

# COMPLIANCE INDICATORS

for State Commitments Acquired under the Protocol against the Smuggling of Migrants by Land, Sea, Air, which Complements the Convention against Trans-National Organized Crime



International Organization for Migration (IOM)

The UN Migration Agency

This document is the result of a collective effort of a team of collaborators and the editorial team.

The International Organization for Migration is the leading intergovernmental organization in the field of migration and is committed to the principle that humane and orderly migration benefits migrants and society. IOM works with its partners in the international community to assist in meeting the growing operational challenges of migration, advance understanding of migration issues, encourage social and economic development through migration and uphold the well-being and human rights of migrants..

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## I. Use of the Evaluation Guide

The Protocol against the Smuggling of Migrants by Land, Sea and Air, which Complements the Convention against Trans-National Organized Crime was adopted in response to concern by the States Parties regarding the notable increase in the activities of organized criminal groups involving migrant smuggling and other related criminal activities, a situation that seriously endangers the life and security of the affected migrants, as well as jeopardizing the security of the affected States.

This Guide for evaluating compliance with the commitments acquired by the State within the context of the Protocol against the Smuggling of Migrants by Land, Sea and Air consists of a support mechanism for determining the progress of the actions taken by State institutions corresponding to each commitment established in the Protocol. With this tool, official decision-makers can assess the steps to be taken to improve or modify the objectives set forth and/or formulate new strategies for comprehensively addressing migrant smuggling.

From a regional perspective, the evaluation of compliance indicators serves as a tool for comparing good practices and new challenges in combatting migrant smuggling. For this reason, it is important to obtain reliable and current information from official sources to ensure an objective evaluation or self-evaluation, along with a consistent platform for analyzing, appraising, and modifying or improving the legal or operational focus of a given commitment.

## II. Definitions

For purposes of this Evaluation Guide:

**Compliance indicator:** shall be understood to mean a datum or set of data that help to objectively measure, with reference to a given time period, the evolution of actions taken by the State to comply with a given commitment acquired within the framework of the Protocol against the Smuggling of Migrants by Land, Sea and Air.

**Evaluation:** shall be understood to mean the comparison between the State proposal for complying with a given commitment acquired under the Protocol against the Smuggling of Migrants by Land, Sea and Air and the corresponding progress or results obtained during a given period of time.

## III. Siglas y abreviaturas

CTOC	Convention against Trans-National Organized Crime
MS	Migrant smuggling
MSS	Migrant subject to smuggling
PSM	Protocol against the Smuggling of Migrants by Land, Sea and Air

## IV. Objectives of the Compliance Indicators

### General Objectives:

- Describe the current status of the actions taken by the State for complying with its commitments acquired under the Protocol against the Smuggling of Migrants by Land, Sea and Air, and assess their impact on the prevention and prosecution of this crime and the attention and protection provided to the affected persons.
- Evaluate the impact of the measures adopted by the State for comprehensively addressing MS in relation to the commitments acquired under the Protocol against the Smuggling of Migrants by Land, Sea and Air, identify existing legal and procedural gaps, and determine the corresponding corrective and adjustment mechanisms needed to achieve the objectives set forth.

### Specific Objectives:

- Determine what actions have been implemented by the State to prevent MS and what resources and procedures are used to apply them, and evaluate the social impact thereof on reducing demand.
- Identify the mechanisms and procedures established by the State for detecting, investigating, and prosecuting the crime of migrant smuggling, as well as the level of effectiveness thereof in the form of successful police operations and convictions.
- Determine what programs and processes exist for serving and protecting MSS and evaluate their effectiveness.
- Identify what actions have been proposed by the State to improve communication between entities at the national level and cooperation with other countries regarding efforts to combat MS

The compliance indicators should reflect official information that ensures the accuracy, coherence, transparency, and currentness of the data, and especially the official position of the State concerning the strategy to address a given commitment acquired within the framework of the Protocol against the Smuggling of Migrants by Land, Sea and Air.

## V. Document Structure

The document will be structured based on three types of compliance indicators:

- **General:** Establish the overall vision of a given commitment based on the design of the structural, legal, or procedural framework that guides the development of more concrete provisions or measures. These indicators refer to the creation of statutory norms, plans, programs, and strategies or the establishment of specialized entities.
- **Intermediate:** Refer to measures or provisions designed to implement the structural framework described in the general indicators by allocating the necessary human, technical, and economic resources. The intermediate or process indicators can also offer information on variations in the quality level or coverage of a given measure.
- **Specific:** These focus on the qualifiable and quantifiable results or achievements obtained through the execution of the measures or provisions covered by the intermediate indicators.

