

# EU MEMBER STATES UNDER THE SPOTLIGHT

Incorporating Human Rights into  
Investment Strategies: 2018 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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## **EU MEMBER STATES UNDER THE SPOTLIGHT**

### **Incorporating Human Rights into Investment Strategies: 2018 Non-Financial Rating of the 28 EU Member States**

FIDH, worldwide movement for human rights is pleased to present this 2018 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, as well as the adoption of a UN Resolution creating a Working Group with the mandate of designing a binding international instrument recognising the obligations of corporate actors to respect human rights, are two key land-marks in the global response to the impacts of economic activities on human rights. These developments mark an additional move from "soft law" to binding obligations that ensure a level playing field for protecting 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 been publishing a non-financial rating of EU states.

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.

## 2018 Non-Financial Rating of the 28 EU Member States: ranking

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

# PART 1:

## METHODOLOGY

### 1. Scope of the study

#### Member States

Since the publication of the previous report in 2014, the EU has undergone some considerable change, not least consisting of the decision of the United Kingdom to exit the EU, following the outcome of a referendum held in June 2016. When the UK finally exits the EU, the number of Member States will fall to 27. Despite this impending and highly significant change, it was decided to continue to include the UK within this report. The UK formally remains a member of the EU and will continue to occupy a prominent place within the European family of states for the foreseeable future. Thus, 28 Member States are included in this report.

#### Human Rights Issues

Human rights are widely considered to provide 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. Human rights are embedded in the founding treaties which established the EU, such as in the Treaty on European Union, which asserts that the Union is founded on the values of respect for human rights, and the Lisbon Treaty which provides that the EU Charter of Fundamental Rights is legally binding, having the same status as primary EU law.

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 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 keeping with previous editions of this report, the current study evaluates and compares all 28 Member States' "performance" in the field of human rights and on the basis of the comprehensive and binding body of human rights law. In defining the content of each right, international and regional jurisprudence – stemming either from judicial decisions or interpretations by international monitoring bodies (e.g. General Comments by UN Treaty Monitoring Bodies, the outcome of Universal Period Process undertaken by the UN Human Rights Council etc.) – provides essential guidance on what governments must do to discharge their human rights obligations. Such obligations include extraterritorial obligations, which are increasingly recognized as fundamental to human rights protection in a globalized context. This study takes these obligations into account by drawing on the Maastricht Principles (2012), which clarify the extraterritorial obligations of States in the area of economic, social and cultural rights, and includes a section on the international dimensions of Member State obligations.

As with previous editions of this study, the 2018 report is divided into three main sections:

Section A examines states' respect for human rights at the domestic level; Section B focuses upon states' conduct in respect of their support for 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 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. We are entirely confident that the scope of the study is sufficiently comprehensive and detailed for the purposes of providing a reliable and accurate assessment of the human rights performance of all Member States.

## **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, as with previous editions of this study, 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, eleven human rights and two environmental criteria were carefully selected as indicators of states' 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. Corruption and governance
- IV. Social cohesion/economic and social rights
- V. Judicial system
- VI. Freedom of expression and right to information
- VII. Labour rights

### **Section B. States' respect for human rights at the international level**

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

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

- XII. Environmental exposure
- XIII. Environmental management

## 3. Choice of indicators and method of calculation

### **Identifying human rights-based indicators**

The indicators used within each of the 11 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 legally-established 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 embraces these principles.

Despite being more difficult to quantitatively measure it was decided that some qualitative indicators would be retained as these are often the only indicators capable of reflecting specific human rights dimensions. The present study seeks to apply the aforementioned basic parameters as consistently as possible.



### **- Indicator categories**

The methodology adopted here makes a distinction between three indicator categories: structural, process and outcome. This methodology is commonly used to measure human rights performance and is utilized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its assessment of states' commitment to human rights.

The distinction aids clarity but is also intended to provide the user with recurring reference points in respect of how far the process of implementation has developed 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**

Successfully meeting the essential requirements of objectivity and transparency places certain limitations on a project of this nature. A basic prerequisite is the availability of up-to-date and comparable data for each Member State across each of the criteria. Suffice it to say that this report included only reliable data from multiple sources.

At the current time, human rights appear to be facing many obstacles and challenges across many of the EU Member States. Since the 2014 report was published, there has been a marked increase in instances of reported hate crime and xenophobia directed at many people within many Member States. This particular challenge is included in the report.

However, other challenges could not be included. For example, the Spanish government's response to the Catalan "crisis" raises serious human rights concerns, particularly over the excessive use of force and restrictions on political expression. Given the lack of sufficient data at this stage, this has not been directly included in this report. An additional human rights issue that has not been included in this report is Member States' protection of migrants, asylum seekers and refugees.

While FIDH considers the protection of these populations as an essential element of the assessment of the extent to which EU Member States are meeting their international obligations, we believe that the data available, both quantitative and qualitative, is insufficient to assess the current treatment of migrants, asylum seekers and refugees across the EU. We intend to work closely with the Migration and Women's rights Desk at FIDH and develop a method that would accurately reflect this challenge.

## **Scoring system**

The method of calculation (MoC) used to score the indicators in the 2018 report follows on from that used for previous editions of the report. Indicators can be distinguished into quantitative and qualitative indicators. In both cases these are scored on a scale from positive to negative integers with zero as the midpoint of scale.

### **MoC for quantitative indicators**

The quantitative indicators in this report have numerical values. The MoC for quantitative indicators was primarily calculated based on the distribution of the underlying data of each indicator. The mean plus/minus ½ standard deviations marked the midpoint of scale. Each further unit, i.e. score category, away from the midpoint is/was equivalent to ½ standard deviations (see table for example of setting bounds of scores – for the higher the numerical value the higher the score). If the distribution is/was heavily skewed to one side, further units, i.e. score categories, were added on. If results of this systematic approach were found to be contrary to a normative judgement of the minimum protection to be accorded by states for the right under consideration, then the bounds of the units were adjusted.



If so, this was/is indicated and elaborated on.

Score	Lower Bound	Upper Bound
-2		<'1 Lower Bound'
-1	'1 Upper Bound' - ½ Standard Deviation	'0 Lower Bound' - 0.01
0	Mean - ½ Standard Deviation	Mean + ½ Standard Deviation
+1	'0 Upper Bound' +0.01	'1 Lower Bound' + ½ Standard Deviation
+2	>'1 Upper Bound'	
If heavily skewed to one side, add more scoring categories (= ½ Standard Deviations) to that side		

Using the EU country average facilitated the use of a less biased middle score and allows for substantively meaningful interpretation. As environmental indicators are quantitative only, no scoring (which allows to aggregate quantitative and qualitative indicators) had to be applied.

### MoC for qualitative indicators

The category of qualitative indicators included measures of qualitative information such as state ratification of international or regional treaties on human rights amongst other. 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.

### Missing data

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.

### Aggregate scoring (criterion-level)

The scores for each human rights criterion were added together and after each criterion score was converted to a scale depending on the number of indicators for each criterion. In detail, if a criterion has 1-3 indicators, then the aggregate score was converted to a scale of 0-5; if 4-11 indicators then to a scale of 0-10; and if 12 indicators to a scale of 0-12.5.

Number of Indicators	Scale	Criterion
<=3	0-5	5, 9, 11
4-11	0-10	2, 3, 6, 7, 8, 10
>=12	0-12.5	1, 4

In this way the number of indicators each criterion consists of is reflected to some extent. The conversion is an approach adopted in order to standardize the scores and ensure that each criterion has a more proportional weight in the scoring. The two environmental criteria have an equal number of indicators (8) and could simply be aggregated (without weighting). The aggregate sum of each environmental criterion was then rescaled (from 0 to 80) to 0 to 10. Thus, each state could score a maximum of 100 and a minimum of 0 on the 11 human rights criteria and between 0 and 20 on the two environmental criteria. However, to make the latter more comparable to the human rights scores, the values between 0 and 20 were stretched on a 0 to 100 scale.

## Overall weighting and ranking

The weighted sum of all human rights criteria for each country is the human rights criteria score; and the weighted sum of all environmental criteria for each country is the environment criteria score. The human rights and environmental criteria scores were then aggregated as follows. The human rights criteria score was weighted by 0.7 and the environment criteria score weighted by 0.3. These weighted scores were then summarized into a single score for each country. This is consistent with the approach included in the 2014 report and reflects the human rights emphasis of the study whilst giving due importance to environmental rights and protection. These aggregated scores are the final scores, and 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 comprises the indicators which were used for the 2018 edition and includes 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

#### Criterion 1: Gender Equality and Women's Rights

While some progress has been made in some aspects within some countries, discrimination against women remains widespread across the EU 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)

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 17,82	17,82 - 22,45	22,46 - 31,73	31,74 - 36,37	> 36,37	n/a	n/a

Source: European Commission, Justice, Section Politics, June 2014

**Indicator 1.2 Quotas for the representation of women included in the electoral system for elections to national legislature (percentage)**

MoC	Score	Description
	+2	Quota >30%
	+1	Quota <=30% and Voluntary Political Party Quota or inconsistent quota system
	0	No legislative quota but only Voluntary Political Party Quota
	-1	No legislative or Voluntary Political Party Quota

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

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

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 14,45	14,45 - 20,70	20,71 - 33,21	33,22 - 39,47	> 39,47	n/a	n/a

Source: European Institute for Gender Equality, Politics, Governments & other Political Executives, January 2017

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

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 19,30	19,30 - 25,17	25,18 - 36,91	36,92 - 42,79	> 42,79	n/a	n/a

Source: European Institute for Gender Equality, Public Administration (Senior Administrators at National Level), 2016

**Indicator 1.5 Percentage of women in the highest judicial body**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 15,96	15,96 - 25,42	25,43 - 44,36	44,37 - 53,83	> 53,83	n/a	n/a

Source: European Institute for Gender Equality, Judiciary, National Courts, 2016

## • 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(percentage, (in unadjusted form)

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 20,08	17,33 - 20,08	11,83 - 17,32	9,07 - 11,82	< 9,07	n/a	n/a

Source: European Commission, Eurostat (2015 unless indicated otherwise), October 2017

### Indicator 1.7 Percentage of women in the highest decision making body (board members) in the private business sector

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 11,64	11,64 - 16,29	16,30 - 25,59	25,60 - 30,25	> 30,25	n/a	n/a

Source: European Institute for Gender Equality, Business, Largest Listed Companies, presidents, board members and employee representatives, 2017

## • Issue 3: Gender and Education

This single 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)

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 78,91	78,91 - 81,99	82,00 - 88,18	88,19 - 91,27	> 91,27	n/a	n/a

Source: European Commission, Eurostat 2016

## • Issue 4: Violence against women

Three indicators examine whether the government is actively gathering data of violence against women, and committed towards tackling this human rights violation through education and law.

