

EU MEMBER STATES UNDER THE SPOTLIGHT

**Incorporating Human Rights into Investment Strategies:
2012 Non-Financial Rating of the 27 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,



Part I. Methodology

1. Scope of the Study	5
- Geographical scope	5
- Human rights issues	5
- Protection of the environment and human rights	6
2. Structure of the Study	6
3. Choice of indicators and calculation method	7
- Identifying human rights indicators	7
- Scoring system	8
- Overall weighting and ranking	8
- Data collection process	9

Part II. Indicators and Results

Section A: States' Respect for Human Rights at the Domestic Level	10
I. Gender Equality and Women's Rights	10
II. Non-Discrimination (except gender)	14
III. Rights of Migrants and Refugees	18
IV. Judicial Systems (right to a fair trial, anti-terrorism laws, torture and prison administration)	20
V. Social Cohesion / Economic and Social Rights	21
VI. Judicial Systems (right to a fair trial, anti-terrorism laws, and torture and prison administration)	24
VII. Freedom of Expression and Right to Information	25
VIII. Union Rights and Labour Conditions	25
Section B: States' Respect for Human Rights at the International Level	29
IX. International Justice	29
X. Overseas Development Assistance/ Financial contributions to the UN	30
XI. Arms Control	32
XII. Promoting corporate responsibility in business activities conducted abroad	34
Section C: States' Respect for the Protection of the Environment	36
XIII. Environmental Exposure	36
XIV. Environmental management	39

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The International Federation for Human Rights (FIDH) is pleased to present this 2012 report into the non-financial ratings of the 27 European Union member states. The publication of this report marks our continuing commitment to the promotion of ethical business and investment. Much of the world continues to experience the effects of the global financial crisis. Amidst the turmoil of economic down-turns, recessions and sovereign debt crises many economists predicted a “rush to the bottom” response by commercial enterprises and states during these traumatic times. Interestingly this has not occurred to the extent envisaged. Many have embraced the concept of corporate social responsibility (CSR) and are seeking ways to develop and sustain ethically sound forms of trade and exchange. So-called non-financial concerns have become an important element in many investors’ strategic decision-making. For several years investors have been applying the so-called ESG criteria (Environment, Social and Governance) to their decisions to invest or divest from companies. The adoption in 2011 of the ‘Guiding Principles on Business and Human Rights’ by the United Nations’ Human Rights Council following the work of the UN Special Representative for Business and Human Rights, Professor John Ruggie, provides a landmark towards more responsible business conduct. The concern to support ethical business practices has primarily focused upon the records of commercial enterprises. Comparatively little attention has been paid by investors to the non-financial records of sovereign states.

In 2001, FIDH established its own ethical mutual fund “Libertés & Solidarité” and devised a screening methodology for selecting both bonds and shares. The current study provides a methodology for evaluating states from a non-financial perspective. Rating agencies enjoy considerable influence over financial management decisions. With the deterioration of public finances of many countries and in the midst of another financial crisis in Europe caused by the difficult financial situations of countries such as Greece, states’ financial situations are being closely monitored by rating agencies and investors. On the basis of which criteria should investment decisions be made? How should states be ranked on the basis of extra-financial information? Which criteria should be used? The financial crisis has demonstrated that the consideration of financial criteria alone can not guarantee financial stability and can, as we have witnessed, cause severe and costly social and environmental consequences for all, in particular for vulnerable populations. Focusing solely upon financial criteria limits the analysis to the short term perspective, generates fluctuations and can lead to important destabilisations with severe social consequences for many of the most vulnerable sections of populations. Whilst the eyes of economists, financial analysts and financial rating agencies are now turned towards states’ internal governance structure and the management of their debt payment, FIDH warns the international community of the need to incorporate human rights and environmental concerns within their financial analysis. FIDH recalls the importance of placing the well-being of all at

the centre of economic decision-making. FIDH’s approach is entrenched in international law and perceived as a way to ensure that financial and economic systems are sustainable. With this study, FIDH presents a methodology which puts states’ respect, protection and promotion of human rights at the heart of the analysis. The present study presents an evaluation of EU Member States’ “performances” in the human rights and environmental arenas.

↘ Ranking Human rights

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

↘ Ranking Environment

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

Part I.

Methodology

1. SCOPE OF THE STUDY

Geographical scope: EU 27 Member States

In keeping with previous versions of this study, we have limited the assessed countries to the 27 EU Member States. Consideration was given to the possibility of extending the geographical scope of the study to include additional countries, and in particular OECD countries deemed interesting by the financial manager. However, it was decided not to pursue this proposal for the 2012 report for two reasons: first, most of the non-EU OECD countries did not satisfy FIDH's baseline exclusion criteria by their continuing use of, for example, the death penalty, non-compliance with international and regional sanctions placed upon countries with poor human rights records, or continuing discriminatory laws against women and minorities; second, methodological concerns over Iceland and Norway (two OECD countries which did satisfy our exclusion criteria) in respect of the availability of relevant and comparable data.

Human Rights Issues

Human rights are considered by many across the world as providing a fundamental touch-stone for the regulation of states' actions towards all of those affected by the actions of state officials. The moral purpose of human rights has achieved concrete form through the establishment of 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 fulfill 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.). In the times of economic globalization, the extra-territorial dimension of State obligations is more and more acknowledged. The European human rights protective system is widely recognised as the most thorough and robust system in the world. The current study evaluates and compares states' "performance" in the field of human rights on the basis of this comprehensive body of law. With regard to defining the content of each relevant right, international and regional jurisprudence – stemming either from judicial decisions or from interpretation by international monitoring bodies (i.e. general comments by UN Treaty Bodies) – provides essential guidance on what governments must do in order to satisfactorily discharge their human rights duties.

The 2012 study is divided into three main sections: 1) Section A looks at states' respect for human rights at the domestic level; 2) Section B deals with states' conduct in support of human rights at the international level and; 3) Section C relates to the protection of the environment. For each section, the study follows a **multi-layered structure: section>critterion>issue>indicator**. While not claiming to be entirely exhaustive, each of the selected issues and indicators reflects a specific aspect of the legal and social reality (of the sample of EU Member States) where, from a human rights perspective, shortcomings such as discrimination, social exclusion or other violations are found to be prevalent.

Protection of the environment and human rights

The inclusion of a section that specifically looks at the protection of the environment is entailed by FIDH's approach and mandate, which promotes and defends the indivisibility of human rights combined with recognising the extent to which our futures are dependent upon securing sustainable environments for all. FIDH recognises the intrinsic relationship between environmental preservation and the protection of human rights as well as the urgent necessity to address the issue of climate change. The consideration of environmental criteria into the study is thus inevitable. However, the methodology used for this section differs from the first two sections. Due to the specificities of this section, FIDH sought external expertise for the choice and evaluation of criteria, issues and indicators of this section. Although FIDH would have favoured an integrated approach allowing for the direct integration of environmental criteria into its human rights criteria, it has not been possible to do so in the current study. This is due to the fact that there remain very few experts working on both human rights and environmental standards and the continuing lack of reliable and sufficiently objective quantitative criteria 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, 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 it affords a perspective upon states' efforts in terms of the protection of the environment.

2. STRUCTURE OF THE STUDY

In total **12 human rights and 2 environmental criteria** were chosen as markers to gauge state performance in these areas.

Section A: States' Respect for Human Rights at the Domestic Level

- I. Gender Equality 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 systems
- VII. Freedom of expression, right to information and protection of privacy
- VIII. Union rights and labour conditions

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

- IX International justice
- X Overseas Development Aid/Financial contributions to UN
- XI Arms control
- XII Promotion of corporate responsibility

Section C: States' Respect for the Protection of the Environment

- XIII Environmental exposure
- XIV Environmental management

3. CHOICE OF INDICATORS AND CALCULATION METHOD

Identifying human rights-based indicators

The indicators identified and used within each of the 12 human rights criteria are derived from the actual content of legally recognised human rights, taking into account basic underlying principles inherent in all human rights as well as specific legally-binding human rights obligations. The basic human rights principles which have guided the choice of indicators are commonly summarised by using the acronym 'PANTHER': Participation – Accountability – Non-discrimination – Transparency – Human dignity – Empowerment – Rule of law. This cluster of seven principles is complemented by the overarching principle of indivisibility. Each selected indicator – to some extent – embraces these principles.