## VI. Information Sources

1. International legal instruments ratified by the country that refer to MS or related issues (international conventions on migrant smuggling, human rights, organized crime, maritime law, and victim and witness protection, among other subjects).
2. Strategies, programs, and plans at the regional or continental level that define concrete actions for addressing MS (agreements, guidelines, joint operations, etc.).
3. National legal provisions (constitution, laws, decrees, regulations, etc.).
4. Judicial files.
5. Judicial statistics (cases processed and/or resulting in definitive sentences).
6. Statistics from police agencies and/or other specialized national entities [records on the number of cases investigated, smugglers prosecuted, and migrants rescued (categorized by sex, age, nationality, smuggling mode), etc.].
7. Jurisprudence.
8. National policies.
9. National strategic plans or plans of action (for prevention, migrant service and protection, national coordination mechanisms, frameworks for cooperation with other countries).
10. Structural programs focused on detection, dissemination, training, migrant service and protection, etc.
11. Action protocols related to inter-institutional coordination for case handling, specifically referring to the different actions focused on different MSS populations or flows (men and women, unaccompanied or accompanied children and adolescents).

12. Reports or financial statements (amount of resources allocated to carrying out the actions proposed by the State to address this issue, with special emphasis on comprehensive migrant attention services).
13. Operational police protocols designed to carry out specific actions stemming from proactive investigation (police intelligence) or reactive investigation (police acts) aimed at case handling.
14. Specialized manuals on MS or related subjects.
15. Protocols or operational guidelines regarding migratory procedures for MSS (rejection, repatriation, resettlement, etc.).
16. Academic studies or studies carried out by national or international specialized bodies that refer to this issue (general studies, diagnoses, theses, etc.).
17. Interviews with State officials focusing on this issue.
18. Interviews with migrants, representatives of non-governmental organizations, international bodies, independent experts, and/or civil society actors.

## VII. Evaluation Period

Establishes the duration for the evaluation of the development of a given commitment acquired by the State within the framework of the PSM.

## ¿What do these indicators measure?

General Indicators	Intermediate Indicators	Specific Indicators
I. Drafting and passing of <b>criminal legislation</b> that punishes the crime of migrant smuggling (MS) by land, sea, and air and related activities.	Criminal definition of: 1. Migrant smuggling and the minimum aggravating circumstances. 2. Attempted migrant smuggling. 3. Aiding and abetting migrant smuggling. 4. Degrees of commission for the crime of migrant smuggling (material commission 5. and incitement). 6. Fabrication, falsification, or alteration of identity or travel documents in order to provide same to migrants subject to smuggling (MSS) and/or supplying of original documents to a person other than that named therein. 7. Intentional sheltering or concealment of MSS.	Number of convictions in which the statutes established to punish migrant smuggling in its various modalities, degrees of execution, and participation, as well as the crimes related thereto, have been effectively enforced.
II. Drafting and passing of <b>criminal procedure provisions</b> related to the prosecution of MS cases.	Application of the provisions regarding the non-penalization of migrants subject to smuggling, in accordance with Article 5 of the Protocol.	Number of cases in which the non-penalization of migrants subject to smuggling has been effectively applied.
III. Creation and integration of <b>State agencies</b> dedicated to investigating and prosecuting MS.	Functioning of specialized police and prosecution units.	1. Number of specialized police units in the country. 2. Number of specialized MS prosecutorial units.
IV. Design and approval of <b>specialized national legislation, policies, and plans</b> to combat migrant smuggling.	Mechanisms for the application of specialized national legislation, policies, and plans to combat MS.	Número de casos sobre TIM en que se ha empleado de manera efectiva disposiciones de la ley, políticas y planes nacionales contra el TIM.
V. Creation and integration of <b>State agencies</b> in charge of overseeing and/or applying State actions against migrant smuggling, as well as attention and protection for the affected persons.	Availability of facilities and human, technical, economic, and procedural resources for the functioning of secretariats, institutes, coalitions, or committees to combat migrant smuggling.	Number of MS cases in which national statutory provisions, policies, and plans have been effectively applied to combat MS.
VI. Drafting and application of legal regulations, plans, and permanent programs that establish measures to <b>prevent</b> migrant smuggling through the <b>detection</b> of cases, <b>dissemination</b> of information to the general public, and <b>training</b> of officials and civil society actors.	Availability of organizational, human, technical, and economic resources for the development and implementation of State programs to promote and reinforce human development, detect migrant smuggling activity, design and publish campaigns aimed at different sectors, and provide ongoing training of officials and civil society actors.	Number of detection operations carried out by different authorities and their degree of effectiveness. Mechanisms established to detect identity and travel documents that have been altered, falsified, or used by another person. Profiles to identify air, sea, or overland routes and vehicles used for MS. Profiles to identify locations used for MS. Number of campaigns and other actions designed to disseminate relevant information against migrant smuggling and discourage the demand therefor and their degree of effectiveness. Number of officials and civil society actors trained on the various issues related to MS.



