI)
Main barriers in accessing justice – disaggregated by sex	Household surveys (questions for respondents who have experienced a dispute, whether or not they took action) User surveys Expert interviews	This indicator seeks to build first hand knowledge on the barriers (perceived or real) that women and men encounter when trying to access justice. Such barriers range from lack of economic resources, to lack of trust in the system to lack of awareness of rights and available remedies, and being able to pinpoint to one or more issues is vital to design successful policies and interventions seeking to increase access to justice for all <sup>40</sup>

*b) Legal awareness*

Lack of awareness of rights and available dispute resolution mechanisms and the inability to navigate the justice system severely limit access to justice for many - especially among disadvantaged groups, including women, whose ability to understand legal provisions and

<sup>40</sup> CEDAW Committee 2015. cit. Pp. 4, 11-13.

navigate court procedures might be impaired by low general and legal literacy (or lack thereof), time poverty, and scarce economic resources. Although challenging, measuring legal awareness is key to assess demand side capacity to access justice.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
Extent to which women and men are aware of specific laws/rights relevant in the national context.	Household surveys	Adapted from indicator Proposed by International Dialogue on Peace building and State building
Extent to which women and men are aware of the 5 main dispute resolution mechanisms available	Household surveys	Adapted from Ghana Living Standard Survey (Round 6)
Extent to which women and men believe a husband is justified in hitting or beating his wife in the following situations: a) If she goes out without telling him b) If she neglects the children c) If she argues with him d) If she refuses to have sex with him e) If she burns the food	Household Surveys Men's Module and Women's Module	DHS
Number of women and men having benefited from legal aid, by sex and income	Administrative data	This indicator seeks to measure women's actual access to legal aid. Even when legal aid systems exist and are properly founded, women might encounter barrier to access, such as cultural and social values discouraging them from seeking help. Data on the actual use of legal aid by women can bring light on demand side barriers to access which would otherwise be overlooked.
Existence and impact of legal literacy and legal awareness programs for women and men, focusing on gender equality, non-discrimination, gender-based violence, and other areas of particular interest for women. 1. number and content of programs in the last calendar year 2. number of women and men who participated to the programs	Field and administrative data Participants' surveys (baseline and evaluation)	This indicator seeks to measure and catalyze efforts (by both the government and civil society) to improve women's ability to protect their rights and navigate the legal and judicial systems, and the impact of such efforts. Such programs tend to benefit women disproportionately given their lower general and legal literacy

3. measurable impact of programs in terms of increased legal literacy and awareness		and awareness compared to men's, and are essential to make access to justice effective for all.
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Data on literacy, rights awareness, and mobility (including access to means of transportation) disaggregated by sex could help better understand women's and men's needs and tailor interventions focusing on legal assistance/legal aid services.

*f) Attrition*

Even when a dispute or an offence makes its way into the justice system<sup>41</sup>, it is not certain that the judicial process will reach its final stages and a final decision on the case will be arrived at. Navigating the justice chain is a complex endeavor requiring resources, skills and will on the part of both citizens and justice professionals. Claimants and victims (when the law allows) may drop the case, because of lack of legal knowledge and ability to navigate the system, economic resources, time, interest, or due to social or family pressures, or fear of retaliation. Or cases may be dropped by police, prosecutors, or judges because of the inability to find the perpetrator, lack of evidence, or other procedural issues<sup>42</sup>. This phenomenon, known as attrition, is particularly acute in rape cases, where the rate of cases dropped is high and only a small percentage of cases end in the conviction of perpetrators<sup>43</sup>. Collecting data on attrition rates is essential to better identify the barriers and “pot holes” limiting the ability of individuals to obtain fair justice outcomes – and to devise strategies to tackle the problem.

