

THE CIRIGHTS DATA PROJECT SCORING MANUAL



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INTRODUCTION

This manual will be your guide for scoring government respect for human rights for the CIRIGHTS Database. In this manual, you will find the information necessary to accurately score the level of government respect for a variety of internationally recognized human rights. Each of the variables includes the following information in this manual:

- Name of the right
- Variable name in the dataset
- Definition
- Scoring Scheme
- What Does Not Qualify (where applicable)
- Where To Find Information About This Variable
- Grounding In International Law
- Any additional specific information pertinent to the scoring of the variable

FREQUENTLY ASKED QUESTIONS ABOUT SCORING PRACTICES

How to cite the dataset

When using the dataset please cite: Mark, Skip, David L. Cingranelli, and Mikhail Filippov. "CIRIGHTS: Quantifying Respect for All Human Rights." *Human Rights Quarterly*, (Forthcoming).

If using torture, disappearances, political imprisonment, extrajudicial killings, free speech, free association, religious freedom, judicial independence, women's political rights, women's economic rights, freedom of domestic movement, freedom of foreign movement, or electoral self-determination please also cite: Cingranelli, David L., David L. Richards, and K. Chad Clay. "The CIRI human rights dataset." (2014).

If using the right to unionize, bargain collectively, minimum wage, child labor, forced labor, reasonable limitation on work hours, or occupational health and safety please also cite: Barry, Colin M., David L. Cingranelli, and K. Chad Clay. "Labor rights in comparative perspective: The WorkR dataset." *International Interactions* 48, no. 2 (2022): 327-344.

(1) What sources does CIRIGHTS use to score respect for human rights?

The primary data source is the US State Department (USSD) Country Reports on Human Rights Practices. This source is used for all variables. Reports covering the years 1999 to the present (2023) can be found here:

<https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

To score the "Physical Integrity Rights", CIRIGHTS also uses the Amnesty International's Annual Report, found here:

<https://www.amnestyusa.org/tools-and-reports/reports/>

For the years 1999-2015, you can find USSD Country Reports here: <https://2009-2017.state.gov/j/drl/rls/hrrpt/2000/index.htm>

(2) What are the “units” scored in CIRIGHTS?

The basic unit of scoring is the “country-year.” For instance, “France 2017” is one country-year unit. It is a single snapshot of space and time, in this example, France in the year 2017. “Russia 2017” is another example.

(3) Why can the years of these reports be confusing?

USSD Reports are issued in the spring following the calendar year they cover. From the early 1990s on, the year in the title of the report (not the date it was released) is the calendar year of events a report actually covers. For example, data for country-year “Russia 2010” will be contained in the US State Department’s “Country Reports on Human Rights Practices for 2010”. This report was issued in the spring of 2011.

The Amnesty International Report: The date in the Amnesty International Annual Report title is always the year following the calendar year discussed in the report. For instance, data for the Russia 2010 country-year is contained in Amnesty International's Annual Report 2011.

(4) How does CIRIGHTS score human rights practices versus human rights policies and human rights conditions?

For some right the CIRIGHTS Project scores ONLY the human rights practices of governments. Human rights practices are the human rights-related actions of a government and any and all of its agents, such as police or paramilitary forces.

For rights with a score in law, these scores refer to what a government promises it is going to do to ensure the protection of the human rights of its citizens. The USSD Reports often refer to constitutional provisions or legislation protecting human rights, but actual government human rights *practices* often diverge from *policies*.

A country's human rights conditions constitute the whole universe of human rights-related events happening in a country. The state of a country's human rights conditions can be caused by factors outside of that country's government: foreign companies, domestic non-state actors such as guerilla groups, and so forth. CIRIGHTS only scores the practices of the government, not the overall human rights conditions of a country.

(5) How does CIRIGHTS score reports that mention human rights violations in more years than the calendar year the report is supposed to cover?

The CIRIGHTS Project scores contain only the human rights practices of the government in that specific country-year. If a report contains new information about earlier years that was not included in that year’s report, the relevant country-year scores will be revised if necessary.

The *only exception* to this rule is for the Political Imprisonment variable, which has separate rules explained in further detail in the scoring guide for that variable.

(6) How does CIRIGHTS score human rights violations when the victims are foreign nationals, refugees, or undocumented immigrants?

The CIRIGHTS Project scores only government violations of the human rights of its citizens, so violations against non-citizens are not scored.

(7) How does CIRIGHTS score government human rights violations beyond its territorial borders?

Except in certain cases of occupation, only violations that occur within a country’s internationally recognized borders are scored.

(8) How does CIRIGHTS score countries with human rights violations concentrated in certain areas and absent in other areas?

The CIRIGHTS Project considers the country as a whole in scoring. The geographic concentration or dispersion of human rights violations in a country is not considered.

(9) Does CIRIGHTS take relative population size into account when scoring?

No, international law does not give countries latitude to violate human rights based on their population size. For example, Russia is not allowed to torture more people than is Ukraine, just because it has a greater population. The ban on torture is absolute under international law; governments are not allowed to torture persons, period. Thus, the standard against which both countries are to be judged is “zero persons tortured”. The rights contained in CIRIGHTS’s “Physical Integrity Rights” index are non-derogable rights, meaning that there is no legal latitude for violating these rights, even under special circumstances such as a declared state of emergency. The CIRIGHTS Project holds all countries to this same legal standard: torture, extrajudicial killing, disappearance, and political imprisonment should not happen. For derogable rights (such as freedom of domestic movement), allowable exceptions are explained in detail in the scoring guide for any applicable variables.

Furthermore, CIRIGHTS measures are not based on actual numbers (counts) of human rights violations, but instead uses interval scores, which implicitly controls for population. For further explanation of our logic and methodology in regards to this, please see pages 406 & 407 of:

Cingranelli, David L., and David L. Richards. "The Cingranelli and Richards (CIRI) human rights data project." *Hum. Rts. Q.* 32 (2010): 401-424.

SCORING PROTOCOL

1. Scorers work alone on all scores and are forbidden to discuss scoring with anyone except CIRIGHTS senior staff.
2. Scorers are forbidden to look at existing CIRIGHTS or other human rights scores for the countries they are scoring.
3. Scorers must use only the information included in the USSD Country Report for the year they are scoring (or applicable report as indicated in the right they are scoring). They may not use outside information, including personal information or experiences.
 - A. The exception to this rule is that scorers are allowed to verify information. For example, a scorer might need to perform a search for a particular group to find out whether it is a group associated in any way with a government, or is a non-governmental group, or to verify the nationality of a victim. Or a scorer might need to look up an event that took place in a country in order to clarify a vague State Department report. Only reliable sources (New York Times, BBC, Washington Post, LA Times, Reuters, AP, Agence France Presse, etc.) should be used.
 - B. Scorers who use such outside information are to note the exact source webpage where the information was obtained, and why it was used, so that CIRIGHTS Senior Staff may vet this information during the scoring reconciliation meeting.
4. Scorers must note any violations that are listed for previous years but may not include that information in the score for the year they are currently scoring.
5. Scorers must take notes explaining the reasoning behind their scores, including specific language and examples, for each country they score. Ask CIRIGHTS Senior Staff about efficient ways in which to take these notes.
6. Scorers must score only the sections included in the scoring guide for each variable. However, if they find information relevant to their variable in another section, they should note it for the reconciliation meeting with CIRIGHTS Senior Staff. If relevant, the data may be rescored for previous years to include the additional section, and that section included for future scoring.
7. Scorers are encouraged to **contact CIRIGHTS Senior Staff with any questions** during the scoring or training process.

PHYSICAL INTEGRITY RIGHTS

POLITICAL AND OTHER EXTRAJUDICIAL KILLINGS /ARBITRARY OR UNLAWFUL DEPRIVATION OF LIFE

Variable Names: kill

Definition:

Extrajudicial killings are killings by government officials without due process of law. They include murders by private groups if instigated by a government. These killings may result from the deliberate, illegal, and excessive use of lethal force by the police, security forces, or other agents of the state whether against criminal suspects, detainees, prisoners, or others. Deaths resulting from torture should be counted, as these deaths occurred while the prisoners were in the custody of the government or its agents. Deaths from military hazing also count.

In most cases, the USSD reports indicate cases of political killings by explicitly referring to these killings as “political.” A victim of a politically motivated killing is someone who was killed by a government or its agents as a result of his or her involvement in political activities or for supporting (implicitly or explicitly) the political actions of opposition movements against the existing government.

While they may be the result of different motives, both extrajudicial killings and political killings are to be treated identically for the purposes of scoring.

NOTE: Beginning in 2001, the USSD replaced “Political and Other Extrajudicial Killings” with “Arbitrary or Unlawful Deprivation of Life” as the title of this section in their Human Rights Reports (released March 2002).

Scoring Scheme:

Political or Extrajudicial Killings are:

- (0) Practiced frequently
- (1) Practiced occasionally
- (2) Have not occurred / unreported

Scoring will largely be done based on the language of the report. The language used in a report will always override a specific count of incidences, so make careful note of it. For example, if the report says violations were “widespread” or “systematic” (which would rate a score of “0”) and then only mentions a few instances with a small number of cases (which would rate a score of “1”), the words “widespread” and “systematic” take precedence and the country scores a “0.”

A guideline follows:

- Instances where violations are described by adjectives such as “gross,” “widespread,” “systematic,” “epidemic,” “extensive,” “wholesale,” “routine,” “regularly,” or likewise, are to be scored as a ZERO (have occurred frequently).
- Instances where violations are described by adjectives such as “numerous,” “many,” “various,” “dozens,” “multiple,” or likewise, you will have to use your best judgment from reading through the report to decide whether to assign that country a ONE (have occurred occasionally) or a ZERO (have occurred frequently). Look for language indicating a pattern of abuses; often, these cases merit a ZERO.

NOTE: Sometimes the language of a report can be obscure when listing a number of types of violations at once. For example, if the report lists that “political imprisonment, long pre-trial detainment, and threats to local media were problems,” you need to look at the rest of the report to see to what extent each violation was a problem. Pay close attention when items are grouped in this way.

The reports frequently give examples of incidents of reported extrajudicial killings that occurred in a country during the year. Frequently, these examples are illustrative of a larger whole, and do not represent the entire scope of the rights violation. However, in some countries the available data on human rights violations is very good and the USSD reports contain comprehensive numbers of violations. If you believe that the numbers given represent the totality of extrajudicial killings in the country-year that you are scoring (and only in that year alone), score based on the numbers. These numbers and their corresponding scoring scores are:

Score – Number of Killings:

0 – 50 or more

1 – From 1 to 49

2 – Zero

If I see the following or similar text in the USSD reports, does it mean the country gets a “2” automatically?

- “There were no reports of *political killings* by security forces during the year; however, there continued to be reports of *unlawful killings* by security forces.”
- “There were no *political killings*; however, security forces committed *unlawful killings* during the year.”
- “There were no confirmed reports of politically motivated killings by the Government or its agents; however, security forces continued to use excessive, lethal force against criminal suspects and committed or were connected to numerous extrajudicial, arbitrary, and unlawful killings.”

Not necessarily. Most times, the “security forces” mentioned are police or paramilitary agents, who are agents of the state. Thus, their actions count towards violations. Read the report carefully to determine who the “security forces” are and what they have done.

What does not qualify as extrajudicial or political killings:

- Extrajudicial and political killings exclude combat deaths and deaths as the result of legally sanctioned capital punishment (e.g., the death penalty).
- Generally, killings reported in the USSD reports happened during the year covered by the report; however, this is not always the case. For example, deaths that were discovered as a result of clandestine graves should also be counted among the political dead IF AND ONLY IF it is determined that the dead were killed during the year for which one is scoring. These types of mass graves are almost always found after the fact, so they often do not figure into a country's score for the year in which they were discovered. To maintain the data's accuracy, we must ensure that each extrajudicial and political killing can only be counted once, and only for the year in which it occurred. For example, if in 1990 AI reports that a mass grave of persons killed in 1983 had been found, the only thing affected is the “killing” score for that country in 1983. The 1990 information is unaffected because the violations did not actually occur during that year, they were merely discovered then. If you come upon such information,

note the number of dead and the year they are assumed to have been killed so that adjustments to scores for past years can be made by the principal investigators.

- “Armed insurgents” or criminal groups may often have security forces and/or refer to these forces as “soldiers” – ignore killings by these groups.
- The government has the right to defend itself against armed insurgents and violent secessionist movements. If government agents are fired upon, they are allowed to defend themselves, and any deaths as a result of a legitimate defense do not count as extrajudicial killings.

NOTE: killings that take place outside of immediate defense or due process of law, even if the victims are labeled as terrorists or insurgents, still count as extrajudicial killings.

If you come across information about past abuses, please bring this to the attention of a CIRIGHTS staff member.

Where to find information about this variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section One (Respect for the Physical Integrity of the Person, Including Freedom From:), Subsection A (Arbitrary or Unlawful Deprivation of Life / Political and Other Extrajudicial Killing).

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 6

DISAPPEARANCE

Variable names: disap

Definition:

Disappearances are cases in which 1) people have disappeared, 2) agents of the state are likely responsible, and 3) political motivation is likely. In most instances, disappearances occur because of a victim's political involvement or knowledge of information sensitive to authorities. Often, victims are referred to by governments as “terrorists,” and labeled a threat to national security. Knowledge of the whereabouts of the disappeared is, by definition, not public knowledge. However, it is typically known by whom they were taken and under what circumstances. Cases where people disappear for a period of time and then later reappear are also to be counted, so long as the initial disappearance occurs in the year you are scoring.

In many instances, victims are taken under false pretense, such as having been taken away for questioning due to suspicion of some political action that is in opposition to the government. There are some cases of persons that are held under the circumstance of “clandestine detention.” These are prisoners that are known to be in custody but their whereabouts are not known. Since the whereabouts of clandestine detainees are not known, they should be counted among the disappeared.

Scoring Scheme:

Disappearances:

- (0) Have occurred frequently
- (1) Have occurred occasionally
- (2) Have not occurred / Unreported

Scoring will largely be done based on the language of the report. The language used in a report will always override a specific count of incidences, so make careful note of it. For example, if the report says violations were “widespread” or “systematic” (which would rate a score of ZERO) and then only mentions a few instances with a small number of cases (which would rate a score of ONE), the words “widespread” and “systematic” take precedence and the country scores a ZERO.

- Instances where violations are described by adjectives such as “gross,” “widespread,” “systematic,” “epidemic,” “extensive,” “wholesale,” “routine,” “regularly,” or likewise, are to be scored as a ZERO (have occurred frequently).
- Instances where violations are described by adjectives such as “numerous,” “many,” “various,” “dozens,” “multiple,” or likewise, you will have to use your best judgment from reading through the report to decide whether to assign that country a ONE (have occurred occasionally) or a ZERO (have occurred frequently). Look for language indicating a pattern of abuses; often, these cases merit a ZERO.

NOTE: Sometimes the language of a report can be obscure when listing a number of types of violations at once. For example, if the report lists that “political imprisonment, long pre-trial detainment, and threats to local media were problems,” you need to look at the rest of the report to see to what extent each violation was a problem. Pay close attention when items are grouped in this way.

The reports frequently give examples of incidents of reported disappearances that occurred in a country during the year. Frequently, these examples are illustrative of a larger whole, and do not

represent the entire scope of the rights violation. However, in some countries the available data on human rights violations is very good and the USSD reports contain comprehensive numbers of violations. If you believe that the numbers given represent the totality of disappearances in the country-year that you are scoring (and only in that year alone), score based on the numbers. These numbers and their corresponding scores are:

Score – Number of Disappearances

0 – 50 or more

1 – From 1 to 49

2 – Zero

What does not qualify as a disappearance:

Typical kidnappings for ransom do not qualify as disappearances for our purposes. In some places, state agents such as police frequently engage in short-term kidnappings as a routine form of corruption. In these cases, there is some sort of quid pro quo expected to ensure the safe return of the kidnapped person. These cases of kidnapping do not count, even if done by state agents.

The term abducted appears frequently in the USSD reports on disappearance. Sometimes this refers to kidnapping cases as explained above, and sometimes it refers to disappearances. Use your best judgment to see which definition the incident best fits and contact the principal investigators if you need assistance.

The result and length of a disappearance is irrelevant to whether the incident was a disappearance or not. A disappeared person can be tortured (or not) and returned (or not). A person could be missing for a very short period of time, but it still counts as a disappearance if their location was unknown for the duration of their absence.

Generally, disappearances reported in the USSD reports happened during the year covered by the report; however, this is not always the case. For example, there may be instances where a report refers to disappearances that occurred in previous years that are still unresolved. These past disappearances do not count toward the current year's score. If you come upon such information, make a note of the number of disappearances and the year they are said to have occurred so that adjustments to scores for past years can be made by the principal investigators.

To maintain the data's accuracy, we must ensure that each disappeared person can only be counted once, and only for the year in which they were disappeared. For example, if in 1990 the USSD report states that no new information is available concerning the disappearance of a number of persons in 1989, the only thing affected is the "disappearance" score for that country in 1989 – NOT the 1990 score.

Where to find information about this variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section One (Respect for the Physical Integrity of the Person, Including Freedom From:), Subsection B (Disappearance).

Grounding in International Law

International Covenant on Civil and Political Rights, Part III, Articles 9, 10, 14, 16, & 17.

TORTURE

Variable names: tort

Definition:

Torture refers to the purposeful inflicting of extreme pain—whether mental or physical—by government officials, or by private individuals at the instigation of government officials. This includes the use of physical and other force by police and prison guards – including rape and beatings – as well as deaths in custody due to tangible negligence by government officials. Torture can be anything from simple beatings to other practices such as waterboarding, rape, or administering shock or electrocution as a means of getting information or a forced confession. Torture also takes into account intentional mental abuse of those in custody. Military hazing also counts as torture.

