

# **Rule of Law Indicator Instruments: A Literature Review**

**A Report to the Steering Committee of the United Nations  
Rule of Law Indicators Project**

NOVEMBER 2008

**International Indicators Group**

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## Glossary of Acronyms

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ABA	American Bar Association
ADB	Asian Development Bank
AfDB	African Development Bank
APRI	American Prosecutors Research Institute
ASCA	Association of State Correctional Administrators
AU	African Union
ASF	Avocats sans Frontiers (Belgium, Lawyers without Borders)
BRI	Bertelsmann Reform Index
BTI	Bertelsmann Transformation Index
CDI	Commitment to Development Index (Center for Global Development)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEELI	Central European and Eurasian Law Institute (American Bar Association)
CIRI	Cingranelli-Richards Human Rights Dataset
CPI	Corruption Perception Index (Transparency International)
CPIA	Country Policy and Institutional Assessment (World Bank)
DFID	UK Department for International Development
DPKO	Department of Peacekeeping Operations
EBRD	European Bank for Reconstruction and Development
EIU	Economist Intelligence Unit
EUMAP	European Union Accession Monitoring Program (Open Society Institute)
FIFA	Fédération Internationale de Football Association (International Federation of Association Football)
GCB	Global Corruption Barometer (Transparency International)
GCI	Global Competitiveness Index (World Economic Forum)
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit (The German Agency for Technical Cooperation)
GWP	Gallup World Poll
HTAT	Human Trafficking Assessment Tool (American Bar Association)
ICCPR	International Covenant on Civil and Political Rights
ICPSR	Inter-University Consortium for Political and Social Research
IDB	Inter-American Development Bank
IDLO	International Development Law Organization
IFES	International Foundation for Electoral Systems
IMF	International Monetary Fund
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OECD	Organization for Economic Cooperation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Co-operation in Europe
OSI	Open Society Institute and Soros Foundation Network
PTS	Political Terror Scale
ROLI	Rule of Law Initiative (American Bar Association)
SES	Socio-Economic Status
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
WB	World Bank
WEF	World Economic Forum
WFP	World Food Program
WGI	Worldwide Governance Indicators
WHO	World Health Organization
WJP	World Justice Project (American Bar Association)

## Introduction

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Strengthening the rule of law depends on being able to capture progress and identify setbacks in this crucial area of governance and public life. Over the past several years, performance indicators measuring aspects of the rule of law that range from fair elections to judicial independence to the integrity and accountability of law enforcement have been developed and used by dozens of organizations. In what promises to be a significant advance in this rapidly growing field, the United Nations Rule of Law Indicators Project aims to craft performance indicators specifically for use in countries emerging from a period of armed conflict, with a focus on governmental institutions and informal justice mechanisms.

Although there is disagreement about what exactly constitutes “the rule of law” and whether democracy is a necessary precursor of rule of law, the former UN Secretary General has offered a widely adopted definition that we will use for working purposes. This definition highlights the accountability of the state and its citizenry and the adherence to human rights norms as two essential features of the rule of law:

The ‘rule of law’ ... refers to principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness to the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.<sup>1</sup>

As a necessary first step in developing performance indicators for use in post-conflict countries, we identified and reviewed existing instruments designed to measure the rule of law. Our research team compiled a list of 53 cross-disciplinary instruments that include rule of law indicators (see appendix 1) and then refined the list to identify 31 that specifically address the operation of law enforcement, judiciary, and corrections – the main criminal justice institutions covered by this project – as well as informal justice mechanisms. This addition reflects the important role that informal justice mechanisms play in many post-conflict countries.

This paper explains the methods we used to conduct the review and presents the results of our assessment, with a focus on the ways in which existing approaches and tools must be modified and expanded in order to measure the rule of law, and the administration of criminal justice in particular, in post-conflict countries.

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<sup>1</sup> Report of the Secretary-General to the Security Council, *The rule of law and transitional justice in conflict and post-conflict societies*, 23 August 2004, S/2004/616, paragraph 6.

## Review of Instruments

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### *Method*

We identified existing rule of law indicator instruments by analyzing literature reviews, conducting online bibliographic searches in English, French and Russian, and using academic and NGO reports. Literature reviews conducted by the UNDP Oslo Governance Center<sup>2</sup> and the World Justice Project<sup>3</sup> were particularly helpful for identifying instruments. We used the following selection criteria:

1. *Contain rule of law items*, as defined by the 2004 Secretary-General Report. We identified a range of instruments that measure governance issues, including corruption, transparency and accountability as well as those covering the operation of law enforcement, judiciary, corrections and informal justice mechanisms.
2. *Have been empirically tested*. We based this review on instruments that have been used to compile data, rather than guidelines or toolkits (see Appendix 2 for a list of toolkits).
3. *Are published in English, Russian and/or French*.
4. *Are publicly available online*.

The search revealed 53 instruments with varied objectives, data sources, method of reporting findings and coverage. Appendix 1 provides a full list of the identified instruments, including information under the following headings:

- *Objectives*. The instruments cite a range of aims and objectives. These include: generating data, strengthening data collection capacities, measuring the need for reform, ranking countries based on criteria, examining the quality of governance and business environment, assessing the compliance with human right covenants, identifying areas of progress and tracking reform.
- *Origins*. Although various educational institutions (e.g. Harvard and University of North Carolina), lawyers and judges associations (ABA), development banks (e.g. EBRD and WB) and bilateral organizations (USAID) have all contributed to the development of measurement tools, by far, the largest producers are NGOs (e.g. Transparency International, OSI, Freedom House and the Vera Institute of Justice).
- *Topics covered*. We identified nine substantive foci, including five institutional areas – police, prosecution, courts, prisons and informal justice mechanisms – and four thematic areas – governance, human rights, corruption and crime/safety.
- *Data sources*. Most instruments draw on a range of data sources, such as public and expert surveys, first-hand observations, administrative data, and legislative and other document reviews. However, the most common data sources are expert and public

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<sup>2</sup> UNDP Oslo Governance Center. (2007). *Governance indicators: A user's guide*. (2<sup>nd</sup> ed.). Available at [http://www.undp.org/oslocentre/docs07/undp\\_users\\_guide\\_online\\_version.pdf](http://www.undp.org/oslocentre/docs07/undp_users_guide_online_version.pdf)

<sup>3</sup> See: Appendix C: "Table of Existing Indices" of the World Justice Project (2007). Available at [http://jenni.uchicago.edu/WJP/WJP\\_appendixA\\_2007-04-06\\_jsb.pdf](http://jenni.uchicago.edu/WJP/WJP_appendixA_2007-04-06_jsb.pdf)

surveys.<sup>4</sup> And although most instruments rely on primary data, some do re-aggregate and re-analyze existing data (CIRI, CPI, PTS and WGI).

- *Presentation of findings.* Some instruments generate a ranking based on aggregate scores (e.g. the Ibrahim Index of African Governance and WGI), while others include a narrative description of their findings alongside some quantitative measures (e.g. Countries at the Crossroads, GCI, the Judicial Reform Index); and still others report findings in a narrative format only (e.g. the EBRD Country Law Assessment, EUMAP, HTAT, the ICCPR Index, and US State Department Country Reports on Human Right Practices).
- *Geographic coverage.* While some instruments have been used only within a single country (e.g. UK Police Performance Assessment and South African Police Service Assessment), the overwhelming majority are regional (Afrobarometer, the EBRD Country Law Assessment and the Judicial Reform Index) or international (the Vera-Altus Justice Indicators Project and WGI) tools.
- *Dates of compilation.* The vast majority of instruments included in this review were developed over the past 15 years, beginning in the mid-90s. Some organizations collect data annually (CDI, CPI, PTS and the US State Department Country Reports on Human Right Practices); others biannually (BTI) or with irregular frequency (Global Integrity Index and WGA). In some cases, the frequency of data collection is not clear (CEDAW Assessment Tool, Democracy Index and EBRD Country Law Assessment).

Given that the UN Rule of Law Indicators Project emphasizes the administration of criminal justice, we narrowed the list from 53 instruments to 31, each with indicators addressing at least one of the four focal areas: law-enforcement (addressed in 21 of 31 instruments), judiciary (27 out of 31), corrections (6 out of 31), and informal justice mechanisms (4 out of 31) (see Table 1). The section that follows provides a description and critique of these 31 instruments for each of these areas.

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<sup>4</sup> A pervasive reliance on opinion polls is understandable given that reliable and compatible administrative data, necessary for cross-national comparisons, may be impossible to gather. Governments may not have the capacity to routinely collect such data and local authorities may be reluctant to make data available.

Table 1: Instruments with Criminal Justice Indicators

Instrument	Organization	Law-Enforcement	Judiciary	Corrections	Informal Justice
1 Afrobarometer	Afrobarometer Network	✓	✓		✓
2 Arab Barometer	Institute for Social Research of the University of Michigan	✓	✓		✓
3 Asian Barometer	Asian Barometer Network	✓	✓		
4 Bertelsmann Reform Index	Bertelsmann Stiftung		✓		
5 Bribe Payers Index	Transparency International	✓	✓		
6 Business Environment and Enterprise Performance Survey	World Bank/ European Bank for Reconstruction & Development		✓		
7 Cingranelli-Richards (CIRI) Human Rights Dataset	Cingranelli and Richards, Binghamton University	✓	✓	✓	
8 Countries at the Crossroads	Freedom House	✓	✓		
9 EBRD Country Law Assessment	European Bank for Reconstruction and Development		✓		
10 European Union Accession Monitoring Program (EUMAP)	Open Society Institute	✓	✓		
11 Global Competitiveness Index	World Economic Forum	✓	✓		
12 Global Corruption Barometer	Transparency International	✓	✓		
13 Global Integrity Index	Global Integrity	✓	✓		
14 Global Peace Index	Vision of Humanity	✓		✓	
15 Ibrahim Index of African Governance	Mo Ibrahim Foundation		✓		
16 Judicial Reform Index	American Bar Association/CEELI		✓		
17 Latinobarómetro	Latinobarómetro	✓	✓		
18 Legal Education and Reform Index	American Bar Association/ROL]		✓		
19 Legal Profession Reform Index	American Bar Association/ROL]		✓		
20 Nations in transit	Freedom House	✓	✓		
21 Pilot Grid for the Judicial System Assessment	International Union of Judicial Officers		✓		
22 Political Terror Scale	University of North Carolina	✓		✓	
23 Prosecutorial Reform Index	American Bar Association/ROL]		✓		
24 Rule of Law Index (WJP)	American Bar Association	✓	✓	✓	
25 WGI	World Bank	✓	✓		
26 South African Police Service Assessment	Center for the Study of Violence and Reconciliation	✓			
27 UK Police Performance Assessment	UK Home Office	✓			
28 US State Department Country Reports on Human Right Practices	US State Department	✓	✓	✓	
29 Vera-Altus Justice Indicators Project	Vera Institute of Justice and Altus Global Alliance	✓	✓	✓	✓
30 World Business Environment Survey	World Bank	✓	✓		
31 World Governance Assessment	Overseas Development Institute		✓		✓

## *Assessment of Instruments by Institution*

### **Law-enforcement**

We identified 21 instruments that include law enforcement indicators, and two with an exclusive focus on policing. Some instruments are concerned with assessing the delivery of policing services, (the UK Police Performance Assessment). Others use policing indicators to assess whether the environment is safe for investment and permits the growth of businesses (World Business Environment Survey). Still others measure law enforcement compliance with human rights standards (CIRI). A number of instruments are based on regional (EUMAP and Latinobarómetro) or cross-national (GII and the WGI) evaluations of policing, while others target the delivery of policing within a single country (South African Police Service Assessment and the UK Police Performance Assessment).

Many of the law enforcement indicators draw on public opinion surveys, and some of these surveys include very large samples. The Afrobarometer and Global Corruption Barometer both include samples of more than 20,000 households spread across dozens of countries.<sup>5</sup> Use of other data sources is more limited. Some indicators rely on expert evaluations, administrative data, and observations. The Global Integrity Index, for example, asks a bank of qualified respondents whether they think law enforcement agencies are effective and if officers are held accountable for their actions.

A number of instruments aim to measure trust or confidence in the police. All of the regional barometers (Afrobarometer, Arab Barometer, Asian Barometer, Latinobarómetro) and the WGI include such measures. The Afrobarometer, for example, asks survey respondents how much they trust the police, whether they have been asked to pay a bribe, and their views about police accountability.

Corruption is another common area of focus (e.g. Afrobarometer, Briber Payers Index, EUMAP, the Vera-Altus Justice Indicators Project, and GCB). Some of these measures assess corruption in absolute terms, by asking members of the public if the police have demanded bribes, for example. The Bribe Payers Index compares rates of police corruption against other public institutions, asking business executives, “If you had a magic wand and you could eliminate corruption from one of the following institutions (*list of 12 institutions*), would your first choice be the police?”

The US State Department Reports, PTS and CIRI incorporate human rights indicators. All of these instruments collect data describing police torture and extra-judicial killings. The US State Department also collects data on arbitrary and unlawful arrest and detention. Freedom House’s Countries at the Crossroads and the Vera-Altus Justice Indicators Project are the only instruments to assess police involvement in the political process – although measurements focused on the judiciary often use such indicators (see discussion in the next section). The Vera-Altus Justice Indicators Project includes a question on whether the police are used by governments as “a tool of oppression or political advantage.” Countries at the

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<sup>5</sup> Round 4 of Afrobarometer includes 1,200-2,400 participants for each of the 20 countries, while the Global Corruption Barometer surveys more than 60,000 households in over 60 countries.



Crossroads includes a more detailed series of questions asking whether the police are controlled by the government, if they are accountable and whether they have a history of interfering in the political process.

We identified two national police assessment exercises, conducted by the UK Home Office and the South African Police Service. Both of these instruments use a variety of data sources. The South African Police Service Assessment contains 39 measures and covers five areas of policing: (a) protecting domestic political life; (b) governance, accountability and transparency; (c) service delivery for safety; (d) proper police conduct; and (e) police as citizens. Data are drawn from documents, expert surveys and focus groups. A narrative analysis is offered across each of these five areas. The UK Police Performance Assessment uses public opinion surveys and administrative data to measure police fairness, resources and efficiency, the ability of law enforcement to tackle crime and protect vulnerable individuals, such as children or domestic violence victims. The UK Home Office's instrument is interesting because it compares a police force to its peers and also measures the performance of the same police unit over time.

## **Judiciary**

Among the four areas of criminal justice addressed in this review the judiciary receives the most attention – however, the focus is largely limited to exploring judicial corruption and independence. With a few notable exceptions, which we discuss below, existing indicators do not focus explicitly on prosecution, the availability of defense attorneys and judicial interpreters, or the presence of mechanisms to appeal judicial decisions or to seek restitution. There seems to be a similarly narrow tendency to develop indicators that reflect a Common Law perspective, overlooking the distinctive features of the Civil, Socialist, Islamic and Customary legal systems. Although the desire for universal standards is understandable, the failure to consider the specificities of institutions operating in different legal traditions could compromise the validity of an instrument and its findings.<sup>6</sup>

Instruments that assess the operation of the judiciary use a variety of data sources. In about half the instruments we reviewed, the indicators are based on single type or source of data. The regional barometers and Global Corruption Barometer rely solely on public opinion surveys. Eight of the instruments base their measures on expert opinions, including the Global Integrity Index and the Legal Reform Index. Of the composite instruments only two combine public opinion measures with other data sources (the ABA's World Justice Project Index and the Vera-Altus Justice Indicators Project). Ten draw on a combination of expert opinion, document and legislative review and administrative data – with administrative data used less frequently. A number of instruments review rules and statutes without measuring the extent to which these laws are evident in practice – an approach that might be valid in settings with well developed and active regulatory frameworks but, in more chaotic or

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<sup>6</sup> Legal traditions can differ on several important dimensions: the objectives of court proceedings (punishing offenders or compensating crime victims), type of laws applied (religious or secular), role of courts during a pretrial phase (arrest, detention, and charges), role of a judge during a trial (an impartial arbiter or investigator of facts), composition of a court (a single judge or a panel, a jury or a bench trial, with or without local community involvement), structure of appeals, and role of victims.

corrupt environments, the law in principle may bear little relation to its application in practice. Observations, victimization surveys, and administrative data could be used to build on existing indicators and produce more accurate measures of the performance and health of the judiciary.