General Indicators	Intermediate Indicators	Specific Indicators
<p>VII. Drafting and passing of statutes, plans, or strategies aimed at <b>servicing and protecting MSS</b> in strict observance of protection for their fundamental human rights.</p>	<p>Allocation of structural, human, technical, and economic resources for the design and execution of plans for servicing and protecting MSS that include: basic needs, comprehensive healthcare, shelters, migratory protection (mechanisms for requesting and processing a migrant's documents; voluntary, safe, and assisted repatriation; application for temporary stay; among others), and judicial protection based on a migrant's status as part of the prosecutorial process.</p>	<p>Number of migrants served and protected, categorized by sex, age, and nationality.            Number of requests for migratory documentation for migrants coordinated with consular officials, categorized by sex, age, and nationality.            Number of migrants sheltered, categorized by sex, age, and nationality.            Number of voluntary repatriation processes effectively carried out, categorized by sex, age, and nationality.            Number of migrants placed in victim and witness protection programs.            Number of migrants for whom special protection mechanisms were applied by the courts (for example, the use of Gesell cameras or closed hearings).</p>
<p>VIII. Drafting and application of plans or agreements for <b>coordination</b> between national entities and <b>cooperation</b> between countries at the regional or extra-regional level for detecting, investigating, and prosecuting the crime of migrant smuggling that facilitate the exchange of information and experiences.</p>	<p>Mechanisms established so that communication channels exist and function between national agencies and international bodies for purposes of coordinating internal or external actions to combat migrant smuggling.</p>	<p>Number of international judicial assistance efforts, categorized by passive or active nature and by requesting and requested country.            Number of MS cases in which coordination mechanism between national entities was effectively applied (for example, activation of protocols).            Number of cases in which the exchange of intelligence was applied by police agencies.            Number of joint operations carried out in relation to MS cases, categorized by participating countries.</p>

## A) General Indicators

CATEGORY	GENERAL INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Criminal Legislation	The State has drafted and passed criminal legislation that punishes the crime of migrant smuggling by land, sea, and air and related activities.	<p>Article 2. Statement of Purpose The purpose of this Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.</p> <p>Article 4. Scope of Application This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation, and prosecution of the offenses established in accordance with Article 6 of this Protocol, where the offenses are transnational in nature and involve an organized criminal group, as well as to the protection of the rights of persons who have been the object of such offenses.</p> <p>Article 6. Criminalization 1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit: (a) The smuggling of migrants, (...)</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Criminal Procedure Codes	The State has drafted and passed criminal procedure provisions that guarantee the non-penalization of migrants in the circumstances foreseen in Article 5 of the Protocol.	<p>Article 5. Criminal liability of migrants Migrants shall not become liable to criminal prosecution under this Protocol for the fact of having been the object of conduct set forth in Article 6 of this Protocol.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention	The State has drafted and implemented regulations, programs, and permanent plans that establish measures to prevent migrant smuggling through the promotion of human development, detection of cases, dissemination of information to the general public, and training of officials and civil society actors.	<p>Article 2. Statement of Purpose The purpose of this Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.</p> <p>Article 4. Scope of Application This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation, and prosecution of the offenses established in accordance with Article 6 of this Protocol, where the offenses are transnational in nature and involve an organized criminal group, as well as to the protection of the rights of persons who have been the object of such offenses.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	GENERAL INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Attention and Protection	The State has drafted, passed, and implemented plans and/or strategies aimed at serving and protecting MSS in strict observance of protection for their fundamental human rights.	<p>Article 2. Statement of Purpose The purpose of this Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.</p> <p>Article 4. Scope of Application This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation, and prosecution of the offenses established in accordance with Article 6 of this Protocol, where the offenses are transnational in nature and involve an organized criminal group, as well as to the protection of the rights of persons who have been the object of such offenses.</p> <p>Article 16. Protection and Assistance Measures (...) 3. Each State Party shall afford appropriate assistance to migrants whose lives or safety are endangered by reason of being the object of conduct set forth in Article 6 of this Protocol. 4. In applying the provisions of this article, States Parties shall take into account the special needs of women and children. (...)</p> <p>Article 19. Saving clause 1. Nothing in this Protocol shall affect the other rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein. 2. The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are the object of conduct set forth in Article 6 of this Protocol. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	GENERAL INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
International Cooperation	The State has drafted, passed, and implemented legal provisions, plans, or agreements for cooperation between countries at the regional or extra-regional level for detecting, investigating, and prosecuting the crime of migrant smuggling that facilitate the exchange of information and experiences and guarantee the protection of MSS in strict observance of humanitarian law.	<p>Article 2. Statement of Purpose The purpose of this Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.</p> <p>Article 17. Agreements and Arrangements States Parties shall consider the conclusion of bilateral or regional agreements or operational arrangements or understandings aimed at:</p> <p>(a) Establishing the most appropriate and effective measures to prevent and combat the conduct set forth in Article 6 of this Protocol; or</p> <p>(b) Enhancing the provisions of this Protocol among themselves.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

