

EU MEMBER STATES UNDER THE SPOTLIGHT

Incorporating Human Rights into Investment
Strategies: 2014 Non-Financial Rating
of the 28 EU Member States

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 3: Everyone has the right to life, liberty and security of person. Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Article 5: No one shall be subjected to torture or to cruel,



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FIDH, worldwide movement for human rights is pleased to present this 2014 report on the non-financial rating of the 28 European Union (EU) Member States. The publication of this report marks our continuing commitment to the promotion of responsible business and investment.

Non-financial concerns have become an important element of strategic decision-making for many investors. ESG (Environment, Social and Governance) criteria are increasingly integrated into decision-making processes regarding investments and divestments in and from companies. The adoption of the 'Guiding Principles on Business and Human Rights' by the United Nations' Human Rights Council in 2011 and the Council's recent decision to move towards the elaboration of a binding international instrument in this area are two key land-marks in the global response to the impacts of economic activities on human rights.

Concern to support responsible business practices has focused primarily on the performance of business enterprises. Little attention has been paid to the non-financial performance of sovereign states. FIDH has persistently highlighted this crucial area of interest for investment purposes. Since establishing its own ethical mutual fund "Libertés & Solidarité" and devising a screening methodology for selecting both bonds and shares in 2001, FIDH has published a non-financial rating of EU states every two years.

Numerous countries have yet to overcome the effects of the global financial crisis. FIDH considers that economic, social and environmental crises can only be overcome by placing human rights at the centre of economic and political decisions. Focusing on short-term financial objectives cannot guarantee stability. On the contrary, it can have severe human rights and environmental consequences, especially for the most vulnerable.

On what criteria should investment decisions be made? How should states rank when it comes to non-financial information? What indicators should be used? The objective of the present study is to establish a methodology and classification system that will allow investors to take into account how states are fulfilling their obligations to respect, protect and promote human rights in their decisions, both at home and abroad. FIDH's approach is rooted in international law and aims to stimulate discussion between states, investors and civil society.

Choosing human rights indicators is a particularly difficult challenge given the lack of data availability. States and international organisations still collect insufficient relevant quantitative and qualitative data to allow for the systematic comparison of states' policies and performance in the field of human rights.

We hope that through its methodology, data and identification of data deficits, this study will contribute to the development of human rights indicators by states and the inclusion of human rights in investment decisions.

2014 Non-Financial Rating of the 28 EU Member States

Countries	Final ranking
Sweden	1
Finland	2
Denmark	3
Slovenia	4
France	5
Austria	6
Netherlands	7
Ireland	8
Germany	9
Luxembourg	10
Estonia	11
Lithuania	12
United Kingdom	13
Spain	14
Slovakia	15
Croatia	16
Portugal	17
Czech Republic	18
Belgium	19
Italy	20
Hungary	21
Latvia	22
Romania	23
Poland	24
Bulgaria	25
Greece	26
Cyprus	27
Malta	28

PART I: METHODOLOGY

1. Scope of the study

Member States

In keeping with previous versions of this report, we have limited our assessment to the 28 Member States of the EU, with Croatia having been added in 2012. Consideration was once again given to extending the geographical scope of the study to include certain OECD countries. However, this approach was not adopted for the 2014 report for two reasons: first, most non-EU OECD countries did not satisfy FIDH's baseline exclusion criteria due to, for example, their continued use of the death penalty, non-compliance with international and regional sanctions placed on countries with poor human rights records, or continuing discriminatory laws against women and minorities. Secondly, there were methodological concerns regarding Iceland and Norway (two OECD countries that did satisfy the criteria) in respect of the availability of relevant data.

Human Rights Issues

Human rights are considered by many across the world as providing a fundamental touch-stone for the regulation of state conduct. The moral imperative of human rights takes concrete form through a number of international and regional treaties. All EU Member States are parties to the International Bill of Human Rights, which includes the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). Furthermore, membership of the EU requires that all Member States commit to respect the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Thus, EU countries are legally obliged to respect, protect and fulfil civil and political rights (e.g. the right to be free from torture, freedom of expression, the right to a fair trial, etc.) as well as economic, social and cultural rights (e.g. the right to housing, to the highest attainable standard of health, the right to education, etc.).

The current study evaluates and compares states' "performance" in the field of human rights on the basis of this comprehensive body of law. In defining the content of each right, international and regional jurisprudence – stemming either from judicial decisions or interpretations by international monitoring bodies (i.e. general comments by UN Treaty Bodies) – provides essential guidance on what governments must do to discharge their human rights obligations. Such obligations include extraterritorial obligations, which are increasingly recognized and fundamental to human rights protection in a globalised context. This study takes these obligations into account by drawing on the Maastricht Principles,¹ and includes a section on the international dimensions of state obligations.

This 2014 study is divided into three main sections: Section A looks at states' respect for human rights at the domestic level; Section B deals with states' conduct in support of human rights at the international level; and Section C relates to protection of the environment.

For each section, the study follows a multi-layered structure: section>criterion>issue>indicator. While not claiming to be exhaustive, each of the selected issues and indicators reflects a

1. See Olivier De Schutter *et al.*, "Maastricht Principles on Extraterritorial Obligations of states in the area of Economic, Social and Cultural Rights" and "Commentary", February 2012.

specific aspect of the legal and social reality of EU Member states, as well as risks of human rights violations, such as those linked to discrimination or social exclusion.

Protection of the environment and human rights

The inclusion of a specific section on protection of the environment is in line with FIDH's approach and mandate. FIDH promotes and defends the indivisibility of human rights and recognises the extent to which our future is dependent upon securing a sustainable environment for all. FIDH recognises the intrinsic relationship between environmental preservation and the protection of human rights, as well as the urgent need to address the issue of climate change. The inclusion of environmental criteria in this study was therefore inevitable. However, the methodology used for this section differs from the first two sections. Due to the specificities of this component, FIDH relied on external expertise to choose and evaluate the relevant criteria, issues and indicators. Although FIDH would have favoured an integrated approach by which environmental criteria could be directly integrated into the study's human rights criteria, this is not presently possible, because there are still very few experts working on both human rights and environmental standards, and there continues to be a lack of reliable and sufficiently objective quantitative data for measuring this relationship. FIDH has therefore worked in collaboration with MSCI ESG Research to incorporate indicators designed and documented by the rating agency. When examined through the lens of a human rights approach, their methodology presents certain shortcomings: in addition to limited sources of information, some indicators might not sufficiently capture the possible human rights consequences of environmental degradation and climate change. The inclusion of these indicators in the study nevertheless remains highly relevant and essential as they afford a perspective on state efforts regarding environmental protection.

2. Structure of the study

In total, twelve human rights and two environmental criteria were chosen as markers to gauge state performance in these areas.

Section A. States' respect for human rights at the national level

- I. Equality between men and women and women's rights
- II. Non-discrimination
- III. Rights of migrants and refugees
- IV. Corruption and governance
- V. Social cohesion/ economic and social rights
- VI. Judicial system
- VII. Freedom of expression and right to information
- VIII. Labour rights

Section B. States' Respect for Human Rights at the International Level

- IX. International justice and human rights promotion
- X. Overseas development assistance/financial contributions to UN
- XI. Arms control
- XII. Promoting corporate responsibility at home and abroad

Section C. States' respect for the environment and sustainable development

- XIII. Environmental exposure
- XIV. Environmental management

3. Choice of indicators and method of calculation

Identifying human rights-based indicators

The indicators used within each of the 12 human rights criteria are derived from the content of internationally recognised human rights, taking into account legally-binding human rights obligations and principles inherent to all human rights. As such, this study promotes a human rights based approach (HRBA) to policy-making in ensuring that both human rights standards and principles are integrated into state decisions. The HRBA is often translated into a set of principles known as “PANTHER”: Participation – Accountability – Non-discrimination – Transparency – Human dignity – Empowerment – Rule of law. Each indicator selected to some extent embraces these principles.

Despite being more difficult to measure (in numbers at least), it was decided that some qualitative indicators should be kept as these are often the only indicators capable of reflecting specific human rights dimensions. The present study attempts to apply the aforementioned basic parameters as consistently as possible.

– *Indicator categories*

The methodology adopted makes a distinction between three indicator categories: structural, process and outcome. This methodology is commonly used, for instance by the Office of the United Nations High Commissioner for Human Rights (OHCHR), to “assess the steps being taken by states in addressing their obligations: from commitments and acceptance of international human rights standards (*structural* indicators) to efforts being made to meet the obligations that flow from the standards (*process* indicators) and on to the results of those efforts (*outcome* indicators)”.²

This distinction not only contributes to clarity, but also provides the user with reference points in respect of how far the process of implementation has evolved in a given country. It also, at least partly, prevents the favouring of countries with greater financial resources at their disposal to the detriment of poorer countries that are nevertheless showing a willingness to make progress. Wherever possible, at least one indicator from each category has been included under each criterion.

– *Obstacles and challenges*

Whilst it has always been possible to identify relevant indicators under each criterion, the research team faced a number of obstacles linked to the lack of available, up-to-date and comparable data. The unavailability of data represents a major challenge, in particular with regard to obtaining information for process indicators. Despite conducting extensive research and expert consultations with academics and international human rights professionals, data for some of the indicators could not be collected due to the simple fact that such data is not compiled by the government (or any other known entity). In other cases, data had been compiled but not in a format that allows for comparison.

A number indicators from previous versions of this study could also not be reused due to the lack of update of relevant sources. The lack of updated and/or available data makes it hard to capture recent policy or legal changes impacting human rights.

Scoring system

The method of calculation (MoC) used to score the quantitative indicators in the 2014 report was largely based on the method adopted in the 2012 report. The scores for each indicator were

2. See OHCHR, “Human Rights Indicators - Main features of OHCHR conceptual and methodological framework”, <http://www.ohchr.org/EN/Issues/Indicators/Pages/framework.aspx>

transformed into a scale with the mean score for countries on that indicator acting as the mid-point of the scale.³ The intervals and upper and lower ends of the scale were then determined on the basis of two factors:

- a) A normative judgement of the minimum protection to be accorded by states for the right under consideration, and ;
- b) Ensuring that the score for a point between the upper and lower end points on the scale accounts for an equal number of units as other points on the scale.

Using the EU country average facilitated the use of a less biased middle score and allows for substantively meaningful interpretation. The MoC for the environmental indicators was calculated in a manner similar to the quantitative indicators.

The MoC of qualitative indicators used in the 2012 report was also adopted in the 2014 report. This category of indicators included measures of state ratification of international or regional treaties on human rights. In accordance with FIDH' stance of encouraging ratification and discouraging reservations, states were rewarded for ratification and penalised for reservations or non-ratification. With the exception of the indicator measuring implementation of the Convention on the Prohibition of Anti-Personnel Mines, all other indicators were limited in scope to structural rather than process aspects of measuring a right. Other qualitative indicators included in the study captured the existence and scope of legislation, policies and programmes such as legislation legalising same-sex partnerships, programmes educating women about all forms of violence, etc. The scoring of these indicators was based on a normative judgement of the minimum standards that states should adhere to. Whenever possible, we also sought to capture variations in policies and the implementation of these policies by the states included in the study by assigning scores on a linear progression of the basic protection to a progressive realization of these rights.