A large number of the instruments we reviewed focus on the integrity of the courts, including indicators of corruption, trust, transparency, accountability and oversight. The WGI, for example, compiles information from a number of existing data sources to measure confidence in judicial processes. The World Business Environment Survey asks businesses representatives from 80 countries: “Do firms like yours typically need to make extra, unofficial payments to public officials when dealing with the courts?” All of the public survey instruments that we identified included questions about public trust in the judiciary and/or perceptions of judicial corruption. For example, the Global Corruption Barometer asks respondents: “To what extent do you perceive the legal system/judiciary to be affected by corruption?”

Around half of the instruments include indicators that assess the relationship between the judiciary and other powerful groups (usually the executive branch of the government). A number measure the independence of the judiciary from political interference, including the regional barometers, Countries at the Crossroads, the Global Competitiveness Index, the Ibrahim Index and the WGI. Others measure the ability of courts to hold government accountable. For example, the Freedom House's Nations in Transit uses expert opinion, legislation and document reviews to assess whether government authorities comply with judicial decisions, as well as the process for appointing and training judges. The European Union Accession Monitoring Program (EUMAP) relies on expert survey data and document reviews to assess immunity provisions for judges. The Countries at the Crossroads assessment is the only instrument to extend the sphere of potential influence beyond government, asking experts whether the administration of justice is free from “economic, political, or religious influences.”

Some instruments explore whether there are legislative and procedural controls on the judiciary. These indicators include the right to a fair trial, the presumption that a person is innocent until proven guilty (Countries at the Crossroads), the availability of free counsel and the existence of appeals mechanisms (the Vera-Altus Justice Indicators Project as well as a number of measures included in the WGI, the Global Integrity Index, the Prosecutorial Reform Index, and the Judicial reform Index).

Finally, there are indicators that assess judicial capacity, efficiency, equality of access and bias in the operation of the courts. A number of these measures encompass civil and administrative matters as well as criminal proceedings. For example, one of the Vera-Altus indicators is the time it takes to register a small business. In terms of equal access, the WGI measures the affordability of the court system; the Vera-Altus Justice Indicators Project measures the existence of special procedures for cases involving gender based violence as well as the availability of court translators. The Arab Barometer asks, “If you were to have a dispute with another citizen, would you try to resolve it in a court or another government

institution?” These interesting examples aside, indicators of equal access are still relatively rare.

Other important aspects of the judiciary that are rarely measured include: the appointment, training, promotion, and accountability of judges and judicial clerks; the capacity of the courts; the exclusion of illegally obtained evidence (e.g. evidence obtained by means of torture or blackmail); the availability of free defense counsel for indigent defendants and court interpreters for defendants and victims who do not speak the language of the court; restitution and compensation mechanisms; mechanisms to appeal judicial and prosecutorial decisions; the use of pretrial detention and bail; sentencing and alternatives to incarceration, and the existence of military courts and special tribunals (especially relevant in post-conflict settings).

## **Corrections**

We identified just six instruments that measure the performance of corrections. The small number may reflect the relative invisibility of prisons, the fact that prison conditions are rarely a public priority, or the false belief that prison conditions have no affect on development or the overall economic well being of a country. Those instruments that do include corrections tend to focus on somewhat narrowly defined topics. There is little attention paid to a range of United Nations rules governing the treatment of prisoners, including, but not limited to, requirements to segregate inmate populations by age, gender and sentence status; minimum standards for hygiene, space, accommodation and food; access to natural light, clean air and water; and the availability of physical and mental health services –rules created to protect a particularly vulnerable segment of all societies.<sup>7</sup>

Among the six instruments with some focus on corrections, the indicators were limited to the operation of jails and prisons, as opposed to non-custodial sanctions. Three of the instruments (CIRI, PTS and the US State Department Country Reports on Human Right Practices) measure extreme human rights abuses – political imprisonment and torture – and CIRI and PTS also measure deaths in custody. These instruments use a combination of existing reports and expert opinions to compile their measures. PTS, for example, reviews annual human right reports by Amnesty International and the US State Department to identify murders, acts of torture and disappearances in custody, as well as to pinpoint states where imprisonment is used for political reasons or in response to non-violent political activity.

The ABA World Justice Project and the Vera-Altus Justice Indicators Project are unusually diverse in their choice of measures and data sources. Both combine human rights measures with indicators of capacity, accessibility and oversight. The ABA World Justice Project uses public and expert opinions to measure prison capacity and conditions. However, the project is still operating as a pilot and details about the actual indicators have yet to be released. The Vera-Altus Indicators Project draws on information from legislative reviews, administrative

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<sup>7</sup> *United Nations Standard Minimum Rules for the Treatment of Prisoners* (1957). Available at [http://www.unhcr.ch/html/menu3/b/h\\_comp34.htm](http://www.unhcr.ch/html/menu3/b/h_comp34.htm)

data and expert interviews to assess: prison-overcrowding; the availability of medical care; the existence of rules barring the use of restraints and whether those rules are implemented; the extent to which prisons are accessible to civilian oversight bodies, and the salaries of corrections officers (a measure of both the institution's ability to attract skilled staff and an officer's susceptibility to bribes and other forms of corruption).

The sixth instrument to assess corrections, the Global Peace Index, includes a macro-level indicator based on incarceration rates. This may be a useful measure to project future capacity problems or the activity of the court system, but reveals less about the operation of prisons or, for that matter, the rule of law per se. To use a common example, nations with high incarceration rates may operate prisons more fairly and humanely than countries with much lower rates of incarceration.

As well as addressing conditions of confinement, instruments are needed that adopt a wider definition of corrections, including non-custodial forms of punishment and sanctions imposed by traditional, religious or other legal systems.

### **Informal Justice**

Around the world, but especially in developing countries, individuals look to informal justice mechanisms to resolve their conflicts and grievances. In Africa, for example, more than 80% of all disputes are settled through informal justice mechanisms.<sup>8</sup> Such institutions may be “close to the people, affordable and quick while enjoying great legitimacy... [but they may also] have serious defects concerning gender equality, children rights and forms of punishment that are prohibited under international law”.<sup>9</sup>

We identified four instruments that include indicators designed to assess the operation of informal justice mechanisms: The Afrobarometer; Arab Barometer; Vera-Altus Justice Indicators Project; and the World Governance Assessment. A common feature of these instruments is their use of public and expert surveys to measure the extent to which people use informal justice mechanisms. The Afrobarometer asks public survey respondents: “During the past year, how often have you contacted a traditional ruler about some important problem?” Arab Barometer poses a similar question: “In the past 5 years, have you ever used traditional leaders (head of tribe) or religious officials (such as Imam) to achieve something personal, family related, or a neighborhood problem?” The Vera-Altus Justice Indicators Project uses public surveys to assess gender bias in the use of informal justice mechanisms. And finally, the World Governance Assessment asks experts: “To what extent are non-formal processes in place for resolution of conflicts?”

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<sup>8</sup> Piron, L-H. (2005). *Donor assistance to justice sector reform in Africa: Living up to the new agenda?* Open Society Justice Initiative. Available at <http://www.odi.org.uk/resources/external/2005/02/donor-assistance-justice-sector-reform-africa.pdf>

<sup>9</sup> OHCHR. (2006). *Rule of law tools for post-conflict states: Mapping the justice sector*. See p. 14. Available at <http://www.ohchr.org/Documents/Publications/RuleoflawMappingen.pdf>

Corruption in informal justice mechanisms is also explored. The Afrobarometer and the Vera-Altus Justice Indicators Project both measure perceptions about corruption. Additionally, the Vera-Altus instrument measures the consistency of outcomes and the ability to appeal decisions made by informal justice leaders – indicators of the presence or absence of corruption.

The Afrobarometer represents the most comprehensive attempt to understand the operation of informal justice mechanisms, both in terms of the number of individual indicators and the range of countries covered. The Afrobarometer network has collected data on the extent to which such mechanisms are used, whether these mechanisms meet the needs of respondents, and perceptions of fairness and levels of corruption. Part of the survey also addresses links between state justice systems and informal justice mechanisms, asking respondents if they think that traditional leaders should be represented on local government councils and whether traditional leaders should remain independent of the government or receive government salaries.

While all four instruments have taken steps toward examining this hard-to-study dimension of justice, much more work is needed to develop and integrate indicators to capture the operation of informal justice mechanisms and their relationship with state institutions.

## Challenges of Post-Conflict Environments

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Countries emerging from a period of armed conflict face several common challenges ranging from persistent insecurity and political instability to justice institutions that are crippled by neglect or corruption to extreme poverty and psychological scars of war.<sup>10</sup> In many countries, for example, people are more likely to die from a post-war shortage of food and medical services than from the violence itself,<sup>11</sup> and those who ended up on the losing side of a conflict may become so marginalized that they are powerless to resist abuses from the victors. These types of endemic problems can undermine attempts to reform justice systems.

This section presents three broad aspects of post-conflict environments that have particular relevance to the Rule of Law Indicators Project. These relate to both states' ability to maintain the rule of law and the design of indicators to measure progress. They are: 1) political stability and legitimacy and the degree of corruption; 2) safety and security; and 3) local willingness to engage in efforts to measure the rule of law and the capacity to collect the data necessary to “populate” the indicators.

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<sup>10</sup> For a knowledgeable account of these challenges see: Stromseth, J., Wippman, D., & Brooks, R. (2007). *Can might make right? Building the rule of law after military interventions*. New York: Cambridge University Press.

<sup>11</sup> Among 3 million deaths that occurred in the Democratic Republic of Congo, only 14 % resulted from violence, with 86% of deaths occurring due to disease and malnutrition as a consequence of war. See: Sondorp, E., & Patel, P. (2004). The role of health services in conflict-ridden countries. *The Journal of Health Services Research and Policy*, 9, 4-5.

## Political stability, legitimacy and corruption

The existence of a sturdy and legitimate political power is rare in post-conflict settings. Political leaders may be weak, corrupt, or responsible for serious human rights abuses in the past or present.<sup>12</sup> Often they come to power as a direct result of war or their terms are artificially extended because it is not possible to hold elections. These governments may lack the will or the ability to carry out substantial reforms to strengthen the rule of law, and citizens may perceive the justice system as too compromised and subject to the whims of callous officials to be trusted or helpful to them. A lack of government accountability is often exacerbated by the fact that “[c]ivil-society institutions, which in democratic societies serve as one means of applying pressure to governments, are for the most part poorly developed in war-torn countries”.<sup>13</sup> Where there would be an important check on government power, there's none, and the absence of civil society organization makes it even harder to collect data that does not come exclusively from official sources.

In this kind of environment, *de jure* approaches to performance measurement that reflect the mere existence of laws and procedures are unreliable proxies for the rule of law in practice. *De facto* measures that assess perceptions and actual practices are required. As a baseline, performance indicators should capture and track changes in public confidence in justice institutions, collecting data from a variety of sources, including members of the general public, existing civil society groups, and international NGOs. These data sources can also provide early warning of human rights abuses. Indicators should also capture the opinions and experiences of disadvantaged and vulnerable groups – such as the poor, the sick, women and children, ethnic or tribal minorities and those who ended up on the losing side of a conflict. Yet most of the instruments we identified could not isolate and report on the experiences and perceptions of specific groups (the regional barometers and the Vera-Altus Justice Indicator Project being notable exceptions).

## Safety and security

Political instability directly affects safety and security. As state institutions weaken, crime and disorder flourish. Perhaps the biggest threat to security in post-conflict countries is the widespread availability of guns.<sup>14</sup> In some countries young children take part in the conflict as foot soldiers and may become desensitized to violence as a result. The combination of

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<sup>12</sup> International Alert and Saferworld. (2003). *Conflict sensitive approach to development, humanitarian assistance and peace building: Tools for peace and conflict impact assessment*. See p. 7. Available at [http://www.conflictsensitivity.org/resource\\_pack/chapter\\_1\\_265.pdf](http://www.conflictsensitivity.org/resource_pack/chapter_1_265.pdf)

<sup>13</sup> Ball, N. (2000). “The challenges of rebuilding war-torn societies.” In C. A. Crocker, F. O. Hampson, & P. Aall (Eds.). *Managing global chaos: Sourced of and responses to international conflict* (5<sup>th</sup> ed.) (pp. 607-22). Washington DC: Institute of Peace Press. See p. 609.

<sup>14</sup> According to the 2004 Secretary-General report (*Ibid.*), post-conflict settings “are invariably marked by an abundance of arms, rampant gender and sexually based violence, the exploitation of children, the persecution of minorities and vulnerable groups, organized crime, smuggling, trafficking in human beings and other criminal activity” (see: paragraph 27, p. 10).

criminal gangs, vigilante groups<sup>15</sup> and paramilitary organizations can complicate efforts to build and maintain a sustainable peace. In such environments, performance indicators should measure the ability of law enforcement to tackle the different manifestations of crime and disorder, as well as the willingness and ability of government to carry out disarmament.

In a post-conflict environment, the government may use the police primarily to maintain power and control dissent – rather than as agents of public safety. In many countries there are “no-go zones” controlled by paramilitary groups.<sup>16</sup> These hard-to-access areas often act as incubators of criminal activity, including the manufacture of drugs, illegal trade in weapons, human trafficking and modern forms of slavery. Without trusted police officers to turn to, residents are likely to rely on warlords or vigilante groups for protection. For this reason, it is important to measure police deployment patterns as well as public confidence in law enforcement and other justice institutions. Usually, it is easier to collect data only in government-controlled districts and other accessible areas of a country. However, limiting data collection in this way can produce biased measures of the progress of justice institutions and fail to capture the real ongoing security problems, masking the need for reforms.

Finally, in many post conflict societies the police share or temporarily yield responsibility for maintaining order and enforcing the law to other entities. In settings where the military, UN forces or self-appointed policing organizations are performing law enforcement functions indicators need to reflect this complexity.

### **Capacity and infrastructure**

Armed conflicts can decimate the institutions upon which the rule of law depends. In the transition from war to peace, nations often inherit criminal justice systems without the money, infrastructure, or human capacity to function properly.<sup>17</sup> In most countries recovering from violent conflict there is a lack of skilled professionals. Lawyers, judges and others with experience in the administration of justice flee the country for economic and political reasons along with engineers, doctors, teachers, and other professionals. Criminal justice agencies are often staffed by illiterate and untrained personnel<sup>18</sup> working without uniforms, cars, radios, phones, and other basic equipment. Agencies rarely have computer hardware, software, and networks required to collect, analyze, and report data.

Furthermore, in the wake of conflict corruption can flourish and decisions about new hires and promotions are often made based on personal connections or to receive a pay-off, rather than on individual ability. This can exacerbate an existing lack of professionalism and often means that minority groups are under-represented, increasing the potential for bias in the way

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<sup>15</sup> In Liberia for instance, a great number of individuals accused of crimes were beaten to death by mobs. See Human Rights Watch’s 2007 World Report. Available at <http://www.hrw.org/sites/default/files/reports/wr2007master.pdf>

<sup>16</sup> See: Stone, C., Miller, J., Thornton M., & Trone, J. (2005). Supporting security, justice, and development: Lessons for a new era. Vera Institute of Justice. Available at <http://www.dfid.gov.uk/pubs/files/security-justice-development.pdf>

<sup>17</sup> See: Secretary-General report, *Ibid.* paragraph 27, p. 10.