Indicator	Data source/ Means of Verification	Used/proposed by/comments
Yearly attrition rate in rape cases, by procedural stage and reason of attrition, disaggregated by whether or not the victim is underage	Administrative data Expert interviews	Attrition is particularly acute in cases of rape and other forms of sexual violence, including domestic violence. However data on attrition is scarce. These indicators seek to measure the phenomenon of attrition and catalyze the collection of relevant data. In addition, Social pressure to drop a case is usually stronger for women and girls over the legal age than for children (minors), Thus, measuring attrition for these two groups
Yearly attrition rate in domestic violence cases, by procedural stage and reason of attrition, disaggregated by whether or not the victim is underage	Administrative data Expert interviews	
Yearly attrition rate in sexual violence cases, by procedural stage and reason of attrition, disaggregated by whether or	Administrative data Expert interviews	

<sup>41</sup> The survey on violence against women in the European Union, published in March 2014, indicated that only 14% of the most serious incident of partner violence had been reported to the police (and 13% in the case of non-partner violence). European Union Agency for Fundamental Rights, 2014

<sup>42</sup> Attrition is a multifaceted phenomenon encompassing aspects of both, the demand side of justice, such as social pressures or fear of retaliation, and the supply side of justice, such as lengthy and costly procedures. We chose to include it in the demand side dimension of justice as there lay aspects of attrition of particular interest for a gender analysis of access to justice.

<sup>43</sup> Data from Gauteng Province, South Africa, show that only 17% of reported rape cases made its way to court, and only 4% resulted in a conviction. See UN Women (2012), cit., P. 49. Data from Vatten, L., et al. (2008). Tracking Justice: The Attrition of Rape Cases Through the Criminal Justice System in Gauteng. Johannesburg: Tshvaranang Legal Advocacy Center to End Violence Against Women (TLAC), the South African Medical Research Council (MCR) and the Centre for the Study of Violence and Reconciliation (CSVr). Council of Europe Feasibility Study on “Equal Access of Women to Justice”, 2013, cit., P.12.

not the victim is underage	separately will shed light on the actual dimension of the problem.
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g) *Trust in the justice system(s)*

Public perception of the fairness of judicial processes and outcomes also determines the degree of accessibility of a justice system. Lack of trust in the justice system hinders access to justice by citizens who lack confidence that their grievances will be resolved in a fair and effective way. Cultural distance, conflicting values, perceptions of corruption, inefficiency and discrimination are all elements which might contribute to make citizens wary of the justice machinery. Measuring the level of trust in the justice system sheds light on how well justice services are responding to people's needs<sup>44</sup>. Disaggregated data on perception provide valuable information on how women and men experience justice processes.

Whether citizens express confidence that they can access affordable and quality legal assistance and representation, by sex	Household surveys	Adapted from indicator proposed by Open Society Foundations and Namati in the context of the dialogue on the post 2015 development agenda
% of people expressing confidence that they would be treated fairly and without discrimination by the police/judges/prosecutors/, traditional leaders/religious leaders by sex	Household Survey	UNRoL Afrobarometer
% of people who have experienced a dispute reporting access to a satisfactory dispute resolution mechanism (by sex) <sup>45</sup> .	Household survey	Included in the latest version of the <i>Prioritized indicators for Goal 16</i> proposed by the Technical Support Team on the Post 2015 Development Agenda.

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<sup>44</sup> Because trust is an inherently subjective element, which can reflect individuals' interpretations of facts, baskets of indicators should be used to create a context for a correct data analysis. User surveys, or administrative data may serve the purpose: for example, asking court users about the frequency with which they were asked to pay a bribe to move the process along or to obtain their preferred outcome are useful to contextualize generic perception of judicial corruption.

<sup>45</sup> This indicator is included in the latest version of the *Prioritized indicators for Goal 16* proposed by the Technical Support Team on the Post 2015 Development Agenda.

## Annex 1. Promising Approaches to Improve Access to Justice for Women<sup>46</sup>.

Barriers limiting women's ability to access justice are many and of a varied nature. They encompass institutional forms, functions, and culture, economic and geographic barriers, and socio-cultural values and attitudes preventing women from engaging with public dispute resolution mechanisms and law enforcement bodies.

Because they are complex and multifaceted, tackling barriers to women's access to justice has proved challenging. There are, however, promising approaches that have proven successful in easing women's access to the justice system.

They include interventions targeting some of elements of the justice chain that most affect women's ability to access justice – such as limited mobility, limited access to economic resources, lack of legal awareness and knowledge, gender biases and lack of gender sensitivity among justice professionals and the difficulty of navigating the complexities of the justice chain often resulting in high attrition rates.