Scoring Scheme:

Torture is:

- (0) Practiced frequently
- (1) Practiced occasionally
- (2) Not practiced / Unreported

Scoring will largely be done based on the language of the report. The language used in a report will always override a specific count of incidences, so make careful note of it. For example, if the report says violations were “widespread” or “systematic” (which would rate a score of ZERO) and then only mentions a few instances with a small number of cases (which would rate a score of ONE), the words “widespread” and “systematic” take precedence and the country scores a ZERO.

A guideline follows:

- Instances where violations are described by adjectives such as “gross,” “widespread,” “systematic,” “epidemic,” “extensive,” “wholesale,” “routine,” “regularly,” or likewise, are to be scored as a ZERO (have occurred frequently).
- In instances where violations are described by adjectives such as “numerous,” “many,” “various,” “dozens,” “multiple,” or likewise, you will have to use your best judgment from reading through the report to decide whether to assign that country a ONE (have occurred occasionally) or a ZERO (have occurred frequently). Look for language indicating a pattern of abuses; often, these cases merit a ZERO.

NOTE: Sometimes the language of a report can be obscure when listing a number of types of violations at once. For example, if the report lists that “political imprisonment, long pre-trial detainment, and threats to local media were problems,” you need to look at the rest of the report to see to what extent each violation was a problem. Pay close attention when items are grouped in this way.

The reports frequently give examples of incidents of reported tortures that occurred in a country during the year. Frequently, these examples are simply illustrative of a larger whole, and do not represent the entire scope of the rights violations.

However, in some countries the available data on human rights violations are very good and the USSD reports contain comprehensive counts of violations. If you believe that the numbers given represent the totality of instances of torture in the country-year that you are scoring (and **only** in that year alone), score based on the numbers. These numbers and their corresponding scores are:

Score – Number of Instances

0 – 50 or more

1 – From 1 to 49

2 – Zero

Do not make assumptions without supporting evidence from the report. For example, deaths in police custody do not automatically mean that detainees were tortured if the report provides no further evidence of torture. Score based only on the actual evidence presented in the report.

What does not qualify as torture:

The death penalty does not qualify as torture. Under Article 1 of the Convention Against Torture, practices such as flogging, **where mandated by courts** as a form of legal punishment, do not qualify as torture. Finally, for purposes of scoring this variable, torture does not include general prison conditions, regardless of whether these conditions meet minimum international standards. However, treatment in detention may count as torture.

Where to find information about this variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section One (Respect for the Physical Integrity of the Person, Including Freedom From:), Subsection C (Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment) and Subsection D (Arbitrary Arrest or Detention: Arrest Procedures and Treatment While in Detention).

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 7.

POLITICAL IMPRISONMENT

Variable names: polpris

Definition:

Political imprisonment refers to the incarceration of people by government officials because of their speech; their non-violent opposition to government policies or leaders; their religious beliefs; their non-violent religious practices including proselytizing; or their membership in a group, including an ethnic or racial group. Sometimes reports refer to “prisoners of conscience”; someone who was imprisoned because of his or her beliefs. Prisoners of conscience include those that are imprisoned due to their political and/or religious beliefs or practices. Reports sometimes make distinctions between political prisoners and prisoners of conscience, but for our purposes they are the same. Be aware that in many instances political prisoners are classified as terrorists and threats to national security by governments, which routinely apply the label "terrorist" to all opposition movements.

Scoring Scheme:

Are people imprisoned because of their political, religious, or other beliefs?

- (0) Yes, and many
- (1) Yes, but few
- (2) None / None Reported

This indicator is not merely based on the number of political prisoners taken in a given year, but rather the number of political prisoners held in a given year. For example, if no new political prisoners are taken during the year you are scoring, but 400 are still being held from previous years, the country will still score a ZERO. (Note: This is different from how the Disappearance (disap) variable is scored).

Scoring will largely be done based on the language of the report. The language used in a report will always override a specific count of incidences, so make careful note of it. For example, if the report says violations were “widespread” or “systematic” (which would rate a score of ZERO) and then only mentions a few instances with a small number of cases (which would rate a score of ONE), the words "widespread" and "systematic" take precedence and the country scores a ZERO.

- Instances where violations are described by adjectives such as “gross,” “widespread,” “systematic,” “epidemic,” “extensive,” “wholesale,” “routine,” “regularly,” or likewise, are to be scored as a ZERO (have occurred frequently).
- In instances where violations are described by adjectives such as “numerous,” “many,” “various,” “dozens,” “multiple,” or likewise, you will have to use your best judgment from reading through the report to decide whether to assign that country a ONE (have occurred occasionally) or a ZERO (have occurred frequently). Look for language indicating a pattern of abuses; often, these cases merit a ZERO.

NOTE: Sometimes the language of a report can be obscure when listing a number of types of violations at once. For example, if the report lists that “political imprisonment, long pre-trial detainment, and threats to local media were problems,” you need to look at the rest of the report to see to what extent each violation was a problem. Pay close attention when items are grouped in this way.

The reports frequently give examples of political prisoners. Frequently, these examples are illustrative of a larger whole, and do not represent the entire scope of the rights violation. However, in some countries the available data on human rights violations is very good and the USSD reports

contain comprehensive numbers of violations. If you believe that the numbers given represent the totality of political prisoners in the country-year that you are scoring, score based on the numbers.

Score – Number of Political Prisoners Held

0 – 50 or more

1 – From 1 to 49

2 – Zero

If I see the following, does it mean the country gets a “2” automatically?

- A) “There were no reports of political prisoners.” or “There were no reports of political detainees.”

Not necessarily. In many cases, these phrases have little practical significance due to an overly narrow definition of “political prisoner.” Therefore, it is important that the report still be thoroughly examined even when it contains such statements.

What does not qualify as a political prisoner:

Individuals who are imprisoned because they themselves have committed crimes whose punishment is not limited by international law (e.g., murder, theft, etc.), regardless of the reasons why they committed those acts, are not considered political prisoners. This includes people who are engaged in actual terrorism or violent rebellion against the state. However, frequently governments will label all political opposition as terrorists or rebels. You may need to look up information from an objective source to determine if a group is truly a terrorist group or if the label is being applied for political reasons.

Mass arrests that take place merely as a result of violent protests or riots are not considered political imprisonment, as the arrests do not happen purely because of the beliefs/opinions/views of the protestors. Arrests are sometimes necessary to keep order during quickly escalating, dangerous events. If protestors use violence, for example, we give the state the right to proportionally establish order.

Being held in excessive pre-trial detainment alone does not qualify as political imprisonment; however, if a person is detained for political reasons, regardless of a conviction, it still counts as political imprisonment.

Arbitrary arrest is not necessarily political imprisonment, although that phrase is used frequently in the USSD reports. The violation is detainment for political or religious beliefs, regardless of the circumstances surrounding the arrest.

Where to find information about this variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: 1) Section One (Respect for the Physical Integrity of the Person, Including Freedom From:), Subsection D (Arbitrary Arrest or Detention), and Subsection E (Denial of Fair Public Trial); and 2) Section Two (Respect for Civil Liberties, Including:), Subsection A (Freedom of Speech and Press). Make sure to look in ALL of these sections! Information about this variable is in multiple sections of the report, but it is imperative that you read all of the included sections carefully to score the country correctly.

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Articles 18, 19, 21, and 22.

BRUTALITY-BASED MASS ATROCITY

Variable names: bbatrocity (0/1), bbatrocity_intensity(1,2,3)

Definition:

The widespread, direct, extrajudicial killing of non-combatant members of society by the state, or by non-state organizations working in concert with the state, resulting in fifty or more deaths in an annual period and accompanied by the widespread use of at least one other type of state brutality. The other types of state brutality that, when combined with killing, constitute the minimal definition of an atrocity are the widespread use of: disappearances, political imprisonments, or acts of torture. The more categories of widespread state brutality in addition to killing, the more intense the atrocity.

Scoring Scheme:

The dichotomous indicator 'bbatrocity' is scored as:

- (0) Country scored a ONE (1) or TWO (2) on the Extrajudicial Killing (kill) variable.
- (1) Country scored a ZERO (0) on the Extrajudicial Killings variable **AND** scored a ZERO (0) on **at least one** of the following additional variables: Disappearance (disap), Torture (tort), and/or Political Imprisonment (polpris).

NOTE: If a country for the year you are scoring is a ZERO on the Extrajudicial Killings variable, but **did not** score a ZERO on one of the additional variables, then you should score this variable as a ZERO.

The ordinal indicator 'bbatrocity_intensity' is scored as a ONE, TWO, or THREE, indicating the number of additional physical integrity rights that score a ZERO. For example, if the country in the year you are scoring has a ZERO in Extrajudicial Killings AND has a ZERO in Torture and Disappearance, it scores a TWO for 'bbatrocity_intensity'.

For more information about these rights see: Cingranelli, David, Skip Mark, James B. Garvey, Jordan Hutt, and Yuri Lee. "A Brutality-Based Approach to Identifying State-Led Atrocities." *Journal of Conflict Resolution* (2022): 00220027221077228.

Grounding in International Law:

EMPOWERMENT RIGHTS AND FREEDOMS

FREEDOM OF SPEECH AND PRESS

Variable names: speech

Definition:

This variable indicates the extent to which freedoms of speech and press are affected by government censorship, including ownership of media outlets. Censorship is any form of restriction that is placed on freedom of the press, speech or expression. Expression may also be in the form of the arts or music. Censorship denies citizens freedom of speech and limits or prevents the media (print, online, or broadcast) from expressing views challenging the policies of the existing government. In many instances where this right is being violated, the government owns and operates all forms of press and media.

Scoring Scheme:

Government censorship and/or ownership of the media (including radio, TV, Internet, and/or domestic news agencies) is:

- (0) Complete
- (1) Some
- (2) None

“Some” censorship means the government places some restrictions yet does allow limited rights to freedom of speech and the press. “No” censorship means the freedom to speak freely and to print opposing opinions without the fear of prosecution. It must be noted that “None” in no way implies absolute freedom, as there exists in all countries some restrictions on information and/or communication if these rights infringe on the rights of others or in any way endangers the welfare of others. Finally, in practice, if the government owns all of any one aspect of the media, such as all radio stations or all television stations, then that country receives a ZERO, regardless of whether or not they do not completely own other forms of media.

Where to find information about this variable:

Always read the overview at the beginning of the report. There is often very valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section Two (Respect for Civil Liberties), including Subsection A (Freedom of Speech and Press).

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 19.

FREEDOM OF RELIGION

Variable names: rel_free

Definition:

This variable indicates the extent to which the freedom of citizens to exercise and practice their religious beliefs is subject to actual government restrictions. Citizens of whatever religious belief should be able to worship free from government interference. Additionally, citizens should be able to hold no religion at all.

Citizens should be able to freely practice their religion and proselytize (attempt to convert) other citizens to their religion as long as such attempts are done in a non-coercive, peaceful manner. Members of the clergy should be able to freely advocate partisan political views, oppose government laws, support political candidates, and otherwise freely participate in politics without fear of government prosecution.

Some important questions to consider include: Does the government respect rights to religious expression, including the freedom to publish religious documents in foreign languages? Does religious belief affect membership in a ruling party or a career in government? Does the government prohibit promotion of one religion over another, or discriminate on the grounds of religion or belief? Does the government restrict the teaching or practice of any faith? Does the government discriminate against minority religious groups?

The following constitute restrictions on religion:

- Instances where citizens are prohibited from proselytizing.
- Instances where members of the clergy are prohibited from freely advocating partisan political views, supporting political candidates of their choice, and otherwise freely participating in politics (Note: Voluntary restraints on clergy as part of tax-free arrangements do not qualify as a restriction on freedom of religion).
- Arrest, detention, physical violence, or official government harassment of religious authorities or officials should be scored as a ZERO.
- Forced conversions or restrictions on conversion to minority religions by government officials.
- Instances where citizens are arrested, harassed, or physically assaulted/intimidated for their religious activities.
- Restrictions on access to places of worship and on building permits, especially by minority religions.
- Instances where stringent laws apply only to religious minorities (as opposed to all other religions) is religious discrimination. Examples include: burdensome or unfair registration requirements for minority religions only; restrictions on proselytizing and on forced conversions to minority religions (but no restrictions on forced conversions to majority religions); restrictions on access to places of worship; and denial for the permission of construction of churches and places of worship.
- Instances of government restrictions on the types of religious education offered in public schools. An example could be a student who adheres to a minority religion being forced to receive religious education in the dominant religion.

The following do NOT constitute a restriction:

- Instances where a religious association must register and fill out an application with the government, so long as the government does not use the registration process to discriminate against a religion on ideological/political grounds or to restrict the right to worship. Oftentimes, religious associations must be registered with the state to receive tax exemptions, to apply for official building permits, and to practice their religious beliefs outside of their places of worship. If permits are routinely granted to religious associations and not withheld for political reasons, this does not constitute a restriction on religion.
- Restrictions on those religions that jeopardize or threaten the well-being or freedoms of other religions or persons. Also, restrictions by the government on extremist sects in the name of peace and security should not be considered restrictions on freedom of religion.
- Restrictions on the activities of foreign missionaries.
- A state religion or state sponsored religion unless this interferes with the right to freedom of religion of religious minorities. For example, a state may have a state religion, but as long as they allow religious minorities to practice their worship without discrimination or restriction, then that should not count as a restriction on religion. If the state sponsored religion results in restrictions or discrimination of religious minorities, then that should be scored as a restriction on religion.
- If there is societal discrimination against religious groups, but the report does not suggest the state is passive, participates in this discrimination, or fails to use the tools of the state to punish those who engage in religious discrimination.

Scoring Scheme:

Government restrictions on religious practices are:

- (0) Severe and Widespread
- (1) Moderate
- (2) Practically Absent

When scoring freedom of religion, even if a country has laws to protect freedom of religion, that country should be scored based on the actual practices of the government in relation to freedom of religion. Further information to guide your scoring is included below. Please refer to this information to determine the country score.

Country earns a ZERO (0) if:

- Governments that arrest, detain, use physical violence, or harass religious authorities or religious minorities or atheists.
- Governments that force conversions to a dominant or state sponsored religion or restrict conversions to minority religions.
- Governments that place restrictions on access to places of worship or interfere with a group's ability to hold worship services in private settings such as homes.
- Instances where stringent and burdensome laws apply only to religious minorities (as opposed to laws uniformly applied to all religious groups) or to atheists are considered religious discrimination. Examples include burdensome or unfair registration requirements for minority religions only, forced conversions to minority religions, restrictions on access to places of worship. Bans on proselytizing, denial of building permits, and interference with building places of worship are **not** considered stringent and burdensome laws and should be coded as a ONE (1).

Country earns a ONE (1) if:

For a country to receive a score of ONE for freedom of religion, the government **will not** have restricted any of the above rights listed in the category for ZERO (Severe and Widespread Restrictions), but it may be the case that:

- Governments that place bans on proselytizing. This includes proselytizing bans uniformly applied to all religious groups in a country, as well as instances where proselytizing bans target only certain religious minority groups.
- Governments that deny building permits or construction of places of worship to minority groups, as long as there is no mention of governmental interference with communal worship in private settings such as homes.
- Reports that mention the government denying groups recognized religious organization status, nonprofit association status, corporation status, or classify certain minority groups as cults, even if such classification prevents the group from receiving government benefits such as tax-exemption or subsidies.
- Governments that prohibit clergy from freely advocating partisan views, supporting political candidates, or participating in politics **unless** this restriction only prevents the group from receiving government benefits such as tax-exemption or subsidies. In this event the country should be reported as a TWO.
- Governments that place restrictions on religious education that is offered in public schools.
- Governments that have policies that discourage atheism or modestly discriminate against atheists.

Country earns a TWO (2) if:

Countries in which the government respects the rights to freedom of religion for ALL citizens in practice should be scored as TWO. No mentions of restrictions on freedom of religion should be listed in a country that is scored as a TWO.

Where to Find Information About this Variable:

Read the USSD Report on International Religious Freedom which can be found here: <https://www.state.gov/reports/2021-report-on-international-religious-freedom/>. Read the executive summary. If there is not enough information in the executive summary to score the country you should read the remainder of the report.

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 18.

FREEDOM OF DOMESTIC MOVEMENT

Variable names: dommov

Definition:

The freedom to travel within one's country is a right. There are governments that do not allow citizens to travel within their own country of birth or that restrict the movement of certain groups for reasons based on political views or activities, religious beliefs, ethnicity, marital status, and gender. For example, some countries strictly curtail the freedom of movement of oppositional political leaders, ethnic minorities, religious leaders, human rights activists or monitors, and journalists. This may take many forms, including government-imposed internal exile and/or intentional bureaucratic/administrative delays to freedom of movement after a prison term has ended. Some countries strictly monitor all or nearly all citizens' internal movements, and citizens are required to notify local officials of their whereabouts or must get their permission to move. In some countries, citizens must carry national identity cards, travel or work permits, or internal passports for any movement outside their immediate village, neighborhood, or province. Some countries use issuance of these cards to restrict movement within the country. Some governments use forced internal resettlement to relocate large numbers of citizens without their consent. Some governments also impose curfew laws and military checkpoints on domestic travel during times of military or civil conflict.