Despite being more difficult to measure (in numbers at least), it was decided to keep some qualitative indicators as they are often the only ones that are able to reflect 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 distinction does not only contribute to structural clarity, but also provides the user with reference points in respect of how far the process of implementation has evolved in a certain country. It also allows to, at least partly, avoid favouring countries with greater financial resources at their disposal at the detriment of poorer countries that are nevertheless showing willingness to make progress. Whenever possible, at least one indicator from each category has been included below 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. One of the main obstacles relates to the unavailability of data and represents a major challenge we are always faced with, 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 entities) or does not exist in an up-to-date version. In other cases, research is done but not in a format that allows for comparison. It is also noteworthy that reports and statistics do not necessarily reflect very recent evolutions, including legislations recently passed. We must also add that, in order to improve upon earlier editions of this report, **the 2012 report has devised a slightly different set of criteria than**

those found within the 2010 report. For example, a criterion on Union Rights and Labour Conditions was added as a separate criterion, which seemed particularly relevant in times of economic crisis and vulneration of labour rights accross Europe. The former criterion on Anti-terrorism and human rights was integrated in a wider chapter covering the right to a fair trial and the right to free from torture. Another example is the addition of indicators on the right to information and the right to privacy in the criterion on freedom of expression and right to information, thus reflecting the challenges to human rights in the European information society. **Thus, replacing indicators and data sources has prevented us from comparing the findings of the 2010 and 2012 reports.** It would be erroneous to say for example, that France rose a place in the rankings, as we would be comparing France’s performance on differing standards. We would also not be able to compare between sections across the two reports. Changing indicators would also mean that we could compare only if the two reports used the same indicator (and data source).

Scoring system

The method of calculation (MoC) used to score the quantitative indicators in the 2012 report was largely based on the method adopted in the 2010 report. The scores for each indicator were transformed into a scale with the mean score of the countries on that indicator as the mid-point of the scale. The team then decided on the intervals and upper and lower ends of the scale on the basis of two factors:

- a) **A normative judgement of the minimum protection that should be accorded by states for the right under consideration,** and
- b) Ensuring that the scoring 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 average of the EU countries enables us to use 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 2010 report was also adopted in the 2012 report. This category of indicators included measures of state ratification of international or regional treaties on human rights. Following FIDH policy to encourage ratification and discourage reservations, states were rewarded for ratification and penalised for reservations or non-ratification. With the exception of the indicator measuring the implementation of the Convention on the Prohibition of Anti-Personnel Mines, all other indicators were limited in scope to the structural rather than the process aspect of the measurement of the 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. We also sought to capture the variation in policies and implementation of these policies by the states included in this 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 the 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 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, we did decide to halve the weight of four human rights criteria – the national judicial and penal system, international justice, financial assistance to states and inter-governmental organisations (IGOs), and promoting corporate social responsibility abroad – as each criterion had fewer than four indicators; countries scoring well on these criteria would have 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 2 environmental criteria.

Overall weighting and ranking

Considering that the two calculation methods (on the environment and on human rights) differ widely, it appears difficult to incorporate the two range of results into one final ranking. FIDH leaves it to investors to decide on the weight to be given to each set of data. For the purpose of its own fund, FIDH applies a 80:20 ratio to reflect the human rights emphasis of its ethical fund.

Data collection process

Given the necessity of basing this report upon objectively accurate and reliable sources, the vast bulk of the data collection process has consisted of on-line research of a comprehensive range of authoritative data-bases and data sets. Most of the data originates from publications dating between 2010 and 2012. It is important to note however, the delay between facts and their taking into account in statistics or studies. For example, a legal reform dating from 2012 will not be reflected in statistics published the same year and as a result there might be some discrepancy between the score of a State and the very recent reality. Where necessary, we have also consulted with internationally recognised human rights professionals, such as academics, UN Special Rapporteurs and representatives of leading NGOs.

Online research was conducted using a variety of sources such as Eurostat, information portals of inter-governmental (e.g. European Commission, Council of Europe, FRA, OSCE, OECD, OHCHR, UNHCR, ILO, WHO) as well as non-governmental (e.g. Amnesty International, Human Rights Watch, Human Rights First, Reporters without Borders, IANSA, ICC Coalition, Transparency International) organisations and institutions, and several research institutes and portals (e.g. SIPRI, Lexadin, GlobaLex, Human Rights Law Centre UoN, Boltzmann Institute).

Targeted expert inquiries were submitted to the Commissioner for Human Rights of the Council of Europe, the OHCHR in Geneva, the former UN Special Rapporteur for the Highest Attainable Standard of Health and the current UN Special Rapporteur for Contemporary Forms of Racism and Discrimination. We also consulted numerous academic experts including, Professor Sabine Carey, Dr Andrew Fagan, Professor Todd Landman, Professor Sheldon Leader and Professor Manfred Nowak.

PART II.

Indicators and Results

This section compiles the indicators which were used for the 2012 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 and the main sources of information.

SECTION A: STATES' RESPECT FOR HUMAN RIGHTS AT THE DOMESTIC LEVEL

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.

Criterion 1: Gender Equality and Women's 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)

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

Source: European Commission, Justice, Section Politics 2012

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: -1

Source: The Quota Project: The Global Database of Quotas for Women, 2012

Indicator 1.3: Percentage of women in senior ministerial positions of national governments

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

Source: European Commission, Justice, Section Politics 2012

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 2012

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 2011*

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 Commission, Eurostat Gender pay gap at the national level
MoC: <10%: +2 / 10-14%: +1 / 15-20%: 0 / 21-25%: -1 / >25%: -2
Source: *European Union, 2010*

Indicator 1.7: Percentage of women in the highest decision making body (board members) in the private business sector
MoC: >35: +2 / >25: +1 / 20-25: 0 / <20: -1 / <10: -2
Source: *European Commission, Justice, Section Business and Finance, 2010*

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
MoC: >92%: +2 / >86: +1 / 80-86%: 0 / <80: -1 / <74%: -2
Source: *European Commission, Eurostat 2010*

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.

Indicator 1.9: National survey focusing on the prevalence and effects of all forms of violence against women
MoC: *National survey conducted/2009 or 2010; and plan to repeat survey: +2*
National survey conducted/2008 or older; and plan to repeat survey: +1
National survey conducted/ older than 2005; and plan to repeat survey: 0
National survey conducted/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: Protecting Women Against Violence, study prepared by Prof. Dr. Carol Hagemann-White 2010*

Indicator 1.10: Existence of programme or activities to educate children in public schools about violence against women
MoC: *Yes: 0 / No: -1*
Source: *Council of Europe: Protecting Women Against Violence, analytical study prepared by Prof. Dr. Carol Hagemann-White 2010*

Indicator 1.11: The scope of the National Action Plans (NAP) on violence against women
MoC: *Comprehensive NAP from a gendered perspective: +3 / NAP on specific forms of violence from a gendered perspective: +2 / Comprehensive NAP without a gendered perspective: +1 / NAP on specific forms of violence without a gendered perspective: 0 / No NAP: -2*
Source: *UN Entity for Gender Equality and the Empowerment of Women Report “Progress of the World’s Women 2011-2012”*

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 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: 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 2012*