### Indicator 1.9 Percentage of women surveyed who have experienced physical and/or sexual violence by any other person since the age of 15

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 41,20	36,53 - 41,20	27,19 - 36,52	22,52 - 27,18	< 27,18	n/a	n/a

Source: European Agency for Fundamental Rights (FRA): Violence against women – an EU wide survey, 2014

**Indicator 1.10 Percentage of women surveyed who have experienced sexual harassment since the age of 15**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+4
MoC	n/a	n/a	> 56,93	49,38 - 56,93	34,27 - 49,37	26,71 - 34,16	< 26,71	n/a	n/a

Source: European Agency for Fundamental Rights (FRA): Violence against women – an EU wide survey, 2014

**Indicator 1.11 Ratification of the council of Europe Convention on preventing and combating violence against women and domestic violence**

MoC	Score	Description
	+3	Ratification or accession with no reservations
	+2	Ratification or accession with reservations
	+1	Signature
	0	Signature with reservations 0
	-2	No signature, ratification or accession

Source: Council of Europe

**· Issue 5: Reproductive rights**

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

**Indicator 1.12 De-criminalisation of abortion**

MoC	Score	Description
	+1	Legal for up to 12 weeks of pregnancy without restriction to reason
	0	Legal for up to 12 weeks of pregnancy without restriction to reason but parental or spousal authorization required
	-1	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
	-2	Legal to preserve physical or mental health or the woman's life
	-3	Prohibited altogether or allowed to save the woman's life

Source: Center for Reproductive Rights, New York, World Abortion Laws, 2014

Criterion 1 Gender Equality and Women's Rights																
Countries	Issue 1 Political Participation of Women					Issue 2 Gender and Empl.			Issue 3 Gender and Education					Aggregate Scores		
	Indicator 1.1	Indicator 1.2	Indicator 1.3	Indicator 1.4	Indicator 1.5	Indicator 1.6	Indicator 1.7	Indicator 1.8	Indicator 1.9	Indicator 1.10	Indicator 1.11	Indicator 1.12	Raw score	Conversion to 10	Conversion to 12.5	
Range	+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	+1 to -3	+24 to -25	0 to +10	0 to +12.5	
Austria	0	0	0	0	0	-2	0	1	2	1	3	1	6	6.33	7.91	
Belgium	2	2	0	-2	-1	2	1	0	0	0	3	1	8	6.73	8.42	
Bulgaria	0	-1	0	0	2	0	-1	0	0	2	1	1	4	5.92	7.40	
Croatia	-1	2	0	-1	0	1	0	1	2	1	1	0	6	6.33	7.91	
Cyprus	-1	0	-2	0	0	0	-2	-2	2	1	2	-1	-3	4.49	5.61	
Czech Republic	-1	0	-1	-1	-1	-2	0	-2	0	0	0	0	-8	3.47	4.34	
Denmark	2	-1	2	-1	0	0	1	0	-2	-2	2	0	1	5.31	6.63	
Estonia	0	-1	0	-1	-1	-2	-2	2	0	0	1	1	-3	4.49	5.61	
Finland	2	-1	1	0	0	0	2	1	-2	-2	2	-1	2	5.51	6.89	
France	0	2	2	0	1	0	2	-2	-2	-2	2	1	4	5.92	7.40	
Germany	2	0	2	-1	0	-2	1	0	0	-1	2	1	4	5.92	7.40	
Greece	-1	2	-1	2	1	0	-2	2	1	0	1	0	5	6.12	7.65	
Hungary	-2	0	-2	-2	1	0	-1	-1	0	1	1	1	-4	4.29	5.36	
Ireland	0	2	0	-2	1	0	0	1	1	0	1	-3	1	5.31	6.63	
Italy	0	0	0	0	0	2	2	0	1	0	3	1	9	6.94	8.67	
Latvia	-2	-1	0	2	2	0	1	2	-1	0	0	0	3	5.71	7.14	
Lithuania	-1	0	-1	0	0	0	-1	-2	0	1	1	0	-3	4.49	5.61	
Luxembourg	0	0	-1	-1	-2	2	-2	0	-1	-1	1	1	-4	4.29	5.36	
Malta	-2	0	-2	-1	0	1	-2	-2	2	0	2	-3	-7	3.67	4.59	
Netherlands	1	0	2	-1	0	0	1	-1	-2	-2	3	1	2	5.51	6.89	
Poland	0	2	0	2	0	2	0	1	2	2	2	-2	11	7.35	9.18	
Portugal	1	2	0	0	-1	-1	-1	-2	1	2	3	0	4	5.92	7.40	
Romania	-1	0	0	2	2	2	-2	-1	0	2	2	1	7	6.53	8.16	
Slovakia	-1	0	-2	1	2	-1	0	1	0	0	1	0	1	5.31	6.63	
Slovenia	0	2	2	2	0	2	0	1	2	0	2	0	13	7.76	9.69	
Spain	2	2	1	0	-2	0	0	0	2	0	3	0	8	6.73	8.42	
Sweden	2	0	2	1	0	0	2	0	-2	-2	2	-1	4	5.92	7.40	
United Kingdom	0	0	1	-1	-2	-2	1	0	-2	-2	1	-1	-7	3.67	4.59	



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

Besides issues of sex-based discrimination considered in the previous criterion, the prohibition of discrimination on the basis of race, religion, language, political opinion, national or social origin, sexual orientation, gender or other identity status is a fundamental human rights principle which entails 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.

### · Issue 1: Protection of sexual orientation and gender identity

The following 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	Score	Description
	+3	Marriage in all or most regions
	+2	Registered partnership with similar rights to marriage only
	+1	Registered partnership with limited rights only
	0	Cohabitation only
	-2	Currently same-sex partnerships are not legally recognised

Source: ILGA, Europe, October 2017

#### Indicator 2.2 Legislative provisions concerning adoption by same sex couples

MoC	Score	Description
	+2	Both second parent adoption and joint adoption
	+1	Second parent adoption
	0	No adoption rights but some parental authority and responsibilities for same sex couples
	-2	No adoption rights

Source: ILGA, Europe, October 2017

### Indicator 2.3 Criminal law provisions concerning offences related to sexual orientation and gender identity

MoC	Score	Description
	+1 to +5	Cumulative count of each law; 1 point per law: Hate crime laws (sexual orientation) / Hate speech law (sexual orientation) / Hate crime law (gender identity) / Hate speech law (gender identity)
	0	No laws but only policies tackling hate crimes related to sexual orientation and/or gender identity
	-2	No laws or policies

Source: ILGA, Europe, October 2017

### · 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 indicator aims 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	Score	Description
	+3	Ratification or accession with no reservations
	+2	Ratification or accession with reservations
	+1	Signature
	-2	No signature, ratification or accession

Source: Council of Europe

### Indicator 2.5 Ratification of the European Charter for Regional or Minority languages

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

Source: Council of Europe

## Indicator 2.6 Measures taken by states to fight discrimination against Roma

MoC	Score	Description
	+1 to +6.5	Cumulative count for each measure taken by member states; 1/2 point per measure taken: Ensure effective practical enforcement of the Racial Equality Directive / Implement desegregation measures regionally and locally / Raise awareness about the benefits of Roma integration / Raise public awareness of the diverse nature of societies, sensitise public opinion to Roma inclusion / Combat anti-Roma rhetoric and hate speech / Combat multiple discrimination of Roma children and women / Fight (domestic) violence against women and girls / Fight trafficking in human beings / Fight underage and forced marriages, and begging involving children / Support the active citizenship of Roma by promoting their social, economic, political and cultural participation / Promote the training and employment of qualified mediators / Raise rights awareness among Roma / Other measures
	0	Claim of no Roma population
	-2	States that have not undertaken any of these measures

Source: Assessing the implementation of the EU Framework for National Roma Integration Strategies and the Council Recommendation on Effective Roma integration measures in the Member States, 2016. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 27.6.2016.

## · Issue 3: Social inclusion of persons with disabilities

This single indicator reflects the level of a state's legal commitment to the aims of the UN Convention on the Rights of Persons with Disabilities.

## Indicator 2.7 Ratification of UN Convention on rights of persons with disabilities

MoC	Score	Description
	+3	Ratification or accession with no reservations
	+2	Ratification or accession with reservations
	+1	Signature
	0	Cohabitation only
	-2	No signature, ratification or accession

Source: United Nations Treaty Collection (as of October 2017)

## · Issue 4: Protection against age discrimination

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

## Indicator 2.8 At risk of poverty or social exclusion rate for persons 65 years and older

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	> 36,88	31,57 - 36,88	26,25 - 31,56	15,63 - 26,24	10,31 - 15,62	< 10,31	n/a	n/a

Source: European Commission, Eurostat Database, 2016 (Ireland, Italy & Luxembourg 2015 figs.)