Scoring Scheme:

Domestic travel is:

- (0) Severely Restricted
- (1) Somewhat Restricted
- (2) Unrestricted

A country receives a ZERO (0) if any of the following conditions hold:

- Its government restricts all or nearly all citizens' freedom of domestic movement, or routinely restricts the movement of a significant number of citizens based on: ethnicity, gender, race, religion, marital status, political convictions, or group membership.
- Its government requires, for all citizens: a travel or work permit, national identity card, or internal passport for travel outside one's immediate neighborhood, village, or province. Failure to produce such a card will result in a fine and/or detainment.
- It does not permit women to travel without the permission or the accompaniment of a husband, father, or male relative.
- Internal checkpoints are routinely used for harassment, intimidation, violence or threats of violence, or to extort money or goods.
- Members of certain groups, such as ethnic minorities or opposition parties, are routinely targeted by government security personnel to produce identification at checkpoints.
- Members of certain groups, such as ethnic or religious minorities or opposition parties are the only people required to carry ID cards or are denied issuance of ID cards.
- Members of certain groups, such as ethnic or religious minorities, routinely face lengthy administrative or bureaucratic delays in obtaining necessary travel documents.
- Its government uses forced internal resettlement to relocate large numbers of citizens without their consent or proper compensation.
- Its government imposes restrictions on where its citizens may live.

NOTE: Instances where government respect for the right of free movement within one's country is described as "restricted," "significantly curtailed," "significantly limited," "routinely denied," "non-existent", or likewise, should be scored as a ZERO.

A country receives a ONE (1) if any of the following conditions hold:

- Its government requires for some citizens a travel or work permit, national identity card, or internal passport for travel outside one's immediate neighborhood, village, or province. These cards or permits must be produced at security checkpoints and at will when citizens are stopped by state security personnel. Failure to produce such a card may result in a fine and/or detainment (If failure to produce the card guarantees a fine and/or detainment and is brutally enforced, score the country as a ZERO).
- Internal checkpoints are sometimes used for harassment, intimidation, violence or threats of violence, or to extort money or goods.
- Members of certain groups, such as ethnic or religious minorities or opposition parties, are sometimes targeted by government security personnel to produce identification at checkpoints because of their group membership.
- Members of certain groups, such as ethnic or religious minorities or opposition parties sometimes face lengthy administrative or bureaucratic delays in obtaining necessary travel documents, and these delays are evidently due to one's group membership.
- Registration of one's residence is required.
- Its government uses forced internal resettlement to relocate moderate or small numbers of citizens without their consent or proper compensation.
- Its national government fails to overrule village-level traditional practices that restrict otherwise-legal travel.

NOTE: Instances where government respect for freedom of domestic movement is described as "fairly unrestricted", "mostly unimpeded", or "generally unrestricted" should be scored as a ONE.

A country receives a TWO (2) if:

Instances where government respect for freedom of domestic movement is described as "unimpeded", "free", "unhindered", "generally respected", "unrestricted", "respected", or likewise, should be scored as a TWO. It must be noted that "unrestricted" does not mean the absence of any restrictions and complete freedom of domestic movement at all times and in all places. For example, the government may restrict movement in active security zones and areas of conflict, may suspend travel in emergency zones, and may impose curfews due to credible threats to public safety and national security. This should still be scored as a TWO as long as there are no other major restrictions on domestic travel.

What Does NOT Qualify as a Restriction of Freedom of Domestic Movement:

The following restrictions should NOT be treated as restrictions of freedom of domestic movement:

- Restrictions on the movement of minors.
- Restrictions on the movement of refugees or other non-citizens.
- Restrictions that are necessary to protect national security and/or public order.
- Restrictions that are the result of an unsettled political situation or non-state actors' actions.

This is based on Part II, Section 12.3 of the International Covenant on Civil and Political Rights, which states:

“[Freedom of movement] shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Covenant.”

Regarding Internal Passports, National ID Cards, Etc.

We offer the following as a clarification to help you score instances where internal passports or national ID cards are required by the government.

The following are scored a ZERO:

- Members of certain groups, such as ethnic or religious minorities or opposition parties must have it and it is **routinely** enforced.
- All citizens must have it, and it is **routinely** enforced.

The following are scored a ONE:

- Some citizens must have it, but it is **not enforced or not routinely** enforced.
- All citizens must have it, but it is **not enforced or not routinely** enforced.

The following is scored a TWO:

- The passport/ID is used primarily for day-to-day identification and is clearly not used to limit travel.

Regarding Internal Exile

We offer the following as a clarification to help you score instances where a person or persons are said to be in “internal exile.”

1. If the only domestic movement violation you find is that one or a few persons have been forced into internal exile, or voluntarily placed themselves in such for their own safety due to their political/religious actions and/or beliefs, then the country is to be scored a ONE.
2. If you find that many persons have been forced into internal exile, or voluntarily placed themselves in such for their own safety due to their political/religious actions and/or beliefs, or that internal exile is described as a typical, widespread, etc. behavior, then the country is to be scored a ZERO.

Where to Find Information About This Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow.

Information about this indicator will be contained in the (USSD) reports: Section Two (Respect for Civil Liberties, Including:), Subsection D: (Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons). Sometimes information is also included in Section 6 (Discrimination, Societal Abuses, and Trafficking in Persons) under “Women.”

Grounding in International Law

International Covenant on Civil and Political Rights, Part III, Article 12.

FREEDOM OF FOREIGN MOVEMENT AND TRAVEL

Variable names: formov

Definition:

The freedom to leave and return to one's country is a right. There are countries that do not allow citizens to leave at all. Methods used by governments to restrict freedom of movement include: withholding and/or delaying the issuing of passports, "exit control" lists to prevent emigration, the requirement of an exit visa or special permits to leave the country, revocation of citizenship, and obstacles to the extension of passport's validity. In addition, there are countries where even if one is allowed to leave, the duration of one's stay abroad is restricted, and citizens can lose their property and other assets if they leave for a very long time. Some citizens have to get permission to leave. Others, when they leave, are not allowed to return or the government makes return very difficult. Also, some governments place restrictions on certain groups of people such as opposition political leaders, ethnic minorities, religious leaders, women, human rights activists or monitors, and journalists. Rights to emigration and repatriation without prejudice are also included in freedom of foreign movement and travel.

Scoring Scheme:

Foreign movement and travel is:

- (0) Severely Restricted
- (1) Somewhat Restricted
- (2) Unrestricted

Scoring Scheme Description:

A country receives a ZERO (0) if:

A government receiving a ZERO restricts all or nearly all the foreign travel of its citizens, including policies making it impossible or very difficult for women to travel abroad alone or without their husband's consent, and policies that limit the travel of sizable minority groups. This includes forcing women to receive permission from a man to leave the country with her own child.

Countries should be scored as ZERO if they do not respect the right of citizen refugees outside of the country's international borders to return to their homes. The right to return is held not only by those who fled a territory initially but also by their descendants, as long as they have maintained appropriate links with the relevant territory. The right persists even when sovereignty over the territory is contested or has changed hands. If a former home no longer exists or is occupied by an innocent third party, return should be permitted to the vicinity of the former home.

Countries should also be scored ZERO if refugees are afraid to return because of the continuation of government-related mass killing or widespread systematic discrimination that initially caused them to flee the country. If refugees are afraid to return but there is no evidence of mass killing during the year in question, the country should be scored as a ONE.

Instances where government respect for these rights is described as "routinely and or severely restricted," "significantly curtailed," "significantly limited," "routinely denied," or likewise, should be scored as a ZERO. Instances where the number of citizens targeted for government restrictions on movement is described as "significant," "many," "several," "numerous," "a large number," or likewise, should also be scored as a ZERO.

A country receives a ONE (1) if:

A country receiving a ONE places modest restrictions on the freedom of foreign movement and travel of its citizens.

Examples of countries that should be scored as ONE are those that restrict the foreign travel of:

- Religious leaders
- Students who have not repaid state education scholarships
- People who have not completed military or other national service obligations
- Oppositional political leaders
- Small ethnic minorities
- Human rights activists or monitors
- Journalists

You should also score as ONE countries that place restrictions on:

- The duration of stay abroad
- The foreign travel of people with high levels of education or specialized skills
- The amount of money that travelers can take with them when they leave their country
- Travel to one or more specified countries (e.g., travel to Cuba by US citizens is restricted by their government; travel to Israel is restricted by several Middle Eastern governments)
- Countries that require an exit visa, but do not use it to discriminate, are scored a ONE.

Instances where government respect for freedom of foreign movement is described as “fairly unrestricted”, “mostly unimpeded”, or “generally unrestricted” should be scored as a ONE. Instances where the number of citizens targeted for government restrictions on movement is described as “significant,” “many,” “several”, “numerous,” “a large number,” or likewise, should also be scored as a ONE. Use your best judgment in arriving at a scoring decision. If the USSD report states that most citizens are allowed freedom of foreign travel and movement—including emigration and repatriation—with only minor or few restrictions imposed on some citizens’ movement, the country should receive a ONE.

A country receives a TWO (2) if:

Instances where government respect for freedom of foreign movement and travel is described as “generally unrestricted”, “unimpeded”, “free”, “unhindered”, “respected”, or likewise, both in law AND in practice, should be scored as a TWO. No examples of restrictions on foreign movement or travel should be listed in a country that is scored as a TWO. Countries that allow citizens to emigrate as well as repatriate without discrimination or prejudice should also be scored as a TWO.

What Does Not Qualify as a Restriction of Freedom of Foreign Movement and Travel

The following restrictions SHOULD NOT be treated as restrictions of freedom of foreign movement:

- Restrictions on the movement of minors.
- Restrictions on the movement of refugees from other countries or other non-citizens.
- Restrictions necessary to protect national security and/or public order.

Where to Find Information About this Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained In the USSD reports: Section Two (Respect for Civil Liberties, Including:), Subsection D: (Freedom of Movement, Internally Displaced Persons, Protection of

Refugees, and Stateless Persons). Sometimes information is also included in Section 6 (Discrimination, Societal Abuses, and Trafficking in Persons) under “Women.”

Grounding in International Law

International Covenant on Civil and Political Rights, Part III, Article 12.

FREEDOM OF ASSEMBLY AND ASSOCIATION

Variable names: assn

Definition:

It is an internationally recognized right of citizens to assemble freely and to associate with other persons in political parties, trade unions, cultural organizations, or other groups. This variable evaluates the extent to which the freedoms of assembly and association are subject to actual governmental limitations or restrictions (as opposed to strictly legal protections).

Scoring Scheme:

Citizens' rights to freedom of assembly and association are:

- (0) Severely restricted or denied completely to all citizens.
- (1) Limited for all citizens or severely restricted or denied for select groups.
- (2) Virtually unrestricted and freely enjoyed by practically all citizens.

NOTE: It is important to remember when scoring Freedom of Assembly and Association that it is the **actual practices** of governments being scored, not what legal protections exist.

Violations of Freedom of Assembly and Association Without Government Action:

Despite the international recognition of the right to assembly and association, in some states, citizens are prohibited by the government from joining, forming, and participating in political parties of their choice. Citizens in many states are prohibited from protesting or publicly criticizing government decisions and actions. In some states, organizations critical of a government or those that are perceived to have political agendas are not allowed to hold demonstrations, and their activities are severely curtailed and closely monitored by the state.

For the purposes of scoring this variable, it is possible that a citizen or group of citizens (e.g., political party, trade union, minority group, the media as a whole) restricts their own activities a priori because of fear of government reprisal for these public activities. Any such reported cases of self-restriction **do count** towards government restrictions on freedom of assembly and association. There are many other types of self-restriction, several of which one may encounter in the USSD reports, which are not scored in this variable. These include, but are not limited to, self-restriction in exchange for bribes by public officials and self-restriction as a means to guarantee continued employment (where a self-restricting individual's superiors are not under government orders to engage in this practice). Such cases **do not** count against the government, as they are self-invoked for reasons not related to government activity.

Scoring Scheme Descriptions:

A country receives a ZERO (0) if:

A government receiving a ZERO routinely denies or severely restricts all citizens' freedom of assembly and association or restricts this right for a significant number of citizens based on their gender, race, religion, or other criteria. For example, there are countries that legally bar women from participating in public assemblies or from freely associating with other persons in political associations, trade unions, cultural organizations, and other groups. In this instance, a country should receive a ZERO because half the population cannot freely exercise their right to freedom of assembly and association.

Instances where political associations/parties are not allowed to exist as a rule, or members of political associations, or political parties are banned from exercising their right to assembly and

association, should be counted as a severe restriction and scored as a ZERO. A country should receive a score of ZERO in this instance even if civic associations and government-sanctioned political associations are allowed to exist and to assemble and associate.

Instances where government respect for the right to assembly and association is described as “severely restricted,” “severely curtailed,” “significantly limited,” “frequently denied,” or likewise, should be scored as a ZERO.

Examples of severe restrictions / denials of freedom of assembly and association include:

- Using official intimidation, harassment, or threats of retaliation to prevent citizens from exercising the right to assembly and association, including: arbitrarily arresting, detaining, and imprisoning peaceful demonstrators; excessive or unnecessary force (severely beating, maiming, or killing demonstrators); firing or threatening to fire supporters of opposition movements; intimidating or threatening protestors' family members; and various other retaliatory measures.
- Prohibiting the right of citizens to join political, social, and employment-related groups.
- Prohibiting the existence of political associations or political parties and/or prohibiting members of political associations or political parties from exercising the right to assembly and association.
- Permitting only government-sanctioned or official party organizations to exist and/or assemble.
- Compelling citizens to join government-backed organizations or official political parties as a formal requirement for access to influential positions. In some instances, the government stipulates that access to positions of authority in government, academia, the media, and similar institutions are contingent upon citizens' membership in the official party organization.

A country receives a ONE (1) if:

A government receiving a ONE typically places some restrictions on assembly and association for all citizens, or severely restricts or denies these rights to particular groups. Also, instances where government respect for the right of assembly and association is described as “limited,” “restricted,” “partial,” or likewise, should be scored as a ONE.

An example of a moderate restriction is the denial of permits to outlawed groups. For instance, the German government generally respects all citizens' rights to free assembly and association, but also routinely bans rallies and marches by neo-Nazi groups and right-wing radical groups. In this instance, Germany would be scored as a ONE.

Another example of a score of ONE would be government denial of permits to even non-violent political opposition groups or requiring certain groups to go through burdensome registration procedures in order to be allowed to legally exist or gather. Some restrictions may be backed by law stating vague justifications such as the potential undermining of democratic order or necessity to maintain the integrity of the state.

A country should be scored as a TWO if the following conditions are met:

1. There is government respect for the rights of peaceful assembly and association for virtually all citizens. This entails that public meetings, including those of political parties and opposition groups, are generally held unimpeded. Professional, academic, trade, and political associations are also allowed to operate without government interference unless their activities threaten public safety/order. Citizens are allowed to freely protest government decisions and actions. Permits to demonstrate are routinely granted to both opponents and supporters of the government. Instances

where government respect for these rights is described as “full,” “unimpeded,” “unrestricted,” or likewise, should be scored as a TWO.

2. The government uses transparent and non-discriminatory criteria in evaluating requests for permits to associate and/or assemble. That is, the requirements for obtaining a permit or organizing a public gathering/meeting are usually published in an ordinance, statute, or other legally binding document. Citizens are permitted knowledge of these requirements and these requirements are applied consistently to everyone on a non-discriminatory basis. If the process for approving or denying the registration of an assembly or association is non-transparent, but there are no reports that a government has discriminated unfairly against certain groups or individuals, a government receives a score of TWO.

NOTE: This in no way implies absolute freedom to assemble and associate. Even in the freest democracies there are minor prohibitions or restrictions imposed on these rights, particularly if they credibly threaten national security, public safety and/or order, or if the exercise of these rights infringes unduly on the rights of others.

An example of a minor prohibition is in the United States, permits are required for public demonstrations, as groups cannot block traffic. The government can also restrict demonstrations according to time, place, and manner. Organizers of large demonstrations are often required to inform government officials of the time and place of their demonstration and their planned route.

Where to Find Information About this Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section Two (Respect for Civil Liberties), Subsection B (Freedom of Peaceful Assembly and Association).

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 22.

ELECTORAL SELF-DETERMINATION

Variable names: elecscd

Definition:

The right of citizens to freely determine their own political system and leadership is known as the right to self-determination. Enjoyment of this right means that citizens have both the legal right and the ability in practice to change the laws and officials that govern them through periodic, free, and fair elections held on the basis of universal adult suffrage. To what extent do citizens have freedom of political choice and have the legal right and ability in practice to change the laws and officials that govern them?

NOTE: This measure is identical to the CIRIGHTS measure previously known as Political Participation. The name was changed in order to better reflect the core concept being measured.

Scoring Scheme:

The right of citizens to change their government through free and fair elections is:

- (0) Not respected (neither free nor fair elections)
- (1) Limited (moderately free and fair elections)
- (2) Generally respected (very free and fair elections)

NOTE: If there is not an election during the year being scored, the state should be scored based on what the USSD says about self-determination generally and about the last election.

A country should receive a ZERO (0) if:

In a country receiving a score of ZERO, the right to self-determination through political participation **does not exist in either law or in practice**. The government systematically retaliates against citizens who seek to possess this right. In practice, the government severely restricts all or a significant amount of its citizens' ability to exercise this right.

Instances where government respect for the right of self-determination is described as “severely restricted,” “routinely denied,” “systematically repressed,” “significantly curtailed,” or likewise, should be scored as a ZERO. Instances where the number of citizens targeted for government restrictions on this right is described as “significant,” “many,” “numerous,” “a large number,” or likewise, should also be scored as a ZERO.