Countries have not been penalised for lack of data availability. The scores on the indicators have been marked as 'n/a' and counted as zero. These scores have been reconsidered if there is evidence to show that the state has deliberately not collected the data or made available access to the data with the aim of manipulating its human rights record. Thus, the exception to the scoring rule has been the indicator measuring the transparency of the state's budgetary process and the access that citizens and non-citizens have to this information. Since transparency and access to data is the content of the indicator, we assume that lack of data availability is a deliberate act on the part of the state to prevent access. States that have not made data available for this indicator have been penalised in this case.

The scores for each criterion were added together and this criterion score was converted to a scale of 0-10. This conversion is an approach adopted in order to standardize the scores and ensure that each criterion has equal weight in the scoring. However, it was decided that the weight of four human rights criteria should be halved – namely, the scores for the national judicial and penal system, freedom of expression and the right to privacy, financial assistance to states and to the United Nations, and the promotion of corporate responsibility abroad. This is because each of these criterion had fewer than four indicators and countries scoring well on these criteria would have been given an unfair advantage in the scores. These criteria were converted to scores from 0-5. Thus, each state could score a maximum of 100 and a minimum of 0 on the 12 human rights criteria and between 20 and 0 on the two environmental criteria.

Overall weighting and ranking

The human rights and environmental criteria scores were converted along a 70:30 ratio when they were incorporated into the final scores. This is consistent with the approach included in the 2012 report and reflects the human rights emphasis of the study whilst giving due importance

3. With an exception for the maximum detention length for irregular migrants

to environmental rights and protection. Countries were ranked from 1 to 28 based on these final scores.

Data collection process

Given the need to base this report on objectively accurate and reliable sources, the vast bulk of the data collection process consisted of on-line research of a comprehensive range of authoritative data-bases and data sets. Where necessary, internationally recognised human rights professionals were also consulted, including academics, UN Special Rapporteurs and representatives of leading NGOs.

Online research was conducted using a variety of sources such as Eurostat, the information portals of inter-governmental (e.g. European Commission, Council of Europe, FRA, OSCE, OECD, OHCHR, UNHCR, ILO, WHO) as well as non-governmental organisations and institutions (e.g. Reporters without Borders, ICC Coalition, Transparency International, Centre for Law and Democracy, International Trade Union Confederation, Center for Reproductive Rights, Tax Justice Network, ILGA, Access Info).

PART II: INDICATORS AND RESULTS

This section compiles the indicators which were used for the 2014 edition along with a classification table for each criterion. Each of the applied indicators or group of indicators is accompanied by a short description of the indicator's content and rationale, the method of calculation (MoC) and the main sources of information.

Section A: States' respect for human rights at the domestic level

Criterion 1: Equality between men and women and women's rights

As previous reports have consistently demonstrated, discrimination against women remains widespread across Europe and is inadequately addressed by many governments. Gender equality and women's rights are considered a central issue that is commonly applied transversally to any human rights study. Five main issues have been identified: political participation of women, gender and employment, gender and education, violence against women and reproductive rights.

• Issue 1 – Political participation of women

The rationale behind these five indicators is to examine the representation of women in all three branches of government: legislative, executive and the judiciary.

Indicator 1.1. Percentage of women in the national parliament (Upper and Lower Houses)

MoC: >40%: +2 / 33-40%: +1 / 21-32%: 0 / 13-20%: -1 / <13%: -2

Source: European Commission, Justice, Section Politics 2014

Indicator 1.2. Quotas for the representation of women included in the electoral system for elections to national legislature

MoC: Quota >29%: +2 / Quota <30% and Voluntary Political Party Quota or inconsistent quota system: +1 / No legislative quota but only Voluntary Political Party Quota: 0 / No legislative or Voluntary Political Party Quota or no data: -1

Source: The Quota Project: The Global Database of Quotas for Women

Data: 2013/2014

Indicator 1.3. Percentage of women in the senior minister positions of national governments

MoC: >40%: +2 / 33-40%: +1 / 21-32%: 0 / 13-20%: -1 / <13%: -2

Source: European Commission, Justice, Section Politics 2014

Indicator 1.4. Percentage of women in level 1 administrative position in ministries or government departments

MoC: >40%: +2 / 33-40%: +1 / 21-32%: 0 / 13-20%: -1 / <13%: -2

Source: European Commission, Justice, Section Politics 2013

Indicator 1.5. Percentage of women in the highest judicial body

MoC: >45%: +2 / 36-45%: +1 / 25-35%: 0 / 15-24%: -1 / <15%: -2

Source: European Commission, Justice, Section Judiciary 2013

- **Issue 2: Gender and employment**

These two indicators track the continuing pay gap between men and women and the representation of women on the boards of commercial businesses.

Indicator 1.6. Size of Gender pay gap at the national level
MoC: <10%: +2 / 10-15%: +1 / 16-20%: 0 / 21-25%: -1 / >25%: -2
Source: European Commission, Eurostat 2012
Note: Figures are rounded up before scoring

Indicator 1.7. Percentage of women in the highest decision making body (board members) in the private business sector
MoC: >35: +2 / 26-35: +1 / 20-25: 0 / 10-19: -1 / <10: -2
Source: European Commission, Justice, Section Business and Finance 2013

- **Issue 3: Gender and education**

The indicator examines whether and to what extent gender stereotypes continue to hamper women or girls in their pursuit of diverse high-level qualifications.

Indicator 1.8. Percentage of the female population (20 -24 years) having completed at least upper secondary education, post-secondary non-tertiary, first and second stage tertiary (levels 3-6)
MoC: >92%: +2 / 87-92: +1 / 80-86%: 0 / 74-79: -1 / <74%: -2
Source: European Commission, Eurostat 2013
Note: Percentages were rounded up before scoring

- **Issue 4: Violence against women**

Three indicators examine whether the government is actively gathering data of violence against women, and committed towards tackling the issue through education and law. Unfortunately, we could not include our previous indicator measuring the scope of National Action Plans on violence against women in this study, due to a lack of data availability. It has been replaced by a structural indicator looking at the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence, which entered into force on August 1st, 2014.

Indicator 1.9. National survey focusing on the prevalence and effects of some or all forms of violence against women
MoC: National survey conducted after 2010; and plan to repeat survey: +2
National survey conducted between 2008 and 2010 ; and plan to repeat survey: +1
National survey conducted before 2008; and plan to repeat survey: 0
National survey conducted in any year and No plan to repeat survey or no answer: -1
No survey conducted or No answer and No plan to conduct one or no answer: -2
Source: Council of Europe: Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states. Prepared by Prof. Dr. Carol Hagemann-White, University of Osnabrück, Germany, 2014.

Indicator 1.10. Existence of programme or activities to educate children in public schools at any level of schooling about violence against women
MoC: Yes, at all levels of education: +1 / Yes, in some schools and age groups: 0 / No or No data: -1
Source: Council of Europe: Analytical study of the results of the 4th round of monitoring the implementation of Recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states. Prepared by Prof. Dr. Carol Hagemann-White, University of Osnabrück, Germany, 2014

Indicator 1.11. Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence

MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2

Source: Council of Europe, Accessed July 2014

• **Issue 5: Reproductive rights**

The indicator examines whether the state is committed to finding a balance between the right to life and women's reproductive freedom that, in particular, sufficiently honours the basic principles of individual reproductive self-determination and non-discrimination.

Indicator 1.12. De-criminalisation of abortion

*MoC: Legal for up to 12 weeks of pregnancy without restriction to reason: +1
Legal for up to 12 weeks of pregnancy without restriction to reason but parental or spousal authorization required: 0*

Legal for up to 10 weeks of pregnancy without restriction to reason OR up to 12 weeks of pregnancy on socioeconomic grounds and to save the woman's life, physical health and mental health: -1

Legal to preserve physical or mental health or the woman's life: -2

Prohibited altogether or allowed to save the woman's life: -3

Source: Center for Reproductive Rights, New York, World Abortion Laws 2013

Equality between men and women and women's rights

COUNTRIES	INDICATORS													Raw score	Conversion to 10	
	Percentage of women in the national parliament (1.1)	Quotas for the representation of women included in the electoral system (1.2)	Percentage of women in the senior minister positions of national governments (1.3)	Percentage of women in level 1 administrative positions in ministries or government departments (1.4)	Percentage of women in the highest judicial body (1.5)	Size of Gender pay gap at the national level (1.6)	Percentage of women in the highest decision making body (board members) in the private business sector (1.7)	Percentage of the female population (20 -24 years) having completed at least upper secondary education, post secondary non-tertiary, first and second stage tertiary (levels 3-6) (1.8)	National survey focusing on the prevalence and effects of all forms of violence against women (1.9)	Existence of programme or activities to educate children in public schools at any level of schooling about violence against women (1.10)	Ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (1.11)	De-criminalisation of abortion (1.12)				
Range	+2 to -2	+2 to -1	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+1 to -1	+3 to -2	+1 to -3		
Austria	0	0	0	0	0	-1	-1	1	-1	1	-1	1	3	1	3	5,65
Belgium	1	2	1	-2	-1	1	-1	0	-1	1	0	1	1	1	3	5,65
Bulgaria	0	-1	1	0	2	1	1	0	-1	1	0	1	-2	1	1	5,22
Croatia	0	0	-1	0	1	0	0	1	-1	2	2	1	1	0	2	5,43
Cyprus	-1	0	-2	0	-1	0	0	-2	-2	2	2	1	-2	-1	-7	3,48
Czech Republic	-1	0	-1	-1	-1	-1	-1	1	2	1	1	1	-2	0	-4	4,13
Denmark	1	-1	1	-2	0	1	0	-1	-1	1	-1	1	2	0	1	5,22
Estonia	-1	-1	1	0	-2	-2	0	-2	1	1	1	0	-2	1	-6	3,69
Finland	2	-1	2	0	0	0	0	1	1	1	1	1	1	-1	5	6,09
France	0	2	2	0	0	1	1	1	1	0	1	1	2	1	11	7,39
Germany	1	0	1	0	-1	-1	0	-1	0	0	-1	1	1	1	2	5,43
Greece	0	2	-2	2	0	1	2	0	-2	1	1	0	1	0	2	5,43
Hungary	-2	0	-2	-1	2	0	-1	2	-1	0	0	1	1	1	-3	4,55
Ireland	-1	2	-1	-1	-2	1	-1	1	-1	1	1	1	-2	-3	-7	3,48
Italy	0	0	2	0	-1	2	0	-1	-1	0	0	0	3	0	5	6,09
Latvia	0	-1	1	2	2	1	2	1	1	1	1	1	-2	0	4	5,87
Lithuania	0	0	-2	0	0	1	0	1	-1	1	1	1	-2	1	0	5,00
Luxembourg	0	0	0	-2	2	2	-2	2	-1	0	0	-1	1	1	4	5,87
Malta	-1	0	-2	-1	-1	2	-1	-1	2	2	0	1	1	-3	-4	4,13
Netherlands	1	0	1	0	-1	0	0	-1	0	0	0	1	1	1	6	6,30
Poland	0	2	-1	2	-1	2	-1	-1	2	2	2	1	1	-2	6	6,30
Portugal	0	2	-1	0	-2	0	-2	-1	0	-1	-1	0	1	0	-4	4,13
Romania	-2	0	-1	2	2	2	2	0	-2	0	0	-1	3	1	6	6,30
Slovakia	-1	0	-2	0	2	-1	0	2	0	1	1	0	1	0	1	5,22
Slovenia	0	2	-1	2	1	2	2	1	0	2	2	-1	1	0	10	7,17
Spain	1	2	1	1	-2	0	-1	-2	0	2	2	1	3	0	6	6,30
Sweden	2	0	2	2	1	0	1	1	1	1	1	1	2	1	15	8,26
United Kingdom	0	0	-1	-1	-2	0	0	0	0	2	2	0	1	-1	-2	4,56

Criterion 2: Non-discrimination (except sex-based discrimination)

Besides issues of sex-based discrimination addressed in the first criterion, the prohibition of discrimination on the basis of race, religion, language, political opinion, national or social origin, sexual orientation, gender or any other identity status is a basic human rights principle which requires according particular attention to vulnerable groups and marginalised communities. This section specifically addresses discrimination on the grounds of sexual orientation, gender identity, belonging to a minority, disability and age. Our previous indicator evaluating states' legal recognition of racial motivation as an aggravating element in criminal law could however not be included for lack of updated data.