- 1) **Accessible legal aid and legal assistance.** Readily available and affordable legal advice and representation are of essence to provide access to justice for all. Even when equitable laws and systems are in place, individuals might be unable to exercise and protect their rights in practice as they lack the knowledge or the resources to access and navigate the justice system. Women are at a disadvantage vis a vis men, given that their literacy rate, access to information, legal awareness and access to economic resources are lower, on average, than men's and that socio-cultural barriers often stifle their ability to resort to justice to protect their rights. This "capacity gap" on the demand side of justice can be addressed by providing quality, affordable, and gender-sensitive legal aid and other forms of legal assistance, including formal (governmental) legal aid programs, legal aid clinics set up by civil society organizations, and legal advice and legal assistance programs relying on the work of paralegals. Legal aid and legal assistance programs with a focus on women's access to justice have been implemented in a number of countries, and have yielded positive results. In Guatemala, the Defensoria de la Mujer Indigena – DEMI (Indigenous Women's Legal Aid Office, was set up by the government following the 1996 peace agreement. DEMI is staffed by indigenous women lawyers and social workers, and focuses on cases of violence and discrimination against indigenous women. Data from 2007 show that 2,600 cases were taken up by DEMI in that year, 85 percent of which involved domestic violence, 11 percent were rape cases and 4% were ethnic discrimination cases<sup>47</sup>. The Bangladesh Rural Advancement Committee (BRAC) provides legal education and legal advice to women, and has helped women lodge and pursue inheritance claims and denounce illegal marriage, polygamy and cases of dowry<sup>48</sup>. Similarly, Indonesia's Pemberdayaan Perempuan Kepala Keluarga (PEKKA – Women Headed Household Empowerment) provides legal empowerment to women head of households. In 2007, Through advocacy work, which included multi-stakeholder forums

<sup>46</sup> A comprehensive compilation of good practices is being prepared by the Council of Europe, and will be published in October. The compilation includes 65 entries from 24 Council of Europe member states, and it is available at [www.coe.int/equality](http://www.coe.int/equality)

<sup>47</sup> See DEMI (Defensoria de la Mujer Indigena) (2007). *El Acceso de las Mujeres Indigenas al Sistema de Justicia Oficial de Guatemala: Segundo Informe*. Guatemala: DEMI; Sieder, R and M. Sierra (2010). "Indigenous Women's Access to Justice in Latin America". Background paper for *Progress of the World's Women 2011-2012*. UN Women, New York. As cited by UN Women, *Progress of the World's Women 2011-2012*. UN Women: New York. p. 57

<sup>48</sup> UN Women (2012), Cit. p 57

bringing together judges, police, local governments and NGOs, PEKKA facilitated policy change leading to an increase in budget allocation for religious courts which allowed for the establishment of a legal aid program in the form of fee waivers for the poor. Between 2007 and 2010, the number of poor accessing religious courts increased more than 10 times, while the number of women accessing (religious) circuit courts has quadrupled<sup>49</sup>. Programs involving paralegals have been a long time feature of legal empowerment and legal assistance programs. Paralegals are usually community members trained in the basics of the law, embedded in the local socio-cultural context, able to communicate with individuals seeking legal advice and support them on their own terms. In particular, evidence shows that women paralegals are effective in responding to women's needs, including in instances of sexual violence, domestic violence and rape – issues which women might be wary –or unable due to socio-cultural barriers – to discuss with men.<sup>50</sup>

- 2) **One stop-shops.** Bringing a case to court involves a number of steps, including the collection of an array of documentation, such as proofs of identity and evidence supporting the case. This in turn involves visiting different offices, often located in different parts of town if not in different cities. Not all individuals seeking to bring a case to court or report a crime have the ability to find their way in what is often a maze of offices and procedures – because it takes too much of their time, they have no access to means of transportation, or they simply do not know where to go. As a consequence, cases are dropped (case attrition) or are never lodged with the competent authorities, lost in the cracks of the system. Given the higher institutional and social barriers women face, they are particularly vulnerable to case attrition. Attrition and non-reporting are especially high in rape and sexual violence cases, due to the highly sensitive nature of the issues, the importance of timely collection of evidence and the pressure victims often experience to drop or not bring a case to court<sup>51</sup>. A promising approach to address the issue is the set up of integrated services, or “one stop” shops, facilities offering a number of services thereby reducing the number of steps in the process and facilitating coordination among different offices. One-stop shops have proved particularly effective in assisting women victims of sexual and domestic violence. They are usually located in hospitals or health centers, often the first point of contact with public institutions for victims of sexual violence, and are staffed with medical personnel, social workers and police officers who have received special training to work as one integrated body. The Thuthuzela Care Centers in South Africa are an example of one-stop shops for victims of sexual violence. Introduced as part of the national anti-rape strategy, they are located in public hospitals, where rape victims receive physical and psychological care and are guided to the process of crime reporting while case monitors ensure that victims dockets