Gender Equality / 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 position 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 (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 about violence against women (1.10)	The scope of the National Action Plans (NAP) on violence against women (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	+2 to -2	+2 to -2	+3 to -2	0 to -3	0 to -3	
Austria	0	0	2	0	0	-2	-1	1	-2	n/a	0	0	0	0	0	-2	4,77
Belgium	1	2	1	-2	-1	2	-1	0	-1	0	0	0	0	0	0	1	5,46
Bulgaria	0	-1	-1	1	2	0	-1	0	1	0	0	0	0	0	0	1	5,46
Cyprus	-2	0	0	0	-2	-1	-2	1	-1	0	0	0	0	0	-1	-8	3,41
Czech Republic	0	0	-1	-1	-1	-2	-1	2	-1	0	0	0	0	0	0	-5	4,09
Denmark	1	-1	1	-1	0	0	-1	-1	1	0	0	0	0	0	0	-1	5
Estonia	-1	-1	-2	0	-2	n/a	-2	1	1	-1	0	0	0	0	0	-7	3,64
Finland	2	-1	2	0	0	0	1	0	-1	-1	2	-1	2	-1	3	5,91	
France	-1	1	0	-1	1	0	0	1	0	0	2	0	2	0	3	5,91	
Germany	0	0	1	-2	-1	-1	-1	-1	0	0	2	0	2	0	-3	4,55	
Greece	-1	-1	-2	2	-1	n/a	-2	1	0	0	2	0	2	0	-2	4,77	
Hungary	-2	0	-2	-1	2	0	-2	0	-2	0	0	0	1	0	-6	3,87	
Ireland	-1	2	-1	0	-1	1	-2	1	-1	0	1	-3	1	-3	-4	4,32	
Italy	0	0	-1	-1	-1	2	-2	0	0	0	0	0	0	0	-3	4,55	
Latvia	0	-1	0	0	2	0	1	0	-2	0	0	0	0	0	0	5,23	
Lithuania	-1	0	-1	-1	-1	1	-1	1	-1	-1	2	0	2	0	-3	4,55	
Luxembourg	0	0	0	-1	2	1	-2	-1	-1	0	2	-1	2	-1	-1	5	
Malta	-2	0	-1	-2	-2	2	-2	-2	-1	0	0	-3	0	-3	-13	2,28	
Netherlands	1	0	0	0	-1	0	-1	0	0	0	n/a	0	n/a	0	-1	5	
Poland	0	1	-1	0	0	n/a	-1	2	0	0	0	-2	0	-2	-1	5	
Portugal	0	2	-1	0	-2	1	-2	-2	1	0	0	0	0	0	-3	4,55	
Romania	-2	0	-2	2	2	1	-1	-1	-2	n/a	0	0	0	0	-3	4,55	
Slovakia	-1	0	-1	0	2	0	-1	2	-1	0	0	0	0	0	0	5,23	
Slovenia	0	1	-2	2	1	2	-1	2	-2	0	0	0	0	0	3	5,91	
Spain	1	2	0	2	-2	0	-1	-2	1	0	2	0	2	0	3	5,91	
Sweden	2	0	2	0	1	0	0	1	2	-1	3	0	3	0	10	7,5	
United Kingdom	0	0	-1	0	-2	0	-1	0	0	0	-2	-1	-2	-1	-7	3,64	

Criterion 2: Non-Discrimination (except gender)

Besides issues of gender 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 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 against homosexuals, minorities, persons with disabilities and people on the grounds of age.

Issue 1: Protection of sexual orientation

These three indicators gauge the extent to which the rights of same-sex couples and homosexuals are effectively legally protected by the state

Indicator 2.1: Existence of Legislation recognising the legality of same-sex partnerships

MoC:

Marriage: +2 / Registered partnership: +1 / No: -2

Source: ILGA 2012

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: Council of Europe report 2011 Discrimination on the grounds of sexual orientation and gender identity in Europe

Indicator 2.3: Criminal law provisions concerning offences related to sexual orientation

MoC: Criminal offence and as an aggravating factor: +3 / Criminal offence: +2 / Yes and as an aggravating factor: +1 / Yes: 0 / As an aggravating factor: -1 / None: -2

Source: Council of Europe report 2011 Discrimination on the grounds of sexual orientation and gender identity in Europe

Issue 2: Protection against racial violence

This indicator examines whether the state explicitly recognises racist violence as a social problem of particular severity and whether it provides its judicial authorities with legal instruments to take appropriate action against this problem.

Indicator 2.4: Legal recognition of racial motivation as an aggravating element in criminal law

MoC: Yes biased motivated violence as specific offences: +1 / Yes bias as an express general aggravating factor: 0 / Yes, bias as an aggravating factor in specific crimes: -1 / None: -2

Source: Human Rights First, Hate Crime Report Cards, latest 2012 updates included

Issue 3: Protection of national minorities

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

Indicator 2.5: Ratification of the Framework Convention for the Protection of National Minorities

MoC: *Ratifications without reservations: + 3 / Ratification with reservations: +2/ Signature: +1 / No signature, no ratification: - 2*

Source: *Council of Europe, accessed in April 2012*

Indicator 2.6: Ratification of the European Charter for Regional or Minority languages

MoC: *Ratifications without reservations: + 3 / Ratification with reservations: +2/ Signature:+ 1 / No signature, no ratification: - 2*

Source: *Council of Europe, accessed in April 2012*

Indicator 2.7: Measures taken by authorities following an eviction of a Roma or a traveller tourist

MoC: *Provision for alternative accommodation: 0 / right to new housing with conditions or after convincing the court: -1 / no clear mechanism: -2*

Source: *European Union Agency for Fundamental Rights (FRA), Housing Conditions of Roma and Travellers in the European Union, 2009*

Indicator 2.8: Treatment of Roma and Travellers by law enforcement and judicial authorities

MoC: *Part I:*

Lauded for positive developments only: +1/ Not mentioned in section: 0 / Lauded for positive developments but singled out for violations in any year: -1 / Violations pre-2010 or undated and not lauded for positive developments: -2 / Violations in 2010 or 2011 and not lauded for positive developments: -3 / 10 or more violations mentioned in section: -4 (the lowest applicable score is used)

Part II:

Bonus points of +2 to each state lauded for positive developments

Source: *Section 3, 'Human Rights of Roma and Travellers in Europe', Commissioner for Human Rights, Council of Europe Publications, 2012*

Date for data: *2006-2011*

Indicator 2.9: Enjoyment by Roma and Travellers of economic and social rights

MoC: *Part I:*

Lauded for positive developments: +2 / Not mentioned in section: 0 /

Lauded for positive developments but singled out for violations in any year

OR Only less than four violations singled out: -1 /

4 or more violations pre-2010 or undated and not lauded for positive developments: -2 /

4 or more violations in 2010 or 2011 and not lauded for positive developments: -3 /

10 or more violations mentioned in section: -4 (the lowest applicable score is used)

Part II:

Bonus points of +2 to each state lauded for positive developments

Source: Section 6, 'Human Rights of Roma and Travellers in Europe', Commissioner for Human Rights, Council of Europe Publications, 2012

Date for data: 2006-2011

Indicator 2.10: Segregation of Roma children in Education

MoC: Systematic Segregation of Roma Children in schools: -2 / Reports of segregation: -1 / No report of segregation: 0

Source: European Roma Rights Center, 'Systemic Segregation in Education Continues', 2011

Issue 4: 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 2.11: Ratification of UN Convention on Rights of Persons with Disabilities

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: OHCHR / UN Treaty Database (as of April 2012)

Issue 5: Protection against age discrimination

The three indicators examine to what degree older persons and children/minors are at risk of social and, in the case of older persons, economic exclusion.

Indicator 2.12: Employment rate for persons between 55-64 years

MoC: >60: +2 / >50: +1 / 45-50: 0 / <45: -1 / <35: -2

Source: European Commission, Eurostat 2010

Indicator 2.13: At risk of poverty rate for persons 65 years and older after social transfers

MoC: <10: +2 / <18: +1 / 18-24: 0 / >24: -1 / >32: -2 / >40: -3

Source: European Commission, Eurostat 2010

Indicator 2.14: At risk of poverty rate for persons less than 18 years old after social transfers