<sup>18</sup> See: Stone *et al.* (2005).



justice institutions operate and make decisions. Although in many developing and transitional countries, criminal justice workers receive little or no pay, their jobs are highly coveted because there are few employment opportunities and, without checks on corruption, the meager salaries can be supplemented with income from extortion and bribery. Lack of skills, training, diversity and resources to tackle crime can lead to authoritarian approaches to law enforcement that place little emphasis on public safety, the rights of suspects or the needs of victims. Existing measurement instruments are strong on indicators of corruption, trust in the police, and human rights violations, but provide much less information on capacity, training, recruitment and retention. Deficits in these areas can cripple attempts to maintain law and order following violent conflict. Indicators that measure salaries for criminal justice professionals, the availability of training and resources, recruitment and promotion practices and diversity of staff are important for understanding deficits in capacity and their consequences.

## Conclusion

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This review identifies, describes and critiques existing rule of law instruments. Through a two-step process we identified 31 instruments that, as a group, include indicators of performance for the judiciary, law enforcement, corrections and informal justice mechanisms. They offer approaches and examples useful for the UN Rule of Law Indicators Project, although none of them are designed explicitly for use in post-conflict settings and only a few have even been tested in these challenging environments. Only six instruments included information for Liberia and four for Haiti. Of these, only the Afrobarometer included in-country data collection (for Liberia).

Instruments that offer particularly interesting methods include the Afrobarometer, Arab Barometer, Asian Barometer and Latinobarometer. They use large sample surveys to collect detailed information, including demographic data that allow for disaggregation by region and cultural groups. In fact, the regional barometers are the only tools we identified that provide this level of detail. However, much of the raw data collected by Afrobarometer is publicly available only years later, and given that opinions and experiences change frequently in the years immediately following a conflict, old data is unlikely to reflect current conditions. Because these instruments are designed to be useful in particular regions, they include questions that reflect some of the nuance of local conditions and concerns. The Afrobarometer, for example, includes indicators of the role of traditional justice systems and Arab Barometer includes large sections on the relationship between religious organizations and the state.

Some of the Freedom House measures -notably Countries at the Crossroads and the Corruptions Perceptions Index- while limited by their reliance on expert opinions, include questions that are particularly relevant in post conflict settings. Countries at the Crossroads, for example, asks detailed questions about the ability of the judiciary to act independently of government and whether judges hold government accountable. The Global Integrity Index similarly provides indicators of access to justice, judicial independence, accountability and



conflicts of judicial interest.

While there is a paucity of indicators measuring capacity, a few tools offer some useful examples. The UK Police Performance Assessment and the Vera-Altus Justice Indicators Project achieve a balance between measuring public perception and institutional capacity. The ABA Judicial Reform Index and Prosecutorial Reform Index offer similar templates for assessing the operation of the courts on both dimensions.

Some of the tools are useful because they offer off-the-shelf sources of data, a valuable commodity in countries with little existing information. The Cingranelli-Richards Human Rights Dataset, Democracy Index, Global Competitiveness Index, Global Peace Index, Political Terror Scale US State Department Reports and the World Bank's World Governance Index are all notable because of their global (or near global) reach. What these instruments gain in geographic coverage, however, they tend to lose in local specificity with most using the same questions across continents and a number relying on compilations of secondary data sources.

While these instruments contribute much of value, their gaps and weaknesses are just as helpful in revealing what is required of indicators developed for use in post-conflict countries. We briefly discuss these aspects below, returning to issues and themes raised at earlier points in this paper.

*Measuring access to justice.* As mentioned, most instruments do not specifically measure and report on the experiences of minority groups, women, or others who may have limited or no access to justice or who are particularly vulnerable to abuses. Similarly, few instruments collect comparable data from both urban and rural areas. In some cases this is because instruments rely on expert opinions or repurpose existing information in a way that obscures such differences. For example, the WGI combines information from a variety of sources and, in the process, loses information on the experiences of specific groups. To measure access to justice in post-conflict settings requires a disaggregated approach to data collection and, of course, an awareness of which groups are likely to be marginalized and the ways in which justice systems are likely to fail them.

*Combining measures of capacity and public confidence.* We have already noted that many of the instruments identified in this review are based on public surveys designed to surface opinions about key criminal justice institutions. Rule of law indicators in post-conflict countries need to tap and report on public opinion data while also describing the capacity of justice institutions to function and the existence of specific reform efforts. If tracked together and over time, information on capacity and perceptions, can be used to monitor the impact of reforms on confidence in justice system and actual access to justice.

*Including post-conflict indicators.* The way core criminal justice services are delivered in a post-conflict setting can be quite different from how the same services are provided in more stable environments. For example, in many post-war countries, paramilitary groups or international peacekeeping forces perform important law-enforcement functions. Existing indicators are not designed to capture this nuance and tend to base policing measures on the

existence and functioning of stable state justice institutions. Similarly, the role and functioning of military courts and special tribunals has been overlooked by existing instruments. We identified only one instrument, the Global Peace Index, that contains items measuring safety and militarization.

*Including checks on government data.* A paucity of reliable data is a common problem everywhere, but war-affected countries typically have very little access to empirical information. Some post-conflict nations do not have a tradition of data-gathering; others may have collected information prior to the conflict but now lack the infrastructure, money, or political will to do so. As a result, publicly available government data may be incomplete, at best. In these environments, data provided by government must be checked against other sources of information (e.g. expert panels or public opinion surveys).

*Assessing informal justice mechanisms.* In many communities, informal justice mechanisms supplement or provide an alternative to state justice systems. A number of instruments (the Afrobarometer, Arab Barometer, the Vera-Altus Justice Indicators Project and the World Governance Assessment) reflect the important role these mechanisms play by including several indicators measuring public and expert opinions of their fairness and, in particular, the presence of corruption. While the variety of informal mechanisms presents a challenge to creating uniform indicators, it is impossible to gauge the health of systems upon which so many people rely for justice without measuring their role and prevalence. An assessment of informal justice mechanisms also provides valuable information on gaps in the delivery of state justice systems and the reasons people choose not to use them.

While we have conducted extensive searches for existing rule of law instruments, this review by no means represents an exhaustive exploration of what others have done to develop indicators. There could be instruments that we were unable to identify and, in particular, this may be the case where materials are either published in languages that we did not include, or are not publicly available. Nevertheless, the findings of this review will inform our work on the United Nations Rule of Law Indicators Project and, we hope, they will open a dialogue between the Vera research team, our UN partners and other organizations working in this area.

## Appendix 1: Selected Instruments with Rule of law Indicators

Name	Objectives	Organization	Relevant Topics	Data Collection	Presentation of Findings	Geographic Coverage	Date Compiled	References	Notes
Afro-barometer	To produce scientifically reliable data on public opinion in Africa. To strengthen institutional capacity for survey research in Africa. To broadly disseminate & apply survey results.	The Afrobarometer Network (Carried out in collaboration with institutions & scholars from 18 African countries.)	-Police -Courts -Informal justice -Governance -Crime/safety -Corruption	-Public survey (A representative sample of more than 25,000 respondents over 18 years of age.)	Descriptive statistics (mainly percentages) of the responses are provided.	African countries in 4 waves: W1: 12 countries W2: 16 countries W3: 18 countries W4: 20 countries	1999-2008 1999-2000 2002-2003 2005-2006 2008	<a href="http://www.afrobarometer.org/">http://www.afrobarometer.org/</a>	The data are also available through ICPSR. <a href="http://www.icpsr.umich.edu">http://www.icpsr.umich.edu</a> Re Rule of Law, the instrument contains questions on the experience with crime, fear of crime, trust in courts and police efficiency, but also on traditional justice.
Arab Barometer	To produce scientifically reliable data on the politically-relevant attitudes of ordinary citizens, to disseminate & apply survey findings in order to contribute to political reform, & to strengthen institutional capacity for public opinion research.	Institute for Social Research of the University of Michigan (Carried out in collaboration with institutions & scholars in the Arab world.)	-Police -Courts -Informal justice -Governance -Corruption	Public survey	Descriptive statistics for responses are offered. Likert Scales are used & responses are expressed in percentages.	Wave 1: Algeria, Jordan, Kuwait, Morocco, & Palestine (West Bank & Gaza). Wave 2 also includes: Bahrain, Iraq, Lebanon, Oman, the United Arab Emirates & Yemen.	2006	<a href="http://www.arabbarometer.org/">http://www.arabbarometer.org/</a>	Some question concern trust in courts, police, & the perception of safety.
Asian Barometer	To generate a region-wide base of scientifically reliable & comparable data. To strengthen intellectual & institutional capacity for research on democracy. To disseminate survey results to academics & policy audiences.	Asian Barometer Network	-Police -Courts -Governance -Crime/safety -Corruption	Public survey	The webpage permits running descriptive statistics for survey responses.	Wave 1: 8 countries of East Asia. Wave 2: 13 countries in East Asia & 5 countries in South Asia Wave 3:	2001-2002 2005-2007 TBD	<a href="http://www.asianbarometer.org/">http://www.asianbarometer.org/</a> <a href="http://www.asianbarometer.org/newenglish/introuduction/">http://www.asianbarometer.org/newenglish/introuduction/</a>	In 2001, it joined with 3 partner projects – Latinobarometro, Afrobarometer, & Arab Barometer – to launch Globalbarometer Survey (GBS). Data can be purchased from the webpage.

Bertelsmann Reform Index (BRI)	To analyze & compare the need for reform in OECD member countries, as well as their ability to respond to current social & political challenges.	Bertelsmann Stiftung (Bertelsmann Foundation)	<ul style="list-style-type: none"> <li>-Courts</li> <li>-Human rights</li> <li>-Governance</li> <li>-Crime/safety</li> <li>-Corruption</li> </ul>	<ul style="list-style-type: none"> <li>-Expert survey</li> <li>-Document &amp; legislation review</li> <li>-Administrative data</li> </ul>	153 indicators are combined into two subindices— <i>Status Index</i> & <i>Management Index</i> . Scores range from 1 (worse score) to 10 (best score). Countries are ranked.	30 countries, mainly European.	2008 Will be published biannually	<a href="http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-0A000F0A-F2B58110/bst_engl/hs.xsl/53519.htm">http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-0A000F0A-F2B58110/bst_engl/hs.xsl/53519.htm</a> The index contains the Rule of Law section concerning the government accountability & the independence of the judiciary. It also contains indicators borrowed from World Bank Governance Indicators (Rule of Law, & Control of Corruption).
Bertelsmann Transformation Index (BTI)	To provide a global ranking that analyzes & evaluates development & transformation processes in 125 countries.	Bertelsmann Stiftung (Bertelsmann Foundation)	-Governance	<ul style="list-style-type: none"> <li>-Expert survey</li> <li>-Document &amp; legislation review</li> <li>-Administrative data</li> </ul>	Scores ranging from 1 (worse score) to 10 (best score) are assigned to each country for each of the two subindices.	125 countries.	2003, 2005 Collected every 2 years.	<a href="http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-0A000F0A-D2A7CCFB/bst_engl/hs.xsl/307.htm">http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-0A000F0A-D2A7CCFB/bst_engl/hs.xsl/307.htm</a> This index contains two subindices: 1. <i>Status Index</i> : Political & economic transformation; 2. <i>Management Index</i> : Quality of governance
Bribe Payers Index (BPI)	To evaluate the supply side of corruption - the propensity of firms from industrialized countries to bribe abroad. It ranks countries rather than companies.	Transparency International (Uses the Executive Opinion Survey (EOS) carried out by the World Economic Forum's (WEF).)	<ul style="list-style-type: none"> <li>-Police</li> <li>-Courts</li> <li>-Corruption</li> </ul>	<ul style="list-style-type: none"> <li>Expert survey (11, 232 business executives from companies in 125 countries are surveyed about the business practices of foreign firms in their country.)</li> </ul>	Respondents scored countries on a 7-point scale system, where 1=bribes are common, & 7=bribes never occur. The scale is then converted into a 10-point scale system & an average is calculated for each country.	30 countries worldwide	1999, 2002, 2006	<a href="http://www.transparency.org/poicy_research/survey_indices/bpi">http://www.transparency.org/poicy_research/survey_indices/bpi</a> The countries included are the leading international or regional exporting countries, whose combined global exports represented 82% of the world total in 2005.

Business Environment & Enterprise Performance Survey (BEEPS)	To examine the quality of the business environment as determined by a wide range of interactions between firms & the state.	European Bank for Reconstruction & Development/ World Bank/ (EBRD/WB)	-Courts -Governance -Corruption -Crime/safety	Expert survey (Industrial & serves enterprises.)	Scores between 1 & 4 were assigned with a higher average value representing worse performance by the government, & a worse obstacle for business performance.	1999-2008 1999 2002 2005 2008	<a href="http://www.ebrd.com/country/sec/econo/surv/evs/bleeps.htm">http://www.ebrd.com/country/sec/econo/surv/evs/bleeps.htm</a> Questions on courts: How many disputes over payment were resolved by court action? How often do you make payments/gifts to deal with courts?
CEDAW Assessment Tool	To measure a nation's compliance with CEDAW. To uncover the legal obstacles that frustrate the achievement of greater gender equality.	American Bar Association/ Central European & Eurasian Law Institute (ABA/CEELI)	Human rights	-Document & legislation review -Focus groups -Expert survey	The levels of compliance with CEDAW expressed as: 5=Excellent 4=Good 3=Fair 2=Poor 1=No Discernible	2002 2003 2006 2003 Not clear	<a href="http://www.aba.net.org/rol/publi/cations/cedaw/assessment_tool.shtml">http://www.aba.net.org/rol/publi/cations/cedaw/assessment_tool.shtml</a> CEDAW - The Convention on the Elimination of All Forms of Discrimination Against Women
Cingranelli-Richards Human Rights Dataset	It is designed for use by scholars & students who seek to test theories about the causes & consequences of human rights violations, as well as policy makers & analysts who seek to estimate the human rights effects of a wide variety of institutional changes & public policies.	David L. Cingranelli & David L. Richards. Binghamton University	-Prison -Human rights (Extrajudicial killings, disappearances; torture, political imprisonment.)	-Document & legislation review (US State Dept. country reports on human rights & the Amnesty Int'l. Annual Reports)	Although some indicators have larger ranges, most of them have the values between "0" (no respect for a right) & "2" (full respect for a right)	1981-2006 Annually	<a href="http://ciri.binghamton.edu/">http://ciri.binghamton.edu/</a> Dataset contains standards-based quantitative information on government respect for a wide range of internationally-recognized human rights for countries of all regime-types & from all regions of the world.