Some examples of restrictions constituting a ZERO:

- Intimidation, harassment, threats of (or actual) physical violence, and other coercive tactics by the government or its affiliates (police, security forces, political party leaders, etc.), resulting in significant restrictions on citizens' ability to exercise this right.
- Opposition political parties are legally banned **or** the activities of opposition political parties are severely curtailed and closely monitored by the state.
- The official ruling party does not allow elections to be held or elections have been indefinitely postponed.
- The Executive and/or military and security forces exercise broad constitutional powers and routinely and unilaterally use their power to negate valid election results or decisions made by a popularly elected legislature.
- Limits on the right of citizens to vote and participate in politics based on their gender, ethnicity, race, religion, membership in a group, or other criteria. For example, some countries do not permit women to vote or run for elective office. In this instance, a country

should receive a score of ZERO because half the population is effectively disenfranchised and cannot freely exercise their right to self-determination.

- The government or its affiliates (police, military, local officials, etc.) deprive a significant number of ethnic or racial minorities or indigenous groups of the right to vote in elections by refusing to register them or by refusing to let them enter polling stations. In this instance, a country should also receive a score of ZERO.

A country should receive a ONE (1) if:

In a country receiving a score of ONE, citizens have the legal right to self-determination; however, in practice there are some limitations that inhibit citizens from fully exercising this right. One such limitation (among many possibilities) is a lack of transparency in the electoral process. This includes voter fraud and electoral irregularities (e.g., biased vote counting and tabulation; use of defective polling machines; government manipulation of voter registration lists). Other electorally based limitations include official intimidation, harassment, physical violence, bribery, or other coercive tactics to prevent citizens from voting in elections or to influence their votes, including government manipulation or control of the media prior to and during elections.

Instances where government respect for citizens' right to self-determination is described as "somewhat limited," "partial," "not fully guaranteed", or likewise, should be scored as a ONE.

If the USSD report states that limitations on political participation are not severe or that they do not significantly impinge on citizens' right to self-determination, the country should receive a ONE.

A country should receive a TWO (2) if:

In a country receiving a score of TWO, citizens have the right to self-determination under the law and exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The electoral process is transparent and fair. There are no allegations of vote tampering, electoral fraud, and official intimidation of citizens/opposition political parties that can be corroborated by independent election observers. Elections are generally described as free, fair, and open.

Where to Find Information About This Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 3 (Respect for Political Rights: The Right of Citizens to Change Their Government).

Grounding in International Law:

International Covenant on Civil and Political Rights: Part I, Article 1; Part III, Article 25 International Covenant on Economic, Social and Cultural Rights: Part I, Article 1.

WOMEN'S POLITICAL RIGHTS

Variable names: wopol

Definition:

Women's political rights include a number of internationally recognized rights. These rights include the rights to: vote; run for political office; hold elected and appointed government positions; to join political parties; and, to petition government officials.

NOTE: In measuring women's political rights, we are primarily interested in two things: 1) the extensiveness of laws pertaining to women's political rights; and 2) government practices towards women or how effectively the government enforces the laws.

Scoring Scheme:

Regarding the political equality of women:

- (0) None of women's political rights are guaranteed by law and/or there are laws that completely restrict the participation of women in the political process.
- (1) Political equality is guaranteed by law; however, there are significant limitations in practice.
- (2) Political equality is guaranteed by law.
- (3) Political equality is guaranteed by law and in practice.

Further Guidelines for Scoring:

A country should receive a ZERO (0) if:

- A country should receive a ZERO if women have no political rights under law or if there are laws that specifically prohibit women from participating in government, the political process, or other areas of public life; or where only men have such rights under law.
- A country should receive a ZERO in instances where women's political rights are not mentioned, **but** it is clear from other statements that **both men and women** lack political rights.

A country should receive a ONE (1) if:

- A country should receive a ONE if there are no laws prohibiting women from participating in politics, **but** women hold less than five percent of seats in the national legislature and in high-ranking government positions. (**Examples of high-ranking government positions include:** President, Prime Minister, Cabinet Minister, Member of Parliament, and Supreme Court Justice).
- A country should receive a ONE in instances where women live under non-democratic rule **and** they hold less than five percent of seats in the national legislature or in other high ranking government positions. It should NOT be assumed that women lack political rights because there are no formal democratic institutions.
- A country should receive a ONE in instances where women's numerical representation in the legislature and in other high-ranking government positions is not mentioned in the reports, but it is clear from other statements that women have little representation in government and politics. If women's representation is described as "few," "low," "minor," "inconsequential," or likewise, a country should receive a ONE.

A country should receive a TWO (2) if:

- A country should receive a TWO if political equality is guaranteed by law and women hold more than five percent but less than thirty percent of seats in the national legislature and in other high-ranking government positions.
- A country should receive a TWO in instances where women live under non-democratic rule and hold more than five percent but less than thirty percent of seats in the national legislature or in other high-ranking government positions. It should NOT be assumed that women lack political rights because there are no formal democratic institutions.
- A country should receive a TWO in instances where women's numerical representation is not mentioned in the reports, but it is clear from other statements that women are moderately to well-represented in the legislature and in other high-ranking government positions. In instances where women's representation is described as "moderate," "a fair amount," "relatively unrestricted," "several," or likewise, a country should receive a TWO.

A country should receive a THREE (3) if:

- A country should receive a THREE if women hold more than thirty percent of seats in the national legislature and in other high-ranking government positions.
- A country should receive a THREE in instances where women live under non-democratic political rule and hold more than thirty percent of seats in the national legislature or in other high-ranking government positions. It should NOT be assumed that women lack political rights because there are no formal democratic institutions.
- A country should receive a THREE in instances where women's numerical representation is not mentioned in the reports, but it is clear from other statements that women are well represented to very well-represented in the legislature and in other high-ranking government positions. In instances where women's representation is described as "full," "significant," "proportional," or likewise, a country should receive a THREE.

Where to Find Information About This Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in USSD reports: Section 3 (Respect for Political Rights: The Right of Citizens to Change Their Government).

Grounding in International Law:

International Covenant on Civil and Political Rights: Part II, Articles 2 and 3. Convention on the Elimination of All Forms of Discrimination Against Women: Part I, Articles 1 and 3; Part II, Articles 7 and 8.

WOMEN'S SOCIAL RIGHTS

Variable names: wosoc_l ; wosoc_p

Definition:

Women's social rights include a number of internationally recognized rights. These rights include the following criteria:

- The right to equal inheritance
- The right to enter into marriage on a basis of equality with men
- The right to travel abroad
- The right to obtain a passport
- The right to confer citizenship to children or a spouse
- The right to initiate a divorce
- The right to own, acquire, manage, and retain property brought into marriage
- The right to participate in social, cultural, and community activities
- The right to an education
- The freedom to choose a residence/domicile
- Freedom from female genital mutilation (FGM) of children/adults without their consent
- Freedom from forced sterilization
- Freedom from child marriage (where the laws differ between boys and girls)
- Right to raise and make decisions regarding children with equal authority to men or husbands

Ignore any mention in the USSD reports of domestic violence, trafficking and prostitution, sexual harassment, dowry deaths, rape, workplace discrimination, employment or wage discrimination, and exploitation of children. These are captured in other variables.

Definitions of Unfamiliar Terms:

Female genital mutilation (FGM):

FGM is a term used to refer to any practice that includes the removal or the alteration of part, or all, of the female genitalia. There are three main types of FGM that are practiced through the world: Type I or Sunna circumcision, Type II or excision, and Type III or infibulation. More information can be found here: <http://www.amnesty.org/ailib/intcam/femgen/fgm1.htm>.

Honor killings:

Honor killings occur when males kill their female relatives for activities in which the female “dishonors the family reputation” for purported misuse of her sexuality. More information can be found here: <http://womensissues.about.com/cs/honorkillings/a/honorkillings.htm>.

Dowry Deaths & Bride Burnings (not scored):

A dowry death occurs when a husband engineers an “accident” (frequently the explosion of a kitchen stove) that results in the death of his wife. The main motive is monetary, as the husband and his family often feel the obligatory marriage dowry (gifts from the wife's in-laws) is not enough.

Scoring Scheme:

In measuring women's social rights, we are primarily interested in two things: 1) the extensiveness of laws pertaining to women's social rights; and 2) government practices towards women or how effectively the government enforces the laws. Women's social rights are scored as two variables: one

measuring women's social rights as enshrined in law (*wosoc_l*), and the recognition of those rights in practice (*wosoc_p*).

Guidelines for Scoring Both Variables (see below for separate variable guidelines):

ZERO (0)

A country should receive a ZERO if 5 or more of the rights above are violated or the report uses language such as “pervasive,” “endemic,” “extensive,” “widespread,” or likewise, and/or describe a high level of societal discrimination.

ONE (1)

A country should receive a ONE if 3-4 of the rights above are violated or the report uses terms like “some,” “a fair amount,” “limited,” or likewise, and/or describes a moderate level of discrimination.

TWO (2)

A country should receive a TWO if 1-2 of the rights above are violated or the report uses terms like “little,” “minor,” “a small amount,” or likewise, and/or describes a low level of discrimination.

THREE (3)

A country receiving a three in law or practice provides women's social rights to all of its citizens. Instances where the government respect for this right is described as “full,” “equal to men,” “unimpeded,” “unrestricted,” or likewise should be scored as a THREE.

NOTE: Many countries with significant violations of women's social rights in practice may nonetheless have strong legal protections. A country can receive a THREE in law and a ZERO in practice. When scoring the law for a state do not examine any of the practices but score solely on whether the legal protections cover the rights listed above.

Scoring Instructions For Individual Variables:

Law (wosoc_l)

Regarding the country's legal recognition of women's social rights:

- (0) There are no social rights for women under law and systematic discrimination based on sex may be built into the law and/or if 5 or more of the above criteria are not adequately met.
- (1) There are some social rights for women by law.
- (2) Nearly all social rights for women are guaranteed by law
- (3) All women's social rights are guaranteed by law and/or all of the above criteria are met or are not mentioned

Practice (wosoc_p)

Regarding the country's recognition of women's social rights in practice:

- (0) The government tolerates a high level of discrimination against women.
- (1) In practice, the government does not enforce laws effectively or enforcement of laws is weak. The government tolerates a moderate level of discrimination against women.
- (2) In practice, the government does enforce these laws effectively; however, the government still tolerates a low level of discrimination against women.
- (3) In practice, the government fully and vigorously enforces these laws. The government tolerates none or almost no discrimination against women.

What does NOT count as a violation of Women's Social Rights:

- Some violations of women’s rights do not fall under the category of *social rights* violations. These violations are captured in other variables (such as women’s: political, economic, or physical integrity rights) and should not be scored in this variable.
- Discrimination in the workplace, unequal pay for equal work, sexual harassment in the workplace.
- Women unable to run for election or discriminated against in political life.
- Rape or violence against women by society members or state agents.
- Prostitution, trafficking, or forced labor specifically targeted at women or girls.
- Dowry deaths.
- Honor Killings when outlawed **and** the state punishes those who commit these killings.
- Child marriage where violations in laws or practices apply equally to boys and girls.
- Polygamy laws that apply equally to men and women.
- Restrictions on movement for minors or adults that apply equally to men and women.

Further Guidelines for Scoring Women’s Social Rights:

Scoring Societal Discrimination:

Where language describes the overall level of discrimination, but is vague about the particular violations, pay close attention to key terms mentioned in the USSD reports. Terms such as “pervasive,” “endemic,” “extensive,” “widespread,” or likewise, best describe a high level of discrimination (ZERO). Terms such as “some,” “a fair amount,” “limited,” or likewise, best describe a moderate level of discrimination (ONE). Terms such as “little,” “minor,” “a small amount,” or likewise, best describe a low level of discrimination (TWO). Terms such as “non-existent,” “negligible,” “inconsequential,” or likewise, best describe none or almost no discrimination (THREE).

Decision Rules:

Where the USSD reports specifically mention—or it is reasonable to infer from the report—that a government elevates statutory laws, penal codes, customary laws, and other laws over the Constitution, base your scoring decision solely upon these laws and **not** on the Constitution. The rationale for this rule is that in most countries statutory and other laws often contain discriminatory regulations that contradict national constitutional provisions. Examples include states where the constitution prohibits gender-based discrimination in marriage and inheritance, but civil law treats women as legal minors in marriage. However, where there is no mention of statutory (and other laws) in the reports, you should base your scoring decision upon the types of constitutional provisions related to women’s social rights.

Scoring with Limited Information:

There are a few situations in which you may need to score in the face of limited information.

Rule on Benefit of the Doubt:

The general rule that scorers should follow is that a country’s government should receive the benefit of the doubt and be assigned the higher score where information required for scoring decisions at stage one is absent. For example, in instances where law guarantees all women social rights, but we lack information on government practices, the country should be scored as a THREE on both variables. In instances where there is none or almost no societal discrimination, but we lack specific law and practice information, the country should receive a THREE.

No Information:

In instances where you cannot make a judgment due to insufficient information or where there is no mention in the reports of laws, government enforcement, and societal discrimination, the country is

to be scored as missing (NA). All NA scores should be discussed with one of the principal investigators.

Scoring Allegations

When information included in a report is vague, there is some doubt, or mentions allegations, we score the state as having definitively committed violations. This is because USSD reports do not include information that cannot be verified or is seen as reliable. In these instances, we do not give states the benefit of the doubt. On the other hand, where there is no information, we generally give states the benefit of the doubt.

A country almost always scores a ZERO in practice if state laws contain discriminatory regulations against women that effectively prohibit women's enjoyment of social rights. The **important exception** to this rule is an instance where women's social rights are not guaranteed by law or there exist weak guarantees, yet women still enjoy some of these rights in practice in the face of discriminatory laws. For example, the USSD reports may state that despite discriminatory laws or no laws, women participate in social activities, have a fairly high literacy rate, and can manage property. In this instance, a country should be scored a ONE in practice **but** a ZERO in law.

If your score for practice is higher than your score for law, the case should be flagged and brought up for discussion. A country scores a THREE when all women's social rights are guaranteed under law **and** the government effectively enforces these laws in practice. It must be noted, however, that a score of THREE does not imply the complete absence of discrimination or perfect conditions. Even in the most egalitarian societies, women still encounter inequities.

Forced Sterilization, FGM, or Honor Killings:

If forced sterilization, FGM, or Honor Killings **are legal** the county should get no higher than a ONE for law. If the state or state agents **carry out** forced sterilization, FGM, or Honor Killings the country should receive no higher than a ONE in practice. If the state does not actively enforce laws which prohibit these practices or imposes fines and punishment insufficient to deter behavior, then the country should receive no higher than a ONE in practice.

However, if the state actively tries to prevent these practices using legal restrictions, imposes sufficient fines to deter behavior, and actively tries to enforce laws against these practices then we do not punish the state and it can still receive a TWO or THREE even if these practices occur within society.

Where to Find Information About this Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 6 (Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status) and pay particular attention to the section on Women and the section on Children.

Grounding in International Law:

International Covenant on Civil and Political Rights: Part I, Article 1; Part III Articles 23 and 24.

International Covenant on Economic, Social and Cultural Rights: Part III, Articles 10, 12, 13, and 15.

Convention on the Elimination of All Forms of Discrimination Against Women (particularly Part II, Article 9, Part III, Articles 10, 12, 13, 14, 15, and 16).

WOMEN'S ECONOMIC RIGHTS

Variable names: wecon

Definition:

Women's economic rights include a number of internationally recognized rights. These rights include:

- Equal pay for equal work
- The right to free choice of gainful employment or profession without the need to obtain a husband or male relative's consent
- Equality in hiring and promotion practices
- Job security (maternity leave, unemployment benefits, no arbitrary firing or layoffs, etc.)
- Non-discrimination by employers
- The right to be free from sexual harassment in the workplace
- The right to work at night
- The right to work in occupations classified as dangerous, including the military and police force.

In measuring women's economic rights we are primarily interested in two things: 1) the extensiveness of laws pertaining to women's economic rights; 2) government practices towards women or how effectively the government enforces the laws.

Scoring Scheme:

Regarding the economic equality of women:

- (0) There are no economic rights for women under law and systematic discrimination based on sex may be built into the law. The government tolerates a high level of discrimination against women.
- (1) There are some economic rights for women under law; however, in practice, the government **does not** enforce the laws effectively or enforcement of laws is weak. The government tolerates a moderate level of discrimination against women.
- (2) There are some economic rights for women under law. In practice, the government **does** enforce these laws effectively. However, the government still tolerates a low level of discrimination against women.
- (3) All or nearly all of women's economic rights are guaranteed by law. In practice, the government fully and vigorously enforces these laws. The government tolerates no or almost no discrimination against women.

Guidelines for Scoring Women's Economic Rights:

Scoring Societal Discrimination:

In determining the level of societal discrimination, pay particular attention to key terms mentioned in the USSD reports. Terms such as "pervasive," "endemic," "extensive," "widespread," or likewise, best describe a high level of societal discrimination (ZERO).

Terms such as "some," "a fair amount", "limited", or likewise, best describe a moderate level of discrimination (ONE).

Terms such as "little," "minor," "a small amount," or likewise, best describe a low level of discrimination (TWO).

Terms such as "non-existent," "negligible," "inconsequential," or likewise, best describe none or almost no discrimination (THREE).

Additional Detailed Scoring Information:

ZERO (0):

A country should also receive a score of ZERO if women have some economic rights under law (i.e. free choice of employment and equal pay for equal work) **but** discriminatory legal provisions allow husbands to prevent wives from working outside the home. Even though women have some economic rights, they only experience these rights through the goodwill of a male relative. The important exception to this rule is an instance where women's social rights are not guaranteed by law or there exist weak guarantees, yet women still enjoy some of these rights in practice in the face of discriminatory laws. In such instances, the USSD reports may state that despite discriminatory laws or no laws, to some extent women participated in economic life or are fairly well-represented in the workforce. In this instance, a country should be scored ONE.

ONE (1):

Where women have some economic rights under law, but the government either selectively or poorly enforces the laws for a number of reasons, such as an ineffective judicial system and concessions to societal discrimination against women, the country is scored as a ONE. For example, women rarely are compensated equally with men, are more likely than men to be laid off, and frequently hold lower paying, low-status jobs.