MoC: <10: +2 / <15: +1 / 15-20: 0 / >20: -1 / >25: -2 / >30: -3

Source: European Commission, Eurostat 2010

➤ Non 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 (2.3)	Legal recognition of racial motivation as an aggravating element in criminal law (2.4)	Ratification of the Framework Convention for the Protection of National Minorities (2.5)	Ratification of the European Charter for Regional or Minority languages (2.6)	Measures taken by authorities following an eviction of a Roma or a traveller tourist (2.7)	Treatment of Roma and Travellers by law enforcement and judicial authorities (2.8)	Employment by Roma and Travellers of economic and social rights (2.9)	Segregation of Roma children in Education (2.10)	Ratification of UN Convention on rights of persons with disabilities (2.11)	Employment rate for persons between 55-64 years (2.12)	At risk of poverty rate for persons 65 years and older after social transfers (2.13)	At risk of poverty rate for persons less than 18 years old after social transfers (2.14)			
Range	+2 to -2	+2 to -2	+3 to -2	+1 to -2	+3 to -2	+3 to -2	0 to -2	+3 to -4	+3 to -4	+3 to -2	0 to -2	+2 to -2	+2 to -3	+2 to -3			
Austria	1	0	-2	0	3	3	0	-2	-2	0	0	3	1	1	7	6,51	
Belgium	2	2	3	-1	1	-2	0	0	1	0	0	3	-1	0	8	6,67	
Bulgaria	-2	-2	-2	1	3	-2	-2	-4	-2	-2	-2	3	-1	-2	-16	2,85	
Cyprus	-2	-2	-2	-2	3	3	n/a	-2	1	0	0	2	1	-3	-2	5,08	
Czech Republic	0	-2	-2	1	3	3	0	-2	-2	-2	-2	3	0	2	3	5,87	
Denmark	1	2	3	0	3	3	0	0	3	0	0	3	1	1	21	8,73	
Estonia	-2	-2	2	-2	3	-2	n/a	0	-1	0	0	1	1	0	-1	5,24	
Finland	1	1	-2	0	3	3	0	-2	-2	0	0	1	1	0	5	6,19	
France	0	0	3	-1	-2	1	0	-3	-2	0	0	3	-1	2	0	5,39	
Germany	1	1	-2	-2	3	3	0	-2	1	0	0	3	1	1	0	6,67	
Greece	-2	-2	-1	n/a	1	-2	-2	-2	0	-2	-2	1	-1	0	-13	3,33	
Hungary	1	-2	-2	1	3	3	-2	-2	-2	-2	-2	3	-2	2	-1	5,08	
Ireland	0	-2	0	-2	3	-2	0	3	1	0	0	1	0	1	3	5,87	
Italy	-2	-2	-2	0	3	1	0	-2	1	0	0	3	-1	1	-1	5,24	
Latvia	-2	-2	-2	0	3	-2	-1	0	-1	0	0	3	0	0	-6	4,44	
Lithuania	-2	-2	1	-1	3	-2	0	-2	-1	0	0	3	0	1	-3	4,92	
Luxembourg	0	-2	-2	-1	1	3	n/a	-2	0	0	0	3	-1	2	0	5,39	
Malta	-2	-2	-2	-1	2	1	n/a	0	0	0	0	1	-2	0	-6	4,44	
Netherlands	2	2	1	-2	3	3	0	0	1	0	0	1	1	2	15	7,78	
Poland	-2	-2	-2	1	3	3	-1	3	1	0	0	1	-2	1	3	5,87	
Portugal	2	-2	3	-1	3	-2	-2	-2	-2	-1	-1	3	0	0	-2	5,08	
Romania	-2	-2	3	0	3	3	-2	1	-2	-2	-2	3	-1	1	-3	0	5,39
Slovakia	-2	-2	-2	-1	3	3	-1	-2	-2	-2	-2	3	-1	2	0	4,76	
Slovenia	0	-2	3	1	3	3	0	0	-1	0	0	3	0	0	1	6,82	
Spain	2	2	3	0	3	3	-2	1	1	-1	-1	3	-1	0	12	7,3	
Sweden	2	2	3	1	3	3	0	3	-1	0	0	3	2	1	23	9,05	
United Kingdom	1	2	3	0	3	3	0	0	1	-1	-1	2	1	0	14	7,62	

Criterion 3: Rights of Migrants, Asylum and Refugees

In a world where economic disparities are increasing and in light of the migration flows faced by the European continent and the diverse legislative and political measures taken by European governments, migrants, asylum seekers and refugees are consistently exposed to human rights abuses. The protection of migrants, asylum seekers and refugees' rights is an essential component of this assessment of the extent to which EU Members States are meeting their international obligations.

Issue 1: Status of asylum seekers' rights

The two indicators examine whether the state orients its laws and policies towards a human rights-sensitive practice of handling asylum applications. With regard to the first indicator, only explicit recognition of gender-specific violence (by state or non-state actors) as a factor constituting persecution in line with the international refugee protection regime established by the Geneva Convention of 1951 warrants a positive score since all asylum laws within the EU refer to the Geneva Convention which can be interpreted as including gender-specific violence. The second indicator measures the extent of asylum applications approved in the first instance.

Indicator 3.1: Legal recognition of gender-based violence and mistreatment as a ground for recognition of refugee status

MoC: Explicit recognition: +2 / Yes: 0 / No: -2

Source: National Asylum Laws (via Lexadin and legislationline, accessed April 2012)

Indicator 3.2: Percentage of asylum applications approved at first instance

MoC: >40%: +2 / 31-40%: +1 / 21-30%: 0 / 11-20%: -1 / <11%: -2

Source: Eurostat 2010

Issue 2: Rights of legal aliens in general

The first two indicators respectively examine whether the state demonstrates its willingness to include non-national residents in the political decision process 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 12 months which, from a human rights perspective, might (in future studies) also be considered too low and, thus, does not warrant a “0” rating.

Indicator 3.3: Ratification of the Convention on the participation of foreigners in public life at local level

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: Council of Europe (accessed April 2012)

Indicator 3.4: Percentage of third country immigrants having access to the regular labour market

MoC: >72%: +2 / 68-72%: +1 / 63-67%: 0 / 58-62%: -1 / <57%: -2

Source: Eurostat 2010

Indicator 3.5: Maximum admission length of detention for deportation

MoC: < 1 month: +2 / < 6 months: +1 / 6-12 months -1 / > 12 months: -2

Source: European Agency for Fundamental Rights 'Detention of third country nationals in return proceedings' 2010

↘ Rights of Migrants, Asylum and Refugees

COUNTRIES	INDICATORS						
	Legal recognition of gender-based violence and mistreatment as a ground for recognition of refugee status (3.1)	Percentage of asylum applications approved at first instance (3.2)	Ratification of the Convention on the participation of foreigners in public life at local level (3.3)	Percentage of third country immigrants having access to the regular labour market (3.4)	Maximum admission length of detention for deportation (3.5)	Raw score	Conversion to 10
Range	+2 to -2	+2 to -2	+3 to -2	+2 to -2	+2 to -2		
Austria	0	0	-2	1	-1	-2	3,81
Belgium	0	0	-2	-2	-1	-5	2,38
Bulgaria	0	0	-2	-2	-1	-5	2,38
Cyprus	2	-1	1	2	-2	2	5,72
Czech Republic	2	1	1	1	-1	4	6,67
Denmark	0	2	3	0	-2	3	6,19
Estonia	0	1	1	-1	-2	-1	4,29
Finland	0	1	3	0	-2	2	5,72
France	0	-1	-2	-1	1	-3	3,34
Germany	0	0	-2	1	-2	-3	3,34
Greece	0	-2	-2	1	-2	-5	2,38
Hungary	0	0	-2	1	-1	-2	3,81
Ireland	0	-2	-2	0	1	-3	3,34
Italy	0	1	3	0	-1	3	6,19
Latvia	0	2	-2	-1	-2	-3	3,34
Lithuania	0	-2	1	0	-2	-3	3,34
Luxembourg	n/a	-1	-2	2	1	0	4,76
Malta	0	2	-2	-1	-2	-3	3,34
Netherlands	0	2	3	0	1	6	7,62
Poland	0	-1	-2	-2	-1	-6	1,91
Portugal	2	2	-2	2	1	5	7,14
Romania	0	-1	-2	2	-2	-3	3,34
Slovakia	0	-2	-2	-2	-1	-7	1,43
Slovenia	0	0	1	0	-1	0	4,76
Spain	0	0	-2	-1	1	-2	3,81
Sweden	0	0	3	0	-2	1	5,24
United Kingdom	0	0	1	1	-2	0	4,76

Criterion 4: 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
MoC: >9: +2 / >7: +1 / 6-7: 0 / <6: -1 / <4: -2
Source: *Transparency International 2011*

Indicator 4.2: Public coverage on the global corruption Barometer for Parliament/Legislature
MoC: <2.2: +2 / <2.8: +1 / 2.8-3.4: 0 / >3.4: -1 / >4: -2
Source: *Transparency International, Global Corruption Barometer 2010 -2011*

Indicator 4.3: Public Coverage on the global corruption barometer for public officials/civil servants
MoC: *Public officials/civil servants:* <2.2: +2 / <2.8: +1 / 2.8-3.4: 0 / >3.4: -1 / >4: -2
Source: *Transparency International, Global Corruption Barometer 2010 - 2011*

Issue 2: Governance

The indicator here measures the extent to which governmental expenditure and income are transparent and publicly accountable.