## Indicator 2.9 At risk of poverty or social exclusion rate for persons less than 18 years

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	> 38,77	34,49 - 38,77	30,19 - 34,48	21,61 - 30,18	1 7 , 3 2 -21,60	< 17,32	n/a	n/a

Source: European Commission, Eurostat Database, 2016 (Ireland, Italy & Luxembourg 2015 figs.)

Criterion 2 Non-Discrimination (except sex-based discrimination)													
Countries	Issue 1			Issue 2				Issue 3	Issue 4		Aggregate Scores		
	Indicator 2.1	Indicator 2.2	Indicator 2.3	Indicator 2.4	Indicator 2.5	Indicator 2.6	Indicator 2.7	Indicator 2.8	Indicator 2.9	Raw score	Conversion to 10		
Range	+3 to -2	+2 to -2	+5 to -2	+3 to -2	+3 to -2	+6.5 to -2	+3 to -2	+3 to -2	+2 to -3	+2 to -3	+29.5 to -20	0 to +10	
Austria	2	2	2	3	3	4	3	3	1	1	21	8.28	
Belgium	3	2	4	1	-2	1.5	3	3	0	1	13.5	6.77	
Bulgaria	-2	-2	-2	3	-2	2.5	3	3	-3	-3	-5.5	2.93	
Croatia	2	-2	4	3	2	5	3	3	-2	0	15	7.07	
Cyprus	2	-2	2	3	3	-1	2	2	0	0	9	5.86	
Czech Republic	1	-2	-2	3	3	2	3	2	1	11	6.26		
Denmark	3	2	2	3	3	-1	3	2	2	19	7.88		
Estonia	1	-2	1	3	-2	-1	3	-3	1	1	4.24		
Finland	3	2	4	3	3	1.5	3	1	2	22.5	8.59		
France	3	2	4	-2	1	0.5	3	2	0	13.5	6.77		
Germany	3	1	0	3	3	3.5	3	0	1	17.5	7.58		
Greece	2	-2	5	1	-2	0.5	2	0	-2	4.5	4.95		
Hungary	2	-2	4	3	3	2.5	3	1	-1	15.5	7.17		
Ireland	3	2	1	3	-2	-1	1	0	0	7	5.45		
Italy	2	-2	-2	3	1	1.5	3	0	-1	5.5	5.15		
Latvia	-2	-2	-2	3	-2	2	3	-3	0	-3	3.43		
Lithuania	-2	-2	2	3	-2	1	3	-3	-1	-1	3.84		
Luxembourg	3	2	2	1	3	-1	3	2	0	15	7.07		
Malta	3	2	5	2	1	0	2	0	0	15	7.07		
Netherlands	3	2	1	3	3	-1	3	2	2	18	7.68		
Poland	-2	-2	-2	3	3	-1	2	0	0	1	4.24		
Portugal	3	2	4	3	-2	2.5	3	0	0	15.5	7.17		
Romania	-2	-2	1	3	3	-1	3	-2	-3	0	4.04		
Slovakia	-2	-2	2	3	3	3	2	1	0	10	6.06		
Slovenia	2	1	1	3	3	3	3	0	2	18	7.68		
Spain	3	2	4	3	3	4.5	3	1	-1	22.5	8.59		
Sweden	3	2	2	3	3	1.5	3	0	1	18.5	7.78		
United Kingdom	3	2	2	3	3	2	2	0	0	17	7.47		

### Criterion 3: 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 lack of transparent institutional decision-making processes within governmental structures are undoubtedly recognised as determining factors contributing to the perpetuation of human rights violations. A state's good governance practices act as positive prerequisites for respecting human rights.

#### · Issue 1: Corruption

The first indicator examines corruption in the public sector. It is based upon the perception of informed observers. The second indicator examines public trust in government. The final two indicators measure perceptions of the extent of corruption at governmental levels.

##### Indicator 3.1 Corruption perceptions index, public sector

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	>79.34	72.00 - 79.34	57.30 - 71.99	49.94 - 57.29	<49.94	n/a	n/a

Source: Transparency International, Corruption Perceptions Index, 2016

##### Indicator 3.2 Trust in Government

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 25,89	25,89 - 34,56	34,57 - 51,93	51,94 - 60,61	> 60,61	n/a	n/a

Source: Special Eurobarometer 461: Designing Europe's Future, April 2017

##### Indicator 3.3 Perception of anti-corruption performance of the government and the country's corruption risk: is corruption one of the biggest problems facing the country?

MoC	Score	Description
	+1	Positive & Low Risk
	0	No data
	-1	Mediocre & Medium Risk
	-2	Negative & High Risk

Source: Transparency International, Global Corruption Barometer, 2016 (Europe and Central Asia)

**Indicator 3.4 Perception of anti-corruption performance of the government and the country's corruption risk: is it socially acceptable to report corruption?**

MoC	Score	Description
	+1	Positive & Low Risk
	0	No data
	-1	Mediocre & Medium Risk
	-2	Negative & High Risk

Source: Transparency International, Global Corruption Barometer, 2016 (Europe and Central Asia)

**• 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 adverse consequences both domestically and in the frame of international offshore finance.

**Indicator 3.5 Open Budget Index Scores**

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	n/a	no data	<57.30	57.30 - 62.11	62.12 - 71.74	71.75 - 76.57	>76.57	n/a

Source: International Budget Org. Open Budget Survey, 2015

**Indicator 3.6 Financial Secrecy Score**

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	n/a	>49.25	45.44 - 49.25	37.82 - 45.43	37.81 - 34.00	<34.00	n/a	n/a

Source: Tax Justice Network, Financial Secrecy Index, 2015

Criterion 3 Corruption and Governance								
Countries	Issue 1 Corruption				Issue 2 Governance		Aggregate Score	
	Indicator 3.1	Indicator 3.2	Indicator 3.3	Indicator 3.4	Indicator 3.5	Indicator 3.6	Raw score	Conversion to 10
Range	+2 to -2	+2 to -2	+1 to -2	+1 to -2	+3 to -2	+2 to -2	+11 to -12	0 to +10
Austria	-1	1	0	0	-2	-2	-4	3.48
Belgium	-1	0	-1	-1	-2	0	-5	3.04
Bulgaria	2	-1	-2	-2	1	0	-2	4.35
Croatia	2	-1	-2	-2	-1	0	-4	3.48
Cyprus	1	-1	-2	-2	-2	-2	-8	1.74
Czech Republic	1	0	-2	-2	1	1	-1	4.78
Denmark	-2	1	0	0	-2	2	-1	4.78
Estonia	0	1	-1	-1	-2	0	-3	3.91
Finland	-2	2	0	0	-2	2	0	5.22
France	0	-2	-1	-1	2	0	-2	4.35
Germany	-2	2	1	1	1	-2	1	5.65
Greece	2	-2	-1	-1	-2	1	-3	3.91
Hungary	2	0	-1	-1	-1	1	0	5.22
Ireland	-1	0	0	0	-2	0	-3	3.91
Italy	2	-1	-1	1	2	1	4	6.96
Latvia	1	-1	-2	-1	-2	0	-5	3.04
Lithuania	0	0	-2	-2	-2	0	-6	2.61
Luxembourg	-2	2	0	0	-2	-2	-4	3.48
Malta	1	1	0	0	-2	-2	-2	4.35
Netherlands	-2	2	-1	-1	-2	-1	-5	3.04
Poland	0	0	-1	-2	1	1	-1	4.78
Portugal	0	1	-2	1	1	0	1	5.65
Romania	2	0	-2	-1	2	0	1	5.65
Slovakia	1	0	-2	-2	-1	-2	-6	2.61
Slovenia	0	-2	0	0	1	2	1	5.65
Spain	0	-2	-2	1	0	2	-1	4.78
Sweden	-2	2	1	1	3	1	6	7.83
United Kingdom	-2	0	-1	1	2	0	0	5.22



## Criterion 4: Social Cohesion/ Economic and Social Rights

Socio-economic inequality has become a focal point of concern for many within the EU. The enduring effects of the 2008 economic crisis appear to be experienced most by those with least. In many respects, this growing inequality impacts upon many peoples' human rights, particularly those concerned with socio-economic well-being. Irrespective of its economic resources and policy choices, each state has committed to take steps towards progress in the field of economic and social rights. This section provides a series of measurements of the plight of some of the EU Member States' most vulnerable groups through a comprehensive range of indicators, which address core 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 the UN and European complaint procedures.

#### Indicator 4.1 Ratification (and signature) of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

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

Source: United Nations Treaty Collection (as of October 2017)

#### Indicator 4.2 Ratification of the Additional Protocol to the European Social Charter providing for a System of Collective Complaints

MoC	Score	Description
	+3	Ratification or accession with no reservations
	+2	Ratification or accession with reservations
	+1	Signature
	0	Acceptance of procedure of collective complaints
	-2	No signature, ratification or accession

Source: United Nations Treaty Collection (as of October 2017)

## · Issue 2: Right to social security

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

### Indicator 4.3 At risk of poverty rate after social transfers

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 20,91	18,96 - 20,91	15,04 - 18,95	13,08 - 15,03	< 13,08	n/a	n/a

Source: European Commission, Eurostat 2016 (Ireland, Italy, Luxembourg, 2015)

## · 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 4.4 Percentage of total population (25-64) having completed at least upper secondary education

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 66,74	66,74 - 72,98	72,99 - 85,47	85,48 - 91,71	> 91,94	n/a	n/a

Source: European Commission, Eurostat 2016

## · Issue 4: Adequate standard of living

These indicators draw upon widely recognised elements of an adequate standard of living in the light of levels of inequality.