• Issue 1: Protection of sexual orientation and gender identity

These three indicators measure discrimination against homosexual couples regarding marriage and adoption and gauge the extent to which offences related to homophobia or gender identity are punished by law.

Indicator 2.1. Existence of legislation recognising the legality of same-sex partnerships
MoC: *Marriage in all or most regions: +3 / Registered partnership with similar rights to marriage only: +2 / Registered partnership with limited rights only: +1 / Cohabitation only: 0 / No: -2*
Source: *ILGA 2014. Information on legislation in Croatia was taken from online news sources.*

Indicator 2.2. Legislative provisions concerning adoption by same sex couples
MoC: *Both second parent adoption and joint adoption: +2 / Second parent adoption: +1 / No adoption rights but some parental authority and responsibilities for same sex couples: 0 / No adoption rights: -2*
Source: *ILGA 2014.*

Indicator 2.3. Criminal law provisions concerning offences related to sexual orientation and gender identity
MoC: *One point for each of the following laws: Hate crime law (sexual orientation) / Hate speech law (sexual orientation) / Hate crime law (gender identity) / Hate speech law (gender identity)*
No laws but only policies tackling hate crimes related to sexual orientation and/or gender identity: 0
No laws or policies: -2
Source: *ILGA 2014*

• Issue 2: Protection of national minorities and Roma people rights

The first two indicators examine whether the state is legally committed to the protection of national minorities and their special interests. The remaining two indicators aim to examine whether state authorities act against political, social and economic marginalisation of Roma people.

Indicator 2.4. Ratification of the Framework Convention for the Protection of National Minorities
MoC: *Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2*
Source: *Council of Europe, accessed in July 2014*

Indicator 2.5. Ratification of the European Charter for Regional or Minority languages
MoC: *Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2*
Source: *Council of Europe, accessed in July 2014*

- Indicator 2.6. Measures taken by states to fight discrimination against Roma
 MoC: *One point for each of the measures taken by states: Enforcing anti-discrimination legislation at the local level / Raising awareness on discrimination against Roma / Increasing awareness among Roma about their rights / Tackling multiple forms of discrimination against Roma women / Fighting against human trafficking and labour exploitation of children*
States that have not undertaken any of these measures: -2
States that have been identified for the worst forms of discrimination despite undertaking the measures listed above: -2
(These states will not be awarded positive points for the measures taken)
 Source: *European Commission, Steps Forward in Implementing National Roma Integration Strategies, 2013, http://ec.europa.eu/justice/discrimination/files/com_2013_454_en.pdf*
On worst forms of social exclusion: European Commission, Report on Discrimination of Roma Children in Education, October 2014
http://ec.europa.eu/justice/discrimination/files/roma_childdiscrimination_en.pdf
- Indicator 2.7. Measures taken by states to monitor the effect of policies for the social inclusion of Roma
 MoC: *Points assigned on any of the following measures taken by states: Mapping of the situation of the Roma / A monitoring system to measure the results and impacts of the national strategy / Identification of areas with extremely poor Roma communities / Involvement of all major stakeholders in the monitoring and evaluation process / Cooperation with National Statistical Offices / Planned regular reporting and evaluation*
States that have not undertaken any of these measures: -2
States that have undertaken at least one measure: 0
1 bonus point for each additional measure undertaken
States that have been identified for the worst forms of discrimination despite undertaking the measures listed above: -2
(These states will not be awarded positive points for the measures taken)
 Source: *European Commission, Steps Forward in Implementing National Roma Integration Strategies, 2013, http://ec.europa.eu/justice/discrimination/files/com_2013_454_en.pdf*
On worst forms of social exclusion: European Commission, Report on Discrimination of Roma Children in Education, October 2014
http://ec.europa.eu/justice/discrimination/files/roma_childdiscrimination_en.pdf

- **Issue 3: Social inclusion of persons with disabilities**

The indicator reflects the level of a state's legal commitment to the aims of the UN Convention on the Rights of Persons with Disabilities. Ratification of the Optional Protocol merits one bonus point.

- Indicator 2.8. Ratification of UN Convention on rights of persons with disabilities
 MoC: *Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2*
 Source: *OHCHR / UN Treaty Database (as of July 2014)*

- **Issue 4: Protection against age discrimination**

The two indicators examine to what degree older persons and minors are at risk of economic and social exclusion.

- Indicator 2.9. At risk of poverty rate for persons 65 years and older after social transfers
 MoC: *<10: +2 / 10-17: +1 / 18-24: 0 / 25-31: -1 / 32-40: -2 / >40: -3*
 Source: *European Commission, Eurostat 2012*
 Note: *Figures were rounded up before scoring*
- Indicator 2.10. At risk of poverty rate for persons less than 18 years old after social transfers
 MoC: *<10: +2 / 10-14: +1 / 15-20: 0 / 21-24: -1 / 25-30: -2 / >30: -3*
 Source: *European Commission, Eurostat 2012*
 Note: *Figures were rounded up before scoring*

Non-discrimination (except sex-based discrimination)

Countries	INDICATORS											Raw score	Conversion to 10	
	Existence of Legislation recognising the legality of same-sex partnerships (2.1)	Legislative provisions concerning adoption by same sex couples (2.2)	Criminal law provisions concerning offences related to sexual orientation and gender identity (2.3)	Ratification of the Framework Convention for the Protection of National Minorities (2.4)	Ratification of the European Charter for Regional or Minority languages (2.5)	Measures taken by states to fight discrimination against Roma (2.6)	Measures taken by states to monitor the effect of policies for the social inclusion of Roma (2.7)	Ratification of UN Convention on rights of persons with disabilities (2.8)	At risk of poverty rate for persons 65 years and older after social transfers (2.9)	At risk of poverty rate for persons less than 18 years old after social transfers (2.10)				
Range	+3 to -2	+2 to -2	+4 to -2	+3 to -2	+3 to -2	+5 to -2	+5 to -2	+3 to -2	+3 to -2	+2 to -3	+2 to -3	+2 to -3		
Austria	2	1	1	3	3	3	3	3	3	1	3	0	17	7,22
Belgium	3	2	4	1	-2	-2	-2	-2	-2	0	0	0	10	5,93
Bulgaria	-2	-2	-2	3	-2	-2	-2	-2	-2	-1	-1	-2	-9	2,41
Croatia	2	-2	4	3	2	2	2	2	2	0	0	-1	7	5,37
Cyprus	-2	-2	-2	3	3	-2	-2	-2	-2	-1	-1	1	-2	3,71
Czech Republic	2	-2	-2	3	3	3	3	3	3	2	2	1	6	5,19
Denmark	3	2	2	3	3	3	3	3	3	1	1	1	19	7,59
Estonia	-2	-2	1	3	-2	1	1	1	1	1	1	0	4	4,82
Finland	2	1	2	3	3	2	2	2	2	0	0	1	19	7,59
France	3	2	4	-2	1	1	1	1	1	2	2	0	15	6,85
Germany	2	1	0	3	3	-2	-2	-2	-2	1	1	0	9	5,74
Greece	-2	-2	2	1	-2	-2	-2	-2	-2	1	1	-2	0	4,08
Hungary	2	-2	4	3	3	-2	-2	-2	-2	2	2	-1	10	5,93
Ireland	2	-2	1	3	-2	1	1	1	1	1	1	0	3	4,63
Italy	0	-2	-2	3	1	1	1	1	1	1	1	-2	5	5
Latvia	-2	-2	-2	3	-2	2	2	2	2	1	1	-1	1	4,26
Lithuania	-2	-2	2	3	-2	1	1	1	1	0	0	-1	4	4,82
Luxembourg	1	-2	-2	1	3	-2	-2	-2	-2	2	2	-1	1	4,26
Malta	2	2	4	2	1	-2	-2	-2	-2	1	1	-1	8	5,56
Netherlands	3	2	1	3	3	1	1	1	1	2	2	1	17	7,22
Poland	-2	-2	-2	3	3	-2	-2	-2	-2	1	1	-1	1	4,26
Portugal	3	-2	4	3	-2	1	1	1	1	1	1	-1	10	5,93
Romania	-2	-2	1	3	3	2	2	2	2	1	1	-3	9	5,74
Slovakia	-2	-2	1	3	3	-2	-2	-2	-2	2	2	-1	3	4,63
Slovenia	1	1	2	3	3	2	2	2	2	0	0	1	18	7,41
Spain	3	2	4	3	3	1	1	1	1	1	1	-2	20	7,78
Sweden	3	2	2	3	3	2	2	2	2	0	0	0	21	7,96
United Kingdom	3	2	1	3	3	-2	-2	-2	-2	1	1	0	13	6,48

Criterion 3: Rights of migrants and refugees

In a context of economic, political, social and environmental crises, the human rights of migrants are increasingly threatened by diverse legislative and political measures taken by European governments. The protection of migrants' rights, including refugees' rights, is an essential component of this assessment of the extent to which EU Members states are meeting their international obligations.

- **Issue 1: Rights of refugees**

The indicator measures the extent of asylum applications approved, in the first and second instance, in the context of a sharp decrease of refugee recognition rates by European states in the past decades.

Indicator 3.1. Percentage of asylum applications approved at final decisions
MoC: >50%: +3 / 41-50%: +2 / 31-40%: +1 / 21-30%: 0 / 11-20%: -1 / 1-11%: -2 / 0: -3
Source: Eurostat 2012

- **Issue 2: Rights of migrants**

The first two indicators respectively examine whether the state demonstrates its willingness to include non-national residents in political decision processes and to enable them to exercise their economic and social rights by entering the labour market. The third indicator examines to what extent the state is committed – in line with article 15 of the Directive 2008/115/EC of the European Parliament and of the EU Council – to protect foreign nationals without legal residence status from arbitrary and disproportionate measures depriving them of their personal freedom and dignity. The standard set by the aforementioned directive is a maximum of 6 months in detention, as a measure of last resort. Given the fact that alternatives to detention are insufficiently utilised by states, no positive scores are awarded for this indicator.