Furthermore, a state should score a ONE if women have some economic rights under law and the level of societal discrimination is moderate. Finally, if the report only states that the level of societal discrimination is moderate, the country should be scored a ONE.

TWO (2):

A country scores a TWO if women have some economic rights under law, and the government effectively enforces the laws. In a country that receives a score of TWO, women tend to experience equality in hiring and promotion, job security, and career advancement. In practice, however, a few inequalities persist in pay and other areas.

A state receives a score of TWO in cases where it is reported that there is a low level of societal discrimination, unless there are discriminatory laws which lower the state's score.

THREE (3):

A country scores a THREE when all or nearly all of women's economic rights are guaranteed under law and the government effectively enforces these laws in practice. Government policy actively encourages and supports women's participation in economic life. It must be noted, however, that a score of THREE does not imply the complete absence of discrimination or perfect conditions. Even in the most egalitarian societies, women still experience problems such as gender inequity in pay.

Decision Rules:

Where the USSD reports specifically mention that a government elevates statutory laws, penal scores, customary laws, and other laws over the Constitution—or if it is reasonable to infer from the reports that these laws take precedence—base your scoring decision solely upon these laws and **not** on the Constitution. The rationale for this rule is that in most countries statutory and other laws often contain discriminatory regulations that contradict national constitutional provisions. Examples include Ethiopia and Cameroon where the Constitution prohibits gender-based discrimination in employment and other areas; however, civil laws contain discriminatory regulations against women, such as a law allowing the husband to oppose his wife's right to work or to own a business. Where there is no mention of statutory (and other laws) in the reports, you should base your scoring decision upon the types of constitutional provisions related to women's economic rights.

Scoring With Limited Information:

There are a few scenarios in which you may need to score in the face of limited information. In these cases use whatever information is available to sort the country into a category.

Rule on Benefit of the Doubt:

The general rule that scorers should follow is that a country's government should receive the benefit of the doubt and be assigned the higher score where information required for scoring decisions at stage one is absent. For example, in instances where law guarantees women's economic rights, but we lack information on government practices, the country should be scored as a THREE. In instances where there is no workplace discrimination, but we lack other information (laws and government practices), the country should also be scored as a THREE.

No Information:

In instances where you cannot make a judgment due to insufficient information or where there is no mention in the reports of laws, government enforcement, and societal discrimination, the country is to be scored as NA. All NA codes should be discussed with one of the principal investigators.

According to the table, a country where women have no economic rights under law scores a ZERO. In these cases, employers often openly discriminate against women (e.g. pregnancy and marriage bans, discriminatory hiring practices, pay differentials, etc.) and the government tolerates these practices.

A country scores a ZERO if women have no economic rights under law and the level of societal discrimination is high, or if the only information given by the report is a high level of societal discrimination.

Where to Find Information About this Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow.

Information about this indicator will be contained in the USSD reports: both Section 5 (Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status) and Section 6 (Worker's Rights). Sometimes, there is a "Women" subheading in Section 5.

Grounding in International Law:

International Covenant on Civil and Political Rights: Part I, Article 1; Part III Article 22.

International Covenant on Economic, Social and Cultural Rights: Part III, Article 7, 8.

Convention on the Elimination of All Forms of Discrimination Against Women (particularly Part II, Articles 10, 11).

THE RIGHTS OF INDIGENOUS PEOPLES

Variable names: indige_respect, indige_autonomy, indige_discrimination, indige_land, indige_culture, indige_education, indige_labor, indige_health

The guidelines for the rights of indigenous peoples variables are taken from the United Nations Declaration on Rights of Indigenous Peoples, which was formally adopted by the U.N. General Assembly in 2007. The declaration's main points centered around respecting indigenous culture, ensuring indigenous peoples have access to adequate government services, and empowering indigenous peoples to have authority over decisions concerning their traditional land and practices. While not as binding as a convention, the declaration established basic principles of respecting rights of indigenous people as an international norm. These variables use both the USSD reports as well as the *Indigenous World Report*. Scorers should read both reports. In the case that the two reports do not agree, the *Indigenous World Report* will take precedence over the USSD report unless the information in the *Indigenous World Report* is insufficient to score a particular variable. The list of countries having indigenous peoples consists of the countries included in the *Indigenous World Report*.

General Scoring Instructions:

For each of the eight variables that make up the rights of indigenous peoples, the following is general scoring information (specific variable scoring information located below):

For each criterion that is not met, the state will receive a score of (0).

For each criterion that is partially met (in practice), the state will receive a score of (1).

For each criterion that is met by a state, in law and practice, the state will receive a score of (2).

When there is no information about a criterion, this will be indicated with a score of '.' (a period)

Indigenous peoples should have the rights to:

General Respect (indige_respect): Indigenous peoples should be extended all human rights and fundamental freedoms extended to all members of the international community. Government practices should include prevention or redress of general disrespect and recognition of indigenous groups.

(0): The rights of indigenous peoples are not consistent with international human rights norms and, in practice, are substantially inferior to the rights of non-indigenous people in the country. Examples of discrimination might include forced assimilation or sterilization.

(1): The rights of indigenous people are somewhat consistent with international human rights norms.

(2): The rights of indigenous peoples are generally consistent with international human rights norms and equal to the rights of non-indigenous people in the country.

Autonomy (indige_autonomy): Indigenous people should be able to maintain and strengthen their distinct political, legal, economic, social and cultural institutions while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State. Political systems may include the right to self-govern or political representation in legislative bodies or other functions of the government.

(0): No representation and/or are not allowed to self-govern

(1): Have seats in a federal government branch but are underrepresented.

(2): Full autonomy (e.g., full representation in national government, self-governance and self-determination)

Discrimination (indige_discrimination): Indigenous people must have access to all basic government services, food, water, and protection. Adequate measures should be taken so there is no language barrier preventing indigenous peoples from accessing these services.

(0): Complete lack of access to basic government services, water, food, and protection.

(1): Partial access to basic government services.

(2): Full access to basic government services without any discrimination.

Land (indige_land): Indigenous people have the right to control and develop the land they have traditionally owned and used. Indigenous people shall not be subject to forced relocation.

(0): Forced relocation of indigenous people and full control over indigenous land is exercised by the national government.

(1): Partial rights to occupy and control indigenous lands but relocations of indigenous people may be ordered by the government.

(2): Full control over indigenous lands.

Culture (indige_culture): Indigenous peoples must be allowed to preserve their culture. Indigenous people should be recognized by the state's constitution. Indigenous people should feel free to practice, express, and teach their cultural traditions and customs.

(0): Indigenous groups are not recognized by the state. Cultural autonomy is discouraged.

(1): Indigenous groups maintain their culture yet are not recognized by the state.

(2): Indigenous peoples are allowed to freely practice traditions and cultural customs. The state takes positive action to preserve and promote indigenous culture.

Education (indige_education): Indigenous people have the right to control their own education system and have access to education in their language and respecting their culture (when possible).

(0): There are low levels of education among indigenous peoples, and the state is doing nothing to redress this problem.

(1): The state addresses low education levels by providing textbooks and translators or by building or renovating schools, but there still are low levels of education among indigenous people and lower levels than the non-indigenous population.

(2): The quality of education supplied to indigenous peoples is good, and (if possible) is delivered in the indigenous language. The education level of indigenous people is good and is as good as the educational level of non-indigenous peoples.

Labor (indige_labor): Indigenous people have the right not to be subjected to any discriminatory conditions of labor, employment, or salary.

(0): There are high unemployment levels amongst indigenous populations and they are subjected to exploitative labor practices which are either supported by the government or are not redressed by the government.

(1): The state makes efforts to address unemployment, but indigenous people still are underrepresented in the workforce or have lower salaries with no evidence of progress.

(2): Indigenous people have equality with the rest of the population in jobs with similar salaries and are not discriminated against at work, and have low or similar unemployment levels as compared to the general population.

Health (indige_health): Indigenous peoples have the right to maintain their traditional health practices and the right to access, without any discrimination, all social and health services.

- (0): No government social or health services are provided.
- (1): Indigenous groups have limited access to healthcare.
- (2):: Full rights to access to all social and health services.

Where to Find Information About this Variable:

Always read the overview at the beginning of the reports. There is often valuable information there, plus it points out information to look for in the detailed sections that follow.

Information about this indicator will be contained in: the USSD report, Section 6 and the Indigenous World Report.

OCCUPATIONAL/ WORKERS' RIGHTS

THE RIGHT TO FORM WORKER UNIONS

Variable names: union_l, union_p

Definition:

The right to form worker unions includes the right of workers and employers to establish and join organizations of their choosing without previous authorization; to draw up their own constitutions and rules, elect their representatives, and formulate their programs; to join in confederations and affiliate with international organizations; and to be protected against dissolution or suspension by administrative authority. The score a country receives on this variable indicates the extent that worker unions are protected against anti-union discrimination, both in law and practice. The International Labor Organization (ILO) refers to this right as the right to Freedom of Association. We change the label to avoid confusion with the more general human right to freedom of association.

ILO Standards:

1. Workers should have the right to form trade union organizations without previous government authorization. Neither the government nor the employer should interfere with the formation of a trade union organization. This means that, without any interference from the public authorities or employers, trade unions must be able to: draw up their constitutions and rules, elect their representatives democratically, organize their administration and activities, and formulate their programs.
2. Employers should not be allowed to discriminate against those who seek to form trade unions in the workplace.
3. The law should not permit long delays between the time workers freely choose to form a trade union and its formal recognition by the relevant employer.
4. Trade union leaders should be provided adequate opportunities to communicate with the workers they represent during normal working hours.
5. Trade union organizations should have civil liberties such as freedom of speech and be allowed to form associations of trade unions and to engage in political activities.
6. Employers who take extraordinary measures to prevent workers from forming trade union organizations should be assessed fines and/or other meaningful sanctions.
7. If “welfare-to-work” programs exist, welfare-to-work employees should be allowed to form trade union organizations if they wish to do so.
8. Workers who feel that their right to unionize has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure according to effective remedy requirements.

Scoring Scheme:

Law (union_l):

Regarding the country's legal protection for workers' association rights:

- (0) There is no legal protection for workers to form unions.
- (1) There is some legal protection for workers to form unions.
- (2) Workers' rights to form unions are fully protected by law.

NOTE: If in describing the national constitution and/or the relevant national laws, **all** of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. If **three** or more of the ILO criteria listed above are **not** met, then the country should be scored as ZERO. All other countries should be scored as ONE. While scoring, please list ILO standards violated/unmet (1, 3, 4; no need to list more than three as that will already score a 0) or "All ILO standards met due to [insert reasoning]". In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (union_p):

Regarding the country's protection for workers' association rights:

- (0) The right for workers to form unions is not protected in practice, regardless of legal rights.
- (1) There is some protection for workers to form unions in practice.
- (2) Workers' rights to form unions are fully protected in practice.

NOTE: If in describing the ability of workers to actually exercise this right, **all** of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. If **three** or more of the ILO criteria listed above are **not** met, then the country should be scored as ZERO. Multiple severe violations of ILO criteria #1 (government interference) should result in a score of ZERO even if there are not three unique criteria violated provided the violations are egregious. See below for details. All other countries should be scored as ONE. While scoring, please include the actual sentences from the report that were critical to your scoring decision that show the adequacy (or lack thereof) of enforcement and why.

Further Information to Use For Scoring :

Freedom to Form Independent Trade Unions:

If the USSD report states that a country has no specific law protecting the right to freedom of association resulting in the inability for workers to functionally form or join trade unions at all, and there are also no other alternative forms of worker associations able to be formed, then the country should receive a ZERO in law and practice. If a country has contradictory laws which may state that the right to freedom of association is technically protected, but the right to form or join independent trade unions isn't functionally guaranteed, then a country is only eligible to receive at most a ONE in law and practice.

Anti-union Discrimination:

If the USSD report states that there is no legal protection from anti-union discrimination, then the country should receive, at maximum, a ONE for law and a ONE for practice. If the report suggests that such legal protection does exist, but that it is not properly enforced, the country may still receive a TWO for law, but may only receive, at maximum, a ONE for practice.

Effective Remedy Requirement:

If a country has language similar to "Administrative and judicial procedures were subject to lengthy delays and appeals" it is **not** necessarily a restriction on the right to effective remedy requirement (ILO 8) **unless** the "judicial or quasi-judicial procedure" has corruption, egregious delays, or in other ways makes it significantly difficult for the procedures to occur.

Armed Forces and Police:

If the government prohibits police or soldiers from forming a labor union, the country-year should be scored no higher than a ONE for law and a ONE for practice.

Required Government Registration:

If a government requires unions to register with the government to gain legal status and official recognition, it is **not** necessarily a restriction on the right to association. However, if the USSD

report suggests that government registration is onerous or that registration is leading, intentionally or unintentionally, to a reduced ability of workers to form unions, then the state should receive no higher than a ONE for law and a ONE for practice.

Fines and/or other Meaningful Sanctions:

The phrase “Penalties and/or large fines for violations of freedom of association and collective bargaining provisions were not sufficient to deter violations” or similar should be scored as no more than a ONE in practice. It should not affect law scoring if there are sufficient penalties in law but not in practice. If there are no penalties or fines, then the country should be scored as no more than a ONE in law and in practice.

Government Protection versus Worker Enjoyment:

If the government provides full legal protection of this right and is not violated by either the government or the country’s employers, then the country should receive a TWO for law and a TWO for practice, even if the country’s workers have not attempted to organize.

Minimum Membership Requirement:

If the government requires that a union has more than 100 members before it can be officially recognized, then the country should receive a ONE for law and a ONE for practice. Furthermore, if the report states that any minimum membership requirement serves to restrict workers’ association rights, then the country should receive a ONE for law and a ONE for practice.

Time until Official Recognition:

If it usually takes longer than one year for a union to receive formal recognition by the government or employers, it should be treated as a restriction on workers’ association rights, and the country should receive, at a maximum, a TWO for law and a ONE for practice.

Workers Associations:

If unions are prohibited, but worker associations are allowed to fill most of the functions of a union, then the country is still eligible to receive a ONE in law and a ONE in practice if there are no other restrictions on workers’ association rights. If the right to strike is scored as ZERO in law, but practices are not mentioned, score the right to form worker unions in practice as ZERO also. In general, if only laws are mentioned, then assume that practices are consistent with law.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the country report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection A (Freedom of Association and the Right to Collective Bargaining). In scoring the Right to Form Worker Unions, read both sections 7a (The Right of Association) and 7b (The Right to Organize and Bargain Collectively). Valuable information for scoring this right is contained in both of these sections.

Related Conventions and Recommendations

[C087 - Freedom of Association and Protection of the Right to Organize Convention, 1948 \(No. 87\)](#)

[C098 - Right to Organize and Collective Bargaining Convention, 1949 \(No. 98\)](#)

[C141 - Rural Workers' Organizations Convention, 1975 \(No. 141\)](#)

[R149 - Rural Workers' Organizations Recommendation, 1975 \(No. 149\)](#)

[C135 - Workers' Representatives Convention, 1971 \(No. 135\)](#)

THE RIGHT TO BARGAIN COLLECTIVELY

Variable names: barg_l, barg_p

Definition:

The right to collective bargaining includes the right of workers to be represented in negotiating the prevention and settlement of disputes with employers. It also includes the right of workers to strike for at least 90 days without being replaced by their employer.

ILO Standards:

1. Trade unions must be able to bargain collectively to regulate the terms and conditions of employment and other matters affecting the livelihood of workers
2. Trade unions must have the right to strike, as this is essential for ensuring the freedom of workers to bargain collectively with employers
3. Trade union representatives should be protected from employer retaliation
4. The permanent replacement of workers who exercise their right to strike should be prohibited for at least 90 days after a strike begins
5. Workers who feel that their right to bargain collectively has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure according to effective remedy requirements

Scoring Scheme For Each Variable:

Law (barg_l):

Regarding the country's legal protection for workers' association rights:

- (0) Workers' rights to bargain collectively and participate in a strike are not protected by law.
- (1) Workers' rights to bargain collectively and participate in a strike are somewhat protected by law.
- (2) Workers' rights to bargain collectively and participate in a strike are fully protected by law.

NOTE: If in describing the national constitution and/or the relevant national laws, **all** of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. If **three or more** of the ILO criteria are **not** met, then the country should be scored as ZERO. The laws of all other countries should be scored as ONE. While scoring, please list ILO standards violated/unmet: (1, 3, 5 no need to list more than three as that will already score a 0) or "All ILO standards met due to [insert reasoning]". In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (barg_p):

Regarding the country's protection for workers' association rights in practice:

- (0) The right for workers to bargain collectively and participate in strikes are not protected in practice, regardless of legal rights.
- (1) There are some protections for workers to bargain collectively and participate in strikes.
- (2) Workers' rights to bargain collectively and participate in strikes are fully protected.

NOTE: If in describing the ability of workers to exercise this right, **all** of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. If **three or more** of the ILO criteria are **not** met, then the country should be scored as ZERO. The practices of all other countries should be scored as ONE. While scoring, please include the actual sentences from

the report that were critical to your scoring decision in your notes that demonstrate that adequacy (or lack thereof) of the enforcement practices.

Association as a Necessary Condition:

Collective bargaining can only occur if workers have selected representatives to bargain with the employer. Thus, the level of protection of this right must be scored as a ZERO in law if the right to form worker unions is scored as ZERO in law (see union_l variable). Likewise, if the right to form worker unions is scored as ZERO in practice (see union_p variable), then the level of protection for the right to collectively bargain must also be scored as ZERO in practice. Thus, the collective bargaining variable should always be scored in tandem with the right to form worker unions.