### Indicator 4.5 Percentage of total population living with a leaking roof, damp walls, floors or foundation, rot in window frames or floor

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 21,93	18,74 - 21,93	12,35 - 18,73	9,15 - 12,34	< 12,34	n/a	n/a

Source: European Commission, Eurostat 2016 (Ireland, Italy, Luxembourg, 2015 data)

### Indicator 4.6 Percentage of households with a heavy financial burden due to housing costs

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 49,72	41,43 - 49,72	24,84 - 41,42	16,53 - 24,83	< 16,53	n/a	n/a

Source: European Commission, Eurostat 2015

### Indicator 4.7 Percentage of people severely materially deprived (includes food poverty)

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 16,12	12,47 - 16,12	5,15 - 12,46	1,48 - 5,14	< 1,48	n/a	n/a

Source: Eurostat 2016

**Indicator 4.8 GINI coefficient of inequality**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 0,35	0,33 - 0,35	0,28 - 0,32	0,27 - 0,25	< 0,25	n/a	n/a

Source: OECD Data, Income Inequality, 'Latest available' (2012 – 2015)

**· Issue 5: Right to health**

These indicators provide a wide-ranging set of measurements for states' efforts to ensure the right to the highest attainable standard of health of its population.

**Indicator 4.9 Healthy years for females at birth as a percentage of total life expectancy**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 68,64	68,64 - 71,61	71,62 - 77,56	77,57 - 80,54	> 80,54	n/a	n/a

Source: European Commission, Eurostat 2015

**Indicator 4.10 Healthy years for males at birth as a percentage of total life expectancy**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 74,88	74,88 - 77,26	77,27 - 82,04	82,05 - 84,43	> 84,43	n/a	n/a

Source: European Commission, Eurostat 2015

**Indicator 4.11 Out of pocket expenditure as a percentage of total health expenditure**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	> 36,83	31,55 - 36,83	26,25 - 31,54	15,68 - 26,24	10,39 - 15,67	< 10,39	n/a	n/a

Source: World Health Organisation, Global Health Expenditure Database, National Health Accounts indicators, 2014

**· Issue 6: Right to live in a healthy environment**

This is a new issue included for the first time in this edition of the report. The indicator measures the extent to which states address the issue of peoples' right to live in a healthy environment.

**Indicator 4.12 Pollution, grime or other environmental problems (in relation to risk of poverty): households below 60% of median equivalised income, as a percentage of total households**

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 21,46	18,27 - 21,46	11,86 - 18,26	8,66 - 11,85	< 8,66	n/a	n/a

Source: Eurostat Database, 2016

Criterion 4 Social Cohesion/ Economic and Social Rights														
Countries	Issue 1		Issue 2		Issue 3		Issue 4				Issue 5		Issue 6	
	Indicator 4.1	Indicator 4.2	Indicator 4.3	Indicator 4.4	Indicator 4.5	Indicator 4.6	Indicator 4.7	Indicator 4.8	Indicator 4.9	Indicator 4.10	Indicator 4.11	Indicator 4.12	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	+2 to -2	+2 to -2	+2 to -3	+2 to -2	+26 to -25	+10 to 0
Austria	-2	1	1	0	1	2	1	1	-1	-2	0	1	3	5.49
Belgium	3	3	0	0	-1	0	0	1	0	0	0	-1	5	5.88
Bulgaria	-2	0	-2	0	1	0	0	-2	0	2	-3	-1	-5	3.92
Croatia	-2	3	-1	0	1	-2	-1	0	-1	-2	1	2	-2	4.51
Cyprus	-2	3	0	0	-2	-2	-1	0	0	0	-3	0	-7	3.53
Czech Republic	-2	3	2	2	2	1	1	1	1	1	1	-1	12	7.25
Denmark	-2	1	2	0	0	2	1	1	-1	-1	1	1	5	5.88
Estonia	-2	-2	-2	1	0	1	1	-1	-2	-2	0	1	-7	3.53
Finland	3	3	2	1	2	1	1	1	-2	-1	0	2	13	7.45
France	2	3	1	0	0	0	1	0	0	0	2	0	9	6.67
Germany	-2	-2	0	1	0	2	1	0	2	1	1	-2	2	5.29
Greece	-2	3	-2	-1	0	-1	-2	-1	0	0	-2	0	-8	3.33
Hungary	-2	1	1	0	-2	0	-2	0	0	0	-1	-1	-6	3.73
Ireland	1	3	0	0	0	0	0	0	2	1	0	2	9	6.67
Italy	2	3	-1	-2	-2	-2	0	0	0	0	0	-1	-3	4.31
Latvia	-2	-2	-2	1	-1	0	-1	-2	-2	-2	-2	0	-15	1.96
Lithuania	-2	-2	-2	2	0	0	-1	-2	0	0	-1	0	-8	3.33
Luxembourg	2	-2	0	0	0	0	1	0	-1	0	1	-2	-1	4.71
Malta	-2	-2	0	-2	2	0	1	-2	2	2	-1	-2	-4	4.12
Netherlands	1	3	2	0	0	2	1	0	-1	-1	2	0	9	6.67
Poland	-2	-2	0	1	1	-2	0	0	0	0	0	1	-3	4.31
Portugal	3	3	-1	-2	-2	0	0	-1	-2	-2	-1	0	-5	3.92
Romania	-2	-2	-2	0	0	0	-2	-2	0	1	0	1	-8	3.33
Slovakia	2	1	2	2	2	0	0	2	-1	-1	0	0	9	6.67
Slovenia	1	1	1	1	-2	0	0	2	-1	-1	1	0	3	5.49
Spain	2	-2	-2	-2	0	-2	0	-1	0	0	0	0	-7	3.53
Sweden	-2	3	0	0	2	2	2	1	2	2	1	2	15	7.84
United Kingdom	-2	-2	0	0	0	0	0	-2	0	0	2	1	-3	4.31
														5.39

## Criterion 5: Judicial Systems (right to a fair trial, torture and prison administration)

This criterion addresses three enduring and key contemporary challenges to European judicial systems, in the context of widespread concerns over the equal 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 indicator: the degree of trust citizens hold towards their own legal systems.

#### Indicator 5.1 The extent of trust in the national legal system

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	< 40,07	30,07 - 40,07	40,08 - 60,07	60,08 - 70,07	> 70,44	n/a	n/a

Source: Special Eurobarometer 461: Designing Europe's Future, April 2017

### • Issue 2: Torture

While incidences of torture by public officials may not be widespread, some EU states' involvement in the so-called War on Terror in the aftermath of the terrible events of September 11th 2001 rekindled public concern for torture 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 5.2 Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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

Source: United Nations Treaty Collection (as of October 2017)

### • Issue 3: Prison administration

This indicator measures a key aspect of detention conditions. Prison overcrowding undermines the human dignity of detainees whilst also increasing the risk of re-offending.

#### Indicator 5.3 Prison density per 100 places

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	no data	>104.90	98.36 - 104.90	85.28 - 98.35	78.73 - 85.27	<78.73	n/a	n/a

Source: Council of Europe Annual Penal Statistics, 2015/2016

Criterion 5 Judicial Systems						
Countries	Issue 1	Issue 2	Issue 3	Aggregate Score		
	Indicator 5.1	Indicator 5.2	Indicator 5.3	Raw score	Conversion to 10	Conversion to 5
Range	+2 to -2	+3 to -2	+2 to -3	+7 to -7	0 to +10	0 to +5
Austria	2	3	0	5	8.57	4.29
Belgium	0	1	-2	-1	4.29	2.14
Bulgaria	-2	3	-3	-2	3.57	1.79
Croatia	-2	3	1	2	6.43	3.21
Cyprus	-1	3	2	4	7.86	3.93
Czech Republic	0	3	-1	2	6.43	3.21
Denmark	2	3	0	5	8.57	4.29
Estonia	0	3	0	3	7.14	3.57
Finland	2	3	0	5	8.57	4.29
France	0	3	-2	1	5.71	2.86
Germany	2	3	1	6	9.29	4.64
Greece	0	3	-2	1	5.71	2.86
Hungary	0	3	-3	0	5.00	2.50
Ireland	0	1	0	1	5.71	2.86
Italy	0	3	-2	1	5.71	2.86
Latvia	-1	-2	2	-1	4.29	2.14
Lithuania	0	3	1	4	7.86	3.93
Luxembourg	1	3	0	4	7.86	3.93
Malta	-1	3	-3	-1	4.29	2.14
Netherlands	2	3	1	6	9.29	4.64
Poland	-1	3	0	2	6.43	3.21
Portugal	-1	3	-3	-1	4.29	2.14
Romania	0	3	-1	2	6.43	3.21
Slovakia	-1	-2	0	-3	2.86	1.43
Slovenia	-2	3	-2	-1	4.29	2.14
Spain	-2	3	1	2	6.43	3.21
Sweden	2	3	1	6	9.29	4.64
United Kingdom	1	3	0	4	7.86	3.93

## Criterion 6: Freedom of expression and Right to information

Freedom of expression is a fundamental human right and essential to any democratic system. While freedom of expression has a long historical heritage, new challenges are emerging, including those surrounding the exchange of digital data in potential incursions upon another fundamental human right: the right to privacy.

### · Issue 1: Freedom of expression

The first indicator focuses upon the level of press freedom in each country. The second focuses upon the specific rights of LGBTI people to freely express themselves.

#### Indicator 6.1 Press of the Press

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	n/a	>26.31	22.84 - 26.21	15.88 - 22.83	12.40 - 15.87	<15.87	n/a	n/a

Source: Reporters without Borders, World Press Freedom Index, 2017

#### Indicator 6.2 Freedom of assembly, association & expression of LGBTI people

MoC	Score	Description
	0 to +3	Cumulative count of each right; 1 point per right:
	-2	Freedom of assembly / Freedom of association / Freedom of expression
		None

Source: ILGA, Rainbow of Europe, 2017

### · 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 country. This indicator measures the scope of freedom of information laws implemented within EU Member States.