<sup>49</sup> Sumner, C., M. Zurstrassen and L. Lister . 2011. *Increasing Access to Justice for Women, the Poor and those Living in Remote Areas: An Indonesian Case Study*. Justice for the Poor Briefing Note, Volume 6, Issue 2. Washington, DC: The World Bank.

<sup>50</sup> See Dinnen, S., and Nicole Hailey (2012). Evaluation of the Community Officer Project in Solomon Islands. Justice for the Poor Research Report. Washington, DC: The World Bank; Open Society Justice Initiative (2010). Community-based Paralegals: A Practitioners' Guide. New York, NY: Open Society Foundations; Dale, P. (2009). Delivering Justice to Sierra Leone's Poor: An Analysis of the Work of Timap for Justice. Justice for the Poor Research Report. Washington, DC: The World Bank; Berenschot, W. and Taufik Rinaldi (2011). Paralegalism and Legal Aid in Indonesia Enlarging the Shadow of the Law. Van Vollenhoven Institute for Law, Governance and Development; Open Society Institute and UNDP; Dugard Jackie and Katherine Drage (2013). To Whom Do The People Take Their Issues? The Contribution of Community-Based Paralegals to Access to Justice in South Africa. Justice for the Poor Research Report. Washington, DC: The World Bank; Franco, J., Hector Soliman and Maria Roda Cisnero (2014). Community Based Paralegalism in the Philippines. Justice for the Poor Research Report. Washington, DC: The World Bank

<sup>51</sup> See UN Women (2011). Cit. Fig 2.1, p 50.

are kept in order and that services are coordinated to avoid secondary victimization. Data shows that the centers have been effective in shortening trial completion time, which, for cases dealt with by the centers is seven and a half month on average, a bit over one fourth of the national average of two years. The Thuthuzela Care Centers model has been adopted by other countries, such as Ethiopia and Chile.<sup>52</sup> Similarly, integrated support for victims of domestic violence is provided at the Malaysia's one-stop crisis centers at government hospitals.<sup>53</sup>

- 3) **Women-only police units, women justice providers, and gender training for justice professionals.** Gender biases among police and justice professionals constitute a major obstacle to women's access to justice, preventing them from obtaining a fair treatment, process and outcome. On their part, women often do not feel comfortable reporting crimes committed against them, and in particular, episodes of sexual violence, but also discussing divorce or family issues, with men, or socio-cultural norms prevent them from doing so. During focus groups conducted in 2013 as part of a research conducted on women's access to justice in Afghanistan<sup>54</sup>, women related episodes of abuse perpetrated by the police against women victims of rape or other forms of sexual and domestic violence, and stated their low trust in, and even fear of, the institution. An approach that has successfully addressed this issue has been the set up of women only police units – thus lowering barriers to access at its very entry point. Used in Brazil since 1985, this approach has been applied with positive results in Peru, Guatemala and Argentina<sup>55</sup>. More recently, 188 women only police units were set up in both urban and rural areas in Tamil Nadu, India. The units, which focus on crimes against women, have increased women's access and reporting of sexual and domestic violence incidents<sup>56</sup>. Increasing women participation in the judiciary also has a potential positive affect on women's access to justice. While there is no consistent evidence showing that women judges are more likely to rule in favor of women or to be immune to gender biases, women's participation in the judiciary results in a more balanced and diverse institution, where the discourse about rights and entitlements can be enriched by different voices. Papua New Guinea implemented new policies to include women among village magistrates starting in 2000. In 2004, there were 10 women village magistrates; by 2011, such number increased to 700, while 300 women were working as court clerks and peace officers, with promising effects on women's access to justice. In particular, women magistrates were able to drive male magistrate's attention on the need to apply a gender-sensitive approach to the issues coming before them<sup>57</sup>. Finally, providing mandatory training on gender equality, non discrimination and violence against women also increases women chances of obtaining fair treatment and justice outcomes. Justice and enforcement professionals who have participated to such training report having acquired a different prospective in approaching sensitive cases involving women<sup>58</sup>.