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 2010 data*

➤ Corruption and Governance

COUNTRIES	INDICATORS					
	Corruption perceptions index (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)	Raw score	Conversion to 10
Range	+2 to -2	+2 to -2	+2 to -2	+4 to -2		
Austria	1	1	0	-2	0	4,45
Belgium	1	n/a	n/a	-2	-1	3,89
Bulgaria	-2	-1	-1	1	-3	2,78
Cyprus	0	n/a	n/a	-2	-2	3,33
Czech Republic	-1	-1	-1	2	-1	3,89
Denmark	2	1	1	-2	2	5,56
Estonia	0	n/a	n/a	-2	-2	3,33
Finland	2	0	1	-2	1	5
France	0	0	0	4	4	6,67
Germany	1	0	0	2	3	6,11
Greece	-2	-2	-1	-2	-7	0,56
Hungary	-1	0	0	-2	-3	2,78
Ireland	1	-1	0	-2	-2	3,33
Italy	-2	-1	-1	1	-3	2,78
Latvia	-1	-1	-1	-2	-5	1,67
Lithuania	-1	-2	-1	-2	-6	1,11
Luxembourg	1	1	1	-2	1	5
Malta	-1	n/a	n/a	-2	-3	2,78
Netherlands	1	1	0	-2	0	4,45
Poland	-1	0	0	2	1	5
Portugal	-1	-1	0	1	-1	3,89
Romania	-2	-2	-1	1	-4	2,22
Slovakia	-1	n/a	n/a	1	0	4,45
Slovenia	-1	-1	-1	2	-1	3,89
Spain	0	-1	-1	2	0	4,45
Sweden	2	n/a	n/a	4	6	7,78
United Kingdom	1	-1	0	4	4	6,67

Criterion 5: Social Cohesion/ Economic and Social Rights

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

Issue 1: Legal protection of ESCR

The indicators measure whether States have recognised the justiciability of Economic, Social and Cultural Rights before international complaint's procedure.

Indicator 5.1: Ratification (and signature) of the Optional Protocol to the ICESCR

MoC: *Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2*

Source: United Nations Treaty Collection Accessed June 2012

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

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: Council of Europe Treaty Office Accessed June 2012

Issue 2: Social Security

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

Indicator 5.3: At risk of poverty rate after social transfers

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

Source: European Commission, Eurostat 2010

Issue 3: 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 / >80: +1 / 70-80: 0 / <70: -1 / <60: -2

Source: European Commission, Eurostat 2010

Issue 4: Adequate standard of living

These indicators draw upon widely recognised elements of an adequate standard of living, particularly in respect of housing conditions, hunger and 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 / <15: +1 / 15-20: 0 / >20: -1 / >25: -2

Source: European Commission, Eurostat 2010

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

MoC: <16: +2 / <28: +1 / 28-33: 0 / >33: -1 / >45: -2

Source: European Commission, Eurostat 2010

Indicator 5.7: Depth of hunger

MoC: <100 :+2/ 100-114:1/115-130:0 /135-145:-1 />145:-2

Source: World Development Indicators, World Bank 2011

Indicator 5.8: GINI coefficient of inequality

MoC: <26:2/ 26- 30:1/31-35:0 /36-40:-1/ >40: -2

Source: World Development Indicators, World Bank 2011

↘ Social Cohesion/ Economic and Social Rights

COUNTRIES	INDICATORS									
	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 hunger (5.7)	Gini coefficient of inequality (5.8)	Raw score	Conversion to 10
Range	+3 to -2	+3 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2	+2 to -2		
Austria	-2	1	1	1	1	2	1	1	6	6,47
Belgium	1	3	1	0	0	1	1	0	7	6,77
Bulgaria	-2	n/a	-2	0	0	-2	-2	-2	-10	1,77
Cyprus	-2	3	0	0	-2	-2	0	1	-2	4,12
Czech Republic	-2	3	2	2	1	1	0	1	8	7,06
Denmark	-2	1	1	0	2	2	0	2	6	6,47
Estonia	-2	-2	0	1	0	1	-2	0	-4	3,53
Finland	1	3	1	1	2	1	0	1	10	7,65
France	-2	3	1	0	1	1	1	0	5	6,18
Germany	-2	-2	0	1	1	1	1	1	1	5
Greece	-2	3	-2	-1	0	0	1	0	-1	4,41
Hungary	-2	1	1	1	-1	-1	0	0	-1	4,41
Ireland	1	3	0	0	1	-2	1	0	4	5,88
Italy	1	3	-1	-2	0	-2	1	-1	-1	4,41
Latvia	-2	-2	-2	1	-2	-1	-2	-1	-11	1,47
Lithuania	-2	-2	-2	2	0	-1	0	-1	-6	2,94
Luxembourg	1	-2	1	0	0	-1	1	0	0	4,71
Malta	-2	-2	0	-2	1	-2	1	1	-5	3,24
Netherlands	1	3	2	0	0	2	0	0	8	7,06
Poland	-2	-2	-1	1	0	-2	0	0	-6	2,94
Portugal	1	3	-1	-2	-1	0	1	-1	0	4,71
Romania	-2	-2	-2	0	0	-1	0	0	-7	2,65
Slovakia	3	1	1	2	2	-1	-2	1	7	6,77
Slovenia	1	1	1	1	-2	-1	0	0	1	5
Spain	3	-2	-2	-2	-1	-2	0	0	-6	2,94
Sweden	-2	3	1	1	2	2	0	2	9	7,35
United Kingdom	-2	-2	-1	0	0	1	1	-1	-4	3,53

Criterion 6: Judicial Systems (right to a fair trial, anti-terrorism laws, torture and prison administration)

This criterion is a new addition for the 2012 report. It has been included in response to continuing and widespread concerns over all peoples' basic human rights to receive a fair trial and to be free from torture. 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. These concerns remain valid today, hence their inclusion in this report.

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 from amongst those the systems are intended to protect.

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 2010

Issue 2: Right to be free from 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. 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

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: UN Treaty Collection (accessed April 2012)

↘ **Judicial Systems (right to a fair trial, anti-terrorism laws, 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)	Raw score	Conversion to 10
Range	+2 to -2	+3 to -2		
Austria	2	1	3	7,78
Belgium	-1	1	0	4,45
Bulgaria	-2	3	1	5,56
Cyprus	0	3	3	7,78
Czech Republic	-1	3	2	6,67
Denmark	2	3	5	10
Estonia	1	3	4	8,89
Finland	2	1	3	7,78
France	0	3	3	7,78
Germany	1	3	4	8,89
Greece	-1	1	0	4,45
Hungary	0	3	3	7,78
Ireland	-1	1	0	4,45
Italy	-1	1	0	4,45
Latvia	-1	-2	-3	1,11
Lithuania	-2	-2	-4	0
Luxembourg	1	3	4	8,89
Malta	-1	3	2	6,67
Netherlands	2	3	5	10
Poland	-1	3	2	6,67
Portugal	-2	1	-1	3,33
Romania	-2	3	1	5,56
Slovakia	-2	3	1	5,56
Slovenia	-2	3	1	5,56
Spain	0	3	3	7,78
Sweden	2	3	5	10
United Kingdom	0	3	3	7,78

Criterion 7: Freedom of expression and right to information

Freedom of expression, the right to freely access information and a corresponding right of privacy are essential aspects of any human rights-respecting regime. Within the EU each of these rights are generally considered to be respected. However, there are clear and significant national differences, some of which constitute potential infringements of these key rights. The 2012 report has included the right to privacy, in contrast to earlier reports. Legitimate restrictions may be placed upon freedom of expression and access to information and one of these entails a corresponding right to privacy.

Issue 1: Freedom of expression

The first indicator reflects the extent to which national legal orders prohibit media concentration constituting a threat to diversity of opinion and information. The second indicator points to the level of press freedom in each country.