#### Indicator 6.3 Global Right to Information Rating

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	<49.31	49.31 - 59.78	59.79 - 70.25	70.26 - 91.20	91.21 - 101.67	101.68 - 112.15	>112.15	n/a

Source: Centre for Law and Democracy and Access Info. Europe, 2015



### · Issue 3: Right to privacy in the digital age

This is a new issue for this edition. Electronic means of communication and expression have increased exponentially in recent years. This phenomenon raises many human rights issues, but, for current purposes, its effects may be greatest in respect of its consequences for another human right: the right to privacy. This indicator offers a measure of states' commitment to protecting privacy in the digital age.

#### Indicator 6.4 Changes to data retention regimes in light of legal rulings

MoC	Score	Description
	+1	Yes - Some legislative action taken or in the process of being taken
	0	No data
	-1	No significant legislative action taken or directive is being challenged

Source: Privacy International Report, 2017 - NATIONAL DATA RETENTION LAWS SINCE THE CJEU'S TELE-2/WATSON JUDGMENT:

- A Concerning State of Play for the Right to Privacy in Europe, and, FRA Fundamental Rights Report, 2017

Criterion 6 Freedom of expression and Right to Information							
Countries	Issue 1		Issue 2	Issue 3	Aggregate Score		
	Indicator 6.1	Indicator 6.2	Indicator 6.3	Indicator 6.4	Raw score	Conversion to 10	Conversion to 10
Range	+2 to -2	+3 to -2	+3 to -3	+1 to -1	+9 to -8	+10 to 0	+5 to 0
Austria	1	3	-3	1	2	5.88	2.94
Belgium	1	3	-2	1	3	6.47	3.24
Bulgaria	-2	3	0	-1	0	4.71	2.35
Croatia	-2	3	3	-1	3	6.47	3.24
Cyprus	0	3	0	1	4	7.06	3.53
Czech Republic	0	3	0	-1	2	5.88	2.94
Denmark	2	3	-1	1	5	7.65	3.82
Estonia	1	3	1	-1	4	7.06	3.53
Finland	2	3	2	-1	6	8.24	4.12
France	0	3	-1	-1	1	5.29	2.65
Germany	1	3	-2	1	3	6.47	3.24
Greece	-2	2	-1	-1	-2	3.53	1.76
Hungary	-2	3	0	1	2	5.88	2.94
Ireland	1	3	1	-1	4	7.06	3.53
Italy	-1	3	0	1	3	6.47	3.24
Latvia	0	3	0	0	3	6.47	3.24
Lithuania	0	2	-1	-1	0	4.71	2.35
Luxembourg	1	3	0	1	5	7.65	3.82
Malta	-1	3	0	0	2	5.88	2.94
Netherlands	2	3	0	1	6	8.24	4.12
Poland	-1	3	0	-1	1	5.29	2.65
Portugal	0	3	0	-1	2	5.88	2.94
Romania	-1	3	0	-1	1	5.29	2.65
Slovakia	0	3	-1	1	3	6.47	3.24
Slovenia	0	3	3	1	7	8.82	4.41
Spain	0	3	0	-1	2	5.88	2.94
Sweden	2	3	1	1	7	8.82	4.41
United Kingdom	0	3	1	-1	3	6.47	3.24

## Criterion 7: Labour rights

The relative predominance of neoliberalism has included a temptation of a “rush to the bottom” regarding labour rights by employers and governments. This has impacted many peoples’ working lives and extends to worsening labour conditions, diminished job security and incursions into the right to join a trade union. While the EU has shown greater commitment to labour protections than many other transnational trading blocs, there remain several areas of real concern.

### • Issue 1: Work and employment

Economic indicators often emphasise levels of unemployment as a key measure for the “health” of the economy. In contrast, this study focuses upon the specific conditions experienced by those in employment as providing important insights into peoples’ working lives.

#### Indicator 7.1 Employees working shifts as a percentage of employees

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ +4
MoC	n/a	n/a	> 28,70	24,81 - 28,70	17,00 - 24,80	13,10 - 16,99	< 13,10	n/a	n/a

Source: European Commission, Eurostat, 2016

#### Indicator 7.2 Percentage of total number of employees with a contract of limited duration, (15-54 years, annual average)

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 16,34	13,42 - 16,43	7,57 - 13,41	4,65 - 7,56	< 4,65	n/a	n/a

Source: European Commission, Eurostat, 2016

### • 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 of unionisation, employer provided health care and pensions. The International Trade Union Confederation Global Rights Index measures violations of the rights to freedom of association, collective bargaining and to strike faced by workers.

### Indicator 7.3 Recognition of Article 6 of the (revised) European Social Charter

MoC	Score	Description
	+3	Ratification or accession with no reservations
	+2	Ratification or accession with reservations
	+1	Signature
	0	Signature, but declarations/denunciations specifically to Article 6
	-2	No signature, ratification or accession

Source: Council of Europe, situation as at 1st January 2017

### Indicator 7.4 Vulnerable employment as a percentage of total employment

Score	- 4	- 3	- 2	- 1	0	+ 1	+ 2	+ 3	+ 4
MoC	n/a	n/a	> 17,19	14,41 - 17,19	8,85 - 14,40	6,06 - 8,84	< 8,84	n/a	n/a

Source: World Bank, 2015/16, (Malta 2010 figures)

### Indicator 7.5 ITUC Global Rights Index

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

Source: International Trade Union Confederation, 2017

Criterion 7 Labour Rights							
Countries	Issue 1		Issue 2			Aggregate Score	
	Indicator 7.1	Indicator 7.2	Indicator 7.3	Indicator 7.4	Indicator 7.5	Raw score	Conversion to 10
Range	+2 to -2	+2 to -2	+3 to -2	+2 to -2	0 to -4	+9 to -10	+10 to 0
Austria	0	0	2	1	-1	2	6.32
Belgium	2	0	3	0	-2	3	8
Bulgaria	0	2	3	1	-2	4	7.5
Croatia	-2	-2	1	0	-2	-5	3.50
Cyprus	1	-1	2	0	0	2	6.5
Czech Republic	-2	0	0	0	-2	-4	4
Denmark	2	0	1	2	-1	5	7.5
Estonia	0	2	2	2	-2	4	8.5
Finland	0	-1	3	0	-1	1	6.5
France	2	-1	2	1	-1	3	7.5
Germany	0	0	1	1	-1	1	6.5
Greece	-1	1	2	-2	-4	-4	3
Hungary	1	0	3	2	-2	4	7.00
Ireland	1	1	3	0	-2	3	6.5
Italy	0	0	3	-2	-1	0	6
Latvia	0	2	3	1	-2	4	7
Lithuania	1	2	3	0	-2	4	9
Luxembourg	-1	0	0	1	0	0	7.5
Malta	0	1	2	0	0	3	7.5
Netherlands	1	-2	2	0	-1	0	6.5
Poland	-2	-2	0	-2	-2	-8	3
Portugal	0	-2	2	0	-2	-2	4.5
Romania	-1	2	3	-2	-3	-1	6
Slovakia	-2	0	2	0	-1	-1	6.5
Slovenia	-2	-1	3	0	0	0	5
Spain	0	-2	0	0	-2	-4	4.5
Sweden	0	-1	2	1	-1	1	6
United Kingdom	0	1	1	0	-3	-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. This commitment extends to ensure the establishment of political environments conducive to the global protection of human rights. This section provides a series of measures of EU Member States' performance in this particular sphere.

### Criterion 8: International justice and human rights promotion

This criterion measures states' commitments to combat 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 states' commitments to respect, protect and fulfil human rights.

#### • Issue 1: Cooperation with international organisations

The two indicators for issue 1 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 crimes punished by the ICC, which is an important tool to ensure victims' right to reparation.

#### Indicator 8.1 National legislation on cooperation in the ICC and incorporation of the ICC statute into criminal code

MoC	Score	Description
	+1	Yes
	-2	No

Source: International Criminal Court

#### Indicator 8.2 State Parties Voluntary contributions to the Trust Fund Victims

MoC	Score	Description
	+2	Contribution 1 July 2015 – 30 June 2016
	+1	Contribution prior to 1 July 2015 – 30 June 2016 since 2008
	0	No contribution

Source: Trust Fund for Victims, Annual Report, 2016

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

The first indicator 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. We have added a new indicator which measures whether states have developed an NAP covering business and human rights.