Indicator 3.2. Ratification of the Convention on the participation of foreigners in public life at local level
MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2
Source: Council of Europe (accessed July 2014)

Indicator 3.3. Percentage of third country immigrants having access to the regular labour market
MoC: >72%: +2 / 68-72%: +1 / 63-67%: 0 / 58-62%: -1 / <58%: -2
Source: Eurostat 2013

Indicator 3.4. Maximum admission length of detention for deportation
MoC: < 1 month: 0 / 1-6 months: -1 / 7-12 months: -2 / > 12 months: -3
Source: www.asylumineurope.org and Global Detention Project, Europe Profiles
Data: 2013-2014

Rights of migrants and refugees

Countries	INDICATORS							Raw score	Conversion to 10
	Percentage of asylum applications approved at final decisions (3.1)	Ratification of the Convention on the participation of foreigners in public life at local level (3.2)	Percentage of third country immigrants having access to the regular labour market (3.3)	Maximum admission length of detention for deportation (3.4)	Raw score	Conversion to 10			
Range	+3 to -3	+3 to -2	+2 to -2	0 to -3					
Austria	-1	-2	0	-2	-5	2,78			
Belgium	-2	-2	-2	-1	-7	1,67			
Bulgaria	3	-2	-2	-3	-4	3,33			
Croatia	0	-2	-2	n/a	-4	3,33			
Cyprus	-2	1	2	-3	-2	4,45			
Czech Republic	-2	1	2	-1	0	5,56			
Denmark	0	3	0	-3	0	5,56			
Estonia	-3	1	2	-3	-3	3,89			
Finland	3	3	0	-3	3	7,22			
France	-1	-2	-1	-1	-5	2,78			
Germany	-1	-2	0	-3	-6	2,22			
Greece	1	-2	2	-3	-2	4,45			
Hungary	0	-2	1	-3	-4	3,33			
Ireland	-2	-2	-1	-1	-6	2,22			
Italy	3	3	1	-3	4	7,78			
Latvia	-2	-2	1	-3	-6	2,22			
Lithuania	-3	1	2	-3	-3	3,89			
Luxembourg	-3	-2	1	-1	-5	2,78			
Malta	-2	-2	1	-2	-5	2,78			
Netherlands	-1	3	-1	-3	-2	4,45			
Poland	-2	-2	1	-2	-5	2,78			
Portugal	-3	-2	2	-1	-4	3,33			
Romania	-1	-2	n/a	-3	-6	2,22			
Slovakia	-1	-2	n/a	-1	-4	3,33			
Slovenia	-3	1	2	-2	-2	4,45			
Spain	-2	-2	2	-1	-3	3,89			
Sweden	-2	3	0	-2	-1	5,00			
United Kingdom	2	1	0	-3	0	5,56			

Criterion 4: Corruption and governance

Corruption and good governance are directly related to human rights to the extent that the protection of human rights is directly undermined by corrupt officials and poor governance. Thus, corrupt practices and the lack of transparent institutional decision-making processes within governmental structures are undoubtedly recognised as determining factors contributing to the perpetration of human rights abuses. A state's good governance practices act as positive prerequisites for the respect of human rights.

- **Issue 1: Corruption**

The first indicator examines corruption in the public sector and in politics. It is based on the perception of informed observers. The second and third indicators reflect the views of and experiences with corruption of a representative sample of each country's population in the areas mentioned above.

Indicator 4.1. Corruption perceptions index, public sector
MoC: >80: +2 / 71-80: +1 / 61-70: 0 / 51-60: -1 / <51: -2
Source: *Transparency International 2013*

Indicator 4.2. Public coverage on the global corruption Barometer for Parliament/Legislature
MoC: <2.2: +2 / 2.2-2.8: +1 / 2.9-3.4: 0 / 3.5-4: -1 / >4: -2
Source: *Transparency International, Global Corruption Barometer 2013*

Indicator 4.3. Public Coverage on the global corruption barometer for public officials/civil servants
MoC: <2.2: +2 / 2.2-2.8: +1 / 2.9-3.4: 0 / 3.5-4: -1 / >4: -2
Source: *Transparency International, Global Corruption Barometer 2013*

- **Issue 2. Governance**

The first indicator measures the extent to which governmental expenditure and income are transparent and publicly accountable. The second indicator takes into account 15 criteria such as banking secrecy or automatic information exchange to measure the secrecy of a jurisdiction, which can have consequences both domestically and in the frame of international offshore finance.

Indicator 4.4. Open Budget Index Scores
MoC: *No data:* -2 / <50: 0 / 50-60: +1 / 61-70: +2 / 71-80: +3 / >80: +4
Source: *International Budget Partnership 2012*

Indicator 4.5. Financial Secrecy Score
MoC: <31: +2 / 31-40: +1 / 41-50: 0 / 51-60: -1 / >60: -2
Source: *Tax Justice Network, Financial Secrecy Index 2013*

Corruption and governance

Countries	INDICATORS								Conversion to 10
	Corruption perceptions index, public sector (4.1)	Public coverage on the global corruption Barometer for Parliament/ Legislature (4.2)	Public Coverage on the global corruption barometer for public officials/ civil servants (4.3)	Open Budget Index Scores (4.4)	Financial Secrecy Score (4.5)	Raw score			
Range	+2 to -2	+2 to -2	+2 to -2	+4 to -2	+2 to -2				
Austria	0	n/a	n/a	-2	-2	-4	2.73		2.73
Belgium	1	-1	-1	-2	0	-3	3.18		3.18
Bulgaria	-2	-1	-1	2	n/a	-2	3.64		3.64
Croatia	-2	-1	-1	2	n/a	-2	3.64		3.64
Cyprus	0	-2	-1	-2	-1	-6	1.82		1.82
Czech Republic	-2	-1	-1	3	n/a	-1	4.09		4.09
Denmark	2	1	1	-2	1	3	5.91		5.91
Estonia	0	0	0	-2	n/a	-2	3.64		3.64
Finland	2	0	0	-2	n/a	0	4.55		4.55
France	1	-1	0	4	0	4	6.36		6.36
Germany	1	0	0	3	-1	3	5.91		5.91
Greece	-2	-2	-1	-2	n/a	-7	1.36		1.36
Hungary	-1	-1	0	-2	1	-3	3.18		3.18
Ireland	0	n/a	n/a	-2	1	-1	4.09		4.09
Italy	-2	-2	-1	1	1	-3	3.18		3.18
Latvia	-2	-1	-1	-2	-1	-7	1.36		1.36
Lithuania	-1	-2	-1	-2	n/a	-6	1.82		1.82
Luxembourg	1	0	0	-2	-2	-3	3.18		3.18
Malta	-1	n/a	n/a	-2	0	-3	3.18		3.18
Netherlands	2	n/a	n/a	-2	0	0	4.55		4.55
Poland	-1	n/a	n/a	1	n/a	0	4.55		4.55
Portugal	0	-1	0	2	1	2	5.46		5.46
Romania	-2	-1	0	0	n/a	-3	3.18		3.18
Slovakia	-2	-1	-1	2	n/a	-2	3.64		3.64
Slovenia	0	-1	-1	3	n/a	1	5.00		5.00
Spain	0	-1	0	2	1	2	5.46		5.46
Sweden	2	n/a	n/a	4	1	7	7.73		7.73
United Kingdom	1	-1	0	4	-2	2	5.46		5.46

Criterion 5: Social cohesion/ economic and social rights

One demonstrable consequence of the responses to the global financial and economic crisis is the exacerbation of poverty and socio-economic inequalities, which result in violations of several key human rights, particularly for vulnerable groups. The issue of social cohesion and respect for economic and social rights should be at the forefront of any analysis of states' human rights records. Indeed, irrespective of its economic resources and choices, each state has committed to take steps towards progress in the field of economic and social rights. This section examines states' efforts to protect the most vulnerable groups through a comprehensive range of indicators which address key contributory factors to social and economic deprivation.

• Issue 1: Legal protection of economic, social and cultural rights (ESCR)

The indicators measure whether states have recognised the justiciability of economic, social and cultural Rights before UN and European complaint procedures.

Indicator 5.1. Ratification (and signature) of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

MoC: Ratification or accession and have placed declarations recognizing the competence of the Committee under Articles 10 and 11: +3/ Ratification or accession but no declarations under Articles 10 and 11: +2/ Signature: +1/ No signature, ratification or accession: -2

Source: United Nations Treaty Collection, Accessed July 2014

Indicator 5.2. Ratification of the Additional Protocol to the European Social Charter providing for a System of Collective Complaints

MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2

Source: Council of Europe Treaty Office, Accessed July 2014

• Issue 2: Right to social security

The indicator examines the state's commitment to protect its vulnerable groups through financial assistance.

Indicator 5.3. At risk of poverty rate after social transfers

MoC: <12: +2 / 12-14: +1 / 15-17%: 0 / 18-20: -1 / >20: -2

Source: European Commission, Eurostat 2012

Note: Figures rounded up before scoring

• Issue 3: Right to education

The indicator examines whether the state's efforts to provide its population with the opportunity for education are effective.

Indicator 5.4. Percentage of total population (25-64) having completed at least upper secondary education

MoC: >90: +2 / 81-90: +1 / 71-80: 0 / 60-70: -1 / <60: -2

Source: European Commission, Eurostat 2013

Note: Figures rounded up before scoring

• Issue 4: Adequate standard of living

These indicators draw upon widely recognised elements of an adequate standard of living, (housing conditions, hunger), in the light of levels of inequality.

Indicator 5.5. Percentage of total population living with a leaking roof, damp walls, floors or foundation, rot in window frames or floor

MoC: <10: +2 / 10-14: +1 / 15-20: 0 / 21-25: -1 / >25: -2

Source: European Commission, Eurostat 2012

Note: Figures rounded up before scoring

Indicator 5.6. Percentage of households with a heavy financial burden due to housing costs

MoC: <16: +2 / 16-27: +1 / 28-33: 0 / 34-45: -1 / 46-55: -2 / >55: -3

Source: European Commission, Eurostat 2012

Indicator 5.7. Depth of food deficit

MoC: <4: +2 / 4-8: +1 / 9-13: 0 / 14-19: -1 / 20-24: -2 / >24: -3

Source: WDI 2012

Indicator 5.8. GINI coefficient of inequality

MoC: <0.26: 2 / 0.26-0.30: 1 / 0.31-0.35: 0 / 0.36-0.40: -1 / >0.40: -2

Source: OECD Factbook 2014

- **Issue 5: Right to health**

These indicators measure states' efforts to ensure the right to the highest attainable standard of health of its population.