The Right to Strike:

If workers are allowed some freedom of association at the workplace, then the issue is often whether or not those workers also have the right to bargain collectively. In the vast majority of cases, this judgment will rest on whether organized workers have the right to strike, which is the ultimate tool of workers who are faced with employers who do not wish to bargain in good faith.

Because of the above, if workers do not have the right to strike, you should score the level of protection of the right to collectively bargain as ZERO in both law and practice. If there is a limited right to strike protected by the law, then you should score the level of protection of this right as ONE in law. If the right to strike is protected by law and no other legal limitations on the right to collectively bargain is mentioned, you should score the level of protection of the right to collectively bargain as TWO in law.

When scoring collective bargaining rights in practice, if the right to strike is not enforced in practice—even if it is legally protected—then the right to collectively bargain should be scored as a ZERO in practice. If there is some limited enjoyment of the right to strike, but that enjoyment is subject to some limitations, then the right to collectively bargain should be scored as a ONE in practice. Finally, if there are no limitations on the right to strike, the government is an honest and neutral broker when it is called upon to settle disputes between employers and workers, and no other impediments to the enjoyment of the right to collectively bargain are mentioned, then the right to collectively bargain should be scored as TWO in practice.

Government Limitations on Striking:

If a government requires prior notice of a strike, the right to bargain collectively should be scored, at best, as a ONE in both law and practice. For instance, if the report states something to the effect of: “The Labor code explicitly recognizes workers' right to strike but only after mandatory arbitration. Arbitration proceedings are not legally enforceable and can be overturned by the Government” (US State Department, Cameroon 1997), then the right to collectively bargain should be scored as a ONE in law and practice.

If a government prohibits striking for certain specified reasons, the right to bargain collectively should be scored, at best, as a ONE in both law and practice.

Likewise, if a supermajority vote by union members is required in order for a union to call a strike, the right to bargain collectively should be scored, at best, as a ONE in both law and practice. Required voting for striking is acceptable; however, the supermajority requirement is considered restrictive.

Finally, if a government distinguishes between legal and illegal strikes and requires that certain conditions be met before a strike, the right to bargain collectively should be scored as a ONE. For instance, if the report states that the government “...protects the right to strike, but there are requirements for calling a strike legal” (US State Department Dominican Republic 1997), the right to bargain collectively should be scored, at best, as a ONE in both law and practice.

Other Limitations on Collective Bargaining:

If the USSD report states that strikes are allowed but the government does not formally recognize the right to bargain collectively, then the government should receive, at best, a ONE in both law and practice for the right to collectively bargain.

Further, if the government prohibits the requirement that non-union workers must join a labor union within an agreed time, then the government should receive, at best, a ONE in both law and practice for the right to collectively bargain.

Actions taken by governments that DO NOT qualify as restrictions of this right:

If police, military, emergency medical personnel, and firefighters are allowed to form unions but are not allowed to strike, this should **not** be used as evidence of lack of respect for the right to collectively bargain. Prohibition of strikes is permissible during times of national emergency.

The ILO Supervisory Committee for Freedom of Association has decided that it is acceptable for governments to limit or even prohibit strikes in “essential services”, whose interruption would endanger the life, personal safety or health of the whole or part of the population. Essential services include, but are not limited to: the hospital sector; electricity services; water supply services; the telephone service; and air traffic control (ibid., para. 544). In contrast, the Committee has considered that, in general, the following non-exhaustive list of services are not essential services; therefore, it is not acceptable to prohibit these services from striking: radio and television; the petroleum sector; ports (loading and unloading); banking; computer services for the collection of excise duties and taxes; department stores; pleasure parks; the metal sector; the mining sector; transport generally; refrigeration enterprises; hotel services; construction; automobile manufacturing; aircraft repairs; agricultural activities; the supply and distribution of foodstuffs; the Mint; the government printing service; the state alcohol, salt and tobacco monopolies; the education sector; metropolitan transport; postal services.

Where to Find Information About This Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection A (Freedom of Association and the Right to Collective Bargaining). In scoring the Collective Bargaining, read both sections 7a (The Right of Association) and 7b (The Right to Organize and Bargain Collectively). Valuable information for scoring this right is contained in both of these sections.

Related Up-to-date Conventions and Recommendations

C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98)

C135 - Workers' Representatives Convention, 1971 (No. 135)

R143 - Workers' Representatives Recommendation, 1971 (No. 143)

C151 - Labour Relations (Public Service) Convention, 1978 (No. 151)

R159 - Labour Relations (Public Service) Recommendation, 1978 (No. 159)

C154 - Collective Bargaining Convention, 1981 (No. 154)

R163 - Collective Bargaining Recommendation, 1981 (No. 163)

R091 - Collective Agreements Recommendation, 1951 (No. 91)

R113 - Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)

RIGHT TO BE FREE FROM FORCED OR COMPULSORY LABOR

Variable names: force_l, force_p

Definition:

This is defined as work or service exacted from any person under the threat of penalty and for which the person has not volunteered. “Work or service” does not apply to instances in which obligations are imposed to undergo education or training required to perform the labor in question. “Threat of penalty” includes loss of rights or privileges as well as penal sanctions. Constitutional provisions concerning the obligation of citizens to work do not violate this right so long as they do not take the form of legal obligations enforced by sanctions and are consistent with the principle of “freely chosen employment.”

ILO Standards:

1. Forced labor should be prohibited as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system (C105 Article 1).
2. Forced labor should be prohibited as a method of mobilizing and using labor for purposes of economic development (C105 Article 1).
3. Forced labor should be prohibited as a means of labor discipline (C105 Article 1).
4. Forced labor should be prohibited as a punishment for having participated in strikes (C105 Article 1).
5. Forced labor should be prohibited as a means of racial, social, national or religious discrimination (C105 Article 1).
6. Slavery, indentured servitude, and the abduction of people to force them to work should be prohibited (Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery).
7. Workers who feel that this right has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure according to effective remedy requirements (C105 Article 2).

Scoring Scheme:*Law* (force_l):

Regarding the country’s legal protection of workers’ to not be subjected to forced or compulsory labor:

- (0) Workers are not protected by law from forced labor practices.
- (1) Workers are somewhat protected by law from forced labor practices.
- (2) Workers are fully protected by law from forced labor practices.

NOTE: If in describing the national constitution and/or the relevant national laws, all of the ILO criteria listed above are satisfied or not mentioned, the country’s law should be scored as “TWO.” If three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. The laws of all other countries should be scored as ONE. When scoring, please list ILO standards violated/unmet: (1, 3, 5 no need to list more than three as that will already score a 0) or “All ILO standards met due to [insert reasoning]”. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (force_p):

Regarding the country’s protection of workers’ to not be subjected to forced or compulsory labor in actual practice:

- (0) Workers are not protected from forced labor in practice, regardless of laws against forced labor.
- (1) Workers are somewhat protected from forced labor in practice.

(2) Workers are fully protected from forced labor in practice.

NOTE: If, in describing the ability of workers to exercise this right, **all** of the ILO criteria listed above are satisfied or not mentioned, the country's employer and government practices should be scored as "TWO." If **three or more** of the ILO criteria are NOT met, then the country should be scored as ZERO. The laws of all other countries should be scored as ONE. When scoring this variable, include in your notes the actual sentences from the report that were critical to your scoring decision that indicated the adequacy (or lack thereof) of enforcement.

Further Information for Scoring these Variables:

1. Compulsory military service or compulsory national service programs are not considered to be forced labor.
2. Voluntary prisoner work programs are not considered to be forced labor. If national policies require that prisoners work for private, for-profit companies, the country should be scored no higher than a ONE for law and a ONE for practice.
3. If a government requires that its citizens work during a time of an emergency that threatens the well-being of a community, the country should be scored no higher than a ONE for law and a ONE for practice.
4. If foreigners are subject to forced labor this should be scored as a violation of this right

Human Trafficking:

While human trafficking often involves terrible human rights abuses, we only consider human trafficking in so far as it leads to forced labor. If the report mentions trafficking for the purposes of forced prostitution or forced labor, we score this as a violation of forced labor.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection B (Prohibition of Forced or Compulsory Labor). See also Section 6 (Discrimination, Societal Abuses, and Trafficking in Persons) with a particular focus on trafficking.

Related Up-to-date Conventions and Recommendations:

- C029 - Forced Labor Convention, 1930 (No. 29)
- P029 - Protocol of 2014 to the Forced Labour Convention, 1930
- C105 - Abolition of Forced Labour Convention, 1957 (No. 105)
- R035 - Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35)
- R203 - Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

CHILDREN'S RIGHTS

Variable names: child_l, child_p

Definition:

This concerns the effective abolition of child labor by raising the minimum age for employment to a level consistent with the fullest physical and mental development of young people. In addition, young people should not be employed in hazardous conditions or at night.

ILO Standards:

1. Children under the age of 14 should be prohibited from employment in any public or private undertaking. (C138 Article 2)
3. The minimum age for working in occupations dangerous to life, health, morals, or on board ships should be 18.
4. The minimum age for working at night in industry should be 18. Exceptions can be made for purposes of apprenticeship or vocational training of young persons between 16 and 18 years. R1 (90 Part II Hazardous Work)
5. Children and young persons under 18 years old shall not be admitted to employment unless they have been found healthy in a thorough medical examination (at least annually until the age of 18, until age 21 for occupations which involve high risks). (C124 Article 2) (for underground work such as in mining)
6. Children of school age should be prohibited from being employed during normal school hours. (R146 Part IV Conditions of Employment and Part V Enforcement)
7. The commercial sexual exploitation of children should be banned in all forms (C182 Article 3)
8. Children should not serve as soldiers in conflict in any context. (R 190 Part III Implementation 12)
9. Effective legal remedy requirement: workers who feel that this right has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure.

Scoring Scheme:

Law (child_l):

Regarding the country's legal protection of children to not be subjected to forced or compulsory labor:

- (0) Children are not protected by law from forced labor practices.
- (1) Children are somewhat protected by law from forced labor practices.
- (2) Children are fully protected by law from forced labor practices.

Law Scoring Instructions: If three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If in describing the national constitution and/or the relevant national laws, ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 no need to list more than three as that will already score a 0] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (child_p):

Regarding the country's protection of children to not be subjected to forced or compulsory labor in actual practice:

- (0) Children are not protected from forced labor in practice, regardless of laws against forced labor.
- (1) Children are somewhat protected from forced labor in practice.
- (2) Children are fully protected from forced labor in practice.

Practice Scoring Instructions: If in describing the ability of workers to exercise this right, three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out: 1, 2, 3 no need to list more than three as that will already score a 0] or "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Informal Economy:

Please keep in mind that, in this measure, we are attempting to gauge the use of harmful child labor, and some of the worst forms of child labor may occur in the informal sector. Informal child labor that is particularly harmful such as drug trafficking, sexual exploitation, mining or other commercial industries, or child soldiering would all be counted as violations.

However, working for family, selling goods informally in a market or petty commodity sales, or begging does not count as child labor.

The main criteria you should look for is whether the work is harmful to children. We assume that parents would not intentionally harm their children and that there are some forms of work which do not violate children's rights. As such, mentions of child labor in agriculture (as mentioned above) or in other portions of the informal economy is often not scored as a violation of the ILO standards for this variable.

If there is any confusion on whether something counts as child labor, please consult a principal investigator for clarification.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection C (Prohibition of Child Labor and Minimum Age for Employment); Section 6 Children.

Related Up-to-date Conventions and Recommendations

C138 - Minimum Age Convention, 1973 (No. 138)

R146 - Minimum Age Recommendation, 1973 (No. 146)

C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)

R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190)

C077 - Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)

C078 - Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)

C124 - Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)

R079 - Medical Examination of Young Persons Recommendation, 1946 (No. 79)

R125 - Conditions of Employment of Young Persons (Underground Work) Recommendation, 1965 (No. 125)

THE RIGHT TO A MINIMUM WAGE

Variable names: wage_l, wage_p

Definition:

The legal requirement that employers provide a minimum hourly wage for workers. The objective is to provide a decent standard of living for workers and their families. Almost always the report will say whether the country has adopted a minimum wage for those working in the formal sector.

ILO Standards:

The ILO adopted the [Minimum Wage Fixing Convention \(No. 131\), 1971](#) in 1970, which is considered to offer broader protection than that envisaged by ILO [Convention No. 26](#). It encourages member States that ratify to establish a system of minimum wages which:

- offers a broad scope of application with minimum exclusions;
- establishes a machinery to fix and adjust minimum wages from time to time;
- is based on the principle of full consultation with social partners and involves them, on an equal footing, with independent experts in the design and operation of the system;
- sets minimum wage levels that take into account the needs of workers and their families as well as economic factors; and,
- includes appropriate measures to ensure the effective application of minimum wages.

The objective of a generally applicable lower limit under which wages are not permitted to fall reflects the view that all workers – as a matter of right – should receive protection against “unduly low wages”; however, [Convention No. 131](#) does not prescribe a single national minimum wage. The [Minimum Wage Fixing Recommendation, 1970 \(No. 135\)](#), which accompanies the Convention, makes clear that broad coverage can be achieved “either by fixing a single minimum wage of general application or by fixing a series of minimum wages applying to particular groups of workers”. By not seeking to impose a single model on all ILO member States, [Convention No. 131](#) allows for the existence of different national circumstances and different levels of economic and social development.

Summary of International Requirements:

1. Countries should establish a system of minimum wage (C131 Article 1). The minimum wage fixing machinery may take a variety of forms, including statute, decisions of the competent authority, decisions of wages boards, industrial or labor courts, or the enforcement of collective agreements. (C131 Article 4, R135 Article 6)
2. The minimum wage should provide a reasonable standard of living for a single individual who works 40 hours per week. (C131 Article 3)
3. The minimum wage should be adjusted at least annually to be consistent with changes in the cost of living. (C131 Article 3 and R135 Article 11)
4. There shall be no lower minimum wage for young persons. (R146 Article 13)
5. The number and groups of wage earners who are not covered by a system of minimum wage should be kept to a minimum. (C131 Article 1, R135 Article 4)
6. Wages should be paid in a timely manner at regular intervals and not withheld. (C095 Article 12)
7. Effective legal remedy requirement: workers who feel that this right has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure (C026 Article 4, C095 Article 15, R135 Article 14).

8. Countries should establish and maintain a minimum wage fixing machinery in which representatives of employers and workers can directly participate. (C131 Article 4)

Scoring Scheme:

Law (wage_l):

The fixing of minimum wages by law is:

- (0) NOT established in law.
- (1) Somewhat established in law.
- (2) Fully established in law.

Law Scoring Instructions: If three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If in describing the national constitution and/or the relevant national laws, ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 no need to list more than three as that will already score a 0] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (wage_p):

The fixing of minimum wages in practice, regardless of any legal establishment, is:

- (0) NOT established in practice.
- (1) Somewhat established in practice.
- (2) Fully established in practice.

Practice Scoring Instructions: If in describing the ability of workers to exercise this right, three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If **all** of the ILO criteria listed above are satisfied or not mentioned, the country's practice should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 no need to list more than three as that will already score a 0] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Further Scoring Information:

Common phrases to look for that indicate a ONE: (1) not effectively enforced; (2) labor inspectorate lacked sufficient funding; and, (3) insufficient number of inspectors. Additionally, if the **legal** minimum wage was found to be 'not adequate', then the country cannot receive higher than a ONE for **practice**.

Common phrases to look for that indicate a ZERO include: (1) no legal authority to enter premises; (2) absence of a viable labor inspection regime; (3) ignored violations; (4) did not enforce the law; and, (5) seldom enforced (NOTE: this list is not all encompassing). Additionally, if there was **no legislated** minimum wage, then **practice** automatically receives a ZERO.

If a country does not establish minimum wage laws but requires that the minimum wages be decided through collective bargaining, the scoring decision should defer to the country's laws and practices of collective bargaining. If the laws protect workers' rights to bargain collectively, and ALL of the ILO criteria listed above are satisfied, the country should be scored as TWO for law. If the laws of collective bargaining are respected and enforced, the practices should be scored as TWO.

If there is no minimum wage law on the books, the country's laws and practices should be scored as ZEROs. If a country has a minimum wage that is described as adequate (see below), it should be scored as a TWO.

Adequacy of the Minimum Wage:

Once again, if no specific incidents of employers paying below the minimum wage were reported and all of the other ILO criteria are met in law and practice, **but** the report says that the minimum wage is “insufficient” or below the official poverty line, the country should receive a ONE in both law and practice.

Coverage of Minimum Wage Fixing Machinery:

When a country's minimum wages are decided in collective bargaining agreements, if the agreements do not cover a majority of the country's workers, and/or the lowest wage in the bargaining agreements is below the official poverty line, the laws and practices should be scored as no higher than ONE. (C131 Article 3, R135 Article 4)

Minimum Wage of Foreign Workers:

The minimum wage situations of migrant workers and foreign nationals are not considered in this scoring.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection E (Acceptable Conditions of Work), and Subsection A (Freedom of Association and the Right to Collective Bargaining).

Related Up-to-date Conventions and Recommendations:

[R084 - Labour Clauses \(Public Contracts\) Recommendation, 1949 \(No. 84\)](#)

[C095 - Protection of Wages Convention, 1949 \(No. 95\)](#)

[C173 - Protection of Workers' Claims \(Employer's Insolvency\) Convention, 1992 \(No. 173\)](#)

[R180 - Protection of Workers' Claims \(Employer's Insolvency\) Recommendation, 1992 \(No. 180\)](#)

[C131 - Minimum Wage Fixing Convention, 1970 \(No. 131\)](#)

[R135 - Minimum Wage Fixing Recommendation, 1970 \(No. 135\)](#)

[R146 - Minimum Age Recommendation, 1973 \(No. 146\)](#)

THE RIGHT TO OCCUPATIONAL SAFETY AND HEALTH

Variable names: safe_l, safe_p

Definition:

The goal of an occupational safety and health program is to foster a safe and healthy work environment.