Indicator 7.1: National or sub-national regulation prohibiting private monopolisation of radio and TV broadcast

MoC: *Yes, media specific: +2 / Yes, general provision on competition: 0 / No:>2*

Source: European Journalism Centre country profiles (updated on various dates between 2010-2011)

Indicator 7.2: Press Freedom Index of Reporters Without Borders

MoC: -10 to 0: +1 / 0.1 to 10: 0 / 10.1 to 20: -1 / >20: -2

Source: Reporters Without Borders online (2011-2012)

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: The scope of Freedom of Information (FOI) law implemented in the EU

MoC: Clearly articulated FOI law: +2 / No FOI law but laws that resemble it in practice: 0 / No FOI law: -2

Source: Right2Info.org Fringe Special Report 2011

Issue 3: Protection of privacy

The right to privacy is an essential human right. It is also a necessary counterpart to illegitimate exercises of the right to freedom of expression. These two indicators gauge the extent to which the right to privacy is legally grounded and protected within the EU.

Indicator 7.4: Constitutional protection of the right to privacy

MoC: Most comprehensive safeguards: +3; Significant safeguards: +2 /

Adequate safeguards: +1 / Some safeguards but inadequate: 0 /

Systematic absence of safeguards: -1 / Extensive absence of safeguards: -2 /

Endemic absence of safeguards: -3

Source: "European Privacy and Human Rights 2010", Privacy International

Indicator 7.5: Privacy enforcement

MoC: Most comprehensive protections: +3 / Significant protections: +2 /

Adequate protections: +1 / Inadequate protections: 0 /

Systematic absence of protections: -1 / Extensive absence of protections: -2 /

Endemic absence of protections: -3

Source: "European Privacy and Human Rights 2010", Privacy International.

↘ Freedom of Expression and Right to Information

COUNTRIES	INDICATORS						
	National or sub-national regulation prohibiting private monopolisation of radio and TV broadcast (7.1)	Press Freedom Index of Reporters without borders (7.2)	The scope of FOI law implemented in the EU (7.3)	Constitutional protection of the right to privacy (7.4)	Privacy enforcement (7.5)	Raw score	Conversion to 10
Range	+2 to -2	+1 to -2	+2 to -2	+3 to -3	+3 to -3		
Austria	0	1	2	0	1	4	6,96
Belgium	2	1	2	1	2	8	8,70
Bulgaria	0	-2	2	1	1	2	6,09
Cyprus	2	1	-2	0	1	2	6,09
Czech Republic	2	1	2	2	2	9	9,13
Denmark	0	1	2	1	0	4	6,96
Estonia	2	1	2	1	0	6	7,83
Finland	0	1	2	1	0	4	6,96
France	0	0	2	-3	1	0	5,22
Germany	2	1	2	2	2	9	9,13
Greece	2	-2	2	2	2	6	7,83
Hungary	2	0	2	1	2	7	8,26
Ireland	0	1	2	-2	-2	-1	4,78
Italy	2	-1	2	-1	2	4	6,96
Latvia	0	-1	2	0	0	1	5,65
Lithuania	0	0	2	0	0	2	6,09
Luxembourg	0	1	0	-1	0	0	5,22
Malta	2	-1	0	0	-1	0	5,22
Netherlands	0	1	2	-3	2	2	6,09
Poland	0	1	2	1	-1	3	6,52
Portugal	0	0	2	1	0	3	6,52
Romania	0	-1	2	2	-1	2	6,09
Slovakia	2	1	2	2	2	9	9,13
Slovenia	2	0	2	1	2	7	8,26
Spain	0	0	-2	-1	2	-1	4,78
Sweden	0	1	2	-1	-1	1	5,65
United Kingdom	2	0	2	-3	-2	-1	4,78

Criterion 8: Union Rights and Labour Conditions

The specific focus upon union rights and labour conditions within the EU is another new criterion featuring in the 2012 report. Many economists predicted a “rush to the bottom” by many employers as a response to the global crisis. Any such trend would impact upon worker’s conditions, job security and right to join a union. It was therefore necessary to include this criterion as part of an overall assessment of EU states’ continuing protection of human rights.

Issue 1: Work and employment

The two indicators included here provide an assessment of working hours and relative job security.

Indicator 8.1: Average number of actual weekly hours in main full-time job

MoC: <34: +2 / 34-36: +1 / 37-39: 0 / 40-42: -1 / >42: -2

Source: European Commission, Eurostat 2011

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

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

Source: European Commission, Eurostat 2010

Issue 2: Union rights

The right to join a union was one of the earliest recognised human rights and is typically considered to be a component of the freedom of association. Vulnerable employment captures ‘unpaid family workers and own-account workers’ who are unlikely to enjoy the benefits unionization, employer provided health care and pensions.

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

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 /

Signature: + 1 / No signature, no ratification: - 2

Source: Council of Europe, accessed in April 2012

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 2010

➤ Union Rights and Labour Conditions

COUNTRIES	INDICATORS					
	Average number of actual weekly hours in main full-time job (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)	Raw score	Conversion to 10
Range	+2 to -2	+2 to -2	+3 to -2	+2 to -2		
Austria	-2	0	3	1	2	5,88
Belgium	-1	0	3	0	2	5,88
Bulgaria	-1	1	3	1	4	7,06
Cyprus	-2	-1	3	0	0	4,71
Czech Republic	-2	0	1	0	-1	4,12
Denmark	0	0	1	1	2	5,88
Estonia	-1	2	3	1	5	7,65
Finland	-1	-1	3	1	2	5,88
France	-1	-1	3	1	2	5,88
Germany	-1	-1	-1	1	-2	3,53
Greece	-2	-1	1	-2	-4	2,36
Hungary	-1	0	3	1	3	6,47
Ireland	0	0	3	0	3	6,47
Italy	-1	-1	3	-1	0	4,71
Latvia	-1	1	1	1	2	5,88
Lithuania	0	2	3	1	6	8,24
Luxembourg	-1	1	1	1	2	5,88
Malta	-1	1	3	0	3	6,47
Netherlands	-1	-2	2	0	-1	4,12
Poland	-2	-2	1	-1	-4	2,36
Portugal	-2	-2	2	-1	-3	2,94
Romania	-1	2	3	-2	2	5,88
Slovakia	-1	1	3	0	3	6,47
Slovenia	-1	-2	3	0	0	4,71
Spain	-1	-2	1	0	-2	3,53
Sweden	-1	-1	3	1	2	5,88
United Kingdom	-2	1	1	0	0	4,71

SECTION B.: STATES' 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

International justice is a complex notion within which can be included states' commitment to uphold and defend the key institutions of international criminal justice and the extent to which states have proved willing to contribute financially to those funds which offer redress to the victims of international crimes.

Issue 1: Cooperation with international organisations

The two indicators measure states' domestic incorporation of the Rome Statute and the extent of their contributions to the Trust Fund for Victims.

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 April 2012)

Indicator 9.2: Voluntary contributions to the Trust Fund for Victims

MoC: Part of top 10 voluntary contributions made in 2010 or 2011: +2 / Contributions made only prior to 2010: +1 / Not part of top 10 contributions: 0 / No contributions made: 0

Source: www.trustfundforvictims.org

Issue 2: Initiative in pursuing international human rights obligations

The indicator included to measure this issue maps the ratification of Convention on protection from enforced disappearances.