Indicator 5.9. Healthy life years for females at birth as a percentage of total life expectancy

MoC: >82: +3 / 78-82: +2 / 73-77: +1 / 68-72: 0 / 63-67: -1 / <63: -2

Source: European Commission, Eurostat 2012

Note: Figures rounded up before scoring

Indicator 5.10. Out of pocket expenditure as a percentage of total health expenditure

MoC: <8: +3 / 8-12: +2 / 13-18: +1 / 19-23: 0 / 24-28: -1 / 29-33: -2 / >33: -3

Source: World Health Organisation, Global Health Expenditure Database, National Health Accounts, 2012

Note: Figures rounded up before scoring

Social cohesion/ economic and social rights

Countries	INDICATORS										Raw score	Conversion to 10
	Ratification of the Optional Protocol of the ICESCR (5.1)	Ratification of the Additional Protocol to the European Social Charter (5.2)	At risk of poverty rate after social transfers (5.3)	Percentage of total population (25-64) having completed at least upper secondary education (5.4)	Percentage of total population living with a leaking roof, damp walls, floors or foundation, rot in window frames or floor (5.5)	Percentage of households with a heavy financial burden due to housing costs (5.6)	Depth of food deficit (5.7)	Gini coefficient of inequality (5.8)	Healthy life years for females at birth as a percentage of total life expectancy (5.9)	Out of pocket expenditure as a percentage of total health expenditure (5.10)		
Range	+3 to -2	+3 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -3	+2 to -2	+2 to -2	+3 to -2	+3 to -3		
Austria	-2	1	1	1	1	1	2	1	1	1	8	6,52
Belgium	3	3	0	0	0	0	2	1	2	0	11	7,17
Bulgaria	-2	n/a	-2	1	1	-2	-3	n/a	3	-3	-7	3,26
Croatia	-2	3	-2	0	1	-3	0	n/a	2	1	0	4,78
Cyprus	-2	3	0	0	-2	-3	-3	n/a	1	-3	-9	2,82
Czech Republic	-2	3	2	2	1	0	1	1	2	1	11	7,17
Denmark	-2	1	1	0	0	2	1	2	1	1	7	6,3
Estonia	-2	-2	-1	2	0	0	-2	0	0	1	-4	3,91
Finland	3	2	1	1	2	1	1	1	-1	0	11	7,17
France	2	3	1	0	1	1	2	1	n/a	3	14	7,83
Germany	-2	-2	0	1	1	1	2	1	0	2	4	5,65
Greece	-2	3	-2	-1	0	-1	2	0	2	-2	-1	4,56
Hungary	-2	1	1	1	-1	-1	0	1	1	-1	0	4,78
Ireland	1	3	0	0	1	-1	2	0	2	1	9	6,74
Italy	1	3	-1	-2	-1	-3	2	0	n/a	0	-1	4,56
Latvia	-2	-2	-1	1	-2	-1	-3	n/a	1	-3	-12	2,17
Lithuania	1	-2	-1	2	0	-1	0	n/a	1	-2	-2	4,35
Luxembourg	1	-2	0	1	0	-1	2	1	2	2	6	6,09
Malta	-2	-2	0	-2	1	-3	1	n/a	3	-2	-6	3,48
Netherlands	1	3	2	0	0	2	1	1	0	3	13	7,61
Poland	-2	-2	0	1	1	-3	1	0	2	0	-2	4,35
Portugal	2	3	-1	-2	-1	-1	2	0	n/a	-2	0	4,78
Romania	-2	-2	-2	0	0	-1	2	n/a	1	0	-4	3,91
Slovakia	2	1	1	2	2	0	-3	1	-1	0	5	5,87
Slovenia	1	1	1	1	-2	-1	1	2	-1	2	5	5,87
Spain	2	-2	-2	-2	1	-3	1	0	1	0	-4	3,69
Sweden	-2	3	1	1	2	2	0	1	3	1	12	7,39
United Kingdom	-2	-2	0	0	0	0	2	0	n/a	2	0	4,78

Criterion 6: Judicial systems (right to a fair trial, torture and prison administration)

This criterion addresses three contemporary key challenges to European judicial systems, in the context of widespread concerns over the human rights to receive a fair trial, to be free from torture and to be treated with dignity in detention.

- **Issue 1: Right to a fair trial**

This issue is measured by a single criterion: the degree of trust citizens hold towards their own legal systems. It is noticeable how few national systems enjoy more than 50% levels of trust.

Indicator 6.1. The extent of trust in the national legal system
MoC: >63%: +2; 54-63%: +1; 44-53%: 0; 34-43%: -1; <34%: -2
Source: Eurobarometer 2013

- **Issue 2: Torture**

While incidences of torture by public officials may not be widespread, torture has re-emerged as a human rights issue within the European system. In the aftermath of the terrible events of September 11th 2001, many European states committed themselves to assisting the then US administration's declared 'war on terror', which demonstrably resulted in human rights violations and abuses of suspects and detainees, including torture. This indicator measures the extent to which states have committed themselves fully to the legal mechanisms designed to prevent torture.

Indicator 6.2 Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2
Source: UN Treaty Collection (accessed July 2014)

- **Issue 3. Prison administration**

This indicator measures a key element of detention conditions. Prison overcrowding not only undermines the human dignity of detainees, it also increases the risks of recidivism.

Indicator 6.3. Prison density per 100 places
MoC: <97: +2 / 97-102: 0 / 103-110: -1 / 110-120: -2 / >120 or no data: -3
Source: Prison stock on 1 Jan 2014, Council of Europe Annual Penal Statistics

Judicial Systems (right to a fair trial, torture and prison administration)

Countries	INDICATORS					
	The extent of trust in the national legal system (6.1)	Ratification of the optional protocol to the Convention against torture (6.2)	Occupancy level of prisons as a proportion of total prison capacity (6.3)	Raw score	Conversion to 10	Conversion to 5
Range	+2 to -2	+3 to -2	+2 to -3			
Austria	2	3	0	5	8,57	4,29
Belgium	-1	1	-2	-2	3,57	1,79
Bulgaria	-2	3	-3	-2	3,57	1,79
Croatia	-2	3	-2	-1	4,29	2,15
Cyprus	0	3	-3	0	5	2,50
Czech Republic	-1	3	2	4	7,86	3,93
Denmark	2	3	2	7	10	5,00
Estonia	1	3	2	6	9,29	4,65
Finland	2	1	2	5	8,57	4,29
France	0	3	-2	1	5,72	2,86
Germany	1	3	2	6	9,29	4,65
Greece	-1	3	-3	-1	4,29	2,15
Hungary	0	3	-3	0	5	2,50
Ireland	-1	1	2	2	6,43	3,22
Italy	-1	3	-3	-1	4,29	2,15
Latvia	-1	-2	2	-1	4,29	2,15
Lithuania	-2	3	0	1	5,72	2,86
Luxembourg	1	3	0	4	7,86	3,93
Malta	-1	3	-3	-1	4,29	2,15
Netherlands	2	3	2	7	10	5,00
Poland	-1	3	2	4	7,86	3,93
Portugal	-2	1	-2	-3	2,86	1,43
Romania	-2	3	-2	-1	4,29	2,15
Slovakia	-2	-2	2	-2	3,57	1,79
Slovenia	-2	3	-1	0	5	2,50
Spain	0	3	2	5	8,57	4,29
Sweden	2	3	2	7	10	5,00
United Kingdom	0	3	-3	0	5	2,50

Criterion 7: Freedom of expression and right to information

Freedom of expression, the right to freely access information and the corresponding right to privacy are essential aspects of any human rights-respecting regime. Unfortunately, we could not include the two indicators used to measure the protection of privacy in the 2012 report, because of the lack of data availability. A new indicator on the freedom of expression of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons has been included.

• Issue 1: Freedom of expression

The first indicator points to the level of press freedom in each country. While being taken into account in the Press Freedom Index, the issue of media concentration could not be included in this study as a separate indicator due to the lack of data availability. While the last years have seen some countries adopting discriminatory laws limiting the freedom of expression of LGBTI people, the second indicator gives malus points to EU member states that have such laws in place.

Indicator 7.1. Press Freedom Index of Reporters without borders
MoC: <9: +2 / 9-13: +1 / 14-18: 0 / 19-23: -1 / >23: -2
Source: *Reporters without Borders online 2013*
Note: *Figures rounded up before scoring*

Indicator 7.2. Freedom of assembly, association & expression of LGBTI people
MoC: *Yes: 0 / No: -2*
Source: *ILGA, Rainbow Europe 2014*

• Issue 2: Right to information

The right to freedom of information is an essential function of the right to freedom of expression and is a crucial resource for journalists and ordinary citizens within a democratic society. This indicator measures the scope of freedom of information laws implemented within EU member states.

Indicator 7.3. Global Right to Information Rating
MoC: >97: +3 / 88-97: +2 / 78-87: +1 / 68-77: 0 / 58-67: -1 / 48-57: -2 / <48: -3
Source: *Centre for Law and Democracy and Access Info Europe.org, 2013*

Freedom of expression and right to information

Countries	INDICATORS					Raw score	Conversion to 10	Conversion to 5
	Press Freedom Index of Reporters without borders (7.1)	Freedom of assembly, association & expression of LGBTIQ people (7.2)	Global Right to Information Rating (7.3)	Freedom of assembly, association & expression of LGBTIQ people (7.2)	Global Right to Information Rating (7.3)			
Range	+2 to -2	0 to -2	+3 to -3					
Austria	1	0	-3			-2	4,17	2,09
Belgium	1	0	-1			0	5,84	2,92
Bulgaria	-2	0	2			0	5,84	2,92
Croatia	-2	-2	3			-1	5	2,50
Cyprus	0	0	n/a			0	5,84	2,92
Czech Republic	1	0	0			1	6,67	3,34
Denmark	2	0	-1			1	6,67	3,34
Estonia	1	0	2			3	8,33	4,17
Finland	2	0	3			5	10,00	5,00
France	-1	0	-1			-2	4,17	2,09
Germany	1	0	-2			-1	5	2,50
Greece	-2	0	-1			-3	3,34	1,67
Hungary	-2	-2	1			-3	3,34	1,67
Ireland	1	0	2			3	8,33	4,17
Italy	-2	0	-2			-4	2,50	1,25
Latvia	-1	0	0			-1	5	2,50
Lithuania	0	-2	-1			-3	3,34	1,67
Luxembourg	2	0	n/a			2	7,50	3,75
Malta	-1	0	1			0	5,84	2,92
Netherlands	2	0	1			3	8,33	4,17
Poland	1	0	-1			0	5,84	2,92
Portugal	0	0	0			0	5,84	2,92
Romania	-1	0	1			0	5,84	2,92
Slovakia	1	0	0			1	6,67	3,34
Slovenia	-1	0	3			2	7,50	3,75
Spain	-1	0	0			-1	5,00	2,50
Sweden	1	0	2			3	8,33	4,17
United Kingdom	0	0	3			3	8,33	4,17

Criterion 8: Labour rights

The temptation of a “rush to the bottom” regarding workers’ rights by employers and governments in response to the global crisis is a threat to fundamental human rights. It especially impacts labour conditions, job security and the right to join a union which are considered crucial when assessing how EU states are ensuring continuing protection of human rights.

• Issue 1: Work and employment

While the previous study measured the average number of actual weekly hours in main full-time job, the limited differences between states have led us to replace it with an indicator measuring the percentage of employees working shifts. This type of precarious work-organisation can have various negative effects on workers health, safety and social life. The second indicator included here provides an assessment of relative job security.

Indicator 8.1. Employees working shifts as a percentage of total employees

MoC: <12: +2 / 12-17: +1 / 18-22: 0 / 23-28: -1 / >28: -2

Source: European Commission, Eurostat 2013

Indicator 8.2. Percentage of total number of employees with a contract of limited duration

MoC: <4: +2 / 4-7: +1 / 8-12: 0 / 13-16: -1 / >16: -2

Source: European Commission, Eurostat 2013

• Issue 2 : Union rights

Article 6 of the revised European Social Charter promotes collective bargaining and recognises the right to strike. Vulnerable employment captures ‘unpaid family workers and own-account workers’ who are unlikely to enjoy the benefits unionisation, employer provided health care and pensions. The International Trade Union Confederation Global Rights Index measures violations of the rights to freedom of association, to collective bargaining and to strike faced by workers, both in law and in practice.