ILO Standards:

1. There should be a national policy to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work, by minimizing the causes of hazards inherent in the working environment. (C155 Article 4)
2. The national law should protect workers from white phosphorus, white lead, anthrax, benzene, carcinogenic substances and agents, radiation, atmospheric pollution, excessive noise, excessive vibration, asbestos, and other dangerous chemicals. (ILO scores of Practice)
3. Prohibit the use of machinery of which the dangerous parts are without guards. (C155 Article 4, 5 and 12)
4. No worker shall be required or permitted to engage in the manual transport of a load of more than 110 pounds for men. The maximum load shall be substantially less for women. The minimum age to the regular manual transport of loads should be 18. (R128 Part VI Maximum Weight)
5. Employers are required to provide workers with information about health risks they may encounter in the workplace. (C155 Article 12 and Article 16)
6. Workers must have the right to refuse excessively dangerous work without having their employment terminated or being otherwise punished. (C155 Article 13)
7. There should be a policy protecting workers against the risk of major accidents (such as explosions or fire) at their workplace. (C155 Article 18)
8. Employers who knowingly place their employees in dangerous positions must be subject to penalties that are sufficient to deter future violations.
9. Effective legal remedy requirement: workers who feel that this right has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure.

Scoring Scheme:

Law (safe_l):

Occupational safety and health standards are:

- (0) NOT established in law.
- (1) Somewhat established in law.
- (2) Fully established in law.

Law Scoring Instructions: If three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If in describing the national constitution and/or the relevant national laws, ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 *no need to list more than three as that will already score a 0*] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (safe_p):

Occupational safety and health standards are, regardless of establishment in law:

- (0) NOT established in practice.
- (1) Somewhat established in practice.
- (2) Fully established in practice.

Practice Scoring Instructions: If in describing the ability of workers to exercise this right, three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. Countries where more than 1% of the working population die as a result of workplace fatalities, the country should be scored an automatic ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 *no need to list more than three as that will already score a 0*] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

NOTE: If the report mentions the law but not the practice, the score for practice should be equal to the score for the law. If there is partial enforcement of a strong law (score of TWO), then the practice score should be ONE.

If enforcement is completely ignored and/or there are no enforcement mechanisms, then the practice score should be ZERO.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection E (Acceptable Conditions of Work).

Related Up-to-date Conventions and Recommendations:

- C155 - Occupational Safety and Health Convention, 1981 (No. 155)
- P155 - Protocol of 2002 to the Occupational Safety and Health Convention, 1981
- R164 - Occupational Safety and Health Recommendation, 1981 (No. 164)
- C161 - Occupational Health Services Convention, 1985 (No. 161)
- R171 - Occupational Health Services Recommendation, 1985 (No. 171)
- C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
- R197 - Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197)
- R097 - Protection of Workers' Health Recommendation, 1953 (No. 97)
- R102 - Welfare Facilities Recommendation, 1956 (No. 102)
- R194 - List of Occupational Diseases Recommendation, 2002 (No. 194)
- R128 - Maximum Weight Recommendation, 1967 (No. 128)

REASONABLE LIMITATION ON WORKING HOURS

Variable names: hour_l, hour_p

Definition:

This is a regulation upon employers that the number of working hours required of employees per week be limited.

ILO Standards:

1. The standard workday shall consist of 8 hours. When the hours of work on one or more days of the week are less than 8, the limit may be exceeded on the remaining days, but not by more than one hour. (C001 Article 2)
2. The standard workweek shall consist of 40 hours. (C047 Article 1 and R116)
3. The rate of pay for overtime work shall not be less than 1.25 times the regular rate. (C001 Article 6)
4. Overtime work shall be voluntary, not mandatory.
5. All workers should be granted, in every period of seven days, a period of rest comprising at least 24 consecutive hours. Whenever possible, this period of rest should be granted simultaneously to the whole of the staff of each workplace division and should coincide with the days already established by the traditions or customs of the country. (C106 Article 6)
6. Effective legal remedy requirement: workers who feel that this right has been violated should have an opportunity to remedy their situation through access to a judicial or quasi-judicial procedure.

Scoring Scheme:

Law (hour_l):

The reasonable limitation of working hours by law is:

- (0) NOT protected by law.
- (1) Somewhat protected by law.
- (2) Fully protected by law.

Law Scoring Instructions: If three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If in describing the national constitution and/or the relevant national laws, ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 *no need to list more than three as that will already score a 0*] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Practice (hour_p):

The reasonable limitation of working hours in practice, regardless of any legal protection, is:

- (0) NOT protected in practice.
- (1) Somewhat protected in practice.
- (2) Fully protected in practice.

Practice Scoring Instructions: If in describing the ability of workers to exercise this right, three or more of the ILO criteria are NOT met, then the country should be scored as ZERO. If only one or two of the ILO criteria are NOT met, then the country should be scored as a ONE. If ALL of the ILO criteria listed above are satisfied or not mentioned, the country's law should be scored as TWO. While scoring, please include ILO standards violated/unmet: [List them out, e.g. 1, 2, 3 *no need to list more than three as that will already score a 0*] or... "ILO standards all met due to [insert reasoning]. In your notes, include the actual sentences from the report that were critical to your scoring decision.

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 7 (Worker Rights), Subsection E (Acceptable Conditions of Work).

Related Up-to-date Conventions and Recommendations:

C001 - Hours of Work (Industry) Convention, 1919 (No. 1)

C014 - Weekly Rest (Industry) Convention, 1921 (No. 14)

C106 - Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)

R103 - Weekly Rest (Commerce and Offices) Recommendation, 1957 (No. 103)

C175 - Part-Time Work Convention, 1994 (No. 175)

R182 - Part-Time Work Recommendation, 1994 (No. 182)

R116 - Reduction of Hours of Work Recommendation, 1962 (No. 116)

HUMAN TRAFFICKING

Variable names: traffick_l, traffick_p

Definition: This refers to all acts involving the recruitment, abduction, transport, harboring, transfer, sale, or receipt of persons that occur within national or across international borders; involving the use of force, coercion, fraud, or deception; and resulting in persons being subjected to slavery or slavery-like conditions, or subjected to forced labor or services, domestic servitude, forced or bonded sweatshop labor, or other debt bondage. Human trafficking is an increasing international problem and is linked with other worker and human rights abuses.

NOTE: For scoring purposes, prostitution falls under the category of trafficking when it is unregistered, forced, or the woman's life will be in danger if she attempts to leave prostitution.

Scoring Scheme:

Law (traffick_l):

Human trafficking by law is:

- (0) Trafficking is legal or allowed according to the constitution/relevant national laws.
- (1) All trafficking practices are prohibited **but** there is mention of the law not being strong enough to prevent trafficking.
- (2) Trafficking is prohibited and the language of the law/constitution is strong and unambiguous.

Further information for trafficking law score:

Use the following guidelines when scoring a country's laws:

Zero (0):

- Law allows for trafficking in most of its forms and/or does not prescribe any punishment for crimes related to trafficking
- Law applies to limited portions of trafficking-related activities and/or purposefully excludes large percentage of victims

One (1):

- Other laws about forced labor or slavery could be applied to trafficking, but there are not legal protections specifically against trafficking in place
- Law provides minimum protection, prohibiting specific forms of trafficking and proscribing specific penalties; or an overall ban without any mention of penalties
- Law prohibits trafficking but does not proscribe punishments or only proscribes punishments for certain violations (eg. Trafficking is banned, but only sex trafficking is punishable)
- Law prohibits many forms of trafficking without including an outright ban on trafficking itself; law does not provide specific definition of what trafficking is
All trafficking is forbidden, but punishments are described as inadequate or the law itself is described as weak

Two (2):

- Law prohibits all forms of trafficking and includes penalties that are sufficiently stringent and commensurate with those prescribed for other grave or serious crimes.

Practice (traffick_p):

In practice, human trafficking is:

- (0) The government does not enforce trafficking laws and/or facilitates or participates in the recruitment of victims (including child soldiers).
- (1) There is some enforcement of anti-trafficking laws, but not to an adequate or effective level.
- (2) The government takes action to combat trafficking and enforces punishment on traffickers.

Further information for traffick practice score:

You should pay attention to what government authorities (police, prosecutors, judges and soldiers) actually do to enforce the law. In particular: were investigations conducted to the full extent of the state's capability; are the number prosecutions commensurate with the magnitude of the problem; were the penalties imposed for those convicted significant; and did the government provided assistance for victims of trafficking such as making housing, education, health care, job training and other publicly-funded social service programs available to assist victims in rebuilding their lives. Use the additional information when scoring a country's practice:

Zero (0):

- Government punishes victims of trafficking; or
- Government does nothing in terms of either assisting victims or punishing traffickers; or
- Government officials accept bribes from traffickers and are generally not punished for doing so.

One (1):

- Limited action in relation to aid of victims, prosecution of traffickers, and punishment of traffickers; or
- Even if aid to victims is extensive, countries should still be scored a ONE if no arrests were made for trafficking-related crimes or if the report describes an **unwillingness or inability** to prosecute based on local or economic pressure, corruption, or lack of resources; or
- Government does not encourage victim participation in investigations; or
- Victims do not seek government assistance due to fear of retaliation such as the possibility of deportation; or
- Victims avoid legal process due to elements not directly linked to the government, such as fear of retaliation from their respective communities.
- Victims are punished due to a lack of victim identification procedures

Two (2):

At least three of the following criteria should be met or not mentioned in the report:

- Government investigates/initiates judicial proceedings against suspected traffickers;
- Punishments actually applied to those convicted of trafficking have been significant;
- Government provides assistance such as making housing, educational, health care, job training and other publicly-funded social service programs available to assist victims in rebuilding their lives; assistance is adequate in terms of the need
- Government encourages victims to participate in investigations, and provides them with legal protection

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports: Section 5 (Discrimination, Societal

Abuses, and Trafficking in Persons); Section 6f (Worker Rights) under the Prohibition of Forced or Compulsory Labor header (6c).

The USSD also publishes an additional report focusing solely on human trafficking; links can be found in the Human Rights Report which you will be scoring. While these tend to be more critical and provide information which can significantly alter one's score, the time frame (April through March, published in June) of these reports poses some difficulty. These reports will be consulted during the summer, and corrections to scores made if necessary.

Grounding in International Law

United Nations Protocol to Protocol to Prevent, Suppress and Punish Trafficking in

Persons, especially Women and Children (Palermo protocols)

United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air

United Nations Convention against Transnational Organized Crime

International Labor Organization: Many Conventions

(note: this document pertains to workers' rights in general)

FREEDOM FROM DISCRIMINATION IN HIRING AND TREATMENT AT WORK

Variable names: discri_race, discri_gender, discri_nationality, discri_ethnicity, discri_religion, discri_sexuality, discri_AIDS, discri_socialorigin, discri_polibelief, discri_disability

Definition:

This right includes the right of workers to be protected from employment discrimination. Discrimination is any distinction, exclusion or preference made on the basis of: race, gender, nationality, ethnicity, religion, sexual orientation, HIV/ AIDS, social origin (including caste and economic status), political beliefs, and disability which has the effect of nullifying or impairing equality of opportunity or treatment (including equal pay for equal work) in employment or occupation. The terms **employment** and **occupation** include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

ILO Standards prohibit any distinction in hiring, treatment, exclusion or preference at work which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

For the purpose of scoring, we include separate variables for discrimination based on:

- Race or color (discri_race)
- Gender and sex (discri_gender)
- Nationality (discri_nationality)
- Ethnicity (discri_ethnicity)
- Religion and creed (discri_religion)
- Sexual orientation and gender identity (discri_sexuality)
- HIV-AIDS (discri_AIDS)
- Social origin, including caste (discri_socialorigin)
- Political beliefs (discri_polibelief)
- Disability (discri_disability)
- Age (discri_age)

Further Rationale for Scoring Guidelines Based on International Law:

According to the standards of international law, everyone has the right to:

- Work, which includes the free choice of employment, to just and favorable conditions of work and to protection against unemployment;
- the right to equal pay for equal work without discrimination;
- to just and favorable remuneration ensuring for themselves and their family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection, which includes:
 - fair/equal wages for equal work regardless of social category or class,
 - safe and healthy working conditions,
 - equal opportunity for promotion subject to no other considerations outside of seniority and competence,
 - reasonable limitation of working hours and periodic holidays with pay, and remuneration for public holidays;
- the right to form and to join trade unions for the protection of their interests, subject only to the rules of the organization concerned, and enjoy the right to strike.

Furthermore, states will:

- Provide technical and vocational guidance and training programs;
- Enact policies to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual;
- Ensure trade unions can establish national federations and form or join international trade-union organizations;
- Allow trade unions to function freely subject to no limitations except those prescribed by law and which are necessary in a democratic society to preserve the interests of national security or public order for the protection of the rights and freedoms of others.

Scoring Guidelines:

Race/Color:

Most reports will only discuss discrimination on race or discrimination based on color. If the report discusses both types, enter the lower of the two possible scores.

Affirmative action:

Any measures affecting an individual who is justifiably suspected of, or engaged in, activities prejudicial to the security of the State shall not be deemed to be discrimination, provided that the individual concerned shall have the right to appeal to a competent body established in accordance with national practice. Special measures of protection or assistance provided for in other Conventions or Recommendations adopted by the International Labour Conference shall not be deemed to be discrimination. Any Member to the above mentioned conventions may—after consultation with representative employers’ and workers’ organizations where such exist— determine that other special measures designed to meet the particular requirements of persons who, for reasons such as sex, age, disablement, family responsibilities or social or cultural status, are generally recognized to require special protection or assistance, shall not be deemed to be discrimination.

Scoring Scheme:

- (0) There are no laws preventing discrimination against the members of this group.
- (1) The government has laws prohibiting discrimination, but these laws are not enforced, or penalties are insufficient to deter violations.
- (2) The government has laws prohibiting discrimination and these laws are enforced. If there are laws prohibiting discrimination, and no mention of violations, the country should receive a TWO.
- (99) There is no mention of laws relating to discrimination against members of this group

FINAL SCORE: The scores for each type of discrimination should be added for each country year to determine a total score that can range from ZERO (government provides no protection from any type of employment discrimination) to TWENTY (government has laws that are effectively enforced to prevent all ten types of employment discrimination).

Where to Find Information About this Variable:

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports Section 7 subsection d: Discrimination With Respect to Employment and Occupation

Grounding in International Law:

Universal Declaration of Human Rights, Article 23

From the UN International Covenant on Economic, Social and Cultural Rights, Articles 6, 7, 8

JUSTICE RIGHTS RIGHT TO A FAIR TRIAL

Variable names: trial_l, trial_p

Definition:

This refers to the right to a fair and public hearing by an independent and impartial tribunal, in the determination of a person's rights and obligations and of any criminal charge against them.

Everyone charged with a penal offense has the right to be presumed innocent until proven guilty according to law in a public trial at which they have all the guarantees necessary for their defense. Furthermore, no one shall be held guilty of any penal offense for any act or omission which did not constitute a penal offense at the time when it was committed under national or international law. A heavier penalty will not be imposed than the one applicable at the time the penal offense was committed.

Scoring Criteria:

All citizens and legal residents who are accused of crimes shall be entitled to:

1. Equality before the courts and tribunals (including for juveniles, who may also be allowed special entitlements).
2. A fair hearing by a competent, independent and impartial tribunal (pay attention to *method of judicial selection, interference by executive branch, and corruption*).
3. A public hearing, and public judgment (except in cases involving juveniles, or that are otherwise disruptive to public order or national security – see ICCPR Article 14(1) below for justifiable exceptions).
4. The right to be presumed innocent until proven guilty according to law.
5. Be informed promptly and in detail of the nature and cause of the charge.
6. Have adequate time and facilities for the preparation of one's defense, and to communicate with counsel of one's own choosing.
7. Be tried without undue delay (no matter whether it be due to a case backlog or unfair treatment of the defendant).
8. Be tried in their presence, and to defend themselves in person or through legal assistance of their own choosing; and to be informed, if they do not have legal assistance, of this right.
9. Have legal assistance assigned without payment in any serious criminal case (e.g., accused of murder, etc.) if they do not have sufficient means to pay for it.
10. Have the free assistance of an interpreter throughout the entire process from the time of arrest until the end of the judicial proceeding.
11. Not be compelled to testify against herself or to confess guilt.
12. The right to call and examine witnesses.
13. The right to appeal to a higher tribunal according to law.
14. Be protected from double jeopardy. (No one shall be liable to be tried or punished again for an offense for which she has already been acquitted in accordance with the law and penal procedure of each country).
15. In the case of juvenile persons, legal procedures shall take into account their age and promote the desirability of their rehabilitation.
16. When an individual's conviction has been reversed/pardoned based on newly discovered facts that show a miscarriage of justice against them, they shall be compensated according to law.

Scoring Instructions:

Law (trial_l):

If, in describing the national constitution and/or relevant national laws:

- (0) FOUR or more of the above criteria are not adequately met.
- (1) All **but** 2-3 of the above criteria are satisfied or not mentioned.
- (2) All **but** ONE of the above criteria are satisfied or are not mentioned.
- (3) All of the above criteria are satisfied or not mentioned.

Practice (trial_p)

If, in describing the government's respect for this right in practice:

- (0) FOUR or more of the above criteria are not adequately met.
- (1) All **but** 2-3 of the above criteria are satisfied or not mentioned.
- (2) All **but** ONE of the above criteria are satisfied or are not mentioned.
- (3) All of the above criteria are satisfied or not mentioned.