## B) Intermediate Indicators

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Legislation: Criminalization of MS	Migrant smuggling and the minimum aggravating circumstances thereof are duly defined as a crime.	<p>Article 6. Criminalization</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit:</p> <p>(a) The smuggling of migrants;</p> <p>(...)</p> <p>3. Each State Party shall adopt such legislative and other measures as may be necessary to establish as aggravating circumstances to the offenses established in accordance with Paragraph 1(a), (b)(i), and (c) of this article and, subject to the basic concepts of its legal system, to the offenses established in accordance with Paragraph 2(b) and (c) of this article, circumstances:</p> <p>(a) That endanger, or are likely to endanger, the lives or safety of the migrants concerned; or</p> <p>(b) That entail inhuman or degrading treatment, including for exploitation, of such migrants.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Attempted MS is defined as a crime.	<p>Article 6. Criminalization</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit:</p> <p>(...)</p> <p>2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offenses:</p> <p>(a) Subject to the basic concepts of its legal system, attempting to commit an offense established in accordance with Paragraph 1 of this article;</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
	Aiding and abetting MS is defined as a crime.	<p>Article 6. Criminalization</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit:</p> <p>(...)</p> <p>2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offenses:</p> <p>(...)</p> <p>(b) Participating as an accomplice in an offense established in accordance with Paragraph 1 (a), (b)(i), or (c) of this article and, subject to the basic concepts of its legal system, participating as an accomplice in an offense established in accordance with Paragraph 1(b)(ii) of this article;</p> <p>(...)</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>
	Material commission and incitement of MS are defined as crimes.	<p>Article 6. Criminalization</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit:</p> <p>(...)</p> <p>2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offenses:</p> <p>(...)</p> <p>(c) Organizing or directing other persons to commit an offense established in accordance with Paragraph 1 of this article.</p> <p>(...)</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>
	The fabrication, falsification, or alteration of identity or travel documents in order to provide same to MSS and/or supplying of original documents to a person other than that named therein are duly defined as crimes.	<p>Article 6. Criminalization</p> <p>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit:</p> <p>(...)</p> <p>(i) Producing a fraudulent travel or identity document;</p> <p>(ii) Procuring, providing, or possessing such a document;</p> <p>(...)</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
	The intentional sheltering or concealment of MSS is defined as a crime.	Article 6. Criminalization 1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offenses, when committed intentionally and in order to obtain, directly or indirectly, a financial or other material benefit: (...) (c) Enabling a person who is not a national or a permanent resident to remain in the State concerned without complying with the necessary requirements for legally remaining in the State by the means mentioned in Subparagraph (b) of this paragraph or any other illegal means. (...)		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Criminal Procedure Codes</b>	Specific provisions regarding the non-penalization of MSS, in accordance with Article 5 of the Protocol, have been incorporated into criminal procedure codes or applicable legislation.	Article 5. Criminal liability of migrants Migrants shall not become liable to criminal prosecution under this Protocol for the fact of having been the object of conduct set forth in Article 6 of this Protocol.		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Prevention Human Development</b>	The legal provisions, plans, and/or State programs for promoting or reinforcing human development that pre-vents MS have been approved and/or implemented, and the structural, organizational, human, technical, and economic resources for the execution thereof have been allocated.	Article 15. Other Prevention Measures (...) 3. Each State Party shall promote or strengthen, as appropriate, development programs and cooperation at the national, regional, and international levels, taking into account the socio-economic realities of migration and paying special attention to economically and socially depressed areas, in order to combat the root socio-economic causes of the smuggling of migrants, such as poverty and underdevelopment.		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
<p>Prevention</p> <p>Detection</p>	<p>The legal provisions, plans, and/or State programs for preventing and detecting situations involving MS have been approved and/or implemented, and the organizational, human, technical, and economic resources for the execution thereof have been allocated.</p>	<p>Article 11. Border Measures</p> <p>1. Without prejudice to international commitments in relation to the free movement of people, States Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect the smuggling of migrants.</p> <p>2. Each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, means of transport operated by commercial carriers from being used in the commission of the offense established in accordance with Article 6, Paragraph 1(a), of this Protocol.</p> <p>3. Where appropriate, and without prejudice to applicable international conventions, such measures shall include establishing the obligation of commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State.</p> <p>4. Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of the obligation set forth in Paragraph 3 of this article.</p> <p>5. Each State Party shall consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas of persons implicated in the commission of offenses established in accordance with this Protocol.</p> <p>6. Without prejudice to Article 27 of the Convention, States Parties shall consider strengthening cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication.</p> <p>Article 12. Security and Control of Documents</p> <p>Each State Party shall take such measures as may be necessary, within available means:</p> <p>(a) To ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated, or issued; and</p> <p>(b) To ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance, and use.</p> <p>Article 13. Legitimacy and Validity of Documents</p> <p>At the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for purposes of conduct set forth in Article 6 of this Protocol.</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>



CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
<p><b>Prevention</b></p> <p><b>Information</b></p>	<p>The legal provisions, plans, and/or State programs for preventing and publicizing MS as a crime have been approved and/or implemented, and the structural, organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.</p>	<p>Article 15. Other Prevention Measures</p> <p>1. Each State Party shall take measures to ensure that it provides or strengthens information programs to increase public awareness of the fact that the conduct set forth in Article 6 of this Protocol is a criminal activity frequently perpetrated by organized criminal groups for profit and that it poses serious risks to the migrants concerned.</p> <p>2. In accordance with Article 31 of the Convention, States Parties shall cooperate in the field of public information for the purpose of preventing potential migrants from falling victim to organized criminal groups.</p> <p>(...)</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Prevention Training	The legal provisions, plans, and/or State programs for training officials and civil society actors regarding MS have been approved and/or implemented, and the organizational, human, technical, and economic resources for the execution thereof have been allocated.	<p>Article 14. Training and Technical Cooperation</p> <p>1. States Parties shall provide or strengthen specialized training for immigration and other relevant officials in preventing the conduct set forth in Article 6 of this Protocol and in the humane treatment of migrants who have been the object of such conduct, while respecting their rights as set forth in this Protocol.</p> <p>2. States Parties shall cooperate with each other and with competent international organizations, non-governmental organizations, other relevant organizations, and other elements of civil society as appropriate to ensure that there is adequate personnel training in their territories to prevent, combat, and eradicate the conduct set forth in Article 6 of this Protocol and to protect the rights of migrants who have been the object of such conduct. Such training shall include:</p> <p>(a) Improving the security and quality of travel documents;</p> <p>(b) Recognizing and detecting fraudulent travel or identity documents;</p> <p>(c) Gathering criminal intelligence, relating in particular to the identification of organized criminal groups known to be or suspected of being engaged in conduct set forth in Article 6 of this Protocol, the methods used to transport smuggled migrants, the misuse of travel or identity documents for purposes of conduct set forth in Article 6, and the means of concealment used in the smuggling of migrants;</p> <p>(d) Improving procedures for detecting smuggled persons at conventional and non-conventional points of entry and exit; and</p> <p>(e) The humane treatment of migrants and the protection of their rights as set forth in this Protocol.</p> <p>3. States Parties with relevant expertise shall consider providing technical assistance to States that are frequently countries of origin or transit for persons who have been the object of conduct set forth in Article 6 of this Protocol. States Parties shall make every effort to provide the necessary resources, such as vehicles, computer systems, and document readers, to combat the conduct set forth in Article 6.</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
<p>Attention and Protection</p> <p>Assistance Measures</p> <p>Protection of Rights</p> <p>Non-Discrimination</p> <p>Refuge/Asylum</p> <p>Principle of Non-Refoulement</p> <p>Consular Assistance</p>	<p>The legal provisions, plans, or programs for serving and protecting MSS have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.</p>	<p>Article 2. Statement of Purpose The purpose of this Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.</p> <p>Article 16. Protection and Assistance Measures 1. In implementing this Protocol, each State Party shall take, consistent with its obligations under international law, all appropriate measures, including legislation if necessary, to preserve and protect the rights of persons who have been the object of conduct set forth in Article 6 of this Protocol as accorded under applicable international law, in particular the right to life and the right not to be subjected to torture or other cruel, inhuman, or degrading treatment or punishment. 2. Each State Party shall take appropriate measures to afford migrants appropriate protection against violence that may be inflicted upon them, whether by individuals or groups, by reason of being the object of conduct set forth in Article 6 of this Protocol. 3. Each State Party shall afford appropriate assistance to migrants whose lives or safety are endangered by reason of being the object of conduct set forth in Article 6 of this Protocol. 4. In applying the provisions of this article, States Parties shall take into account the special needs of women and children.</p> <p>Article 19. Saving clause 1. Nothing in this Protocol shall affect the other rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein. 2. The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are the object of conduct set forth in Article 6 of this Protocol. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Cooperation  Smuggling by Sea	The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to preventing and combatting migrant smuggling by sea have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	<p>Article 7. Cooperation States Parties shall cooperate to the fullest extent possible to prevent and suppress the smuggling of migrants by sea, in accordance with the international law of the sea.</p> <p>Article 8. Measures against the Smuggling of Migrants by Sea</p> <p>1. A State Party that has reasonable grounds to suspect that a vessel that is flying its flag or claiming its registry, that is without nationality or that, though flying a foreign flag or refusing to show a flag, is in reality of the nationality of the State Party concerned, is engaged in the smuggling of migrants by sea, may request the assistance of other States Parties in suppressing the use of the vessel for that purpose. The States Parties so requested shall render such assistance to the extent possible within their means.</p> <p>2. A State Party that has reasonable grounds to suspect that a vessel exercising freedom of navigation in accordance with international law and flying the flag or displaying the marks of registry of another State Party, is engaged in the smuggling of migrants by sea, may so notify the flag State, request confirmation of registry and, if confirmed, request authorization from the flag State to take appropriate measures with regard to that vessel. The flag State may authorize the requesting State, inter alia:</p> <p>(a) To board the vessel;</p> <p>(b) To search the vessel; and</p> <p>(c) If evidence is found that the vessel is engaged in the smuggling of migrants by sea, to take appropriate measures with respect to the vessel and persons and cargo on board, as authorized by the flag State.</p> <p>3. A State Party that has taken any measure in accordance with Paragraph 2 of this article shall promptly inform the flag State concerned of the results of that measure.</p> <p>4. A State Party shall respond expeditiously to a request from another State Party to determine whether a vessel that is claiming its registry or flying its flag is entitled to do so and to a request for authorization made in accordance with Paragraph 2 of this article.</p> <p>5. A flag State may, consistent with Article 7 of this Protocol, subject its authorization to conditions to be agreed by it and the requesting State, including conditions relating to responsibility and the extent of effective measures to be taken. A State Party shall take no additional measures without the express authorization of the flag State, except those necessary to relieve imminent danger to the lives of persons or those which derive from relevant bilateral or multilateral agreements.</p> <p>6. Each State Party shall designate an authority or, where necessary, authorities to receive and respond to requests for assistance, for confirmation of registry or of the right of a vessel to fly its flag, and for authorization to take appropriate measures. Such designation shall be notified through the Secretary-General to all other States Parties within one month of the designation.</p> <p>7. A State Party that has reasonable grounds to suspect that a vessel is engaged in the smuggling of migrants by sea and is without nationality, or may be assimilated to a vessel without nationality, may board and search the vessel. If evidence confirming the suspicion is found, that State Party shall take appropriate measures in accordance with relevant domestic and international law.</p> <p>Article 9. Safeguard clauses</p> <p>1. Where a State Party takes measures against a vessel in accordance with Article 8 of this Protocol, it shall:</p> <p>(a) Ensure the safety and humane treatment of the persons on board;</p> <p>(b) Take due account of the need not to endanger the security of the vessel or its cargo;</p> <p>(c) Take due account of the need not to prejudice the commercial or legal interests of the flag State or any other interested State;</p> <p>(d) Ensure, within available means, that any measure taken with regard to the vessel is environmentally sound.</p> <p>2. Where the grounds for measures taken pursuant to Article 8 of this Protocol prove to be unfounded, the vessel shall be compensated for any loss or damage that may have been sustained</p>		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
<p>Cooperation</p> <p>Repatriation</p>	<p>The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to the repatriation of MSS have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.</p>	<p>Article 18. Return of Smuggled Migrants</p> <p>1. Each State Party agrees to facilitate and accept, without undue or unreasonable delay, the return of a person who has been the object of conduct set forth in Article 6 of this Protocol and who is its national or who has the right of permanent residence in its territory at the time of return.</p> <p>2. Each State Party shall consider the possibility of facilitating and accepting the return of a person who has been the object of conduct set forth in Article 6 of this Protocol and who had the right of permanent residence in its territory at the time of entry into the receiving State in accordance with its domestic law.</p> <p>3. At the request of the receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who has been the object of conduct set forth in Article 6 of this Protocol is its national or has the right of permanent residence in its territory.</p> <p>4. In order to facilitate the return of a person who has been the object of conduct set forth in Article 6 of this Protocol and is without proper documentation, the State Party of which that person is a national or in which he or she has the right of permanent residence shall agree to issue, at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.</p> <p>5. Each State Party involved with the return of a person who has been the object of conduct set forth in Article 6 of this Protocol shall take all appropriate measures to carry out the return in an orderly manner and with due regard for the safety and dignity of the person.</p> <p>6. States Parties may cooperate with relevant international organizations in the implementation of this article.</p> <p>7. This article shall be without prejudice to any right afforded to persons who have been the object of conduct set forth in Article 6 of this Protocol by any domestic law of the receiving State Party.</p> <p>8. This article shall not affect the obligations entered into under any other applicable treaty, bilateral or multilateral, or any other applicable operational agreement or arrangement that governs, in whole or in part, the return of persons who have been the object of conduct set forth in Article 6 of this Protocol.</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>