Indicator 8.3. Recognition of Article 6 of the (revised) European Social Charter

MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2

Source Council of Europe, accessed in 2014, situation as at 26 March 2013

Indicator 8.4. Vulnerable employment as a percentage of total employment

MoC: <5: +2 / 5-9: +1 / 10-14: 0 / 15-19: -1 / >19: -2

Source: World Bank 2012(most recent figs)

Indicator 8.5. ITUC Global Rights Index

MoC 1 (Irregular violations): 0 / 2 (Repeated violations) or 3 (Regular violations): -1 / 4 (Systematic violations): -2 / 5 (No guarantee of rights): -3

Source: International Trade Union Confederation, 2014

Labour rights

Countries	INDICATORS							Raw score	Conversion to 10
	Employees working shifts as a percentage of total employees (8.1)	Percentage of total number of employees with a contract of limited duration (8.2)	Recognition of Article 6 of the (revised) European Social Charter (8.3)	Vulnerable employment (8.4)	ITUC Global Rights Index (8.5)				
Range	+2 to -2	+2 to -2	+3 to -2	+2 to -2		0 to -3			
Austria	0	0	3	1	n/a	4	7,5		
Belgium	2	0	3	0	0	5	8		
Bulgaria	0	1	3	1	-1	4	7,5		
Croatia	-2	-1	1	-1	-1	-4	3,50		
Cyprus	1	-2	3	0	n/a	2	6,5		
Czech Republic	-2	0	1	-1	-1	-3	4		
Denmark	2	0	1	1	0	4	7,5		
Estonia	1	1	3	1	0	6	8,5		
Finland	0	-1	3	0	0	2	6,5		
France	2	-2	3	1	0	4	7,5		
Germany	1	-1	1	1	0	2	6,5		
Greece	-1	0	1	-2	-3	-5	3		
Hungary	0	0	3	1	-1	3	7,00		
Ireland	0	0	3	0	-1	2	6,5		
Italy	0	-1	3	-1	0	1	6		
Latvia	-1	1	3	1	-1	3	7		
Lithuania	1	2	3	1	0	7	9		
Luxembourg	1	1	1	1	n/a	4	7,5		
Malta	0	0	3	1	n/a	4	7,5		
Netherlands	2	-2	2	0	0	2	6,5		
Poland	-2	-2	1	-1	-1	-5	3		
Portugal	0	-2	2	-1	-1	-2	4,5		
Romania	-1	2	3	-2	-1	1	6		
Slovakia	-2	1	3	0	0	2	6,5		
Slovenia	-2	-2	3	0	n/a	-1	5		
Spain	0	-2	1	0	-1	-2	4,5		
Sweden	-1	-2	3	1	0	1	6		
United Kingdom	0	1	1	0	-1	1	6		

Section B: Respect for human rights at the international level

In addition to their domestic human rights obligations, states have obligations beyond their own borders to respect, protect and fulfil human rights, and in particular to ensure the establishment of political environments conducive to the global protection of human rights.

Criterion 9: International justice and human rights promotion

This criterion measures states' commitments to fight against impunity for international crimes and to support and adopt the most recent UN human rights mechanisms. The strengthening of international justice and international human rights law are two crucial aspects of state's commitments to respect, protect and fulfil human rights.

- **Issue 1: Cooperation with international organisations**

The two indicators measure states' domestic incorporation of the Rome Statute of the International Criminal Court (ICC) and the extent of their contributions to the Trust Fund for Victims of the ICC, which is an important tool to ensure victims' right to reparation.

Indicator 9.1. National legislation on cooperation in the ICC and incorporation of the ICC statute into the criminal code

MoC: Yes: +1 / No: -2

Source: ICC Coalition Europe (accessed August 2014)

Indicator 9.2. Voluntary contributions to the Trust Fund for Victims

MoC: Voluntary contributions made in 2011-2013: +2 / Contributions made only prior to 2011: +1 / No contributions made: 0

Source: www.trustfundforvictims.org

- **Issue 2: Initiative in pursuing international human rights obligations**

The first indicator included to measure this issue maps the ratification of the Convention on protection from enforced disappearances. The second concerns the adoption of a National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 on Women, Peace, and Security.

Indicator 9.3. Ratification of the Convention for the protection of all persons from enforced disappearances

MoC: Ratification or accession with no reservations: +3/ Ratification or accession with reservations: +2/ Signature: +1/ No signature, ratification or accession: -2

Source: OHCHR (current as of August 2014)

Indicator 9.4. National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 on Women, Peace, and Security.

MoC: NAP: +2 / No NAP: -2

Source: PeaceWomen.Org, 2014

International justice and human rights promotion

Countries	INDICATORS					Raw score	Conversion to 10
	National legislation on cooperation in the ICC and incorporation of the ICC statute into the criminal code (9.1)	Voluntary contributions to the Trust Fund for Victims (9.2)	Ratification of the Convention for the protection of all persons from enforced disappearances (9.3)	National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 on Women, Peace, and Security (9.4)			
Range	+1 to -2	+2 to 0	+3 to -2	+2 to -2			
Austria	-2	2	3	2	5	7,86	
Belgium	1	2	3	2	8	10,00	
Bulgaria	1	0	1	-2	0	4,29	
Croatia	1	0	1	2	4	7,14	
Cyprus	-2	0	1	-2	-3	2,15	
Czech Republic	-2	2	-2	-2	-4	1,43	
Denmark	1	1	1	2	5	7,86	
Estonia	1	2	-2	2	3	6,43	
Finland	1	2	1	2	6	8,57	
France	-2	1	3	2	4	7,14	
Germany	1	2	3	2	8	10,00	
Greece	-2	0	1	-2	-3	2,15	
Hungary	-2	2	-2	-2	-4	1,43	
Ireland	1	2	1	2	6	8,57	
Italy	-2	0	1	2	1	5	
Latvia	-2	1	-2	-2	-5	0,72	
Lithuania	1	0	3	2	6	8,57	
Luxembourg	-2	1	1	-2	-2	2,86	
Malta	1	0	1	-2	0	4,29	
Netherlands	1	2	3	2	8	10,00	
Poland	-2	2	1	-2	-1	3,57	
Portugal	-2	0	3	2	3	6,43	
Romania	-2	0	1	-2	-3	2,15	
Slovakia	-2	0	1	-2	-3	2,15	
Slovenia	1	1	1	2	5	7,86	
Spain	1	1	3	2	7	9,29	
Sweden	-2	1	1	2	2	5,72	
United Kingdom	1	2	-2	2	3	6,43	

Criterion 10: Overseas development assistance/ financial contributions to the UN

This criterion assesses states' international obligations to assistance and cooperation, in compliance with Article 2 of the International Covenant on Economic, Social and Cultural Rights. Article 2 commits states to provide, to the maximum of their available resources, financial and technical assistance to help countries in need to ensure the fulfilment of economic, social and cultural rights by alleviating global poverty. The global financial crisis cannot be used as an excuse for states to avoid fulfilling this obligation.

- **Issue 1: Overseas development assistance (ODA)**

ODA, while not necessarily linked with the active promotion of human rights, particularly in the absence of systematic and thorough human rights impact assessments of projects financed, nevertheless reflects the extent to which the state is willing to honour its obligation to provide international economic assistance. In the context of the growing reliance on private sector by ODA programs, human rights conditionality is becoming an ever growing issue, although no indicator is currently available to measure it adequately in the context of this study.

Indicator 10.1. Bilateral ODA spent by OECD donor countries as a percentage of GDP

MoC: >50% increase: +2 / increase up to 50%: +1 / no change: 0 / decrease up to 50%: -1 / > 50% decrease: -2

Source: OECD Database and World Development Indicators Database (2011-2012 data, US\$ current prices)

- **Issue 2: Financial contributions to the united nations**

This indicator provides an indication of the extent of states' financial commitments to supporting the protection of human rights specifically through the office of the United Nations' High Commissioner for Human Rights.

Indicator 10.2. Development of voluntary monetary contributions to the OHCHR as a percentage of GDP

MoC: >50% increase: +2 / increase up to 50%: +1 / no change: 0 / decrease: -1 / no contribution: -2

Source: OHCHR annual reports 2012 and 2013 (US \$ current prices)

Overseas development assistance/ financial contributions to the UN

Countries	INDICATORS					Conversion to 5
	United bilateral ODA spent by OECD donor countries as a percentage of GDP (10.1)	Development of voluntary monetary contributions to the OHCHR as percentage of GDP (10.2)	Raw score	Conversion to 10	Conversion to 5	
Range	+2 to -2	+2 to -2				
Austria	1	-1	0	5	2,5	
Belgium	-1	-1	-2	2,50	1,25	
Bulgaria	-2	1	-1	3,75	1,875	
Croatia	n/a	-2	-2	2,50	1,25	
Cyprus	-1	-1	-2	2,50	1,25	
Czech Republic	-1	-1	-2	2,50	1,25	
Denmark	-1	2	1	6,25	3,125	
Estonia	1	2	3	8,75	4,375	
Finland	0	1	1	6,25	3,125	
France	0	1	1	6,25	3,125	
Germany	1	-1	0	5	2,5	
Greece	-1	2	1	6,25	3,125	
Hungary	0	-1	-1	3,75	1,875	
Ireland	-1	-1	-2	2,50	1,25	
Italy	-2	-1	-3	1,25	0,625	
Latvia	0	-1	-1	3,75	1,875	
Lithuania	0	-2	-2	2,50	1,25	
Luxembourg	1	1	2	7,5	3,75	
Malta	-1	-2	-3	1,25	0,625	
Netherlands	-1	-1	-2	2,50	1,25	
Poland	0	1	1	6,25	3,125	
Portugal	-1	-1	-2	2,50	1,25	
Romania	0	1	1	6,25	3,125	
Slovakia	0	2	2	7,50	3,75	
Slovenia	0	2	2	7,50	3,75	
Spain	-2	-1	-3	1,25	0,625	
Sweden	1	1	2	7,50	3,75	
United Kingdom	1	-1	0	5	2,5	

Criterion 11: Arms control

Similar to the criterion on corruption and good governance, arms production and trade remains a high risk factor for potential states' complicity in human rights abuses, particularly in respect of those countries importing arms produced within the EU. This criterion looks at states' cooperation to control and reduce global arms production and trade as a means for promoting peace and stability.

• Issue 1: Disarmament

The four indicators included measure the extent of states' commitments to regulating or abolishing the particularly controversial manufacture of deadly weapons: respectively small-arms, cluster munitions, anti-personnel mines and all conventional weapons.

Indicator 11.1. Ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

MoC: *Ratification, acceptance or accession with no reservations: +3/ Ratification, acceptance or accession with reservations: +2/ Signature: +1/ None of the above: -2*

Source: *United Nations Treaties Collection, accessed August 2014*

Indicator 11.2. Ratification of the Convention on Cluster Munition

MoC: *Ratification, accession, approval or acceptance with no reservations: +3/ Ratification, accession, approval or acceptance with reservations: +2/ Signature: +1/ None of the above: -2*

Source: *United Nations Treaties Collection, accessed August 2014*

Indicator 11.3. Ratification and implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

MoC: *Part I: Ratification or Accession: 0 / Signed but not ratified: -1 / Not signed: -2*

Part II: Additional points if No stockpiles or No mines: +1 / if neither: +4

Part III: Additional points if Stockpile destroyed and Mine clearance completed (if mines present): +3/ Stockpile destroyed or Mine clearance completed (if mines present): +2 / Stockpile destruction or Mine clearance ongoing or deadline accepted or extension requested (if mines present): +1 /

Source: *United Nations Treaties Collection, (accessed August 2014); International Campaign to ban landmines (accessed August 2014); Landmine and Cluster Munition Monitor (accessed August 2014)*

Indicator 11.4. Ratification of the Arms Trade Treaty

MoC: *Ratification, accession, approval or acceptance with no reservations: +3/ Ratification, accession, approval or acceptance with reservations: +2/ Signature: +1/ None of the above:-2*

Source: *United Nations Treaty Collection as at August*

• Issue 2: Military and arms exports

Several EU member states have thriving arms industries. The two indicators measure the value of domestic arms industries within all of the EU member states and the relative value of state arms expenditure.