NOTE:

- Pay careful attention to the first criterion: equal treatment. If in *Law* and/or *Practice*, people are treated unequally before the law (e.g., Sharia Law), the maximum value a country can receive is TWO (if all or most other criteria are met). If there are numerous other criteria that are not being adequately met, the country should be scored as ONE or ZERO for the given year accordingly.
- Pay careful attention to the language of the violation being described. In most cases, the value given for *Practice* should be equal-to or less-than the value given for *Law*. If the report indicates that a country does not offer protection for one of these criteria in law, then assume it similarly does not meet the given criteria in practice *unless the report specifically states that it does*. So, make sure to be extra careful, and double-check your work, in cases where you score the *Practices* of a country to be better than what the *Law* requires.
- In cases of civil conflict or natural disaster, the report may state that the government has suspended any number of these protections. Though this may be justifiable in some cases, this should **not** influence your scoring decisions! Thus, when reported violations are qualified by recognition of such extraordinary conditions, these violations should still factor into the scoring decision you make.
- Read through the entire report, **especially** the section covering arbitrary arrest. Though undue delay is sometimes discussed in the right to a fair trial section, there are instances where the reports include information about undue delay only in the arbitrary arrest section of the report. Remember: if the report mentions instances of undue delay in the arbitrary arrest section, these violations should factor into decisions about practice **only**, unless the report specifically mentions a violation in law as well.
- Sometimes violations are mentioned in the middle of a long paragraph, so make sure you read through an entire paragraph carefully because violations are sometimes mentioned without much detail. For example, Sharia law might be mentioned in its own stand-alone section in a report, while in a different report it might be mentioned in the middle of a lengthy paragraph in the report. Not every report mentions violations in the same spot or manner.

Where to Find Information about this Variable:

Your primary source will be the US State Department Country Reports on Human Rights Practices.

Always first read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. You should then focus on Section 1 subsection e. (“Denial of Fair Public Trial”), as it will contain most of the information you are looking for. Also take a look at section *d*. (“Arbitrary Arrest, Detention, or Exile”), as it sometimes contains relevant information. Please read closely and carefully, as it is crucial to find as much information as possible to make informed scoring decisions.

Grounding in International Law:

The Universal Declaration of Human Rights, Articles 10, 11

International Covenant on Civil and Political Rights (ICCPR), Article 14

INDEPENDENCE OF THE JUDICIARY

Variable names: injud

Definition:

Independence of the judiciary indicates the extent to which the judiciary is independent of control from other sources, such as another branch of the government or the military. Important questions to consider include:

- Are judges safe from removal by other government officials?
- Can actions of other government branches be challenged in the courts?
- Are court hearings public?
- Are judicial officials generally free from corruption and intimidation?
- Are case outcomes protected from governmental interference?

Scoring Scheme:

As an institution, the judiciary is:

- (0) Not Independent
- (1) Partially Independent
- (2) Generally Independent

Scoring Scheme Description:

ZERO (0):

In countries receiving a score of ZERO, there are active and widespread constraints on the judiciary. These typically involve limitations of judicial independence, including active government interference in the decision of cases or widespread corruption and judicial intimidation from either inside or outside government.

Examples include:

- 1) Active government interference in the outcome of cases.
- 2) The dismissal of judges for political reasons.
- 3) Widespread corruption and intimidation of the judiciary. The sources of corruption and intimidation can be either inside or outside government.

ONE (1):

In countries receiving a score of ONE, there are structural limitations on judicial independence. These typically involve limitations of judicial independence without active government interference or involve occasional or limited corruption and judicial intimidation from non- governmental actors.

Examples include:

- 1) The ability of the chief executive or minister of justice to appoint and dismiss judges at will, even if they do not actually do so in the particular year being scored.
- 2) Short periods of appointment (under seven years).
- 3) Judges rule against the government in some, but not all, potential cases and at times avoiding government-related cases or giving in to government pressure to rule in the government's favor.
- 4) The USSD report mentions a concern about the independence of the judiciary raised by another organization.

TWO (2):

In countries receiving a score of TWO, the judiciary exhibits the following attributes:

- 1) It has the right to rule on the constitutionality of legislative acts and executive decrees.
- 2) Judges at the highest level of courts have a minimum of a seven-year tenure.
- 3) The President or Minister of Justice cannot directly appoint or remove judges. The removal of judges is restricted (e.g. allowed for criminal misconduct).
- 4) Actions of the executive and legislative branch can be challenged in the courts.
- 5) All court hearings are public (Exceptions in practice include closed hearings of cases for national security reasons (if it seems reasonable) and sexual assault cases).
- 6) Judgeships are held by professionals.

If information is missing about some of the above attributes, but they are not mentioned as a problem, give the country a score of TWO.

Where to Find Information About This Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports in: Section 1 (Respect for the Physical Integrity of the Person, Including Freedom From:), Subsection E (Denial of Fair Public Trial).

Most often, the USSD states the independence of the judiciary in simple terms, such as in Macedonia in 1996: “the constitution provides that the courts are autonomous and independent, and the judiciary is independent in practice” (USSD 1996, 1029). However, since the reports sometimes begin with a statement like this and then describe issues that would lower the score from TWO to ONE, you still must read the pertinent section of the report in its entirety. If there are no qualifying statements, as was the case for Macedonia in this year, the case should be scored as a TWO, as the judiciary is completely free from government interference in practice, not just in law.

Grounding in International Law:

International Covenant on Civil and Political Rights, Part III, Article 14

HUMAN RIGHTS NGO FREEDOM

NGO Human Rights Investigations

This variable indicates the extent to which human rights NGOs are affected by government censorship, violence, coercion, intimidation, and institutional barriers to operation. Human rights NGOs should be able to operate within a country, to investigate human rights violations and publicize those violations, and to operate without being targeted by the state or its affiliates for retaliation. Where human rights NGOs and defenders are targeted there should be government remediation.

Protection in International law: The Declaration on Human Rights Defenders was adopted by the UN General Assembly in 1998. It lays out the obligations that states have towards human rights defenders and their key role in the realization of the UDHR. This declaration articulates rights that exist in other legally binding human rights instruments specifically as they apply to human rights organizations.

Coding Criteria:

- Form and maintain a human rights NGO without being hindered, targeted, or impeded by the state
- Seek, obtain, receive, and hold onto information about human rights
- Publicize human rights violations
- Critique policies and acts which impede the realization of human rights
- Protection under the law for their human rights works
- Ability to receive and utilize resources in order to protect human rights (including from abroad)

Coding Scheme:

- 0 - Human rights defenders are subjected to violence, they are shut down, or they are unable to operate within the country due to legal or institutional rules.
- 1 – Human rights defenders are harassed, arrested, threatened, fined, audited repeatedly, or engage in self-censorship.
- 2 – Human rights defenders can operate freely within the country though the government does not always cooperate or respond to NGO requests
- 3 – Human rights NGOs can operate freely within a country and the government is cooperative and responsive to their requests. The government does not need to follow their advice or recommendations to receive a 3.

Zero

A score of ZERO is given if human rights NGOs are subjected to violence or unable to operate in the country due to legal and institutional barriers. A zero is also given if NGOs are unable to operate within a country. For example, if the state abolishes, outlaws NGOs, or does not allow international (or domestic) NGOs to operate in the country. Institutional barriers to operation that leave NGOs unable to do their work can also constitute a zero. This may include not licensing NGOs, or creating barriers for specific NGOs or organizations working in a specific area to operate legally.

This does not include fines, audits, and other tools of intimidation. It also does not include arrests or lengthy registration requirement.

One

A score of ONE is given if human rights NGOs are arrested, harassed, threatened, intimidated, or targeted by the state for their activities. Death threats and the threat of physical violence are scored as a ONE unless violence is carried out. If the report mentions “self-censorship” the country should also receive a score of ONE. This score is given when human rights NGOs are hindered in their activities.

TWO

A score of two is given if human rights NGOs can operate freely within a state without any hindrance or any hindrances are remedied by effective state action. However, the report also mentions that the state “does not always cooperate” “is not responsive to” “somewhat cooperates with”

THREE

A score of three is given if human rights NGOs can operate without government restriction or impediment and the government is cooperative and responsive. The government can ignore recommendations or fail to implement reforms and still receive a THREE

Coding criteria

- 1.) Is there violence OR are NGOs being shut down or banned?
 - Yes – country gets a ZERO
 - No – move onto next question
- 2.) Are human rights NGOs threatened, arrested, or are organizations impeded by bureaucratic hurdles such as fined, audits, and denials or visas?
 - Yes – country gets a ONE
 - No- move onto next question
- 3.) Is the government un-cooperative or unresponsive to human rights NGOs?
 - Yes – country gets a TWO
 - No – move onto next question
- 4.) Can NGOs can operate freely and the government cooperates and is responsive (even if they ignore NGO recommendations)?
 - Yes – country gets a THREE

What does not count as a violation

- We don’t count individual HR activist cases as they don’t represent the NGO’s work unless the words “human rights activist” is synonymous with members of a Human Rights Organization that works within the country. These violations are likely to be captured elsewhere (i.e. freedom of speech, freedom of assembly, political imprisonment). We are looking to code state repression and intimidation against organizations. However, if human rights activists are targeted en masse we can assume the organization cannot operate freely.
- If a human rights NGOs are hindered from their operations because they have not met their legal obligations and these obligations do not appear to be politically motivated or excessive. For example, failing to fill out necessary paperwork.

- If a human rights NGOs have violated the law and do not appear to be targeted for political reasons
- Human rights NGOs are targeted by non-state actors AND the state appears to be taking action to protect human rights defenders such as investigating and punishing those responsible.

Where to find information about this right

Information about this right can be found in the US State Department Human Rights Reports section 5: Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights. Only read information related to human rights organizations, **do not** consider information about government human rights bodies.

PRISONERS' RIGHTS

Variable names: prison_torture, prison_discriminate, prison_rehabilitate, prison_overcrowd, prison_separation, prison_sanitation, prison_food, prison_health, prison_clean, prison_family, prison_records, prison_commitment, prison_informed, prison_central

Description of Scoring Criteria:

1. Prisoners should be protected from and not subjected to torture (including sexual assault, and prison guard brutality), for which no circumstances can justify. Prisoners should not be subjected to indefinite or prolonged solitary confinement, placement in a dark or constantly lit cell, corporal punishment or reduction of diet or water, or collective punishment. Restraints should only be applied for disciplinary offense.
2. There should be no discrimination on the grounds of race, color, sex, religion, mental disability, etc.; moral precepts and religious beliefs of prisoners are to be respected.
3. Prison conditions should promote rehabilitation of prisoners after release and reduce recidivism. Education, religion/spiritual services, vocational training and work should be offered.
4. Each prisoner should be provided a bed and reasonable space for movement (no overcrowding).
5. Prisoners should be kept separate based on gender, age, criminal record, and reason for detention (i.e., men should be separate from women and adults from juveniles, convicted criminals from those awaiting sentencing, etc.).
6. Sanitary installations should be provided (in a clean and decent manner), including bathing and showering installations.
7. Prisoners should be provided with food of nutritional value and well prepared at “usual hours” and drinking water should be provided to prisoners whenever he or she needs it.
8. Health care is to be provided by the state at the same standards available in the community and free of charge, including prenatal and postnatal care in women’s prisons and feminine hygiene products.
9. All prisoners should be kept clean and properly maintained. Prisoners should have access to open air, physical exercise, light, ventilation and reasonable temperature.
10. Family contact should not be prohibited as a disciplinary sanction. Family contact can only be restricted for purposes of security and order, for limited periods of time
11. All prisons should keep records of prisoners, including their crime and sentence.
12. Nobody should be imprisoned without a valid commitment order, which is a sentence ruled on through trial and by a judiciary.
13. Prisoners should be informed of their rights as prisoners upon entrance to a detention center, such as right to religious and spiritual practice, education, family contact, etc.
14. There should be a central authority overlooking prisons and treatment of prisoners, such as an ombudsman, judiciary or central prison administration.

Scoring Scheme:

- (2) Full respect for the criteria.
- (1) Partial respect for the criteria: Part of the requirements are not met, while some are. For example, prisoners have access to potable water, but access to food is not guaranteed.
- (0) No respect for the criteria.

Exceptions to the Guidelines:

If the report uses a statement indicating that no significant human rights violations occurred in the prison system, such as “no reports of prison or detention center conditions that raised major human rights concerns” or “Prison and detention center conditions met most international standards” then

the country will receive a 1 for all physical rights criteria (prison_torture, prison_overcrowd, prison_separation, prison_sanitation, prison_food, prison_health, prison_clean, prison_family) unless a violation is mentioned in the report with regards to these variables.

Scoring Guideline Examples For Each Variable: These are general examples of scores for each variable that is reported on. It is important to note that this is not an exhaustive list of all the ways to score a variable, merely a guideline for how to conceptualize scoring for each variable. Missing values should be scores as “.”

Torture

2: No reports of abuses by prison authorities

1: Abuse is “uncommon,” reports are >50 cases in line with scoring for torture (tort)

0: Abuses by guards/ police to detainees or prisoners occurs frequently

Discrimination

2: People able to practice religions freely; LGBTQ community not discriminated against, etc.

1: No facilities for religious observance, but observance is not prohibited.

0: Certain religions forbidden to be practiced; no access to religious leaders.

Rehabilitation

2: Extensive opportunities for alternatives to incarceration; widespread availability for vocational and educational training

1: Limited opportunities for vocational and educational training

0: Rehabilitation programs nonexistent.

Overcrowding

2: No reports of overcrowding

1: Some reports of overcrowding; small percentages of overcrowding

0: “Extreme” or “gross” overcrowding; insufficient bedding; inmates forced to sleep in shifts

Separation of Age, Gender, and Prisoner Status

2: All three categories separated

1: One category not separated

0: Two or more categories not separated

Sanitary installations

2: Adequate facilities provided.

1: Some facilities were “inadequate” or “subpar”

0: No facilities available to prisoners.

Food and Water

2: Both provided.

1: One is inadequate but the other is provided

0: Neither are provided, or both are inadequate

Health Care

2: Adequate health care is provided or accessible to prisoners

1: A very broad statement that says health care is inadequate

0: Descriptions of how the health care is inadequate

Cleanliness, Air, Light, Ventilation, Exercise

2: All of these categories are provided.

1: Half of these categories are provided.

0: Three or more of these categories are **not** provided.

Family Access

2: Unrestricted access to visitors and family.

1: Access permitted, but bribes are sometimes necessary to grant access.

0: Access restricted or denied arbitrarily.

Records

2: Adequate records kept of prisoners; easily accessible.

1: Steps were taken to improve record keeping, though it remains inadequate.

0: Records were not kept; incomplete records.

Commitment Order

2: No reports of arbitrary or illegal detention

1: Occasional arbitrary arrest/detainment; the law permits detainment with no charge

0: Reports of arbitrary detainment.

Informed of Rights

2: Prisoners should be informed of their rights as prisoners upon entrance to a detention center, such as right to religious and spiritual practice, educations, family contact, etc.

1: Prisoners are sometimes informed of their rights

0: Prisoners are not informed of their rights or are misinformed purposefully

Central Authority

2: Ombudsmen present to overlook prison facilities and receive complaints.

1: Ombudsmen or central authority exists but does not visit or monitor prisons; prisoners are afraid to submit complaints because they fear reprisal by prison authorities.

0: No central judicial authority that oversees conditions in prisons.

Where to Find Information About This Variable:

Always read the overview at the beginning of the report. There is often valuable information there, plus it points out information to look for in the detailed sections that follow. Information about this indicator will be contained in the USSD reports in:

Section 1 subsection C: Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; Torture section; Prison and Detention Center Conditions section. Section 1 subsection D: Arbitrary Arrest and Detention; Header; Arrest Procedures and Treatment of Detainees.

Human Rights Indices

Human Rights Score

human_rights_score is an additive index of the following 25 human rights measures variables: disap + polpris + kill + tort + speech + injud + elecsl + dommov + formov + assn + wopol_two + wecon_two + rel_free + union_p + barg_p + hour_p + force_p + child_p + wage_p + safe_p + trial_two + trafficking_p + wosoc_two + NGO_ + atrocity_hrscore

The score is then doubled to create a 0 to 100 index. Higher values indicate greater levels of human rights respect.

All rights are converted to a 0, 1, 2 scale:

- Wosop, wecon, wosoc_p are rescored as wopol_two, wecon_two, and wosoc_two.
 - Scores of 2 become a 1, and the top value of 3 is changed to a 2. Scores of 1 remain as 1 and scores of 0 remain as 0.
- Atrocity_hrscore is scored as 0 if an atrocity is occurring in that year (bbatrocity = 1) and 2 if there is no atrocity (bbatrocity=0)

Physical Integrity Rights

physint_sum is an additive index of the following variables: disap + kill + polpris + tort.

The index ranges from 0-8. Higher values indicate greater levels of human rights respect.

Repression Index

repression_sum is an additive index of the following variables: disap + kill + polpris + tort + trial_p + assn + speech + rel_free

The index ranges from 0-17. Higher values indicate less repression.

Civil and Political Rights Index

civpol_sum is an additive index of the following variables: assn + speech + rel_free

Worker Rights Laws

workerrights_laws_sum is an additive index of the following variables: union_l + barg_l + hour_l + force_l + child_l + wage_l + safe_l

The index ranges from 0 to 14. Higher values indicate greater levels of human rights respect.

Worker Rights Practices

workerrights_practices_sum is an additive index of the following variables: union_p + barg_p + hour_p + force_p + child_p + wage_p + safe_p

The index ranges from 0 to 14. Higher values indicate greater levels of human rights respect.