Indicator 9.3: Ratification of the Convention for the Protection of All Persons from Enforced Disappearances

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: OHCHR (current as of April 2012)

➤ International Justice

COUNTRIES	INDICATORS				
	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)	Raw score	Conversion to 10
Range	+1 to -2	+2 to 0	+3 to -2		
Austria	-2	0	1	-1	3
Belgium	1	2	3	6	10,00
Bulgaria	1	0	1	2	6
Cyprus	-2	0	1	-1	3
Czech Republic	-2	0	-2	-4	0
Denmark	1	1	1	3	7
Estonia	1	0	-2	-1	3
Finland	1	2	1	4	8
France	-2	1	3	2	6
Germany	1	2	1	4	8
Greece	-2	0	1	-1	3
Hungary	-2	0	-2	-4	0
Ireland	1	2	1	4	8
Italy	-2	0	1	-1	3
Latvia	-2	1	-2	-3	1
Lithuania	1	0	1	2	6
Luxembourg	-2	1	1	0	4
Malta	1	0	1	2	6
Netherlands	1	2	1	4	8
Poland	-2	1	-2	-3	1
Portugal	-2	0	1	-1	3
Romania	-2	0	1	-1	3
Slovakia	-2	0	1	-1	3
Slovenia	1	1	1	3	7
Spain	1	2	3	6	10,00
Sweden	-2	1	1	0	4
United Kingdom	1	2	-2	1	5

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

This indicator, while not necessarily linked with the active promotion of human rights in the receiving country through targeted donations, nevertheless reflects the extent to which the state is willing to honour its obligation to provide international economic assistance without expecting any direct benefits for its own economy

Indicator 10.1: Untied bilateral ODA spent by OECD donor countries as a percentage of GDP
 MoC: > 0.05 point increase: +2 / increase up to 0.05 points: +1 / constant 100%: 0 / decrease up to 0.05 points: -1 / decrease greater than 0.05 points: -2
 Source: OECD Database and World Development Indicators Database (2009-2010 data)

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 2010 and 2011

↘ Overseas Development Assistance/ Financial Contributions to the UN

COUNTRIES	INDICATORS			
	Untied 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
Range	+2 to -2	+2 to -2		
Austria	1	-1	0	5
Belgium	1	2	3	8,75
Bulgaria	n/a	-2	-2	2,5
Cyprus	n/a	1	1	6,25
Czech Republic	n/a	-1	-1	3,75
Denmark	-1	1	0	5
Estonia	n/a	-1	-1	3,75
Finland	-2	-1	-3	1,25
France	2	0	2	7,5
Germany	2	-1	1	6,25
Greece	0	-1	-1	3,75
Hungary	n/a	2	2	7,5
Ireland	-1	1	0	5
Italy	0	2	2	7,5
Latvia	n/a	-2	-2	2,5
Lithuania	n/a	-2	-2	2,5
Luxembourg	-1	-1	-2	2,5
Malta	n/a	-2	-2	2,5
Netherlands	2	1	3	8,75
Poland	n/a	2	2	7,5
Portugal	1	-1	0	5
Romania	n/a	-2	-2	2,5
Slovakia	n/a	0	0	5
Slovenia	n/a	-1	-1	3,75
Spain	1	-1	0	5
Sweden	-2	1	-1	3,75
United Kingdom	-2	-1	-3	1,25

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

Indicator 11.1: Ratification of the UN Firearms Protocol

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: International Action Network on Small Arms (accessed April 2012)

Indicator 11.2: Ratification of the Convention of Cluster Munition

MoC: Ratifications without reservations: + 3 / Ratification with reservations: +2 / Signature: + 1 / No signature, no ratification: - 2

Source: Cluster Munition Coalition

Indicator 11.3 Ratification and implementation of the Convention on the Prohibition of Anti-Personnel Mines

MoC: Stockpile destroyed and Mine clearance completed: +3/ Stockpile destroyed or Mine clearance completed: +2 / Stockpile destruction or Mine clearance deadline accepted: +1 /Ratification or Accession: 0 / Signed but not ratified: -1

Source: International campaign to ban landmines (accessed May 2012)

Issue 2: Military and arms exports

Several EU member states have thriving arms industries, including France and the United Kingdom. The two indicators here measure the value of domestic arms industries within all of the EU member states and the relative value of state arms expenditure.

Indicator 11.4: 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: SIPRI Arms Transfer database. Data for 2010.

Indicator 11.5: Ratio of military expenditure to health expenditure as a percentage of GDP

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

Source: World Bank 2010

➤ Arms control

COUNTRIES	INDICATORS						
	Ratification of the UN Firearms Protocol (11.1)	Ratification of the convention of cluster munition (11.2)	Ratification and implementation of the Convention on the Prohibition of Anti-Personnel Mines (11.3)	Trend Indicator Values of arms exports to all countries (11.4)	Ratio of military expenditure to health expenditure as a percentage of GDP (11.5)	Raw score	Conversion to 10
Range	+3 to -2	+3 to -2	+3 to -1	0 to -5	+1 to -2		
Austria	1	3	2	-1	0	5	7,73
Belgium	3	3	2	-1	-1	6	8,18
Bulgaria	3	3	3	-1	-2	6	8,18
Cyprus	3	1	2	-2	-2	2	6,36
Czech Republic	-2	3	2	-1	-1	1	5,91
Denmark	1	3	2	-1	-1	4	7,27
Estonia	3	-2	0	-1	-2	-2	4,55
Finland	1	-2	2	-2	-1	-2	4,55
France	-2	3	3	-3	-1	0	5,46
Germany	1	3	2	-2	-1	3	6,82
Greece	1	-2	3	-5	-2	-5	3,18
Hungary	-2	1	2	-1	-1	-1	5
Ireland	-2	3	0	-1	1	1	5,91
Italy	3	3	2	-2	-1	5	7,73
Latvia	3	-2	2	-1	-1	1	5,91
Lithuania	3	3	2	-2	-1	5	7,73
Luxembourg	1	3	2	-1	n/a	5	7,73
Malta	-2	3	0	0	0	1	5,91
Netherlands	3	3	2	-5	-1	2	6,36
Poland	3	-2	-1	-4	-2	-6	2,73
Portugal	1	3	2	-5	-1	0	5,46
Romania	3	-2	2	-3	-2	-2	4,55
Slovakia	3	-2	2	-1	-1	1	5,91
Slovenia	3	3	2	-1	-1	6	8,18
Spain	3	3	2	-5	-1	2	6,36
Sweden	1	3	2	-2	-1	3	6,82
United Kingdom	1	3	2	-5	-2	-1	5

Criterion 12: Promoting corporate responsibility in business activities conducted abroad

This final human rights criterion examines states' duties to protect individuals from violations committed by businesses based in their territory for their activities in other countries; 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. The issue of corporate responsibility is currently subject to many debates and many recent developments at EU level.

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 had 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, thus represents a proxy measure of corporate tax evasion, and is an indication of corporate responsibility domestically. The third indicator awards a bonus for countries which require reporting on non-financial issue (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 / 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: Tax Justice Network 'A briefing paper on the cost of tax evasion worldwide' November 2011

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

MoC: Absence of transposition of EU Directive 2003/51/EC: -1 / No mandatory reporting (transposition of EU Directive only): 0 / Limited mandatory reporting (limited to State Owned Enterprises, Comply or Explain model, or to certain issues) : +1 / Mandatory reporting: +2 / Comprehensive mandatory reporting: +3

Source: Global Reporting Initiative, Carrots and Sticks, 2010; European Union Information on Transposition of Directive

➤ **Promoting Corporate Responsibility
in business activities conducted 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
Range	+1 to -2	0 to -4	+3 to -1		
Austria	0	-1	0	-1	5,46
Belgium	1	-4	0	-3	3,64
Bulgaria	-2	-4	0	-6	0,91
Cyprus	-2	-4	0	-6	0,91
Czech Republic	0	-3	0	-3	3,64
Denmark	1	-3	1	-2	4,55
Estonia	1	-4	0	-3	3,64
Finland	1	-3	2	-2	4,55
France	1	-2	2	-1	5,46
Germany	0	-3	0	-3	3,64
Greece	0	-4	0	-4	2,73
Hungary	0	-4	0	-4	2,73
Ireland	0	-3	0	-3	3,64
Italy	0	-4	0	-4	2,73
Latvia	1	-4	0	-3	3,64
Lithuania	1	-4	0	-3	3,64
Luxembourg	1	-1	0	0	6,36
Malta	-2	-4	0	-6	0,91
Netherlands	1	-2	1	-1	5,46
Poland	0	-4	0	-4	2,73
Portugal	0	-4	1	-4	2,73
Romania	-1	-4	1	-5	1,82
Slovakia	0	-3	1	-3	3,64
Slovenia	1	-4	0	-3	3,64
Spain	0	-4	0	-4	2,73
Sweden	1	-3	1	-2	4,55
United Kingdom	0	-2	1	-2	4,55

PART III.

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 exposure to environment risks, while the second criteria assesses the effectiveness in managing these risks. 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 consumption) 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 consumption levels in particular of energy 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 (right to food, right to water, climate migrants' rights).