Indicator 11.5. Trend Indicator Values of arms exports to all countries.

MoC: *no transfer: 0 / transfers of US\$ million 1-40: -1 / of 41-80: -2 / of 81-120: -3/*

of 121-150: -4 / of >150: -5
Source: Stockholm Intl. Peace Research Institute, Arms Transfer database. Data for 2013 taken from the World Bank Indicators Database

Indicator 11.6. Ratio of health expenditure to military expenditure as a percentage of GDP
MoC: Ratio <5: -2 / 5-9: -1 / 10-14: 0 / >14: +1
Source: World Bank 2012

Arms control

Countries	INDICATORS							Raw score	Conversion to 10
	Ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (11.1)	Ratification of the Convention of Cluster Mmunition (11.2)	Ratification and implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (11.3)	Ratification of the Arms Trade Treaty (11.4)	Trend Indicator Values of arms exports to all countries (11.5)	Ratio of health expenditure to military expenditure as a percentage of GDP (11.6)			
Range	+3 to -2	+3 to -2	+4 to -2	+3 to -2	0 to -5	+1 to -2			
Austria	3	3	4	3	-1	0	12	9,31	
Belgium	3	3	4	3	-2	0	11	8,97	
Bulgaria	3	3	3	3	-1	0	11	8,97	
Croatia	3	3	1	3	n/a	-2	8	7,93	
Cyprus	3	1	2	1	n/a	-2	5	6,90	
Czech Republic	3	3	4	1	-1	-1	9	8,28	
Denmark	1	3	3	3	-1	-1	8	7,93	
Estonia	3	-2	4	3	n/a	-2	6	7,24	
Finland	3	-2	2	3	-3	-1	2	5,86	
France	-2	3	3	3	-5	-1	1	5,52	
Germany	1	3	3	3	-5	-1	4	6,55	
Greece	3	-2	1	1	n/a	-2	1	5,52	
Hungary	3	3	3	3	n/a	-1	11	8,97	
Ireland	-2	3	4	3	-1	1	8	7,93	
Italy	3	3	4	3	-5	-1	7	7,59	
Latvia	3	-2	4	3	n/a	-1	7	7,59	
Lithuania	3	3	4	1	n/a	-1	10	8,62	
Luxembourg	1	3	4	3	n/a	0	11	8,97	
Malta	-2	3	4	3	n/a	1	9	8,28	
Netherlands	3	3	4	1	-5	0	6	7,24	
Poland	3	-2	2	1	-4	-2	-2	4,48	
Portugal	3	3	4	1	n/a	-1	10	8,62	
Romania	3	-2	4	3	-3	-2	3	6,21	
Slovakia	3	-2	4	3	n/a	-1	7	7,59	
Slovenia	3	3	4	3	n/a	-1	12	9,31	
Spain	3	3	4	3	-5	-1	7	7,59	
Sweden	3	3	4	3	-5	-1	7	7,59	
United Kingdom	1	3	2	3	-5	-2	2	5,86	

Criterion 12: Promoting corporate responsibility at home and abroad

This final human rights criterion examines states' duties to protect individuals from violations committed by businesses under their jurisdiction for their activities at home and abroad; i.e. the extent to which states regulate the overseas actions of EU-based companies in respect of human rights violations resulting from the conduct of their business activities. States' obligations and business responsibilities with regard to human rights are currently subject to many debates and many recent developments at EU and UN level, in which FIDH is involved⁴.

The first indicator examines the state's efforts in respect of implementation of the OECD Guidelines for Multinational Enterprises and the extent of independence of the National Contact Point that OECD member countries have to establish to disseminate the Guidelines and examine "specific instances" of alleged breaches of the Guidelines by companies. The level of independence of such contact point is considered the determining factor for the rating. The second indicator measures the extent of the size of the unregulated or informal sectors of EU economies. For lack of a better indicator, it is used as a proxy measure of corporate tax evasion, and is a -albeit partial - indication of corporate responsibility domestically. The third indicator awards a bonus for countries which require reporting on non-financial issues (environment, social, governance) from companies.

Indicator 12.1. Existence and Structure of OECD national contact point

MoC: *Yes, multipartite structure (government, business, trade unions, NGOs or independent experts): +1 / Yes, government structure: 0 / Yes, bipartite structure (government and business only): -1 / Not a member: -2*

Source: *OECD 2011*

Indicator 12.2. Shadow Economy as a percentage of GDP

MoC: *<6% =0 / 6-10%=-1 / 11-15%=-2 / 16-20%=-3 / >20 =-4*

Source: *CESifo Group Munich, (Center for Economic Studies, the Ifo Institute, and Munich Society for the Promotion of Economic Research) (Accessed August). Figures for 2013*

Indicator 12.3. Environment, social and governance (ESG) reporting requirements for companies

MoC: *No mandatory reporting (transposition of EU Directive only) or no data: -1 / Thematic mandatory reporting only: +1 / Thematic and/or Sector specific mandatory reporting: +2 / Generic mandatory reporting that may or may not be accompanied by thematic and sector specific reporting: +3*

Source: *Global Reporting Initiative, Carrots and Sticks report updated for 2013*

4. For more information concerning this issue, see the « Business and Human Rights » page on FIDH's website: <https://www.fidh.org/International-Federation-for-Human-Rights/globalisation-human-rights/business-and-human-rights/>

Promoting corporate responsibility at home and abroad

Countries	INDICATORS					
	Existence and Structure of OECD national contact point (12.1)	Shadow economy as percentage of GDP (12.2)	Environment, social and governance (ESG) reporting requirements for companies (12.3)	Raw score	Conversion to 10	Conversion to 5
Range	+1 to -2	0 to -4	+3 to -1			
Austria	0	-1	3	2	8,18	4,09
Belgium	1	-3	1	-1	5,46	2,73
Bulgaria	-2	-4	-1	-7	0	0,00
Croatia	-2	-4	-1	-7	0	0,00
Cyprus	-2	-4	-1	-7	0	0,00
Czech Republic	0	-3	-1	-4	2,73	1,37
Denmark	1	-2	1	0	6,36	3,18
Estonia	1	-4	-1	-4	2,73	1,37
Finland	1	-2	3	2	8,18	4,09
France	1	-1	3	3	9,09	4,55
Germany	0	-2	3	1	7,27	3,64
Greece	0	-4	-1	-5	1,82	0,91
Hungary	0	-4	3	-1	5,46	2,73
Ireland	0	-2	-1	-3	3,64	1,82
Italy	0	-4	-1	-5	1,82	0,91
Latvia	1	-4	-1	-4	2,73	1,37
Lithuania	1	-4	-1	-4	2,73	1,37
Luxembourg	1	-1	-1	-1	5,46	2,73
Malta	-2	-4	-1	-7	0	0,00
Netherlands	1	-1	3	3	9,09	4,55
Poland	0	-4	-1	-5	1,82	0,91
Portugal	0	-2	2	0	6,36	3,18
Romania	-1	-4	-1	-6	0,91	0,46
Slovakia	0	-2	-1	-3	3,64	1,82
Slovenia	1	-4	-1	-4	2,73	1,37
Spain	0	-3	3	0	6,36	3,18
Sweden	1	-2	3	2	8,18	4,09
United Kingdom	0	-1	3	2	8,18	4,09

Section C: States' respect for the environment and sustainable development

This part of the study relies on research conducted by MSCI ESG Sovereign Ratings. MSCI ESG Research assesses the level of a country's exposure to ESG risks as well as the manner in which they are being managed. The first criterion seeks to capture the country's situation in terms of preservation of the environment, while the second assesses the effectiveness of states risks' management. While FIDH has kept the two aspects, i.e. environmental exposure and environmental management, only those issues and indicators that seemed relevant from a human rights perspective were kept, whereas indicators that tend to penalize the countries with less natural resources were not. The first criterion can be understood as the current situation with regard to the respect of the environment (biodiversity, levels of pollution) and the second criterion as an assessment of public policies (resource conservation, management of water and energy). These issues are closely linked to human rights such as the human right to water (water management), to a healthy environment (biodiversity, pollution...) and the right to health (pollution) in particular of future generations. High energy consumption levels in particular are closely linked to climate change, which will have - and is already having - impacts on the enjoyment of human rights, in particular of the most vulnerable groups (right to food, right to water, migrants rights, etc.).

Some indicators, such as access to improved water, which do not vary across European countries, were not kept. As for human rights issues, the indicators for which no recent data was available had to be dropped. Indicators in these sections are drawn from the latest versions of the following sources available at the time of writing: World Development Indicators (WDI, World Bank), the Environmental Performance Index (EPI, Yale University), Human Development Report (HDR, from the UNDP) and Global Footprint network.

Criterion 13: Environmental exposure

- **Issue 1. Vulnerability to environmental events**

This issue is measured by indicators on the biocapacity (the area of productive land and water available to produce resources or absorb carbon dioxide waste, given current management practices) and the percentage of endangered species.

Indicator 13.1. Biocapacity,
MoC: *ha per person*
Source: *Global footprint network*

Indicator 13.2. Endangered species
MoC: *% of all species*
Source: *HDR*

- **Issue 2. Environmental externalities / Levels of emissions**

This issue is measured by the particulate matter concentrations in a country and the proportion of nitrogen oxide, sulphur dioxide and non-methane volatile organic compound emission.