CATEGORY	INTERMEDIATE INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
<p>Cooperation</p> <p>Information Exchange</p>	<p>The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to exchange information related to statutes and procedures for preventing and combatting migrant smuggling, intelligence, and good practices for investigating and prosecuting this crime, have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.</p>	<p>Article 10. Information</p> <p>1. Without prejudice to Articles 27 and 28 of the Convention, States Parties, in particular those with common borders or located on routes along which migrants are smuggled, shall, for the purpose of achieving the objectives of this Protocol, exchange among themselves, consistent with their respective domestic legal and administrative systems, relevant information on matters such as:</p> <p>(a) Embarkation and destination points, as well as routes, carriers and means of transportation, known to be or suspected of being used by an organized criminal group engaged in conduct set forth in Article 6 of this Protocol;</p> <p>(b) The identity and methods of organizations or organized criminal groups known to be or suspected of being engaged in conduct set forth in Article 6 of this Protocol;</p> <p>(c) The authenticity and proper form of travel documents issued by a State Party and the theft or related misuse of blank travel or identity documents;</p> <p>(d) Means and methods of concealment and transportation of persons, the unlawful alteration, reproduction, or acquisition or other misuse of travel or identity documents used in conduct set forth in Article 6 of this Protocol, and ways of detecting them;</p> <p>(e) Legislative experiences and practices and measures to prevent and combat the conduct set forth in Article 6 of this Protocol; and</p> <p>(f) Scientific and technological information useful to law enforcement, so as to enhance each other's ability to prevent, detect, and investigate the conduct set forth in Article 6 of this Protocol and to prosecute those involved.</p> <p>2. A State Party that receives information shall comply with any request by the State Party that transmitted the information that places restrictions on its use.</p>		<p>Total Compliance ( )</p> <p>Partial Compliance ( )</p> <p>No Compliance ( )</p>