Some indicators, such as access to improved water, which do not vary across the different European countries were not kept. As for human rights issues, the indicators for which no recent data was available was dropped. Sources for this section include 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 percentage of endangered species, the percentage of population with access to sanitation facilities, the particulate matter concentrations in a country, and the proportion of nitrogen oxide, sulphur dioxide and non-methane volatile organic compound emission.

Indicator 13.1: Endangered species, % of all species
Source: HDR 2011

Indicator 13.2: Access to improved sanitation, % of population Source: WDI 2011

Indicator 13.3: Particulate matter concentrations, PM10, country level (micrograms per cubic meter)

Source: *WDI 2011*

Indicator 13.4: Nitrogen oxides emissions, Nitrogen oxides emissions per populated land area (Gg per 1000 sq-km)

Source: *EPI 2010*

Indicator 13.5: Sulfur dioxide emissions, Sulfur dioxide emissions per populated land area (Gg per 1000 sq-km)

Source: *EPI 2010*

Indicator 13.6: Non-methane volatile organic compound emissions, NMVOC emissions per populated land area (Gg per 1000 sq-km)

Source: *EPI 2010*

Issue 2: Consumption levels

Energy consumption per capita and per capita ecological footprint of consumption are the two indicators included here.

Indicator 13.7: Energy consumption per capita, kgoe per capita

Source: *WDI 2011*

Indicator 13.8: Over consumption, Per capita ecological footprint of consumption

Source: *Global Footprint Network 2010*

↘ Environmental Exposure

COUNTRIES	INDICATORS								Raw score	Conversion to 10
	Endangered species (13.2)	Access to improved sanitation (13.3)	Particulate matter concentrations (13.4)	Nitrogen oxides emissions (13.5)	Sulfur dioxide emissions (13.6)	Non-methane volatile organic compound emissions (13.7)	Energy consumption per capita (13.8)	Over consumption (13.9)		
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		
Austria	5,5	10	5	7,5	8	5,5	5,5	6,5	53,5	6,69
Belgium	8	10	6,5	2	0	0	3,5	5	35	4,38
Bulgaria	6	10	1,5	9	0,5	9	7,5	7,5	51	6,38
Cyprus	6,5	10	4,5	6	4	4,5	7,5	5	48	6
Czech Republic	8	10	7	6,5	7,5	6	5	6,5	56,5	7,06
Denmark	7,5	10	7,5	6,5	10	5,5	6	4,5	57,5	7,19
Estonia	9	9,5	8	9	7,5	8,5	6	5	62,5	7,81
Finland	8,5	10	7,5	9	10	8,5	2,5	6	62	7,75
France	4	10	8	7,5	9,5	1,5	5,5	7	53	6,63
Germany	6	10	7,5	6,5	9	3	5,5	7	54,5	6,81
Greece	3	10	4,5	7,5	6,5	7	7	6,5	52	6,5
Hungary	6,5	10	7,5	8	9,5	6,5	7	8,5	63,5	7,94
Ireland	7	10	8	8,5	9,5	9	6	6	64	8
Italy	4	10	6	6,5	9	2	7	7	51,5	6,44
Latvia	8,5	8	8	9,5	10	8,5	8	6,5	67	8,38
Lithuania	8,5	9,5	7,5	9	9,5	7,5	7	7	65,5	8,19
Luxembourg	9,5	10	8	10	10	6	0,5	2,5	56,5	7,06
Malta	7	10	n/a	0	0	0	8	6	31	3,88
Netherlands	8	10	5	2	8	1,5	4,5	6	45	5,63
Poland	8	9	4	7,5	7	6,5	7	7,5	56,5	7,06
Portugal	1,5	10	6,5	7,5	8,5	3,5	7,5	7,5	52,5	6,56
Romania	6	7,5	8	9	8	8	8	8,5	63	7,88
Slovakia	8	10	8	8,5	9	7	6,5	7,5	64,5	8,06
Slovenia	4,5	10	5	8	9,5	6	6	6,5	55,5	6,94
Spain	3	10	5,5	6,5	7,5	5,5	7	6,5	51,5	6,44
Sweden	8	10	8,5	9,5	10	8,5	4	6,5	65	8,13
United Kingdom	5,5	10	8	3,5	7,5	1,5	6,5	7	49,5	6,19

Criterion 14. Environmental management

Issue 1. Energy resource management

This issue is further subdivided into energy intensity and renewable energy. The former is measured by GDP per unit of energy use and the latter by the percentage of total primary energy consumption.

Indicator 14.1: Energy intensity
GDP per unit of energy use (PPP \$ per kg of oil equivalent)

Source: WDI 2011

Indicator 14.2: Renewable energy, % of total primary energy consumption

Source: WDI 2011

Issue 2. Resource conservation

This issue is also measured by two indicators: first, by the environmental footprint of production and the second by the natural resource depletion as a percentage of GNI.

Indicator 14.3: Environment footprint of production

Source: Global Footprint Network 2010

Indicator 14.4: Natural resource depletion, % of GNI

Source: WDI 2011

Issue 3. Water resource management

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

Indicator 14.5: Water withdrawal
Annual freshwater withdrawals, total (% of internal resources)

Source: WDI 2011

Indicator 14.6: Water stress
% of national territory in which water consumption exceeds 40% of available water

Source: EPI 2010

Issue 4. Impact of environmental externalities

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

Indicator 14.7: Deaths due to indoor and outdoor air and water pollution, per million people

Source: HDR 2011

↘ Environmental Management

COUNTRIES	INDICATORS									Raw score	Conversion to 10 Conversion to 10
	Energy intensity (14.1)	Renewable energy (14.2)	Environment footprint of production (14.3)	Natural resource depletion (14.4)	Water withdrawal (14.5)	Water stress (14.6)	Deaths due to indoor and outdoor air and water pollution (14.7)	Upper Range	Lower Range		
Range	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	10 to 0	70	0		
Bulgaria	3,5	1	7,5	3	4,5	3,5	0			23	3,29
Belgium	4,5	0,5	7,5	10	3,5	0	2			28	4
Netherlands	5,5	0	7,5	5	8	5,5	2			33,5	4,79
Romania	6	1	8,5	1,5	9,5	7	0			33,5	4,79
Cyprus	6,5	0,5	n/a	10	6,5	10	2,5			36	5,14
Poland	5	0	7,5	4	6,5	9	4			36	5,14
United Kingdom	7,5	0,5	8	2	8,5	8,5	3			38	5,43
Estonia	3,5	0	4,5	6	7,5	9,5	7,5			38,5	5,5
Malta	9	0	n/a	10	0	10	10			39	5,57
Denmark	7,5	1	6,5	0,5	8	10	6			39,5	5,64
Hungary	5	0,5	8	9	9,5	5,5	2			39,5	5,64
Spain	8	1,5	7,5	10	4,5	3	5			39,5	5,64
Czech Republic	4	0,5	6,5	8,5	7,5	9,5	3,5			40	5,71
Germany	6	1	7,5	9,5	6	7	5,5			42,5	6,07
Lithuania	4,5	1	7,5	9,5	8,5	9,5	2			42,5	6,07
Greece	7,5	1	8	9	7,5	9,5	1,5			44	6,29
Italy	8	1,5	8,5	9,5	5,5	6,5	5			44,5	6,36
Ireland	8	0,5	7	10	n/a	10	10			45,5	6,5
Finland	3,5	1	2,5	10	10	10	10			47	6,71
France	5,5	1	7,5	10	7,5	8	7,5			47	6,71
Luxembourg	7	0	n/a	10	10	10	10			47	6,71
Portugal	7,5	1,5	8,5	10	8	8,5	3			47	6,71
Slovenia	5	1,5	8	9	9,5	10	4,5			47,5	6,79
Slovakia	4,5	1	7,5	8	10	10	7,5			48,5	6,93
Austria	6,5	2,5	7	9,5	9,5	10	4,5			49,5	7,07
Sweden	5	3	5	9	10	10	8,5			50,5	7,21
Latvia	5,5	1,5	6	8	10	10	10			51	7,29

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.

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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

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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

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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 164
human rights organisations
on 5 continents**

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FIDH represents **164** 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 164 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.

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Find information concerning FIDH's 164 member organisations on www.fidh.org