Indicator 13.3. Particulate matter concentrations (PM10)
MoC: *Country level micrograms per cubic meter.*
Source: *WDI*

Indicator 13.4. Nitrogen oxides emissions
MoC: *Emissions per populated land area (Gg per 1000 sq-km)*
Source: *EPI*

Indicator 13.5. Sulfur dioxide emissions

MoC: Emissions per populated land area (Gg per 1000 sq-km)

Source: EPI

Indicator 13.6. Non-methane volatile organic compound emissions

MoC: NMVOC emissions per populated land area (Gg per 1000 sq-km)

Source: EPI

Environmental exposure

Countries	INDICATORS										Raw score	Conversion to 10
	Biocapacity (13.1)	Endangered species (13.2)	Particulate matter concentrations (13.3)	Nitrogen oxides emissions (13.4)	Sulfur dioxide emissions (13.5)	Non-methane volatile organic compound emissions (13.6)						
Range	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0		
Austria	6,5	5	7	7,5	8	8	7,5	8	8	8	42	7,00
Belgium	3,5	7	7,5	2	0	0	2	0	0	4	24	4,00
Bulgaria	6	5	4,5	8,5	0	0	8,5	0	0	10	34	5,67
Croatia	8,5	3,5	7	9	9	9	9	9	9	8	45	7,50
Cyprus	1	5,5	6,5	5,5	3	7,5	5,5	3	3	7,5	29	4,83
Czech Republic	5,5	7	8	6,5	7,5	8	6,5	7,5	7,5	8	42,5	7,08
Denmark	10	6,5	8	6,5	10	8	6,5	10	10	8	49	8,17
Estonia	10	8	9	9	7,5	10	9	7,5	10	10	53,5	8,92
Finland	10	7,5	8,5	9	10	10	9	10	10	10	55	9,17
France	6	3	8,5	7,5	10	6	7,5	10	10	6	41	6,83
Germany	4	5,5	8	6,5	9	6,5	6,5	9	9	6,5	39,5	6,58
Greece	4	2	6,5	7,5	6	8,5	7,5	6	6	8,5	34,5	5,75
Hungary	5	5,5	8,5	8	9	8,5	8	9	9	8,5	44,5	7,42
Ireland	8	6,5	8,5	8,5	10	10	8,5	10	10	10	51,5	8,58
Italy	2,5	3	7,5	6,5	9	6	6,5	9	9	6	34,5	5,75
Latvia	10	7,5	8,5	10	10	10	10	10	10	10	56	9,33
Lithuania	9,5	7,5	8	9	10	9	9	10	10	9	53	8,83
Luxembourg	8	8,5	8,5	10	10	8	10	10	10	8	53	8,83
Malta	1	6	n/a	0	0	0	0	0	0	1,5	8,5	1,42
Netherlands	2,5	7,5	6,5	2	8,5	6	2	8,5	8,5	6	33	5,50
Poland	4,5	7	6	7,5	6,5	8,5	7,5	6,5	6,5	8,5	40	6,67
Portugal	3,5	1	7,5	7,5	8	7	7,5	8	8	7	34,5	5,75
Romania	5	5,5	8,5	9	8	9	9	8	8	9	45	7,50
Slovakia	6	7	8,5	8,5	9	8,5	8,5	9	9	8,5	47,5	7,92
Slovenia	7	3,5	7	8	10	8	8	10	10	8	43,5	7,25
Spain	3,5	2	7	6,5	7,5	8	6,5	7,5	7,5	8	34,5	5,75
Sweden	10	7	9	10	10	10	10	10	10	10	56	9,33
United Kingdom	3	4,5	8,5	3,5	7,5	6	3,5	7,5	7,5	6	33	5,50

Criterion 14: Environmental management

• Issue 1. Energy resource management

This issue is further subdivided into energy intensity, which is measured by GDP per unit of energy use ; renewable energy, measured by the percentage of total primary energy consumption ; and energy consumption per capita, measured in kg of oil equivalent.

Indicator 14.1. Energy intensity

MoC: *GDP per unit of energy use (PPP \$ per kg of oil equivalent)*

Source: *WDI*

Indicator 14.2. Renewable energy

MoC: *% of total primary energy consumption*

Source: *WDI*

Indicator 14.3. Energy consumption per capita

MoC: *kgoe per capita*

Source: *WDI*

• Issue 2. Resource conservation

This issue is measured by four indicators: the ecological footprints of 1) production and 2) consumption; 3) greenhouse gas emissions per capita; 4) natural resource depletion as a percentage of GNI.

Indicator 14.4. Environment footprint of production

MoC: *Sum of the ecological footprints of all resources extracted and carbon dioxide emissions generated within the borders of the nation, global hectares (gha) per capita.*

Source: *Global Footprint Network*

Indicator 14.5. Ecological footprint of consumption

MoC: *Global hectares (gha) per capita*

Source: *Global Footprint Network*

Indicator 14.6. Greenhouse gases emissions per capita

MoC: *Tons per capita per year*

Source: *WDI, UNFCCC*

Indicator 14.7. Natural resource depletion

MoC: *Sum of net forest depletion, energy depletion, and mineral depletion, % of GNI*

Source: *WDI*

• Issue 3. Water resource management

Total annual freshwater withdrawal as a percentage of internal renewable water resources, water withdrawal per capita and the percentage of national territory in which water consumption exceeds forty percent of available water are used to measure this issue.

Indicator 14.8. Water withdrawal

MoC: *Annual freshwater withdrawals, total (% of internal resources)*

Source: *WDI*

Indicator 14.9. Water Withdrawal per Capita

MoC: *Cubic meters per capita*

Source: *WDI*

Indicator 14.10. Water stress

MoC: % of national territory in which water consumption exceeds 40% of available water

Source: EPI

- **Issue 4. Environmental performance**

The Environmental Performance Index (EPI) measures the performance of countries on environmental public health and ecosystem vitality.

Indicator 14.11. Environmental Performance Index (EPI)

MoC: Measurement of countries' performance on environmental public health and ecosystem vitality among a range of 25 indicators.

Source: EPI

- **Issue 5. Impact of environmental externalities**

This issue is measured by the deaths per million people due to indoor and outdoor air and water pollution.

Indicator 14.12. Deaths due to indoor and outdoor air and water pollution

MoC: Deaths per million people

Source: HDR

Environmental management

Countries	INDICATORS													Raw score	Conversion to 10	
	Energy intensity (14.1)	Renewable energy (14.2)	Energy consumption per capita (14.3)	Ecological footprint of production (14.4)	Ecological footprint of consumption (14.5)	GHG emissions per capita (14.6)	Natural resource depletion (14.7)	Water withdrawal as % of internal resources (14.8)	Water withdrawal per capita (14.9)	Water stress (14.10)	Environmental Performance Index (14.11)	Deaths due to indoor and outdoor air and water pollution (14.12)				
Range	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0
Austria	6,5	10	1	1	0	5	9,5	7,5	5,5	10	7	7		70	5,83	
Belgium	4	4	0	2	0	4,5	9,5	0	4	0,5	6	6		40,5	3,38	
Bulgaria	3	6,5	4	3	4,5	5,5	8,5	0,5	1,5	3	4,5	2		46,5	3,88	
Croatia	5,5	9,5	5,5	4,5	2,5	7	9	9	8,5	10	6	5,5		82,5	6,88	
Cyprus	6	6	5	n/a	2	6	10	2,5	8	10	4,5	6		66	5,50	
Czech Republic	4	4,5	0,5	0,5	1	3,5	9,5	5,5	8	9,5	6,5	6,5		59,5	4,96	
Denmark	7	10	3	0	0	5	8	6,5	8,5	9,5	6	7,5		71	5,92	
Estonia	3	1,5	0,5	0	0,5	2	8,5	5,5	0	9,5	4,5	8,5		44	3,67	
Finland	3,5	10	0	0	0	3,5	9,5	9,5	7	9,5	6	9,5		68	5,67	
France	5	10	1	3	0,5	6	9,5	4,5	5	8	7	8		67,5	5,63	
Germany	6,5	7	1,5	2,5	1	4,5	9,5	0	6	6,5	6,5	7,5		59	4,92	
Greece	6	7,5	4,5	3,5	1	4,5	9,5	4,5	1,5	9	5	5,5		62	5,17	
Hungary	5	4	4,5	4,5	4	6,5	9,5	0	4,5	5	4,5	6		58	4,83	
Ireland	8,5	6,5	3,5	1	0	4	9,5	9	8	10	5	10		75	6,25	
Italy	7	10	4	5	2	6	9,5	2	2,5	6,5	7	7		68,5	5,71	
Latvia	4,5	10	5	0	2	7	9,5	9	8	10	7,5	10		82,5	6,88	
Lithuania	5	4,3	4,5	2,5	2	7	9,5	5	3,5	8,5	6,5	6		64,3	5,36	
Luxembourg	6	1	0	n/a	0	0	9,5	8	8,5	10	7	10		60	5,00	
Malta	7,5	0,5	5	n/a	1	6,5	10	0	8,5	10	2,5	10		61,5	5,13	
Netherlands	5	1,5	0	3	0	4,5	9	0	4	5	6,5	6		44,5	3,71	
Poland	5	1,5	4	3,5	2	5	8,5	2,5	7	8,5	6	6,5		60	5,00	
Portugal	7	10	5	5	1,5	6,5	9,5	2,5	2,5	8	4,5	6		68	5,67	
Romania	4,5	8,5	6	6	5	7	8,5	4,5	7	6,5	2,5	1		67	5,58	
Slovakia	4,5	8,5	3	3,5	3	6	9,5	8	8,5	10	6,5	8,5		79,5	6,63	
Slovenia	4,5	10	2	3,5	2	5	9,5	8	5,5	10	5,5	7		72,5	6,04	
Spain	6,5	10	4	3	1,5	6	9,5	0,5	3	2,5	5	7		58,5	4,88	
Sweden	4,5	10	0	0	0	6,5	9,5	9,5	7	10	7	8,5		72,5	6,04	
United Kingdom	7,5	3,5	3	4,5	1	5,5	8,5	7	8	8	7	6		69,5	5,79	

Annex

Final ranking (Human Rights and Environment)

Countries	Final ranking
Sweden	1
Finland	2
Denmark	3
Slovenia	4
France	5
Austria	6
Netherlands	7
Ireland	8
Germany	9
Luxembourg	10
Estonia	11
Lithuania	12
United Kingdom	13
Spain	14
Slovakia	15
Croatia	16
Portugal	17
Czech Republic	18
Belgium	19
Italy	20
Hungary	21
Latvia	22
Romania	23
Poland	24
Bulgaria	25
Greece	26
Cyprus	27
Malta	28

Ranking Human Rights

Countries	Human Rights
Sweden	1
Finland	2
Netherlands	3
Denmark	4
France	5
Slovenia	6
Austria	7
Germany	8
Belgium	9
Spain	10
United Kingdom	11
Estonia	12
Luxembourg	13
Ireland	14
Lithuania	15
Portugal	16
Italy	17
Czech Republic	18
Slovakia	19
Hungary	20
Croatia	21
Bulgaria	22
Malta	23
Romania	24
Poland	25
Latvia	26
Cyprus	27
Greece	28

Ranking Environment

Countries	Human Rights
Latvia	1
Sweden	2
Ireland	3
Finland	4
Slovakia	5
Croatia	6
Lithuania	7
Denmark	8
Luxembourg	9
Slovenia	10
Romania	11
Austria	12
Estonia	13
France	14
Hungary	15
Czech Republic	16
Poland	17
Germany	18
Italy	19
Portugal	20
United Kingdom	21
Greece	22
Spain	23
Cyprus	24
Bulgaria	25
Netherlands	26
Belgium	27
Malta	28

Establishing the facts

investigative and trial observation missions

Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed, rigorous and impartial procedures to establish facts and responsibility. Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH's alert and advocacy campaigns.

Supporting civil society

training and exchange

FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level

Mobilising the international community

permanent lobbying before intergovernmental bodies

FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them. FIDH also takes part in the development of international legal instruments.

Informing and reporting

mobilising public opinion

FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.

FIDH
represents 178
human rights organisations
on 5 continents

FIDH represents 178 human rights organisations on 5 continents



inhuman or degrading treatment or punishment. Article 6: Everyone has the right to recognition everywhere as a person before the law. Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. Article 9: No one shall be subjected to arbitrary arrest, detention or exile. Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Article 11: (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty

ABOUT FIDH

FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.

A broad mandate

FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.

A universal movement

FIDH was established in 1922, and today unites 178 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.

An independent organisation

Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.

fidh

Find information concerning FIDH's 178 member organisations on www.fidh.org