Commitment to Development Index (CDI)	<p>To draw attention to the many ways in which rich countries can positively influence developments in the world.</p> <p>To encourage policies &amp; actions that support poor nations in their efforts to build prosperity, good government, &amp; security.</p>	Center for Global Development	<p>Governance (Aid (quantity &amp; quality), trade, investment, migration, environment, security &amp; technology.)</p> <p>-Document &amp; legislation review</p> <p>-Administrative data (UN, the WB, OECD, or from academic researchers.)</p>	<p>The index is an average of 7 component scores. A higher score is desirable. Negative scores are possible. Equal weighting for each component was chosen.</p>	<p>21 richest, most developed countries in the world, leaving out tiny nations such as Iceland &amp; Luxembourg.</p>	<p>Annually since 2003</p>	<p><a href="http://www.cgd.org/section/initiatives/active/cdi/">http://www.cgd.org/section/initiatives/active/cdi/</a></p>	<p>The security component of the CDI compares rich countries on military actions that affect developing countries. Rewarded are contributions to international peacekeeping &amp; forcible humanitarian interventions that have an international mandate—unlike the invasion of Iraq but like the NATO intervention in Kosovo.</p>
Comparative Data (Formerly EPIC Project)	<p>To offer a systematic analysis of how countries manage their elections.</p>	Electoral Knowledge Network (ACE)	<p>Governance (Some of the 11 topics are: electoral system, electoral management, legislative framework, voter registration, &amp; voter education.)</p> <p>-Public survey</p> <p>-Document &amp; legislation review</p>	<p>The database provides comparative &amp; country-by-country results on the 11 electoral topics.</p>	<p>180 countries</p>	<p>First – 2001. Latest for 2007</p>	<p><a href="http://aceproject.org/epic-en">http://aceproject.org/epic-en</a></p>	<p>In addition to providing comparative information, it provides electoral country profiles, useful for electoral observation missions, media, &amp; international organizations.</p>
Corruption Perceptions Index (CPI)	<p>To rank countries by their perceived levels of corruption.</p> <p>“Corruption” is defined as the abuse of public office for private gain &amp; it encompasses both the administrative &amp; political aspects of corruption.</p>	Transparency International	<p>Corruption (Bribery of public officials, kickbacks in public procurement, embezzlement of public funds or questions that probe the strength &amp; effectiveness of anti-corruption efforts.)</p> <p>-Public survey</p> <p>-Expert survey (No administrative data because “it is difficult to assess the level of corruption based on hard empirical data, e.g., by comparing number of prosecution or court cases.”)</p>	<p>Scores between 0 &amp; 10 are assigned to each country &amp; then they are ranked.</p>	<p>180 countries (in CPI 2007 &amp; 2008)</p> <p>A minimum of three reliable sources of corruption-related data is required for a country or territory to be included in the CPI.</p>	<p>Annually since 1995. Latest for 2008.</p>	<p><a href="http://www.transparency.org/policy_research/surveys_indices/cpi">http://www.transparency.org/policy_research/surveys_indices/cpi</a></p>	<p>It is a composite index, a poll of polls, drawing on corruption-related data from expert &amp; business surveys carried out by a variety of independent &amp; reputable institutions (e.g., ADB, AfDB, Bartelsmann Foundation, Economist Intelligence Unit, Freedom House, Global Insight, WB, WEF).</p>

<p>Countries at the Crossroads</p>	<p>To help international policy makers identify areas of progress, as well as to highlight areas of concern that could be addressed in diplomatic efforts &amp; reform assistance.</p>	<p>Freedom House</p> <ul style="list-style-type: none"> <li>-Police</li> <li>-Prosecution</li> <li>-Courts</li> <li>-Human rights</li> <li>-Governance</li> <li>-Corruption</li> </ul>	<p>-Expert survey -Document &amp; legislation review</p>	<p>Countries are assigned scores ranging from 0 to 7 for each of the 83 questions, where 0 represents weakest performance. The scores were then aggregated into 18 subcategories &amp; 4 main thematic areas. A narrative report for each country is also provided.</p> <p>60 strategically important countries worldwide that are at a critical crossroads in determining their political future.</p> <p>2004-2007 Annually (One set of 30 countries analyzed in odd years &amp; the other 30 in even years.)</p> <p>4 thematic areas: -Government accountability; -Civil liberties; -Rule of law; -Anticorruption efforts &amp; transparency. <i>Rule of Law</i> includes: (a) Independent judiciary; (b) Primacy of rule of law in civil &amp; criminal matters; (c) Accountability of security forces &amp; military to civilian authorities; (d) Protection of property rights; (e) Equal treatment under the law</p>	<p><a href="http://www.free-domhouse.org/template.cfm?page=139&amp;edition=8">http://www.free-domhouse.org/template.cfm?page=139&amp;edition=8</a></p>
<p>Country Policy &amp; Institutional Assessment (CPIA)</p>	<p>To measure the extent to which a country's policy &amp; institutional framework supports sustainable growth &amp; poverty reduction, &amp; consequently the effective use of development assistance.</p>	<p>World Bank (WB)</p> <ul style="list-style-type: none"> <li>-Governance</li> <li>-Corruption</li> </ul>	<p>-Expert survey -Administrative data</p>	<p>78 countries</p> <p>Countries are rated on a scale of 1 (low) to 6 (high) across 16 criteria. The scores depend on the level of performance in a given year.</p> <p>Annually since 2006</p> <p>The CPIA consists of 16 criteria grouped in four equally weighted clusters: Economic Management, Structural Policies, Policies for Social Inclusion &amp; Equity, &amp; Public Sector Management &amp; Institutions.</p>	<p><a href="http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUT/US/IDA/0_contentMDK:20941073-pagePK:51236175-pjPK:437394-theSitePK:7315400.htm">http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUT/US/IDA/0_contentMDK:20941073-pagePK:51236175-pjPK:437394-theSitePK:7315400.htm</a></p>
<p>Democracy Index</p>	<p>To measure the developments in democracy over time.</p>	<p>Economist Intelligence Unit</p> <ul style="list-style-type: none"> <li>-Human rights</li> <li>-Corruption</li> <li>-Crime/safety</li> </ul>	<p>-Expert survey</p>	<p>165 independent states &amp; 2 territories</p> <p>Countries are ranked on the basis of 60 indicators. Each category has a rating on a 0 to 10 scale, &amp; the overall index of democracy is the simple average of the five category indices.</p> <p>2006 2008 Frequency not clear</p> <p>The index is based on five categories: -Electoral process &amp; pluralism; -Civil liberties; -Functioning of government; -Political participation; -Political culture.</p>	<p><a href="http://ia330.g.akamai.net/7/330/25828/20081021195552/graphicseu.com/PDF/Democracy%20Index%202008.pdf">http://ia330.g.akamai.net/7/330/25828/20081021195552/graphicseu.com/PDF/Democracy%20Index%202008.pdf</a></p>



EBRD Country Law Assessment	To judge the progress made by a single country in making its commercial law internationally acceptable.	European Bank for Reconstruction & Development (EBRD)	Courts	-Administrative data -Document & legislation review	Narratives are provided with various quantitative expressions (bars, pie charts, etc.)	29 countries of Eastern Europe & Central Asia	2005-2007 Frequency not clear	<a href="http://www.ebrd.com/country/sec/cor/law/cia/ind-ex.htm">http://www.ebrd.com/country/sec/cor/law/cia/ind-ex.htm</a>	Each assessment evaluates core commercial laws using international standards as a benchmark.
EBRD Structural Change Indicators	To track reform developments in all countries of operations since the beginning of transition.	European Bank for Reconstruction & Development (EBRD)	Governance	-Administrative data -Document & legislation review	The measurement scale for the indicators ranges from 1 to 4+, where 1 represents little or no change from a rigid centrally planned economy & 4+ represents the standards of an industrialized market economy.	29 countries of Eastern Europe & Central Asia	1989-2007	<a href="http://www.ebrd.com/country/sec/cor/econo/stats/index.htm">http://www.ebrd.com/country/sec/cor/econo/stats/index.htm</a>	Assessments are made in nine areas: Large scale privatization, small scale privatization, governance & enterprise restructuring, price liberalization, trade & foreign exchange system, competition policy, banking reform & interest rate liberalization, securities markets & non-bank financial institutions, & infrastructure.
Euro-barometer	To measure public opinion in European Union (EU) on issues related to EU.	European Commission	Governance	Public survey (Each survey consists of approximately 1000 face-to-face interviews per state.)	Descriptive statistics for responses are provided.	27 EU member states	1974-2008 Annually	<a href="http://ec.europa.eu/public_opinion/standard_en.htm">http://ec.europa.eu/public_opinion/standard_en.htm</a>	It measure trends over time. Respondents are asked about their trust in government & to rank the most important issues their countries face (e.g., crime & terrorism).
European Union Accession Monitoring Program (EUMAP)	To monitor the development of selected human rights & rule of law issues in both the European Union & in its candidate & potential candidate countries.	Open Society Institute (OSI)	-Courts -Governance	-Document & legislation review -Expert survey	Narrative analysis is provided for each topic area.	10 Countries: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia	2002 Frequency not clear	<a href="http://www.soros.org/initiatives/eu/articles_publications/publications/eupolicy_20021107">http://www.soros.org/initiatives/eu/articles_publications/publications/eupolicy_20021107</a> <a href="http://www.eumap.org/topics/corruption">http://www.eumap.org/topics/corruption</a>	2 reports were released: 1. <i>Corruption &amp; anticorruption policy report</i> , which focuses on the prevalence of corruption; 2. <i>Judicial capacity report</i> , which examines the degree to which the preparedness of judges & the effectiveness of supporting institutions guarantee competent & effective adjudication.



Freedom in the World	<p>To measure political rights &amp; civil liberties, or the opportunity for individuals to act spontaneously in a variety of fields outside the control of the government &amp; other centers of potential domination.</p>	Freedom House Human rights	<p>-Public survey -Expert survey -Document &amp; legislation review (Foreign &amp; domestic news reports, academic analyses, nongovernmental organizations, think tanks, individual professional contacts, &amp; visits to the region.)</p>	<p>2 numerical ratings - one for political rights &amp; one for civil liberties - on a scale of 1 to 7, where 1 indicates the highest degree of freedom. Then these ratings are averaged to determine an overall "freedom status". 1.0-2.5=Free 3.0-5.0=Partly Free 5.5-7.0= Not Free</p>	193 countries & 15 related & disputed territories of Asia-Pacific, Central & Eastern Europe & the Former Soviet Union, Latin America & the Caribbean, Middle East & North Africa, sub-Saharan Africa, & Western Europe.	1972-2008 Annually	<p><a href="http://www.freehouse.org/template.cfm?page=15">http://www.freehouse.org/template.cfm?page=15</a></p> <p><b>Freedom in the World</b> is the standard-setting comparative assessment of global political rights &amp; civil liberties. It is used by policymakers, the media, international corporations, civic activists, &amp; human rights defenders to monitor trends in democracy &amp; track improvements &amp; setbacks in freedom worldwide.</p>
Freedom of the Press	<p>To measure the freedom of the press. To provide analytical reports &amp; numerical ratings to be used by governments, international organizations, academics, &amp; the news media.</p>	Freedom House Human rights	<p>-Public survey -Expert survey -Document &amp; legislation review</p>	<p>Countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 questions. Then they are ranked &amp; rates as: 0-30=Free 31-60=Partly Free 61-100=Not Free</p>	194 countries & territories	1980-2007 Annually	<p><a href="http://www.freehouse.org/template.cfm?page=16">http://www.freehouse.org/template.cfm?page=16</a></p> <p>It also provides country narratives that examine the legal environment for the media, political pressures that influence reporting, &amp; economic factors that affect access to information.</p>
Gender Gap Assessment	<p>To measure the extent to which women have achieved equality with men worldwide. To lead to greater awareness of the challenges &amp; opportunities, &amp; serve as a catalyst for change, in both high- &amp; low-ranking countries.</p>	World Economic Forum (The Global Gender Gap Index 2007 is the result of collaboration with faculty at Harvard University & UC Berkeley.)	<p>-Public survey -Expert survey -Document &amp; legislation review -Administrative data</p>	<p>Countries are ranked on a 0-to-1 scale, where: "0"= inequality "1"=for equality</p>	128 countries, representing over 90% of the world's population	2007 2008	<p><a href="http://www.weforum.org/en/Communities/Women/20Leader%20and%20Gender%20Parity/GapNet/work/index.htm">http://www.weforum.org/en/Communities/Women/20Leader%20and%20Gender%20Parity/GapNet/work/index.htm</a></p> <p>5 areas were chosen based mainly on the findings of United Nations Development Fund for Women (UNIFEM), concerning global patterns of inequality between men &amp; women.</p>

Global Accountability Project (GAP)	To assess the capabilities of 30 of the world's most powerful organizations from the inter-governmental, & corporate sectors to be accountable to civil society, affected communities, & the wider public.	One World Trust	-Governance -Corruption	-Expert survey -Document & legislation review	Indicator were scored is either scaled or binary (present or absent). Different indicators were given different weight based on their contribution to accountability. Also a number of good practice case studies are provided.	No country specific. Some of the 30 organizations are: AU, Council of Europe, FIFA, Google, Aga Khan Foundation, HSBC Holdings, Human Rights Watch, IDB, Interpol, OSCE, UNDP & WFP.	2003-2007 Annually (except for 2004)	<a href="http://www.oneworldtrust.org/documents/OWI_GAR_07_color_le-res.pdf">http://www.oneworldtrust.org/documents/OWI_GAR_07_color_le-res.pdf</a> -Transparency; -Participation; -Evaluation; -Complaint & response mechanisms.	Uses the 4 dimensions of the <i>Global Accountability Framework</i> : -Transparency; -Participation; -Evaluation; -Complaint & response mechanisms.
Global Barometer (GB)	To generate a worldwide base of scientifically reliable & comparable data. To strengthen intellectual & institutional capacity for research on democracy based on surveying ordinary citizens in all participating countries.	Global Barometer GB consists of: -Afrobarometer; -Arab Barometer; -Asian Barometer; -LatinoBarómetro.  (See these individual barometers for more information on them.)	See: -Afrobarometer; -Arab Barometer; -Asian Barometer; -LatinoBarómetro.	Public survey	Descriptive statistics for responses are provided.	Countries from 4 continents	Every 2-3 years	<a href="http://www.globabarometer.net/">http://www.globabarometer.net/</a> (WVS) because the latter addresses deep-seated, semi-permanent cultural values, while the GB is concerned with tracking emerging political & economic attitudes, which are often subject to rapid change.	The GB is different from the World Values Survey (WVS) because the latter addresses deep-seated, semi-permanent cultural values, while the GB is concerned with tracking emerging political & economic attitudes, which are often subject to rapid change.
Global Competitiveness Index (GCI)	To measure the conditions of competitiveness via of various aspects of governance & macroeconomic (see Note).	World Economic Forum	-Police -Courts -Governance -Corruption -Crime/Safety	-Administrative data -Expert survey (The 2008 Survey captures the perceptions of over 12,000 business leaders from the featured 134 economies.)	Countries are ranked on a 1-to-7 scale, with higher values denoting higher degrees of competitiveness. Bar chart & scatter plot comparisons are offered. The index contains more than 100 indicators.	134 countries	1979-2008 Annually	<a href="http://www.weforum.org/en/initiatives/gcp/GlobaI competitiveness%20Report/index.htm">http://www.weforum.org/en/initiatives/gcp/GlobaI competitiveness%20Report/index.htm</a> One of the 12 pillars is called <i>Institution</i> . It includes: -Judicial independence; -Efficiency of legal framework; -Transparency; -Costs of crime and violence; -Organized crime -Reliability of police services.	One of the 12 pillars is called <i>Institution</i> . It includes: -Judicial independence; -Efficiency of legal framework; -Transparency; -Costs of crime and violence; -Organized crime -Reliability of police services.
Global Corruption Barometer	To evaluate how & where ordinary people feel corruption's impact. It explores experiences if households with petty bribery.	Transparency International (Survey was carried out by Gallup Int. Ass. as a part of its <i>Voice of the People Survey</i> .)	-Police -Courts -Corruption	Public survey (63,199 people in 60 countries & territories.)	Groups the countries in quintiles by the extent to which they are affected by bribery.	60 countries	Annually since 2003. Latest for 2007	<a href="http://www.transparency.org/policy_research/surveys_indices/gcb/2007">http://www.transparency.org/policy_research/surveys_indices/gcb/2007</a> Focuses on the % of respondents reporting they paid a bribe to obtain a service. (This is an experience-based survey unlike the CPI.)	Focuses on the % of respondents reporting they paid a bribe to obtain a service. (This is an experience-based survey unlike the CPI.)