**Indicator 8.3 Ratification of the Convention for the protection of all persons from enforced disappearances**

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

Source: United Nations Treaty Collection, accessed October 2017

**Indicator 8.4 National Action Plan (NAP) for the Implementation of UN Security Council 1325 on Women, Peace, and Security**

MoC	Score	Description
	+2	NAP
	-2	No NAP

Source: PeaceWomen.Org

**Indicator 8.5 Member states with National Action Plans for Business and Human Rights**

MoC	Score	Description
	+3	Member states with a national action plan
	+2	Member states in the process of developing an action plan or have committed to doing one
	+1	States in which either the NHRI or civil society have begun steps in the development of a national action plan
	-2	Member states with no national action plans & no commitment to develop such plans

Source: OHCHR, Action Plans



Criterion 8 International Justice and human rights promotion							
Countries	Issue 1		Issue 2			Aggregate Score	
	Indicator 8.1	Indicator 8.2	Indicator 8.3	Indicator 8.4	Indicator 8.5	Raw score	Conversion to 10
Range	+1 to -2	+2 to -0	+3 to -2	+2 to -2	+3 to -2	+11 to -8	+10 to 0
Austria	1	1	3	2	-2	5	6.84
Belgium	1	2	3	2	3	11	10.00
Bulgaria	1	0	1	-2	-2	-2	3.16
Croatia	1	0	1	2	-2	2	5.26
Cyprus	1	0	1	-2	-2	-2	3.16
Czech Republic	1	2	3	2	2	10	9.47
Denmark	1	1	1	2	3	8	8.42
Estonia	1	2	-2	2	-2	1	4.74
Finland	1	2	1	2	3	9	8.95
France	1	2	3	2	3	11	10.00
Germany	1	1	3	2	3	10	9.47
Greece	1	0	3	-2	2	4	6.32
Hungary	1	1	-2	-2	-2	-4	2.11
Ireland	1	2	1	2	2	8	8.42
Italy	1	1	3	2	3	10	9.47
Latvia	1	2	-2	-2	2	1	4.74
Lithuania	1	0	3	2	3	9	8.95
Luxembourg	1	2	1	-2	2	4	6.32
Malta	1	0	3	-2	-2	0	4.21
Netherlands	1	2	3	2	3	11	10.00
Poland	1	2	1	-2	3	5	6.84
Portugal	1	0	3	2	2	8	8.42
Romania	1	0	1	-2	-2	-2	3.16
Slovakia	1	0	3	-2	-2	0	4.21
Slovenia	1	1	1	2	2	7	7.89
Spain	1	2	3	2	3	11	10.00
Sweden	1	2	1	2	3	9	8.95
United Kingdom	1	2	-2	2	3	6	7.37

## Criterion 9: Official 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 their maximum of their available resources, financial and technical assistance to enable countries in need to ensure the fulfilment of their economic, social and cultural rights-based obligations.

### • Issue 1: Overseas Development Assistance (ODA)

ODA is not necessarily linked to the active promotion of human rights. Nevertheless, it does reflect the extent to which the state is willing to honour its obligation to provide international economic assistance.

#### Indicator 9.1 Net ODA as a percentage of GNI, against U.N. target of 0.7%

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	no	<0.07	0.07 - 0.20	0.21 - 0.48	0.49 - 0.62	0.63 - 0.69	>=0.70	n/a
The upper bound of the +2 score is set to 0.69 (actually 0.76) and the minimum bound for score +3 to 0.70 to reflect target of 0.7.									

Source: OECD.Org, 2016 (figures for Bulgaria and Cyprus 2015)

### • 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 9.2 Development of voluntary monetary contributions to the OHCHR as a percentage of GDP

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	no 2016 contribution	<-25.76	-25.76-	- 14,30 - 8,60	8,61 - 20,06	20,07 - 31,52	> 31,52	n/a

Source: OHCHR.Org (2016), OECD

Criterion 9 Official Development Assistance/ Financial contributions to the UN					
Countries	Issue 1	Issue 2	Aggregate Score		
	Indicator 9.1	Indicator 9.2	Raw score	Conversion to 10	Conversion to 5
Range	+3 to -3	+3 to -3	+6 to -6	+10 to 0	+5 to 0
Austria	0	0	0	5.00	2.50
Belgium	1	-2	-1	4.17	2.08
Bulgaria	-1	0	-1	4.17	2.08
Croatia	-3	-3	-6	0.00	0.00
Cyprus	-1	0	-1	4.17	2.08
Czech Republic	-1	0	-1	4.17	2.08
Denmark	3	0	3	7.50	3.75
Estonia	-1	0	-1	4.17	2.08
Finland	0	-1	-1	4.17	2.08
France	0	0	0	5.00	2.50
Germany	3	3	6	10.00	5.00
Greece	-1	-3	-4	1.67	0.83
Hungary	-1	0	-1	4.17	2.08
Ireland	0	0	0	5.00	2.50
Italy	0	0	0	5.00	2.50
Latvia	-1	0	-1	4.17	2.08
Lithuania	-1	0	-1	4.17	2.08
Luxembourg	3	0	3	7.50	3.75
Malta	-1	-3	-4	1.67	0.83
Netherlands	2	0	2	6.67	3.33
Poland	-1	0	-1	4.17	2.08
Portugal	-1	0	-1	4.17	2.08
Romania	-1	0	-1	4.17	2.08
Slovakia	-1	0	-1	4.17	2.08
Slovenia	-1	-3	-4	1.67	0.83
Spain	0	1	1	5.83	2.92
Sweden	3	-2	1	5.83	2.92
United Kingdom	3	-2	1	5.83	2.92

## Criterion 10: Arms control

Similar to the criterion regarding 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 thus examines states' cooperation with initiatives designed to control and reduce global arms production and trade as a means for promoting peace and stability.

### • Issue 1: Disarmament

The 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 10.1 Ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

MoC	Score	Description
	+3	Ratification, acceptance or accession with no reservations
	+2	Ratification, acceptance or accession with reservations
	+1	Signature
	-2	None of the above

Source: United Nations Treaties Collection, accessed November 2017

#### Indicator 10.2 Ratification of the Convention on Cluster Munition

MoC	Score	Description
	+3	Ratification, acceptance or accession with no reservations
	+2	Ratification, acceptance or accession with reservations
	+1	Signature
	-2	None of the above
	-1 point	In addition, one minus point for each of the following: States currently holding a stockpile / States with remaining areas of contamination

Source: United Nations Treaties Collection, accessed November 2017, and, Landmine and Cluster Munition Monitor (Monitor.Org), Cluster Munition Monitor Report, 2017

### 10.3 Ratification and the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

MoC	Score	Description
	+3	Ratification
	-1 point	In addition, one minus point for each of the following: States with a stockpile of > 1000 / States who have not submitted an Annual Transparency Report / States with remaining anti-personnel mine contamination

Source: United Nations Treaties Collection, accessed November 2017, and, Landmine and Cluster

#### • Issue 2: Military and Arms exports

Several EU Member States have large and thriving arms industries. The indicators included here measure the value of domestic arms industries within all of the EU Member States and the value of state arms expenditure relative to other forms of state expenditure, such as health care.

#### Indicator 10.4 Trend Indicator Values of arms exports to all countries

Score	-5	-4	-3	-2	-1	0	+1	+2	+3
MoC	>130.1	97.6-130	65.1-97.5	32.6-65	0.1-32.5	No transfer		n/a	n/a
	Due to extreme values (see France, Germany and also UK), the Median is taken as the basis of calculating the scale. Any export is penalised, and therefore the scores categories are set from -1 to -5. One unit on the scale, is equivalent to ½ of the median value.								

Source: Stockholm Intl. Peace Research Institute (SIPRI), Arms Transfer database. Data for 2016

#### Indicator 10.5 Ratio of health expenditure to military expenditure as a percentage of GDP

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	n/a	n/a	<4.08	4.08-6.12	6.13 - 10.21	10.22 - 12.26	>12.26	n/a	n/a

Source: World Bank, 2014 figures

#### Indicator 10.6 Dual Use Technology Export - Regulation and Control

MoC	Score	Description
	+5 to -5	One point awarded/deducted in relation to the following regulations or controls being met: Has the application of brokering controls set out in Article 5(1) been extended in relation with Article 5(2) / Have brokering controls been extended in relation with Article 5(3)? / Have the transit control provisions of Article 6(1) been extended in relation with Article 6(2)? / Have the transit control provisions set out in Article 6(1) been extended in relation with Article 6(3)? / Have additional controls been implemented concerning non-listed goods for reasons of public security or human rights considerations in relation with Article 8(1)?

Source: European Commission (Trade), Import & Export Rules: Overview of National Measures (August 2016)

Criterion 10 Arms control								
Countries	Issue 1			Issue 2			Aggregate Score	
	Indicator 10.1	Indicator 10.2	Indicator 10.3	Indicator 10.4	Indicator 10.5	Indicator 10.6	Raw score	Conversion to 10
Range	+3 to -2	+3 to -2	+3 to 0	0 to -5	+2 to -2	+5 to -5	+16 to -16	+10 to 0
Austria	3	3	3	-1	2	5	15	9.69
Belgium	2	3	2	-1	1	-1	6	6.88
Bulgaria	3	2	2	-1	-1	3	8	7.50
Croatia	3	1	1	0	-1	3	7	7.19
Cyprus	3	0	2	0	-1	-1	3	5.94
Czech Republic	3	3	2	-4	0	3	7	7.19
Denmark	3	3	2	-1	0	-5	2	5.63
Estonia	3	-3	3	-1	-2	5	5	6.56
Finland	3	-3	2	-3	0	3	2	5.63
France	-2	3	2	-5	-1	-3	-6	3.13
Germany	1	1	3	-5	0	-1	-1	4.69
Greece	3	-3	2	0	-2	3	3	5.94
Hungary	3	3	3	0	0	3	12	8.75
Ireland	-2	3	2	0	2	5	10	8.13
Italy	3	3	3	-5	0	-5	-1	4.69
Latvia	3	-2	3	0	0	1	5	6.56
Lithuania	2	3	3	0	0	-5	3	5.94
Luxembourg	1	3	3	0	2	-5	4	6.25
Malta	-2	3	2	-1	2	-5	-1	4.69
Netherlands	3	3	1	-5	0	3	5	6.56
Poland	3	-3	3	-1	-2	-5	-5	3.44
Portugal	3	3	3	-5	-1	-5	-2	4.38
Romania	3	-3	1	0	-1	5	5	6.56
Slovakia	3	3	2	-1	0	-5	2	5.63
Slovenia	3	2	3	0	0	-5	3	5.94
Spain	3	2	2	-5	0	-1	1	5.31
Sweden	3	3	2	-5	1	-5	-1	4.69
United Kingdom	1	2	2	-5	-1	1	0	5.00

## Criterion 11: Promoting corporate responsibility in business activities conducted abroad

The final human rights criterion examines states' duties to protect individuals from abuses committed by businesses under their jurisdiction. States' obligations extend to include the overseas actions of EU-based companies. Human rights based approaches to the human rights obligations of transnational commercial enterprises is a rapidly developing area of law and practice. The indicators included here aim to provide a sufficiently comprehensive and contemporary assessment of EU Member States active and positive engagements within this field.