<sup>52</sup> Ibidem, P. 47.

<sup>53</sup> The World Bank. 2011. P. 312.

<sup>54</sup> Marchiori, T. 2014. Women's Access to Justice in Afghanistan. Mimeo. Washington DC: the World Bank.

<sup>55</sup> See The World Bank . 2011. cit. P. 313.

<sup>56</sup> Jubb, Nadine and Wania Pasinato Izumino. (2003). *Women and Policing in Latin America. A Revised Background Paper*. Paper presented at the meeting of the Latin American Studies Association. Dallas, March 2, 2003.

<sup>57</sup> Papua New Guinea Village Courts and Land Mediation Secretariat. Unpublished background study on female village magistrates in Papua New Guinea; Global Education Empowering Women in Papua New Guinea" available at <http://www.globaleducation.edu.au/case-studies/empowering-women-in-png.html>, Accessed on June 8, 2015.

<sup>58</sup> The World Bank . 2011. Cit. P. 313.



- 4) **Mobile Courts.** In an effort to bring justice closer to women, especially in rural and remote areas, mobile courts have been used in a number of countries, including Somaliland, Serra Leone, Pakistan, Peru, and The Democratic Republic of Congo. Staffed by regular judges and court personnel, mobile courts travel to underserved communities on scheduled days and hold hearings. They usually address minor property disputes, alimony and custody issues and other family disputes – which tend to be the legal issues affecting women the most. In Peshawar, Pakistan, UNDP-supported mobile courts do not charge litigation fees and offer the option of resolving the issue through mediation, instead of waiting for a formal decision. In Sierra Leone, Somaliland and the Democratic Republic of Congo Mobile courts have been used to help rebuild the justice machinery after a period of conflict during which institutions had collapsed, physical infrastructures had been destroyed, human resources were scarce, and the rule of law was shattered. In particular, in the Democratic Republic of Congo, mobile courts have been deployed successfully to deal with widespread sexual violence, which already overloaded and understaffed regular courts were unable address<sup>59</sup>.
- 5) **Specialized Courts and Special Procedures.** Finally, the creation of specialized courts staffed with properly trained specialized personnel and adequately founded, addressing issues of particular interest to women, is another tool to increase women access to justice and improve their experience of justice. Simplified procedures, lower or no fees, and special provisions for speeding up the process (fast-tracking), make these courts more easily accessible and adaptable to women’s needs. Other benefits of specialized courts are the possibility to develop high competencies among judicial professional who focus on one particular area, and the visibility of these courts whose functions, evidence show, are in some cases better known to the public than those of ordinary courts. Family courts are probably the most common example of specialized courts, and exist (either as a separate court or as sections of ordinary courts) in countries as diverse as Afghanistan, Morocco<sup>60</sup> and the United States. Recently, a number of countries have set up courts, offices or special procedures to respond to violence against women. In Wales, UK, fast-tracking procedures have halved the processing time for average domestic violence cases, compared with ordinary criminal processes; and in South Africa sexual offences courts have a higher conviction rate (70%) than ordinary courts, are well regarded by staff, family of victims and victims themselves<sup>61</sup>.

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<sup>59</sup> See UNDP. 2014. Evaluation of UNDP’s Support to Mobile Courts in Sierra Leone, Democratic Republic of the Congo, and Somalia. UNDP: New York, NY.

<sup>60</sup> UN Women. 2011. Cit. 59. A 2010 survey show that 85% of the women surveyed knew about their right to divorce and were aware that they could enforce it through the special family sections (created in 2004).

<sup>61</sup> UN Women Virtual Knowledge Center to end Violence Against Women and Girls.

<http://www.endvawnow.org/en/articles/894-specialized-prosecutors-can-reduce-barriers-to-justice.html?next=895> Accessed on June 1, 2015

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