Global Integrity Index	To assess the existence, effectiveness, & citizen access to key national-level anti-corruption mechanisms used to hold governments accountable.	<p>Global Integrity</p> <ul style="list-style-type: none"> <li>-Police</li> <li>-Courts</li> <li>-Governance</li> <li>-Corruption</li> </ul>	<p>-Expert survey (In-country reporters, academics &amp; researchers)</p>	<p>304 indicators used &amp; countries are grouped into five performance "tiers" based on their overall score:  (90+)=Very strong  (80+)=Strong  (70+)=Moderate  (60+)=Weak  (&lt; 60)=Very Weak</p>	<p>55 countries &amp; territories of Sub-Saharan Africa, East &amp; Southeast Asia, Pacific, Europe, Latin America, Middle East &amp; North Africa, South &amp; Central Asia, North America.</p>	<p>2004 2006 2007 Frequency not clear</p>	<p><a href="http://report.globalintegrity.org/corruption">http://report.globalintegrity.org/corruption</a> &amp; <a href="http://report.globalintegrity.org/globalindex.cfm">Rule of Law</a> are:  - Anti-Corruption law;  - Anti-corruption agency;  - Rule of law;  - Law enforcement.</p>
Global Peace Index	To produce a ranking of 140 nations by their relative states of peace. To undertake investigations into the relative importance of a range of potential determinants or "drivers" that may influence the creation and nurturance of peaceful societies.	<p>Vision of Humanity</p> <ul style="list-style-type: none"> <li>-Police</li> <li>-Prison</li> <li>-Human rights</li> <li>-Crime/Safety</li> </ul>	<p>-Administrative data  -Expert survey</p>	<p>Scores between 1 &amp; 5 are assigned to each country &amp; then they are ranked</p>	<p>121 countries 140 countries</p>	<p>2007 2008</p>	<p><a href="http://www.visionofhumanity.org/gpi/home.php">http://www.visionofhumanity.org/gpi/home.php</a>  GPI is calculated &amp; collated by Economist Intelligence Unit &amp; forms part of the Institute for Economics and Peace. The first GPI was completed in 2007. The indicators were selected by an international panel of people in academia, business, philanthropy, &amp; peace institutions.</p>
Human Trafficking Assessment Tool (HTAT)	To measure a country's compliance with the Protocol to Prevent, Suppress & Punish Trafficking in Persons, Especially Women & Children (UN Trafficking Protocol).	<p>American Bar Association/ Central European &amp; Eurasian Law Institute (ABA/CEELI)</p>	<p>-Document &amp; legislation review  -Focus groups  -Expert surveys</p>	<p>No scoring used. Instead, a narrative analysis is offered with appropriate recommendations.</p>	<p>Moldova</p>	<p>2005</p>	<p><a href="http://www.abanet.org/rol/publiations/humantrafficking_assessment_tool.shtml">http://www.abanet.org/rol/publiations/humantrafficking_assessment_tool.shtml</a>  The tool is divided into two portions: a <i>de jure</i> assessment &amp; a <i>de facto</i> assessment.</p>

Ibrahim Index of African Governance	To rank sub-Saharan African nations according to governance quality & to measure changes over time.	Mo Ibrahim Foundation (Index is compiled at Harvard University)	-Courts -Governance -Crime/safety	-Administrative data (Mainly secondary data from WB, UNESCO, UNICEF, WHO and in-country statistical offices & ministries.) -Document & legislation review	57 criteria were used & countries were ranked. The raw data were re-scaled such that: 0 = worst gov'ce 100 = best gov'ce Scores are assigned for each of 5 areas & then they are averaged to produce ranking of countries.	48 countries of Sub-Saharan Africa	2007 (includes data from 2000, 2002, 2005)	Five areas are: (a) safety & security; (b) rule of law, transparency & corruption; (c) participation & human rights; (d) sustainable economic development; & (e) human development. <i>Rule of Law</i> contains: -Ratification of critical legal norms; -Existence of independent & efficient judicial system; -Corruption.
ICPR Index	To measure a nation's compliance with ICCPR. To identify specific laws, regulations, & institutions that are inadequate or absent across a range of topics covered by the treaty.	American Bar Association/Central European & Eurasian Law Institute (ABA/CEELI)	Human rights	-Document & legislation review -Focus group -Expert survey	No scoring used. Instead, a narrative analysis is offered for each treaty article.	Macedonia	2004	ICCPR -International Covenant on Civil & Political Rights. <a href="http://www.abanet.org/rol/publications/icepr_legal_implementation_index.shtml">http://www.abanet.org/rol/publications/icepr_legal_implementation_index.shtml</a>
Index of Economic Freedoms	To research & analyze economic policies in countries around the world. To establish a benchmark by which to gauge a country's economic success. To document the link between economic opportunity & prosperity.	Heritage Foundation & Wall Street Journal	-Governance -Corruption	Administrative data	Countries were graded between scores of 0 & 100 for each of the 10 freedoms. Then scores were blended to produce overall scores. Finally, countries were ranked.	162 countries	1994-2008 Annually	The <i>Index</i> is more than a simple ranking based on economic theory & empirical study. It also identifies the variables that comprise economic freedom & analyzes the interaction of freedom with wealth.
Judicial Reform Index (JRI)	To target judicial reform programs & monitor progress toward establishing accountable, effective, & independent judiciaries in emerging democracies.	American Bar Association/Rule of Law Initiative (ABA/ROLI)	Courts	-Expert survey -Document & legislation review	Each of 30 factors is described as: -positive (blue) -neutral (black) -negative (red) Countries are not ranked. A separate report is produced for each per given year.	18 countries of Eastern Europe & former USSR	2002-2007 (1-3 years per country)	Topics covered: -Quality, education & diversity of judges; -Judicial powers; -Financial resources; -Structural safeguards; -Transparency; -Judicial efficiency.

Latino- barómetro	To provide the political & social actors of with a snapshot of attitudes in the region as well as access to a better understanding of social, economic & political phenomena from the viewpoint of the population.	Latinobarómetro Corporation	-Police -Courts -Governance -Corruption -Crime/safety	Public survey	Descriptive statistics for responses are offered.	18 Latin American Countries	1995-2006 Annually	<a href="http://www.latinobarometro.org/">http://www.latinobarometro.org/</a>	Key issues include: Economy & International Trade; Integration & Trade Agreements; Political Democracy & Social & Political Institutions; Distribution of Wealth; Civic Culture; Social Capital & Participation; Environment; Gender & Discrimination.
Legal Education Reform Index (LERI)	To gauge the status of legal education reform in countries in transition vis-à-vis internationally established principles. To gauge whether the legal education system in a given country in fact complies with the relevant laws & standards on legal education.	American Bar Association/ Rule of Law Initiative (ABA ROLI)	Courts (Legal education)	-Expert survey (Experts included government officials, members of law faculties/schools, law students, experts on legal education, lawyers, judges, prosecutors, & other interested parties)	TBD	TBD	TBD	<a href="http://www.abanet.org/rol/publi_cations/legal_education_reform_index.shtml">http://www.abanet.org/rol/publi_cations/legal_education_reform_index.shtml</a>	24 factors are organized under 5 sections: licensing, evaluation & accreditation; admission policies & requirements; institutional holdings, capacity & faculty qualifications; curriculum & teaching methodology; & student evaluation, examinations, & awarding of degrees.
Legal Profession Reform Index (LPRI)	To help strengthen the role of lawyers in countries in transition. To describe a country's legal system at a particular moment in time & to see the change over time.	American Bar Association/ Rule of Law Initiative (ABA ROLI)	Courts (Legal profession & training. Excludes judges, prosecutors, notaries, bailiffs & court clerks)	-Document & legislation review -Focus groups -Expert survey	24 factors are described either as: -positive/blue -neutral/black -negative/red	Armenia, Azerbaijan, Bulgaria, Georgia, Kosovo, Kyrgyzstan, Macedonia, Moldova, Tajikistan	2003-2007 (1-2 years per country)	<a href="http://www.abanet.org/rol/publi_cations/legal_profession_reform_index.shtml">http://www.abanet.org/rol/publi_cations/legal_profession_reform_index.shtml</a>	Areas include: -Education, training, & admission to the profession; -Conditions & standards of practice; legal services; -Professional associations.

<p>Nations in Transit Index</p>	<p>To provide a broad analysis of the progress of democratic change. To make general assessment of how democratic or authoritarian a country is.</p>	<p>Freedom House -Courts -Human rights -Governance -Corruption</p>	<p>-Expert survey -Document &amp; legislation review</p>	<p>Uses a scale of 1 to 7, with 1 representing the highest level of democratic progress. The ratings follow a quarter-point scale.</p>	<p>29 countries &amp; administrative areas from Central Europe to the Eurasian including former USSR countries. .</p>	<p>1995 1997-2007 Annually</p>	<p><a href="http://www.free-domhouse.org/template.cfm?page=17&amp;year=2008">http://www.free-domhouse.org/template.cfm?page=17&amp;year=2008</a> <i>Judicial Framework &amp; Independence: constitutional reform, human rights protections, criminal code reform, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects &amp; prisoners, &amp; compliance with judicial decisions.</i></p>
<p>NGO Sustainability Index</p>	<p>To measure the progress of non-governmental organizations (NGOs) in the European &amp; Eurasia region</p>	<p>US Agency for International Development (USAID) -Human rights -Governance -Civil Societies</p>	<p>Expert survey</p>	<p>A 7-point scale was adopted with higher score representing a weak NGO sector.</p>	<p>29 countries in Europe &amp; Eurasia</p>	<p>1997-2007 Annually</p>	<p><a href="http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoin dex/2007/">http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoin dex/2007/</a> Each country report provides an in-depth analysis of the NGO sector along with comparative information regarding prior years' dimension scores, which are encapsulated in easy-to-read charts.</p>
<p>Opacity Index</p>	<p>To identify the causes &amp; measure the costs &amp; effects of the lack of transparency in countries' legal, economic, regulatory &amp; governance structures that can confound global investment &amp; commerce.</p>	<p>Milken Institute &amp; Kurtzman Group -Governance -Corruption</p>	<p>Administrative data (Sources include WB, IMF, the International Securities Service Association, The Political Risk Services Group, &amp; IAS Plus.)</p>	<p>Index ranges from 1 to 100. The higher a country's score, the greater its opacity. Each of the 5 components of Opacity is rated separately &amp; contributes to the country's overall opacity rating.</p>	<p>48 countries</p>	<p>2001 2004 2005-2006 2007-2008</p>	<p><a href="http://www.kurtzmangroup.com/index.php?page=studies2">http://www.kurtzmangroup.com/index.php?page=studies2</a> Latest report: <a href="http://www.kurtzmangroup.com/reports/opacity_index_2.pdf">http://www.kurtzmangroup.com/reports/opacity_index_2.pdf</a> It is not clear from either the Kurtzman Group webpage or the opacity index reports how <i>Legal Systems</i> was measured.</p>



Open Budget Index	To rate countries on how open their budget books are to their citizens. It is intended to provide citizens, legislators, & civil society advocates with the comprehensive & practical information needed to gauge a government's commitment to budget transparency & accountability.	Center on Budget & Policy Priorities	Governance	-Expert survey (A survey instrument contains 122 questions on public access to budget information & budgeting practices involving central governments.)	Average of the response to 91 questions was used. Each question had 5 possible responses with "a" or "b" representing good practice. The numeric score of 100% was awarded for an "a" response, 67% for "b", 33% for "c", & 0 for "d".	59 countries (The sample of countries balanced across geographic regions & across income levels.) (Planned to increase the number of countries covered by the study in 2008 to at least 80.)	2006 2008 (not yet available)	<a href="http://www.opeibudgetindex.org/">http://www.opeibudgetindex.org/</a> A country's percentage score was used to place it in one of 5 groups: Scores of 81% to 100% indicate that the government provides good information to citizens; 61% to 80% - provides significant information to citizens; 41% to 60% - provides some information to citizens; 21% - 40% - provides minimal information to citizens; below 20% indicate that the government provides scant, or no information to citizens.
Pilot Grid for the Judicial System Assessment	To measure & improve the enforcements of the legal actions (civil, commercial, criminal matters)	International Union of Judicial Officers/Union Internationale des Huissiers de Justice	Courts	-Expert survey -Administrative data	Narrative description	11 countries (Germany, Belgium, Denmark, Estonia, France, Hungary, Latvia, Lithuania, Poland, Portugal & Sweden)	2004	<a href="http://www.uilji.com/rubrique.php?ID=1006513&amp;lg=ang">http://www.uilji.com/rubrique.php?ID=1006513&amp;lg=ang</a> Some of the indicators are a number of judges and a number of disciplinary actions against judges.
Political Terror Scale (PTS)	To capture & measure levels of state sanctioned political violence.	University of North Carolina: Gibney, M., Cornett, L., & Wood, R.	Human Rights (State-sanctioned killings; torture; disappearances; political imprisonment.)	-Document & legislation review (Relies upon the annual reports on human rights practices that are published by Amnesty International & the US State Department.)	Countries are coded on a scale of 1-5. Higher scores stand for higher level of terror. 2 scores per country are produced; one based on the Amnesty Int'l & second based on the US State Dep. reports.	182 countries	1980-2006 Annually	<a href="http://www.politicalterror.org/">http://www.politicalterror.org/</a> Level 1 countries are defined as "under a secure rule of law, people are not imprisoned for their view, & torture is rare or exceptional. Political murders are extremely rare." Level 5 is defined as "Terror has expanded to the whole population."

Polity IV Project	George Mason University, Colorado State University, & University of Maryland	Governance	-Document & legislation review -Focus groups -Expert survey	It adopted a 21-point scale ranging from -10 (hereditary monarchy) to +10 (consolidated democracy).	162 countries (states with total population of 500,000 or more in the most recent year)	1800-2007 Annually	<a href="http://www.systemicepeace.org/poliv/polity4.html">http://www.systemicepeace.org/poliv/polity4.html</a>	It constantly monitors regime changes in all major countries & provides annual assessments of regime authority characteristics & regime changes & data updates.
Prosecutorial Reform Index (PRI)	American Bar Association/ Rule of Law Initiative (ABA ROLI)	Prosecution	-Document & legislation review -Focus groups -Expert survey	28 factors are described either as: -positive/blue -neutral/black -negative/red	Bulgaria Kyrgyzstan	2006 2007	<a href="http://www.abanet.org/rol/publi-cations/prosecutorial-reform-in-dex.shtml">http://www.abanet.org/rol/publi-cations/prosecutorial-reform-in-dex.shtml</a>	Focuses on an accountable, ethical, & effective prosecutorial function.
Rule of Law Index (ROL Index)	American Bar Association/ World Justice Project (ABA/WJP)	-Police -Prosecution -Courts -Prison -Informal justice -Human rights -Corruption	-Public survey -Expert survey	TBD	Argentina, Australia, Colombia, Spain, Sweden, US (Authors plan to use the Index in 100 countries within next 3 years.)	2007-2008 TBD	<a href="http://www.abanet.org/wjp/rolindex.html">http://www.abanet.org/wjp/rolindex.html</a>	The Index assesses the rule of law based on detailed factors and subfactors, drawn from the Universal Declaration of Human Rights & other international instruments.
Rule of Law Index of Worldwide Governance Indicators	World Bank Institute/ Governance & Anti-Corruption Resource Center	-Police -Courts -Crime/safety	It mainly relies on data provided by 32 different organizations, most of which are listed in this table (Freedom House, Transparency Int'l, Gallup World Poll, Global Integrity Index, etc.)	Values are indexed to have $m = 0$ , $SD = 1$ . Scores fall between +2.5 & -2.5, with positive scores indicate better governance. Countries are grouped into quartiles: ">75%"=the best "<10%"=the worst	212 countries	1996-2000 Biannually 2002-2008 Annually	<a href="http://info.worldbank.org/governance/wgi/index.asp">http://info.worldbank.org/governance/wgi/index.asp</a>	The 5 other dimensions: -Voice & accountability; -Political stability & absence of violence; -Government effectiveness; -Regulatory quality; -Control of corruption. Several hundred individual variables where grouped in the six dimensions using an unobserved components model.