### Indicator 11.1 Existence and Structure of OECD National Contact Point

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

Source: OECD, Annual Report on the OECD Guidelines for Multinational Enterprises, 2016

### Indicator 11.2 Shadow Economy as a percentage of GDP

Score	-4	-3	-2	-1	0	+1	+2	+3	+4
MoC	>24.58	21.24 - 24.58	14.56 - 21.23	11.21 - 14.55	<11.21	n/a	n/a	n/a	n/a
	Shadow Economy is seen as extremely negative, therefore the values are shifted to the left on the scale (by two score units).								

Source: CESifo Group Munich, (Center for Economic Studies, the Ifo Institute, and Munich Society for the Promotion of Economic Research), DICE Report, December 2016

### Indicator 11.3 Reporting Instruments – General Sustainability; Environmental, Social, Governance (ESG); Non-financial

MoC	Score	Description
	+6 to +0.5	Cumulative count of voluntary and mandatory reporting; 1/2point for voluntary reporting each and 1 point for mandatory reporting each
	0	No Reporting instruments within this 'field' or no data

Source: Global Reporting Initiative, Carrots and Sticks Database, Reporting Instruments (accessed November 2017)

Criterion 11 Promoting corporate responsibility in business activities conducted abroad						
Countries				Aggregate Score		
	Indicator 11.1	Indicator 11.2	Indicator 11.3	Raw score	Conversion to 10	Conversion to 5
Range	+1 to -2	0 to -4	+6 to 0	+9 to -4	0 to +10	0 to +5
Austria	1	0	0.5	1.5	6.07	3.04
Belgium	1	-2	0	-1	4.29	2.14
Bulgaria	-2	-4	0	-6	0.71	0.36
Croatia	-2	-4	0	-6	0.71	0.36
Cyprus	-2	-3	0.5	-4.5	1.79	0.89
Czech Republic	1	-2	0	-1	4.29	2.14
Denmark	1	-1	1.5	1.5	6.07	3.04
Estonia	1	-4	0	-3	2.86	1.43
Finland	1	-1	2	2	6.43	3.21
France	1	-1	3	3	7.14	3.57
Germany	1	0	3	4	7.86	3.93
Greece	0	-3	0	-3	2.86	1.43
Hungary	0	-3	1	-2	3.57	1.79
Ireland	0	0	0.5	0.5	5.36	2.68
Italy	1	-2	6	5	8.57	4.29
Latvia	1	-3	0	-2	3.57	1.79
Lithuania	-1	-4	0	-5	1.43	0.71
Luxembourg	1	0	0	1	5.71	2.86
Malta	-2	-3	0	-5	1.43	0.71
Netherlands	1	0	2.5	3.5	7.50	3.75
Poland	1	-3	0	-2	3.57	1.79
Portugal	0	-2	1	-1	4.29	2.14
Romania	0	-4	2	-2	3.57	1.79
Slovakia	1	-1	1	1	5.71	2.86
Slovenia	0	-3	0	-3	2.86	1.43
Spain	1	-2	5	4	7.86	3.93
Sweden	1	-1	2	2	6.43	3.21
United Kingdom	1	0	2.5	3.5	7.50	3.75



## 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), Human Development Report (HDR, from the UNDP), the Emissions Database for Global Atmospheric Research (EDGAR), and The International Renewable Energy Agency (IRENA).

### Criterion 12: Environmental Exposure

#### · Issue 1: Productive Land and Mineral Resources (previous Biocapacity)

##### Indicator 12.1 Agricultural and Forest Land

MoC	Score	Description
	0 to 10	Square km per 1,000 person  converted to a 10 to 0 scale by MSCI (0 best and 10 worst).  We transformed the MSCI’s scale to a 0 to 10 scale (10 best and 0 worst).

Source: WDI

## · Issue 2: Vulnerability to Environmental Events

### Indicator 12.2 Endangered species

MoC	Score	Description
	0 to 10	<p>Percentage of animal species classified as either critically endangered, endangered or vulnerable by the International Union for the Conservation of Nature converted to a 10 to 0 scale by MSCI (0 best and 10 worst).</p> <p>We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).</p>

Source: HDR

### Indicator 12.3 GHG emissions per capita

MoC	Score	Description
	0 to 10	<p>Tons per capita. Six greenhouse gases, considered under Kyoto Protocol, are considered for this data point. These gases are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.</p> <p>converted to a 10 to 0 scale by MSCI (0 best and 10 worst).</p> <p>We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).</p>

Source: EDGAR

## · Issue 3: Environmental Externalities

### Indicator 12.4 Particulate matter concentrations

MoC	Score	Description
	0 to 10	<p>Represented in 'micrograms of PM10 per cubic meter' at country level. Particulate matter concentrations refer to fine suspended particulates less than 10 microns in diameter (PM10) that are capable of penetrating deep into the respiratory tract and causing significant health damage. Data for countries and aggregates for regions and income groups are urban-population weighted PM10 levels in residential areas of cities with more than 100,000 residents. The estimates represent the average annual exposure level of the average urban resident to outdoor particulate matter. The state of a country's technology and pollution controls is an important determinant of particulate matter concentrations.</p> <p>Converted to a 10 to 0 scale by MSCI (0 best and 10 worst).</p> <p>We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).</p>

Source: WDI

### Indicator 12.5 Nitrogen oxides emissions

MoC	Score	Description
	0 to 10	Nitrogen oxides emissions per populated land area (Gg per 1000 sq-km)  Converted to a 10 to 0 scale by MSCI (0 best and 10 worst).  We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).

Source: EDGAR, WDI

### Indicator 12.6 Sulfur dioxide emissions

MoC	Score	Description
	0 to 10	Sulfur dioxide emissions per populated land area (Gg per 1000 sq-km)  Converted to a 10 to 0 scale by MSCI (0 best and 10 worst).  We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).

Source: EDGAR, WDI

### Indicator 12.7 Non-methane volatile organic compound emissions

MoC	Score	Description
	0 to 10	NMVOC emissions per populated land area (Gg per 1000 sq-km)  Converted to a 10 to 0 scale by MSCI (0 best and 10 worst).  We transformed the MSCI's scale to a 0 to 10 scale (10 best and 0 worst).

Source: EDGAR, WDI

Criterion 12 Environmental Risk Exposure									
Countries	Issue 1			Issue 2				Issue 3	Aggregate Score
	Indicator 12.1	Indicator 12.2	Indicator 12.3	Indicator 12.4	Indicator 12.5	Indicator 12.6	Indicator 12.7	Raw score	Conversion to 10
Range	+10 to 0	+10 to 0	+10 to 0	+10 to 0	+10 to 0	+10 to 0	+10 to 0	+80 to 0	0 to +10
Austria	3.26	4.54	5.00	7.07	7.94	9.38	8.55	45.74	5.72
Belgium	0.72	7.84	4.14	6.03	2.10	7.80	5.72	34.34	4.29
Bulgaria	4.91	5.79	5.44	6.76	8.42	5.38	9.06	45.75	5.72
Croatia	3.05	3.08	6.36	7.32	8.50	8.23	8.95	45.50	5.69
Cyprus	0.97	6.65	6.82	6.61	7.37	6.72	8.56	43.70	5.46
Czech Republic	2.61	8.11	3.67	6.59	6.29	6.96	8.03	42.25	5.28
Denmark	2.27	7.41	5.43	8.03	6.40	9.25	8.06	46.84	5.85
Estonia	9.75	8.92	1.41	8.68	9.12	8.50	9.57	55.96	6.99
Finland	10.00	8.44	3.96	9.26	9.36	9.53	9.42	59.96	7.50
France	2.74	3.89	6.47	7.30	8.29	9.41	8.96	47.07	5.88
Germany	1.38	5.14	4.32	6.93	6.54	8.54	7.19	40.03	5.00
Greece	4.51	2.00	5.94	6.92	7.80	7.43	9.19	43.79	5.47
Hungary	3.01	6.49	7.04	6.81	8.53	8.86	9.28	50.02	6.25
Ireland	4.51	6.87	3.46	9.01	8.64	8.01	9.66	50.15	6.27
Italy	1.51	3.51	6.49	6.09	6.80	8.70	8.29	41.39	5.17
Latvia	10.00	8.33	6.53	7.86	9.44	9.90	9.45	61.50	7.69
Lithuania	6.97	8.60	5.18	7.37	9.20	9.61	8.39	55.32	6.91
Luxembourg	1.53	9.30	0.00	7.08	0.00	9.12	7.97	35.00	4.37
Malta	0.10	7.14	7.80	7.28	0.00	0.00	5.86	28.17	3.52
Netherlands	0.53	7.89	4.56	6.51	0.64	7.94	4.95	33.01	4.13
Poland	2.51	7.73	4.68	6.47	7.38	7.09	8.07	43.93	5.49
Portugal	2.64	1.62	6.57	8.46	8.06	9.13	9.10	45.58	5.70
Romania	4.19	5.73	7.23	6.51	8.87	8.29	9.21	50.03	6.25
Slovakia	2.85	8.00	6.10	6.76	8.25	8.44	9.19	49.59	6.20
Slovenia	3.35	4.43	4.94	7.41	7.51	8.91	8.45	45.00	5.63
Spain	3.91	1.24	6.60	7.96	8.23	9.20	9.39	46.54	5.82
Sweden	10.00	8.16	6.71	9.18	9.47	9.71	9.52	62.75	7.84
United Kingdom	1.25	5.35	5.90	8.20	5.95	8.15	7.75	42.56	5.32

## Criterion 13 Environmental Management

### · Issue 1: Energy Resource Management

#### Indicator 13.1 Energy intensity

MoC	Score	Description
	0 to 10	GDP (constant 2011 PPP \$) per unit of energy use (kg of oil equivalent).  Converted to a 0 to 10 scale by MSCI.