## C) Specific Indicators

CATEGORY	SPECIFIC INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Legislation: Criminalization of MS	Convictions have been obtained based on the criminalization of migrant smuggling and the aggravating circumstances thereof according to its degree of execution (material, attempted, and accessory perpetration).	Article 6. Criminalization		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Convictions have been obtained to punish those who fabricate, falsify, or alter identity or travel documents to provide same to MSS and/or who supply original documents to a person other than that named therein.	Article 6. Criminalization		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Convictions have been obtained to punish the intentional sheltering or concealment of MSS.	Article 6. Criminalization		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Criminal Procedure Codes	Administrative or judicial rulings have been issued showing the non-penalization of MSS in accordance with Article 5 of the Protocol.	Article 6. Criminal Liability of Migrants		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention  Human Development	The implementation of legal provisions, plans, and/or State programs aimed at preventing MS has produced qualifiable and quantifiable results related to strengthening human development for certain sectors of the population that are vulnerable to migrant smuggling.	Article 6. Other Prevention Measures		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	SPECIFIC INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Prevention Detection	The implementation of legal provisions, plans, and/or State programs aimed at preventing and detecting situations involving MS has produced qualifiable and quantifiable results that can be measured by the number and quality of procedures established, the number of MS cases detected along borders, and the number of cases detected involving fraudulent identity and travel documents.**	Article 11. Border Measures Article 12. Security and Control of Documents Article 13. Legitimacy and Validity of Documents		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Information	The implementation of legal provisions, plans, and/or State programs aimed at preventing and publicizing MS as a crime has produced qualifiable and quantifiable results relating to the number and quality of instruments designed and the number of persons informed (categorized by age, sex, and geographical location).	Article 10. Information		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Training	The implementation of legal provisions, plans, and/or State programs for training officials and civil society actors regarding MS has produced qualifiable and quantifiable results in the number and quality of training activities designed and the number of officials and civil society actors that have been trained on issues related to MS.	Article 14. Training and Technical Cooperation		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Assistance Measures	The implementation of legal provisions, plans, and/or State programs aimed at serving and protecting MSS has produced qualifiable and quantifiable results in the number and quality of programs established and the number of migrants assisted and protected (categorized by nationality, sex, age, and type of attention or protection).	Article 2. Statement of Purpose Article 16. Protection and Assistance Measures		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Attention and Protection Rights Protection Non-Discrimination Right to Refuge and/or Asylum Application of the Principle of Non-Refoulement Right to Consular Assistance	The implementation of legal provisions, plans, and/or State programs aimed at protecting MSS rights has produced qualifiable and quantifiable results in the number and quality of programs established and the number of migrants protected (categorized by nationality, sex, age, and type of attention or protection).	Article 19. Saving Clause		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )



CATEGORY	SPECIFIC INDICATOR	PALERMO PROTOCOL	MEANS OF VERIFICATION	STATUS OF INDICATOR
Cooperation Smuggling by Sea	The implementation of legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to preventing and combatting migrant smuggling by sea have produced qualifiable and quantifiable results in the number and quality of procedures established and the number of cases detected.	Article 7. Cooperation Article 8. Measures against the Smuggling of Migrants by Sea Article 9. Safeguard Clauses		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Repatriation	The implementation of legal regulations, procedures, and/or mechanisms established by the State for coordinating actions related to the repatriation of MSS have produced qualifiable and quantifiable results in the number and quality of repatriation processes carried out and the number of repatriated migrants (categorized by nationality, sex, and age).	Article 18. Return of Smuggled Migrants		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Information Exchange	The implementation of legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to exchange information related to statutes and procedures for preventing and combatting migrant smuggling, intelligence, and good practices for investigating and prosecuting this crime, have produced qualifiable and quantifiable results in the number and quality of procedures established and the number of cases detected.	Article 10. Information		Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

**APPENDIX:****Checklist:****Compliance Indicators for the Protocol against the Smuggling of Migrants by Land, Sea and Air****A) General Indicators:**

CATEGORY	PALERMO PROTOCOL	STATUS OF INDICATOR
Criminal Legislation	Article 2, Article 4, Article 6.1(a) Criminal legislation exists to punish migrant smuggling.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Criminal Procedure Codes	Article 5 The State has drafted and passed criminal procedure provisions that guarantee the non-penalization of migrants in the circumstances foreseen in Article 5 of the Protocol.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention	Article 2, Article 4 The State has drafted and implemented regulations, programs, and permanent plans that establish measures to prevent migrant smuggling	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Attention and Protection	Article 2, Article 4, Article 16.3 The State has drafted, passed, and implemented plans and/or strategies aimed at serving and protecting MSS in strict observance of protection for their fundamental human rights.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
International Cooperation	Article 2, Article 17 The State has drafted, passed, and implemented legal provisions, plans, or agreements for cooperation between countries at the regional or extra-regional level for detecting, investigating, and prosecuting the crime of migrant smuggling that facilitate the exchange of information and experiences and guarantee the protection of MSS in strict observance of humanitarian law.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