South African Police Service (SAPS) Assessment	To support democratic oversight of the police by directing attention towards the main issues that should be addressed by oversight bodies.	Center for the Study of Violence & Reconciliation	Police	-Expert survey -Document & legislation review (Including SAPS annual reports, research reports from various sources, press reports & other documents.) -Focus groups	A narrative analysis is provided for each of the 5 area.	South Africa	2007	<a href="http://www.issafrica.org/dynamic/administrativ/file_manager/file_links/CQB_RUCE.PDF?link_id=3&amp;slink_id=5060&amp;link_type=12&amp;slink_type=13&amp;tmpl_id=3">http://www.issafrica.org/dynamic/administrativ/file_manager/file_links/CQB_RUCE.PDF?link_id=3&amp;slink_id=5060&amp;link_type=12&amp;slink_type=13&amp;tmpl_id=3</a> In 2005, the center produced a handbook for oversight of police in South Africa called <i>The police that we want</i> . 5 areas studies are: -Protecting domestic political life; -Governance, accountability & transparency; -Service delivery for safety; -Proper police conduct; -Police as citizens.)
Trafficking in Persons (TIP) Report	To raise global awareness, to highlight efforts of the international community, & to encourage foreign governments to take effective actions to counter all forms of trafficking in persons.	US State Department	Human rights	-Expert survey -Document & legislation review (Reports use information from US embassies, foreign government officials, NGOs & international organizations, published reports, research trips to every region, & emails to the US State Department.)	Countries are placed in tiers 1 to 3 based on the extent of government action to combat trafficking. Government that fully comply with the minimum standards of the Trafficking Victims Protection Act of 2000 (TVPA) are placed in Tier 1.	Worldwide. It includes those countries that have been determined to be countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking.	2001-2008 Annually	<a href="http://www.state.gov/g/tip/rls/fidpr/">http://www.state.gov/g/tip/rls/fidpr/</a> The country narratives describe the scope & nature of the trafficking problem, the reasons for including the country, & the government's efforts to combat trafficking. Each narrative also contains an assessment of the government's compliance with the minimum standards for the elimination of trafficking.
UK Police Performance Assessment	To measure, compare & assess the performance of police forces in England & Wales. To compare the performance achieved by a force to that achieved by a group of similar forces (peers). To compare the performance of a force in one year to that achieved by the same force in the previous years.	UK Home Office	Police	-Public survey -Administrative data	Comparison with peers: <i>Excellent</i> -if a force performs sign. better <i>Good</i> -better; <i>Fair</i> -similar; <i>Poor</i> -much worse. Comparison over time: <i>Improved</i> -if performance is much better than before; <i>Stable</i> -the same; <i>Deteriorated</i> -much worse.	England, Wales	2004-2005 2005-2006 2006-2007 Annually	<a href="http://police.homeoffice.gov.uk/performance-and-measurement/assessment/?view=Standard">http://police.homeoffice.gov.uk/performance-and-measurement/assessment/?view=Standard</a> Areas covered: Tackling Crime; Serious Crime & Public Protection; Protecting Vulnerable People; Satisfaction & Fairness; Implementation of Neighbourhood Policing; Local Priorities; & Resources & Efficiency.

<p>US State Department Country Reports on Human Rights Practices</p>	<p>To describe a country's commitment to protecting &amp; promoting the rights listed in the 1948 United Nations' Universal Declaration of Human Rights, including civil &amp; political rights. To shape policy, conducting diplomacy, &amp; make assistance, training, &amp; other resource allocations.</p>	<p>US State Department -Police -Courts -Prison -Governance -Human rights</p>	<p>-Document &amp; legislation review -Expert survey (US embassies collect information from government officials, journalists, human rights organizations, academics &amp; activists.)</p>	<p>193 countries Narrative analysis is provided for each topic area for each country.</p>	<p>Annually since 1977. Latest for 2007</p>	<p><a href="http://www.state.gov/g/drl/rls/hrrpt/">http://www.state.gov/g/drl/rls/hrrpt/</a> This is perhaps the most comprehensive <i>de jure</i> &amp; <i>de facto</i> review of human right developments around the world. Specific areas are: -Freedom of speech, religion &amp; the press; -Worker's rights; -Disappearances; -Arrest; -Detention; -Imprisonment; -Torture; -Discrimination.</p>
<p>Vera-Altus Justice Indicators Project</p>	<p>To gauge the extent to which all people, particularly those who are poor &amp; otherwise marginalized, experience &amp; benefit from the rule of law.</p>	<p>Vera Institute of Justice &amp; Altus Global Alliance -Police -Courts -Prison -Informal justice -Human rights -Governance -Corruption</p>	<p>-Public survey -Expert survey -Secondary survey -Administrative data -Document &amp; legislation review -Third-party reports -Observations.</p>	<p>60 indicators. Brief narratives are provided for each indicator with keyed symbols: “+” =positive “0” =inconclusive “-” =problematic</p>	<p>2008</p>	<p><a href="http://www.vera.org/publication_pdf/481_891.pdf">http://www.vera.org/publication_pdf/481_891.pdf</a> This is a pilot. The authors state that while the majority of the indicators are useful, they are still examining which should be prioritized, revised or eliminated.</p>
<p>World Business Environment Survey</p>	<p>To evaluate business conditions. To advise governments on ways to change policies that impose a burden on private firms and to develop new projects and programs that strengthen support for enterprise growth.</p>	<p>World Bank -Police -Courts -Governance -Corruption -Crime/safety</p>	<p>Expert surveys (Representatives of businesses/firms)</p>	<p>Descriptive statistics are offered. No ranking is provided.</p>	<p>Late 1990s Early 2000s Exact dates are not clear</p>	<p><a href="http://www.ifc.org/ifcext/economics.nsf/Content/t/IC-WBES">http://www.ifc.org/ifcext/economics.nsf/Content/t/IC-WBES</a> The survey focused on the quality of the investment climate as shaped by domestic economic policy; governance; regulatory, infrastructure, and financial impediments; and assessments of the quality of public services.</p>

<p style="text-align: center;">World Governance Assessment (WGA)</p>	<p>To assess changes in governance for formulating &amp; implementing reforms in specific countries.</p>	<p>Overseas Development Institute (ODI)</p>	<p>-Courts -Informal justice -Governance</p>	<p>Expert survey (Included parliamentarians, civil servants, government officials, business persons, academics &amp; NGOs.)</p>	<p>30 indicators. Respondents were asked to rank each answer on a scale from 1 to 5, the higher the score the better. Then scores were averaged for each country.</p>	<p>Phase 1: 16 countries Phase 2: 10 countries</p>	<p>2001 2006</p>	<p><a href="http://www.odi.org.uk/wga_governance/">http://www.odi.org.uk/wga_governance/</a> The questionnaire contains six items concerning the judiciary &amp; informal justice systems. E.g., Q31 asks: <i>To what extent are non-formal processes in place for resolution of conflicts?</i> A low score stands for a lack of non-formal mechanisms &amp; the settlement of disputes only with formal legal structure.</p>
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## Appendix 2: Selected Rule of law Guides/Toolkits

Name	Year	Organization	References
ASCA Performance-Based Resource Manual	2008	ASCA	<a href="http://www.asca.net/KeyIndicators5_27_08.doc.doc">http://www.asca.net/KeyIndicators5_27_08.doc.doc</a>
A users' guide to measuring corruption	2008	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Criminal justice assessment toolkit (on: Policing; Access to justice; Custodial and non-custodial measure; Cross-cutting issues)	2006	UNODC	<a href="http://www.unodc.org/unodc/en/justice-and-prison-reform/Criminal-Justice-Toolkit.html">http://www.unodc.org/unodc/en/justice-and-prison-reform/Criminal-Justice-Toolkit.html</a>
Enhancing United Nations capacity to support post-conflict policing and rule of law	2007	Stimson Center	<a href="http://www.stimson.org/fopo/pdf/Stimson_UNPOL_Report_Nov07.pdf">http://www.stimson.org/fopo/pdf/Stimson_UNPOL_Report_Nov07.pdf</a>
Equal access to justice and the rule of law	2005	OECD	<a href="http://www.oecd.org/dataoecd/26/51/35785471.pdf">http://www.oecd.org/dataoecd/26/51/35785471.pdf</a>
Framework for piloting pro-poor and gender sensitive governance indicators for policy reform	2005	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Governance indicators: A users' guide (2nd Edition)	2007	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Handbook of democracy and governance program indicators	1998	USAID Center for Democracy & Governance	<a href="http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacc390.pdf">http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacc390.pdf</a>
Handbook on security system reform	2007	OECD	<a href="http://www.oecd.org/dataoecd/43/25/38406485.pdf">http://www.oecd.org/dataoecd/43/25/38406485.pdf</a>
Human right indicators at the program and project level; Guideline for indicator; Definition, monitoring and evaluation	2006	Danish Institute for Human Rights	<a href="http://www.humanrights.dk/research">http://www.humanrights.dk/research</a>
Indicators for a state of the judicial report: A standardized tool for monitoring and reporting on the implementation of key judicial reforms	2003	IFES	<a href="http://www.ifes.org/publication/cab5bffb47f27e78d813aae5184b3d84/State_of_the_Judiciary_Report_Indicators_EN.pdf">http://www.ifes.org/publication/cab5bffb47f27e78d813aae5184b3d84/State_of_the_Judiciary_Report_Indicators_EN.pdf</a>
Indicators for human rights based approaches to development in UNDP programming - A users guide	2006	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Justice sector assessment handbook: Carrying out a justice sector diagnostic	2007	WB Law and Justice Institutions	<a href="http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTLAWJUSTINST/0,contentMDK:21257843~pagePK:148956~piPK:216618~theSitePK:1974062,00.html">http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTLAWJUSTINST/0,contentMDK:21257843~pagePK:148956~piPK:216618~theSitePK:1974062,00.html</a>
Measuring democratic governance: A framework for selecting pro-poor and gender sensitive indicators	2006	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Measuring democratic governance: A training module for selecting and using democratic governance indicators that are pro-poor and gender-sensitive	2007	UNDP Oslo Governance Center	<a href="http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html">http://www.undp.org/oslocentre/flagship/democratic_governance_assessments.html</a>
Measuring progress toward safety and justice: A global guide to the design of performance indicators across the justice sector	2003	Vera Institute of Justice	<a href="http://www.vera.org/publication_pdf/207_404.pdf">http://www.vera.org/publication_pdf/207_404.pdf</a>
Manual for measuring juvenile justice indicators	2007	UNICEF & UNODC	<a href="http://www.juvenilejusticepanel.org/resource/items/1/5/15JJIndicators.pdf">http://www.juvenilejusticepanel.org/resource/items/1/5/15JJIndicators.pdf</a>
Performance measures for prosecutors	2007	APRI	<a href="http://www.ndaa.org/pdf/performance_measures_findings_07.pdf">http://www.ndaa.org/pdf/performance_measures_findings_07.pdf</a>
Prison health performance indicators	2007	Offender Health, Social Care, Local Government and Care Partnerships	<a href="http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_079860">http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_079860</a>
Prosecution in the 21 <sup>st</sup> century: Goals, objectives and performance measures	2004	APRI	<a href="http://www.ndaa.org/pdf/prosecution_21st_century.pdf">http://www.ndaa.org/pdf/prosecution_21st_century.pdf</a>
Rule of law tools for post-conflict states; Mapping the justice sector	2006	OHCHR	<a href="http://www.ohchr.org/Documents/Publications/RuleoflawMappingen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawMappingen.pdf</a>
Rule of law tools for post-conflict states; Monitoring legal systems	2006	OHCHR	<a href="http://www.ohchr.org/Documents/Publications/RuleoflawMonitoringen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawMonitoringen.pdf</a>
Rule of law tools for post-conflict states; Prosecution initiatives	2006	OHCHR	<a href="http://www.ohchr.org/Documents/Publications/RuleoflawProsecutionsen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawProsecutionsen.pdf</a>

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Rule of law tools for post-conflict states; Truth commissions	2006	OHCHR	<a href="http://www.ohchr.org/Documents/Publications/RuleoflawTruthCommissionsen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawTruthCommissionsen.pdf</a>
Rule of law tools for post-conflict states; Vetting: an operational framework	2006	OHCHR	<a href="http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf">http://www.ohchr.org/Documents/Publications/RuleoflawVettingen.pdf</a>
The global program against corruption; An anti-corruption toolkit	2004	UNODC	<a href="http://www.unodc.org/documents/corruption/publications_toolkit_sep04.pdf">http://www.unodc.org/documents/corruption/publications_toolkit_sep04.pdf</a>

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## Appendix 3: Description of Instruments with Criminal Justice and Informal Justice Indicators

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**The Afrobarometer** is an often-cited public survey designed to measure values, attitudes and behavior in sub-Saharan Africa. Surveys have been conducted every three years since 2000 with an increasing number of countries involved. Round 4 surveys are currently underway in 20 countries. A standard survey instrument is used across all participating countries allowing for cross-national comparisons. Survey topics range from macro-economics and markets to civic participation and national identity. Notably the Afrobarometer includes sections on governance, social capital, and conflict/crime, including indicators on public perceptions of and experiences with the police and courts. The survey is one of the best approaches to assessing informal justice mechanisms. This approach bases assessment on peoples' use of informal systems and their perceptions of political influence, trustworthiness, bias and corruptibility.

### Example Afrobarometer Criminal Justice and Informal Justice Indicators

Law-Enforcement & Prosecution	Judiciary	Example Informal Justice Indicators
- Do you agree or disagree that the police always have the right to make people obey the law? - How much do you trust the police? - In the past year, how often (if ever) have you had to pay a bribe to avoid a problem with the police (like passing the checkpoint or avoiding a fine or arrest)?	- Do you agree or disagree that if the president was elected to lead the country, he/she should not be bound by laws or court decisions that he thinks are wrong? - How many judges and magistrates do you think are involved in corruption?	- During the past year, how often have you contacted a traditional ruler about some important problem? - How many traditional leaders do you think are involved in corruption? - How often do you think traditional leaders try their best to listen to what people like you have to say? - How much influence do traditional leaders currently have in governing your local community?

**Arab Barometer** (or The Arab Democracy Barometer) was created in 2005 by the Institute for Social Research of the University of Michigan in close collaboration with institutions and scholars in the Arab world. The project covers 10 social and political topics with a focus on issues of particular relevance to the Arab world, including: support for democratic institutions; evaluation of democracy in relation to other models of governance; religiosity and personal involvement in religious affairs, and attitudes towards the Mid-East role in international relations. The first wave of the survey was conducted in five Arab nations and a second round of data collection is expected to extend to five additional countries.

### Example Criminal Justice and Informal Justice Indicators of Arab Barometer

Law-Enforcement & Prosecution	Judiciary	Informal Justice
- Based on your experience, how easy or difficult it is to obtain help from the police when you need it?	- How much trust do you have in the courts? - If you were to have a dispute with another citizen, would you try to resolve it in a court or another institution?	- In the past 5 years, have you ever used traditional leaders (head of tribe) or religious officials (such as imam) to achieve something personal, family related, or a neighborhood problem?

**Asian Barometer** is a public opinion survey carried out by a network of researchers from 13 East Asian nations (Japan, Mongolia, South Korea, Taiwan, Hong Kong, China, the Philippines, Thailand, Vietnam, Cambodia, Singapore, Indonesia, and Malaysia), and 5 South Asian countries (India, Pakistan, Bangladesh, Sri Lanka, and Nepal). The Asian

Barometer includes 13 separate modules covering social and political capital, governance issues, traditionalism and democracy. The survey contains a number of questions measuring public confidence in police and courts. The first Asian Barometer was completed in 2002 and the second wave concluded in 2007.