Source : WDI

#### Indicator 13.2 Renewable energy

MoC	Score	Description
	0 to 10	% of total primary energy consumption. Renewable energy is defined as non-carbohydrate energy (excludes nuclear energy, but includes waste to energy) that does not produce carbon dioxide when generated. It includes hydropower, geothermal, biogas, and ocean, tidal, waste and solar power, among others.  Converted to a 0 to 10 scale by MSCI.

Source: WDI, IRENA

#### Indicator 13.3 Energy consumption per capita

MoC	Score	Description
	0 to 10	Represented in 'Kgoe per capita'. Energy use refers to use of primary energy before transformation to other end-use fuels, which is equal to indigenous production plus imports and stock changes, minus exports and fuels supplied to ships and aircraft engaged in international transport.  Converted to a 0 to 10 scale by MSCI.

Source: WDI

### · Issue 2: Water Resource Management

#### Indicator 13.4 Water withdrawal as % of internal resources

MoC	Score	Description
	0 to 10	Annual freshwater withdrawals, total (% of internal resources). Annual freshwater withdrawals, not counting evaporation losses from storage basins. Withdrawals also include water from desalination plants in countries where they are significant source. Withdrawals can exceed 100 percent of total renewable resources where extraction from nonrenewable aquifers or desalination plants is considerable or where is significant water reuse.  Converted to a 0 to 10 scale by MSCI.

Source: WDI

### Indicator 13.5 Water withdrawal per capita

MoC	Score	Description
	0 to 10	Cubic meter per capita  Converted to a 0 to 10 scale by MSCI.

Source: WDI, MSCI ESG Research

### Indicateur 13.6 Stress hydrique

MoC	Score	Description
	0 to 10	% of national territory in which water consumption exceeds 40% of available water.

Source: EPI

## · Issue 3: Environmental Performance

### Indicator 13.7 GHG intensity trend

MoC	Score	Description
	0 to 10	% change in GHG intensity (CO2 emissions kg per 2011 PPP\$ of GDP), 3 year CAGR.  Converted to a 0 to 10 scale by MSCI.

Source: WDI

## · Issue 4: Management of Environmental Externalities

### Indicator 13.8 Deaths due to indoor and outdoor air and water pollution

MoC	Score	Description
	0 to 10	It is sum of three data points, (1) Deaths due to water pollution-Deaths due to diarrhea attributable to poor water, sanitation or hygiene, (2) Deaths due to indoorair pollution: Deaths due to acute respiratory infections (children under age 5), chronic obstructive pulmonary disease (adults over age 30) and lung cancer (adults over age 30) attributable to indoor smoke from solid fuels, and (3) Deaths due to outdoor air pollution: Deaths due to respiratory infections and diseases, lung cancer and selected cardiovascular diseases attributable to outdoor air pollution.  Converted to a 0 to 10 scale by MSCI.

Source: HD

Criterion 13 Environmental Management										
Countries	Issue 1			Issue 2			Issue 3	Issue 4	Aggregate Score	
	Indicator 13.1	Indicator 13.2	Indicator 13.3	Indicator 13.4	Indicator 13.5	Indicator 13.6	Indicator 13.7	Indicator 13.8	Raw score	Conversion to 10
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	+80 to 0	0 to +10
Austria	7.63	10.00	0.61	7.78	5.75	10	6.01	10.00	57.79	7.22
Belgium	5.34	5.70	0.00	0.00	4.53	0.032	6.35	10.00	31.94	3.99
Bulgaria	4.20	1.84	4.18	0.29	1.48	2.698	5.04	9.86	29.58	3.70
Croatia	7.17	5.62	5.47	9.44	8.51	10	5.52	10.00	61.73	7.72
Cyprus	8.81	3.93	5.77	2.14	8.42	10	7.03	9.66	55.77	6.97
Czech Republic	4.48	2.39	0.14	5.33	8.26	9.488	5.93	9.98	46.00	5.75
Denmark	9.90	7.60	2.74	6.38	8.85	9.546	7.06	9.98	62.06	7.76
Estonia	3.42	1.13	0.00	5.72	0.00	9.498	2.86	9.99	32.61	4.08
Finland	3.68	3.67	0.00	7.96	0.00	9.916	5.02	10.00	40.25	5.03
France	6.55	2.27	0.90	4.48	5.04	8.322	6.69	10.00	44.25	5.53
Germany	7.58	5.72	0.63	0.00	5.94	6.812	6.44	10.00	43.12	5.39
Greece	7.78	3.50	4.85	4.52	1.19	9.11	4.25	10.00	45.20	5.65
Hungary	6.68	1.32	4.27	0.00	4.87	5.092	6.32	9.99	38.53	4.82
Ireland	10.00	4.10	3.08	9.49	8.37	10	7.31	10.00	62.34	7.79
Italy	9.19	7.54	3.99	0.18	1.16	6.464	6.36	10.00	44.87	5.61
Latvia	6.34	8.18	4.60	9.17	7.89	10	2.96	10.00	59.14	7.39
Lithuania	6.81	2.23	4.11	4.87	1.83	8.93	4.71	10.00	43.49	5.44
Luxembourg	8.87	1.71	0.00	8.50	9.21	10	5.58	9.96	53.82	6.73
Malta	10.00	0.00	5.66	0.00	8.75	10	5.77	10.00	50.18	6.27
Netherlands	6.89	2.05	0.00	0.00	3.70	5.172	5.37	10.00	33.18	4.15
Poland	6.14	1.63	3.76	2.86	6.98	8.888	6.72	10.00	46.98	5.87
Portugal	8.50	9.64	4.93	1.97	1.16	8.008	6.28	10.00	50.49	6.31
Romania	7.59	3.59	6.02	4.59	6.53	6.552	5.82	9.83	50.53	6.32
Slovakia	4.81	2.78	2.88	8.18	8.73	10	6.86	9.99	54.23	6.78
Slovenia	5.43	6.06	1.82	8.33	5.47	10	5.83	10.00	52.95	6.62
Spain	8.54	6.35	3.88	0.00	2.77	2.588	7.43	10.00	41.57	5.20
Sweden	5.81	10.00	0.00	9.48	7.25	9.93	4.52	10.00	56.99	7.12
United Kingdom	9.17	2.56	3.12	7.51	8.34	8.32	7.33	10.00	56.35	7.04

# Annex: Detailed ranking

Overall		
Rank	Score	Country
1	74.75	Sweden
2	68.89	Finland
3	67.26	Denmark
4	65.33	Austria
5	65.10	Ireland
6	63.26	Germany
7	61.73	Slovenia
8	60.69	Netherlands
9	60.32	France
10	59.98	Spain
11	59.91	Italy
12	59.24	United Kingdom
13	58.68	Luxembourg
14	57.65	Czech Republic
15	57.18	Portugal
16	56.74	Belgium
17	56.50	Slovakia
18	55.42	Latvia
19	55.17	Croatia
20	54.61	Lithuania
21	54.00	Romania
22	53.55	Cyprus
23	53.44	Hungary
24	53.09	Estonia
25	52.47	Poland
26	49.77	Greece
27	47.68	Malta
28	47.56	Bulgaria

Human Rights		
Rank	Score	Country
1	72.04	Sweden
2	68.97	Netherlands
3	68.90	Finland
4	67.95	Germany
5	66.91	Denmark
6	65.08	Austria
7	63.30	Belgium
8	62.47	Ireland
9	62.45	Italy
10	61.95	Spain
11	61.95	Slovenia
12	61.69	France
13	60.04	Luxembourg
14	58.43	Czech Republic
15	58.11	United Kingdom
16	54.67	Portugal
17	52.81	Slovakia
18	52.51	Hungary
19	52.12	Estonia
20	50.67	Lithuania
21	49.26	Poland
22	49.25	Romania
23	49.22	Croatia
24	47.18	Cyprus
25	47.13	Malta
26	46.85	Latvia
27	45.80	Bulgaria
28	44.58	Greece

Environment		
Rank	Score	Country
1	81.09	Sweden
2	75.40	Latvia
3	71.22	Ireland
4	68.88	Finland
5	68.42	Cyprus
6	68.06	Denmark
7	67.02	Croatia
8	65.90	Austria
9	65.12	Slovakia
10	63.06	Romania
11	63.04	Portugal
12	61.89	United Kingdom
13	61.87	Greece
14	61.75	Lithuania
15	61.22	Slovenia
16	59.95	Poland
17	57.10	France
18	55.82	Czech Republic
19	55.61	Hungary
20	55.51	Luxembourg
21	55.37	Spain
22	55.36	Estonia
23	54.00	Italy
24	52.32	Germany
25	49.63	Bulgaria
26	48.97	Malta
27	41.42	Belgium
28	41.37	Netherlands







# Keep your eyes open

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FIDH

**Establishing the facts** - Investigative and trial observation missions

**Supporting civil society** - Training and exchange

**Mobilising the international community** - Advocacy before intergovernmental bodies

**Informing and reporting** - Mobilising public opinion

**For FIDH, transforming societies relies on the work of local actors.**

The Worldwide movement for human rights acts at national, regional and international levels in support of its member and partner organisations to address human rights abuses and consolidate democratic processes. Its work is directed at States and those in power, such as armed opposition groups and multinational corporations.

Its primary beneficiaries are national human rights organisations who are members of the Movement, and through them, the victims of human rights violations. FIDH also cooperates with other local partner organisations and actors of change.

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La FIDH  
represents 184  
human rights organisations  
ON 112 countries



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 184 member organisations in more than 112 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**