## B) Intermediate Indicators:

CATEGORY	PALERMO PROTOCOL	STATUS OF INDICATOR
Legislation: Criminalization of MS	Article 6.1.3 Migrant smuggling and the minimum aggravating circumstances thereof are duly defined as a crime.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6.2(a) Attempted MS is defined as a crime.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6.2(b) Aiding and abetting MS is defined as a crime.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6.2(c) Material commission and incitement of MS are defined as crimes.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6.1 (i) The fabrication, falsification, or alteration of identity or travel documents in order to provide same to MSS and/or supplying of original documents to a person other than that named therein are duly defined as crimes.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6.1 (c) The intentional sheltering or concealment of MSS is defined as a crime.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Criminal Procedure Codes</b>	Article 5 Specific provisions regarding the non-penalization of MSS, in accordance with Article 5 of the Protocol, have been incorporated into criminal procedure codes or applicable legislation.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Prevention Human Development</b>	Article 15.3 The legal provisions, plans, and/or State programs for promoting or reinforcing human development that prevents MS have been approved and/or implemented, and the structural, organizational, human, technical, and economic resources for the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Prevention Detection</b>	Article 11, Article 12, Article 13 The legal provisions, plans, and/or State programs for preventing and detecting situations involving MS have been approved and/or implemented, and the organizational, human, technical, and economic resources for the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Prevention Information</b>	Article 15 The legal provisions, plans, and/or State programs for preventing and publicizing MS as a crime have been approved and/or implemented, and the structural, organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
<b>Prevention Training</b>	Article 14 The legal provisions, plans, and/or State programs for training officials and civil society actors regarding MS have been approved and/or implemented, and the organizational, human, technical, and economic resources for the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	PALERMO PROTOCOL	STATUS OF INDICATOR
Attention and Protection Assistance Measures Rights Protection	Article 2, Article 16, Article 19 The legal provisions, plans, or programs for serving and protecting MSS have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Smuggling by Sea	Article 8, Article 9 The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to preventing and combatting migrant smuggling by sea have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Repatriation	Article 18 The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to the repatriation of MSS have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Information Exchange	Article 10 The legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to exchange information related to statutes and procedures for preventing and combatting migrant smuggling, intelligence, and good practices for investigating and prosecuting this crime, have been approved and/or implemented, and the organizational, human, technical, and economic resources that guarantee the execution thereof have been allocated.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

## C) Specific Indicators:

CATEGORY	PALERMO PROTOCOL	STATUS OF INDICATOR
Legislation: Criminalization of MS	Article 6 Convictions have been obtained based on the criminalization of migrant smuggling and the aggravating circumstances thereof according to its degree of execution (material, attempted, and accessory perpetration).	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6 Convictions have been obtained to punish those who fabricate, falsify, or alter identity or travel documents to provide same to MSS and/or who supply original documents to a person other than that named therein.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
	Article 6 Convictions have been obtained to punish the intentional sheltering or concealment of MSS.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Criminal Procedure Codes	Article 5 Administrative or judicial rulings have been issued showing the non-penalization of MSS in accordance with Article 5 of the Protocol.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Human Development	Article 15 The implementation of legal provisions, plans, and/or State programs aimed at preventing MS has produced qualifiable and quantifiable results related to strengthening human development for a given number of populations that are vulnerable to migrant smuggling.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Detection	Article 11, Article 12, Article 13 The implementation of legal provisions, plans, and/or State programs aimed at preventing and detecting situations involving MS has produced qualifiable and quantifiable results that can be measured by the number and quality of procedures established and the number of cases detected along borders and fraudulent identity and travel documents.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Information	Article 10 The implementation of legal provisions, plans, and/or State programs aimed at preventing and publicizing MS as a crime has produced qualifiable and quantifiable results relating to the number and quality of instruments designed and the number of persons informed (categorized by age, sex, and geographical location).	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Prevention Training	Article 14 The implementation of legal provisions, plans, and/or State programs for training officials and civil society actors regarding MS has produced qualifiable and quantifiable results in the number and quality of training activities designed and the number of officials and civil society actors that have been trained on issues related to MS.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Attention and Protection Assistance Measures Rights Protection	Article 2, Article 16, Article 19 The implementation of legal provisions, plans, and/or State programs aimed at serving and protecting MSS has produced qualifiable and quantifiable results in the number and quality of programs established and the number of migrants assisted and protected (categorized by nationality, sex, age, and type of attention or protection).	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )

CATEGORY	PALERMO PROTOCOL	STATUS OF INDICATOR
Cooperation Smuggling by Sea	Article 7, Article 8, Article 9 The implementation of legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to coordinate actions related to preventing and combatting migrant smuggling by sea have produced qualifiable and quantifiable results in the number and quality of procedures established and the number of cases detected.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Repatriation	Article 8 The implementation of legal regulations, procedures, and/or mechanisms established by the State for coordinating actions related to the repatriation of MSS have produced qualifiable and quantifiable results in the number and quality of repatriation processes carried out and the number of repatriated migrants (categorized by nationality, sex, and age).	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )
Cooperation Information Exchange	Article 10 The implementation of legal regulations, procedures, and/or mechanisms established by the State for creating or improving formal and informal communication channels with other countries to exchange information related to statutes and procedures for preventing and combatting migrant smuggling, intelligence, and good practices for investigating and prosecuting this crime, have produced qualifiable and quantifiable results in the number and quality of procedures established and the number of cases detected.	Total Compliance ( ) Partial Compliance ( ) No Compliance ( )