#### Example Criminal Justice Indicators of Asian Barometer

Law-Enforcement & Prosecution	Judiciary
- How much trust do you have in the police?	- Do you agree with the statement that when judges decide important cases, they should accept the views of the executive branch?

The **Bertelsmann Reform Index (BRI)** is an instrument developed by Bertelsmann Stiftung in 2006 to measure the need and ability for reform in OECD member countries. The BRI adopts an interesting approach, grouping 153 quantitative and qualitative indicators into two sub-indices—*The Status Index* and *The Management Index* to identify a) the most pressing problems of governance, and b) the government's ability to tackle these problems. The BRI uses expert assessments and existing opinion surveys, but it also borrows heavily from other instruments. For example, in order to measure the rule of law quantitatively, the BRI took the scoring provided by WGI's *Rule of Law* and *Control of Corruption Indices*.

#### Example Criminal Justice Indicators of Bertelsmann Reform Index

Judiciary
- To what extent do independent courts control whether government and administration act in conformity with the law?

The **Bribe Payers Index (BPI)** was first administered by Transparency International in 1999, and then in 2002 and 2006. Using the assessments provided by business executives, the index gauges the extent to which companies from 30 leading exporting countries use bribery when conducting business abroad. The index is included in this discussion because it also measures respondents' views on the need to eliminate corruption in the police and the judiciary.

#### Example Criminal Justice Indicators of Bribe Payers Index

Law-Enforcement & Prosecution	Judiciary
- If you had a magic wand and you could eliminate corruption from one of the following institutions, would your first choice be the police?	- If you had a magic wand and you could eliminate corruption from one of the following institutions, would your first choice be the courts?

The **Business Environment and Enterprise Performance Survey (BEEPS)** is a joint initiative of the EBRD and World Bank. The survey provides year-to-year accounts by representatives of industrial and service enterprises on the quality of business environments in 27 countries of Central and Eastern Europe and the Commonwealth of Independent States. The BEEPS has been conducted in four rounds (1999, 2002, 2005 and 2008) and its relevant thematic areas are: corruption and anti-corruption practices; organized crime, street crime, theft and disorder; and functioning of the judiciary. Crime and disorder is examined in terms of the impact they have on business environments.

#### Example Criminal Justice Indicators of BEEPS

Judiciary
- What percentage of firms indicate a problem doing business due to a problematic functioning of the judiciary?
- What percentage of firms indicate that bribery is frequent in dealing with courts?



The **Cingranelli-Richards (CIRI) Human Rights Dataset** re-aggregates data from the US State Department’s *Country Reports on Human Rights Practices* and Amnesty International’s *Annual Reports*. It focuses on government respect for a wide range of internationally recognized human rights, including physical integrity rights (the right not to be tortured, summarily executed, disappeared, or imprisoned for political beliefs), civil liberties (freedom of speech, freedom of association and assembly, freedom of movement, freedom of religion, and the right to elect government leaders), workers’ rights, and rights of women to equal political, economical and social treatment. The dataset has covered 195 countries annually from 1981 through 2006.

#### Example Criminal Justice Indicators of CIRI Human Rights Dataset

Law-Enforcement & Prosecution	Judiciary	Corrections
<ul style="list-style-type: none"> <li>- <i>Extrajudicial killing</i>: The killing that may have resulted from the deliberate, illegal, and excessive use of legal force by the police, security forces or other agents of the state whether against criminal <i>suspects</i>, <i>detainees</i> or others.</li> <li>- <i>Torture</i> by police that is cruel, inhuman, or degrading.</li> </ul>	<ul style="list-style-type: none"> <li>- <i>Extrajudicial killing</i></li> </ul>	<ul style="list-style-type: none"> <li>- <i>Extrajudicial killing of detainees, prisoners</i>, or others.</li> <li>- <i>Torture</i> by prison guard that is cruel, inhuman, or degrading.</li> <li>- <i>Political imprisonment</i> – incarceration of people by government officials because of their: speech; their non-violent opposition to government policies and leaders; their religious beliefs; their non-violent religious practices including proselytizing; or their membership in a group, including an ethnic or racial group.</li> </ul>

**Countries at the Crossroads** is the Freedom House’s annual (2004-2007) assessment of: (a) government accountability and public voice; (b) civil liberties; (c) rule of law, and (d) anticorruption efforts and transparency in 60 strategically important countries. Each country receives a separate score (between 0 and 7) for each of these four dimensions of governance, as well as an in-depth narrative report. Both numerical ratings and analytical narratives are prepared by prominent scholars and analysts from around the world. An important feature of the series is that they offer policy recommendations on how to tackle problematic issues.

#### Example Criminal Justice Indicators of Countries at the Crossroads

Law-Enforcement & Prosecution	Judiciary
<ul style="list-style-type: none"> <li>- Are prosecutors independent of political direction and control?</li> <li>- Is there effective and democratic civil control of the police, military, and internal security forces through the judicial, legislative, and executive branches?</li> <li>- Do police, military, and other security services refrain from interference and/or involvement in the political process?</li> <li>- Are police, military, and other security services held accountable for any abuses of power for personal gain?</li> <li>- Do police, military, and other security services respect human rights?</li> </ul>	<ul style="list-style-type: none"> <li>- Is there independence, impartiality, and nondiscrimination in the administration of justice, including from economic, political or religious influences?</li> <li>- Are judges and magistrates protected from interference by the executive and/or legislative branches?</li> <li>- Do legislative, executive and other government authorities comply with judicial decisions, which are not subject to change except through established procedures for judicial review?</li> <li>- Are judges appointed, promoted, and dismissed in a fair and unbiased manner?</li> <li>- Are judges appropriately trained in order to carry out justice in a fair and unbiased manner?</li> <li>- According to the legal system, is everyone charged with a criminal offense presumed innocent until proven guilty?</li> <li>- Are citizens give a fair, public, and timely hearing by a competent, independent, and impartial tribunal?</li> <li>- Do citizens have the right and access to independent counsel?</li> <li>- Do the state provide citizens charged with serious felonies with access to independent counsel when it is beyond their means?</li> </ul>

The **EBRD Country Law Assessment** evaluates 29 countries of Eastern Europe and Central Asia in terms of progress reforming their commercial laws to meet international standards.



[A legal transition is being judged by experts. What do you mean?] Separate reports are prepared for each country and they review legal framework (mainly constitution) and the structure of the judiciary. Very limited administrative data are also provided.

#### Example Criminal Justice Indicators of the EBRD Country Law Assessment

Judiciary
<ul style="list-style-type: none"> <li>- What is the structure of the judiciary?</li> <li>- What legal documents regulate the activity of the courts?</li> <li>- Which court performs a constitutional review?</li> <li>- How are judges appointed?</li> </ul>

The Open Society Institute’s **European Union Accession Monitoring Program (EUMAP)** published the *Corruption and Anti-Corruption Policy* and the *Judicial Capacity* reports in 2002. The reports cover 10 EU candidate states from Central and Eastern Europe.

#### Example Criminal Justice Indicators of EUMAP

Law-Enforcement & Prosecution	Judiciary
<ul style="list-style-type: none"> <li>- What is the evidence on the prevalence of corruption in the police?</li> </ul>	<ul style="list-style-type: none"> <li>- What protections are in place for the independence of judiciary?</li> <li>- What immunity provisions are there for judges?</li> <li>- Is information on court decisions available?</li> <li>- In what areas are corruption practices most common? (e.g., “speeding up” a trial, assignment to a particular judge, obtaining legal documents/registrations)</li> <li>- Are there reports on major corruption cases involving judiciary in the past 3 years?</li> <li>- What factors encourage corruption in the judiciary?</li> </ul>

The **Global Competitiveness Index (GCI)** is the World Economic Forum’s measure of business competitiveness in 134 countries. The index is based on publicly available administrative data and expert surveys conducted annually by the Forum's partner institutions (mainly in-country research institutions) worldwide. The GCI consists of 12 pillars. The pillar of *Institutions* includes items on the reliability of police services, judicial independence, the threat of terrorism, organized crime and the incidence of common crime and violence (in terms of their influences on businesses). Countries are ranked on the basis of the scores generated for all twelve pillars. Additionally, a detailed economic profile is provided for each nation.

#### Example Criminal Justice Indicators of Global Competitiveness Index

Law-Enforcement & Prosecution	Judiciary
<ul style="list-style-type: none"> <li>- Can police services in your country be relied upon to enforce law and order?</li> </ul>	<ul style="list-style-type: none"> <li>- Is the judiciary in your country independent from political influence of member of government, citizens, or firms?</li> </ul>

Transparency International’s **Global Corruption Barometer (GCB)** annually surveys the respondents around the world (60 countries and 63,199 respondents in 2007) on their experience with corruption in government institutions, including the police and courts. The barometer is concerned with the effect of corruption on the daily lives of ordinary citizens. It groups countries in quintiles with the top quintile denoting the highest level of corruption. The GCB makes possible cross-national comparisons of institutions over time.

### Example Criminal Justice Indicators of Global Corruption Barometer

Law-Enforcement & Prosecution	Judiciary
- To what extent do you perceive the police to be affected by corruption?	- To what extent do you perceive the legal system/judiciary to be affected by corruption?

The **Global Integrity Index (GII)** uses expert opinion to measure the existence and effectiveness of government accountability as well as citizen access to key anti-corruption mechanisms in 55 countries and territories. The 2007 index consists of 304 indicators further broken down in roughly 15,000 questions, among which a large number items are concerned with law-enforcement and courts. Countries are assigned scores by in-country experts, and these scores are then peer-reviewed to ensure the use of common criteria.

### Example Criminal Justice Indicators of Global Integrity Index

Law-Enforcement & Prosecution	Judiciary
<ul style="list-style-type: none"> <li>- Is the law-enforcement agency (i.e., the police) effective?</li> <li>- Can law-enforcement officials be held accountable for their actions?</li> </ul>	<ul style="list-style-type: none"> <li>- Is there an appeals mechanism for challenging criminal judgments?</li> <li>- In practice, do judgments in the criminal system follow written law?</li> <li>- In practice, are judicial decisions enforced by the state?</li> <li>- Is the judiciary able to act independently?</li> <li>- Are judges safe when adjudicating corruption cases?</li> <li>- Do citizens have equal access to the justice system?</li> <li>- Are judges appointed fairly?</li> <li>- Can members of the judiciary be held accountable for their actions?</li> <li>- Are there regulations governing conflict of interests for the national-level judiciary?</li> <li>- Can citizens access to the asset disclosure records of member of the national-level judiciary?</li> </ul>

The **Global Peace Index (GPI)** scores and ranks 140 countries by their relative states of peace. It is comprised of 24 qualitative and quantitative indicators selected by an international panel of peace institutions and experts from academia, business, and philanthropy. The index is collated and calculated by the Economist Intelligence Unit and draws on a range of data sources, including administrative statistics and qualitative scores assigned by the unit's analysts. The indicators are weighted according to scores assigned by an advisory panel based on their relative importance. Composite scores are calculated using assigned scores on a scale of 1-5 and additional weights based on the states of internal peace (60%) and external peace (40%). The first GPI was completed in 2007 covering 121 countries. The 2008 GPI covers a total of 140 countries.

### Example Criminal Justice Indicators of Global Peace Index

Law-Enforcement & Prosecution	Corrections
-Number of internal security officers and police per 100,000 people	-Number of jailed population per 100,000 people

First published in 2007, the **Ibrahim Index of African Governance** (Mo Ibrahim Foundation) uses the quality of governance, as it is perceived and experienced by ordinary citizens, to rank countries of sub-Saharan Africa (48 total). Quality is assessed across 57 indicators, covering five broad thematic areas. One of these areas is rule of law, transparency and corruption. Countries receive scores ranging between 0 (worst) and 100 (best) in each area. The scores are then averaged to produce rankings. The index relies on secondary data collected by inter-governmental organizations (such as WB, UNESCO, UNICEF and WHO).

## Example Criminal Justice Indicators of the Ibrahim Index

Judiciary
<ul style="list-style-type: none"> <li>- Judicial independence</li> <li>- Efficiency of the courts</li> <li>- Number of days to settle a contract dispute</li> </ul>

The **Judicial Reform Index** is the ABA Rule of Law Initiative's measurement of judicial reform and independence in 18 countries of Eastern Europe and the former USSR. The measurement consists of 30 indicators (called factors) targeting: (a) quality, education and diversity of judges; (b) judicial powers; (c) financial resources; (d) structural safeguards; (e) transparency; and (f) judicial efficiency. The Index reported on 1 to 3 different countries annually between 2002 and 2007. Instead of ranking countries in relation to one another, they receive grades (positive, neutral or negative) for each of the 30 indicators as a supplement to the corresponding narrative report. For countries that receive multiple assessments, the Index also reports on trends over time. Assessments are carried out by the ROLI team on the basis of information provided by in-country experts and a review of legal frameworks on the judiciary.

## Example Criminal Justice Indicators of the Judicial Reform Index

Judiciary		
- Judicial qualification and preparation	- Adequacy of judicial salaries	- Code of ethics
- Selection/appointment process	- Judicial buildings	- Judicial conduct complaint process
- Continuing legal education	- Judicial security	- Public and media access to proceedings
- Monitoring and gender representation	- Guaranteed tenure	- Publication of judicial decisions
- Judicial review of legislation	- Objective judicial advancement criteria	- Maintenance of trial records
- Judicial oversight of administrative practices	- Judicial immunity for official actions	- Court support staff
- Judicial jurisdiction over civil liberties	- Removal and discipline of judges	- Judicial positions
- System of appellate review	- Case assignment	- Case filing and tracking systems
- Contempt/subpoena/enforcement	- Judicial association	- Computers and office equipment
- Budgetary input	- Judicial decisions and improper influence	- Distribution and indexing of current laws

With a base in Chile, the **Latinobarómetro** has surveyed 18 Latin American countries annually since 1995. Its key areas are: (a) economy and international trade; (b) integration and trade agreements; (c) political democracy and social and political institutions; (d) distribution of wealth; (e) civic culture; (f) social capital and participation; (g) environment; and (h) gender and discrimination. The results of the survey are reported as descriptive statistics.

## Example Criminal Justice Indicators of Latinobarómetro

Law-Enforcement & Prosecution	Judiciary
- How much confidence do you have in the police?	- Which institution do you think has the most power in your country? (judiciary among others)
	- How much confidence do you have in the judiciary?

The ABA **Legal Education Reform Index** assesses laws regulating legal education by conducting structured interviews with law professors, students and practitioners in emerging democracies and transitional states (countries are not specified). Twenty-four indicators gauging issues ranging from the awarding of degrees and licensing of lawyers to the capacity

and qualifications of law school faculties. The index does not provide any ranking, and its stated goal is to contribute to reform and improve legal education.

#### Example Criminal Justice Indicators of the Legal Education Reform Index

Judiciary		
- Standard for licensing and accreditation	- Class size and administrative staff	- Faculty compensation
- Law school admission examination	- Hiring, review, promotion and tenure	- Comprehensive curricula

The **Legal Profession Reform Index** aims at measuring the role of lawyers and the legal environment in countries of Eastern Europe and the former USSR. It does so by analyzing law and regulations governing the legal profession and by discussing current challenges facing the profession and civil society. The index employs 24 factors covering education, training, and admission to the profession, as well as conditions and standards of practices. Countries are not ranked and instead receive a detailed narrative report.

#### Example Criminal Justice Indicators of the Legal Profession Reform Index

Judiciary		
- Professional Immunity	- Lawyer-client confidentiality	- Minority and gender representation
- Access to clients	- Qualification process	- Availability of legal services

**Nations in Transit** is Freedom House’s project gauging reforms in 29 countries of Europe and Eurasia since 1995, lately on an annual basis. It covers the following seven topics: (a) national democratic governance; (b) electoral process; (c) civil society; (d) independent media; (e) local democratic governance; (f) judicial framework and independence; and (g) corruption. Countries receive a score from 1 to 7, with 1 representing the highest level of democratic progress. Ratings are developed by experts who review a large amount of information provided by Freedom House.

#### Example Criminal Justice Indicators of Nations in Transit

Judiciary
- Has there been effective reform of the criminal code/criminal law? (Consider presumption of innocence, access to a fair and public hearing, introduction of jury trials, access to independent counsel/public defender, independence of prosecutors, and so forth.)
- Are suspects and prisoners protected in practice against arbitrary arrest, detention without trial, searches without warrants, torture and abuse, and excessive delays in the criminal justice system?
- Are judges appointed in a fair and unbiased manner, and do they have adequate legal training before assuming the bench?
- Do judges rule fairly and impartially, and are courts free of political control and influence?
- Do legislative, executive, and other governmental authorities comply with judicial decisions, and are judicial decisions effectively enforced?

The **Pilot Grid for the Judicial System Assessment** is an instrument used by the International Union of Judicial Officers to measure the quality of the judiciary around the world. The instrument has been tested in 11 European countries, and there are plans to expand the project to other continents. The measure relies on both administrative data and expert opinions, and it produces a narrative description of findings.

## Example Criminal Justice Indicators of the Pilot Grid for the Judicial System Assessment

Judiciary
<ul style="list-style-type: none"> <li>-Number of judicial officers in the country</li> <li>-Oversight of judicial activities</li> <li>-Status of the judicial officers (civil servant or liberal professionals)</li> <li>-Number of disciplinary actions against judicial officers and the number of sanctions</li> </ul>

The **Political Terror Scale** is a measure produced by human right scholars and students at the University of North Carolina, measuring the extent to which political violence and terror exist in 182 countries. The scale relies upon information published yearly in Amnesty International's country reports and the US State Department's *Country Reports on Human Rights Practices*. Countries are classified in 5 levels, where Level 1 means that “under a secure rule of law, people are not imprisoned for their view, torture is rare or exceptional, and political murders are extremely rare” and Level 5 is defined as “terror has expanded to the whole population; the leaders of these societies place no limits on the means or thoroughness with which they pursue personal or ideological goals.”

### Example Criminal Justice Indicators of Political Terror Scale

Law-Enforcement & Prosecution	Corrections
<ul style="list-style-type: none"> <li>- How common are murder, disappearances, and torture by the police?</li> <li>- Is unlimited detention with or without a trail accepted for political views?</li> </ul>	<ul style="list-style-type: none"> <li>- How common are murder, disappearances, and torture in prisons?</li> <li>- Is political imprisonment common?</li> <li>- Is imprisonment common for non-violent political activity</li> </ul>

The **Prosecutorial Reform Index** is the ABA Rule of Law Initiative’s assessment tool specifically targeting the role of prosecutors and the environment in which they operate in transitional countries. So far, the tool has been used in Bulgaria (2006) and Kyrgyzstan (2007). The index consists of 28 indicators (factors) grouped into six thematic areas: (a) qualification, selection and training; (b) professional freedoms and guarantees; (c) prosecutorial functions; (d) accountability and transparency; (e) interaction with criminal justice agencies; and (f) finances and resources. Each indicator produces a separate result (positive, negative or neutral) and a narrative discussion. Data are collected through an analysis of legislation and other documents, as well as structured and informal interviews with criminal justice professionals, government officials and members of civil society.

### Example Criminal Justice Indicators of the Prosecutorial Reform Index

Prosecution		
<ul style="list-style-type: none"> <li>- Legal education of prosecutors</li> <li>- Continuing legal education</li> <li>- Selection: recruitment, promotion and transfer</li> <li>- Selection without discrimination</li> <li>- Freedom of expression</li> <li>- Freedom of professional association</li> <li>- Freedom from improper influence</li> <li>- Protection from harassment and intimidation</li> <li>- Professional immunity</li> <li>- Discretionary functions</li> </ul>	<ul style="list-style-type: none"> <li>- Rights of the accused</li> <li>- Victim rights and protection</li> <li>- Witness rights and protection</li> <li>- Public integrity</li> <li>- Public accountability</li> <li>- Internal accountability</li> <li>- Conflicts of interests</li> <li>- Codes of ethics</li> <li>- Disciplinary proceedings</li> <li>- Interaction with judges</li> </ul>	<ul style="list-style-type: none"> <li>- Interaction with police and investigators</li> <li>- Interaction with representatives of the accused</li> <li>- Interaction with the public/media</li> <li>- International cooperation</li> <li>- Budgetary input</li> <li>- Resources and infrastructure</li> <li>- Efficiency</li> <li>- Compensation and benefits</li> </ul>

The WJP's **Rule of Law Index** measures countries' adherence to the rule of law. The index was first tested in Argentina, Australia, Colombia, Spain, Sweden, and the United States in 2007-2008. Data were drawn from public and expert surveys. Some preliminary findings were produced (not available from the WJP webpage). The WJP plans to apply the index in 100 countries within three years once the methodology is refined. At this stage, the index consists of more than 100 indicators organized into 13 factors and four broad bands. Band 1 measures legislative and institutional mechanisms to promote government accountability. Band 2 focuses on the issues of clarity, publicity, stability and fairness in laws and legal proceedings. Band 3 analyzes accountability, fairness and efficiency in the process of enacting, administering and enforcing the laws. Band 4 assesses the ability of judges, lawyers and other criminal justice professionals to ensure the integrity of the justice system as well as public access to justice institutions.

#### Example Criminal Justice Indicators of the WJP Rule of Law Index

Law-Enforcement & Prosecution	Judiciary	Corrections
<ul style="list-style-type: none"> <li>- Law-enforcement officials are competent, independent, and ethical, are of sufficient number, have adequate resources, and reflect the makeup of the community they serve</li> <li>- Police stations are maintained in proper condition and in appropriate location to ensure access and safety</li> </ul>	<ul style="list-style-type: none"> <li>- Judicial hearing are held with timely notice and are open to the public</li> <li>- Judicial decisions are published and broadly distributed on a timely basis</li> <li>- Judges are competent, independent, and ethical, are of sufficient number, have adequate resources, and reflect the makeup of the community they serve</li> <li>- Courthouses are maintained in proper condition and in appropriate location to ensure access and safety</li> </ul>	<ul style="list-style-type: none"> <li>- Correctional facilities are maintained in proper condition and in appropriate location to ensure access and safety</li> </ul>

The Worldwide Governance Indicators (WGI) of the World Bank includes rule of law as one of six governance dimensions. The WGI has been used to measure the quality of governance in 212 countries and territories between 1996 and 2007. The 2007 WGI relies on data compiled by 32 different organizations, such as development banks and NGOs. The resulting large amount of data is aggregated into 6 clusters using an Unobserved Component Model. These clusters are: (a) voice and accountability; (b) political stability and absence of violence; (c) government effectiveness; (d) regulatory quality; (e) rule of law; and (f) control of corruption. The WGI rule of law dimension is a meta measurement, drawing information from 26 other instruments (such as ADB, AfDB, Afrobarometer, EIU, GCI, GWP, Latinobarómetro and others, many of which are reviewed here). Countries are rated on a scale between -2.5 and +2.5, with zero being the mean, thus implying that a country with a positive score did better than an average country.

#### Example Criminal Justice Indicators of the WGI

Law-Enforcement & Prosecution	Judiciary
<ul style="list-style-type: none"> <li>- Quality of police</li> <li>- Confidence in the police force</li> <li>- Based on your experience, how easy or difficult it is to obtain help from the police when you need it?</li> <li>- Trust in the police</li> <li>- Law-enforcement</li> </ul>	<ul style="list-style-type: none"> <li>- Fairness of judicial process</li> <li>- The judiciary is independent from political influences of member of government, citizens and firms</li> <li>- Confidence in judicial system</li> <li>- Fairness, honesty, enforceability, quickness and affordability of the court system</li> <li>- How problematic is the judiciary for the growth of your business?</li> <li>- Trust in the judiciary</li> <li>- Justice is not fairly administered in society</li> </ul>

Note: Items are formulate inconsistently and are somewhat repetitive because they are taken from varied sources.



The **South African Police Service Assessment** contains 39 measures tapping, *inter alia*, the issues of police accountability and delivery of policing. The instrument uses document reviews, expert surveys and focus groups, and produces a narrative analysis.

Example Criminal Justice Indicators of the South African Police Service Assessment

Law-Enforcement & Prosecution		
- The standards applied in relation to management of the police organization in complying with the exercise of authority	- The principles of integrity, fairness and respect for human rights and dignity that guide the conduct of democratic police, and how police services support and ensure adherence by police officers to these principles.	- The rights of police officers themselves, as part of a democratic society, to non-discriminatory recruitment and promotion practices, to decent conditions of service, to collective bargaining, to fair disciplinary procedures, and to a high level of support in attending to issues of safety.
- The nature of the basic services that police provide in a democracy, and how these are delivered		

The **UK Police Performance Assessment** (UK Home Office) uses opinion surveys and administrative data to gauge police performance in two ways: by comparing a police force to its peers, and by measuring the performance of the same police unit over time (data are collected annually). The range of issues covered by the assessment is fairly broad and includes tackling crime, protecting vulnerable groups, as well as police fairness, resources and efficiency.

Example Criminal Justice Indicators of the UK Police Performance Assessment

Law-Enforcement & Prosecution		
From victims' perspective	- Parity of arrests arising from stop and search between ethnic groups	- Comparative risk of personal crime
- Satisfaction with making contact	- Parity of detection for violent crime between ethnic groups	- Comparative risk of household crime
- Satisfaction with action taken	- Residents fear of crime	- Violent crime rate
- Satisfaction with progress updates	- Perception of anti-social behavior	- Offenses brought to justice
- Satisfaction with treatment by staff	- Perception of local drug use/dealing	- Overall sanction detention rate
- Satisfaction with overall service	- Minority ethnic officer recruitment	- Domestic violence arrest rate
- Satisfaction of victims of racism	- Female officer representation	
- Comparative satisfaction of minority ethnic groups		

The **US State Department Country Reports on Human Right Practices** are annual documents submitted to the US Congress. These comprehensive reports cover 193 countries (2007) and focus on internationally recognized individual, political, civil and workers rights, as set forth by the Universal Declaration of Human Rights. These rights include freedom from torture and other cruel treatment, from prolonged detention without charges, from disappearance or clandestine detention, from inhuman or degrading treatment or punishment, and from other violations of the right to life, liberty and the security of the person. Initial drafts of these reports are prepared by the US embassies after collecting information throughout the year from government officials, lawyers, journalists, NGOs, and academics. The reports are finalized by the Bureau of Democracy, Human Rights and Labor in Washington, DC. These reports do not rate or rank countries but instead provide detailed narrative descriptions with specific case studies of human right violations around the world.



## Example Criminal Justice Indicators of the US State Department Country Reports

Law-Enforcement & Prosecution	Judiciary	Corrections
<ul style="list-style-type: none"> <li>- Arrest (arbitrary/discriminatory arrest)</li> <li>- Detention (prolonged detention without charges)</li> <li>- Torture or other cruel, inhuman or degrading treatment by the police</li> <li>- Political Detainees</li> </ul>	<ul style="list-style-type: none"> <li>- Denial of fair public trial</li> <li>- Trial procedures</li> </ul>	<ul style="list-style-type: none"> <li>- Torture or other cruel, inhuman or degrading treatment or punishment in prisons/jails</li> <li>- Political prisoners</li> </ul>

In 2008, the **Vera-Altus Justice Indicators Project** tested a 60-indicator instrument of the Rule of Law in Chandigarh, Lagos, New York City and Santiago. The indicators were organized into 13 baskets, including baskets for police, judiciary, corrections and informal justice mechanisms. Results were reported for each indicator as positive (“+”), inconclusive (“0”) or negative (“-”) and were accompanied by a brief statement. The project drew data from a wide range of sources, including public surveys, expert opinions, administrative data, document reviews and observations. An attempt was made to have multiple data sources for each basket.

## Example Criminal Justice Indicators of the Vera-Altus Justice Indicators Project

Law-Enforcement	Judiciary	Corrections	Informal Justice
<ul style="list-style-type: none"> <li>- Public perception of police fairness</li> <li>- Police promotions are based on competence/merit</li> <li>- Salary of entry level police as % of area median household income</li> <li>- % of police complaints resolved</li> <li>- Police stops and searches, disaggregated by key cultural groups</li> <li>- Public perception of police corruption</li> <li>- % of population who believe that they could report a crime without having to pay a bribe</li> <li>- % of women v. men who believe that the police would respond if they report a crime</li> </ul>	<ul style="list-style-type: none"> <li>- % of all cases involving “small claims”</li> <li>- The judiciary is perceived as independent</li> <li>- The government does not overturn judicial decisions</li> <li>- Number of judges per population for rich v. poor areas</li> <li>- Existence of special procedures for hearing gender-based violence cases</li> <li>- % of defendants in cases that may result in jail sentence who are represented at trial, at least one hearing, disaggregated by SES</li> <li>- Court interpreters are made available in relevant languages in court hearing on timely basis</li> </ul>	<ul style="list-style-type: none"> <li>- Existence of rules barring the use of restraints as punishment</li> <li>- Prisons are accessible to civil societies at short notice</li> <li>- Entry level salary of correctional officers, as % of area median household income</li> <li>- Indicator of overcrowding</li> <li>- Proportion of sentences served, disaggregated by SES</li> </ul>	<ul style="list-style-type: none"> <li>- Consistency of outcomes, disaggregated by SES</li> <li>- Public perception of the fairness of informal justice mechanisms</li> <li>- Existence of written or oral standards available for review and consistently applied</li> <li>- Proportion of women who use state v. non-state systems</li> <li>- NGO reports on human right abuses by informal justice mechanisms</li> <li>- There is a right to appeal decisions</li> </ul>

The World Bank's **World Business Environment Survey** is an expert survey examining the investment climate in 80 countries worldwide. In an attempt to measure domestic economic policies, governance, regulatory infrastructure and financial impediments, the survey asks a large number of questions on policing, corrections and crime. The results of the survey are reported in a form of descriptive statistics.

#### Example Criminal Justice Indicators of World Business Environment Survey

Law-Enforcement & Prosecution	Judiciary
- Please rate the overall quality and efficiency of services delivered by the police ( <i>very good to very bad</i> )	- Please rate the overall quality and efficiency of services delivered by the judiciary ( <i>very good to very bad</i> ) - In resolving business disputes, do you believe you country's court system to be (a) fair and impartial, (b) honest/uncorrupt, (c) quick, (d) affordable, (e) consistent, (f) decisions enforced ( <i>always to never</i> ) - Do firms like yours typically need to make extra, unofficial payments to public officials when dealing with courts? ( <i>always to never</i> ) - Please judge the functioning of the judiciary in terms of how problematic it is for the operation and growth of your business

The Overseas Development Institute **World Governance Assessment** (WGA) is a survey of experts on six areas of governance. It was carried out in 16 countries in 2001 and 10 in 2006. The areas are: (a) civil society – the way citizens rise and become aware of political issues; (b) political society – the way interests in society are aggregated in the political process; (c) government – stewardship of the system as a whole; (d) bureaucracy – the way policies are implemented; (e); economic society – the relationship between the state and the market; and (f) the judiciary – the way disputes are settled. The WGA measures these areas across its principles of participation, fairness, decency, accountability, transparency and efficiency.

#### Example Criminal Justice Indicators of World Governance Assessment

Judiciary	Informal Justice
Unable to retrieve the questionnaire on the judiciary from the WGA webpage	-To what extent are non-formal processes in place for resolution of conflicts?