

CIVIL AND POLITICAL RIGHTS METRICS METHODOLOGY

An Executive Summary of Motu Working Paper 18-05



SUMMARY HAIKU

All have human rights.
But to reach their fulfillment
We need measurement.

INTRODUCTION

This is a brief explanation of how we constructed the Human Rights Measurement Initiative (HRMI)'s civil and political rights metrics (the blue ones on the radar charts). This is a new methodology developed by researchers at the University of Georgia and Motu Economic and Public Policy Research. For more in-depth information, please see section 2 in our [full methodology guide](#).

WHAT ARE CIVIL AND POLITICAL RIGHTS?

The International Covenant on Civil and Political Rights (ICCPR) is a treaty adopted by the United Nations in 1966 and agreed to subsequently by 169 countries that sets out a list of civil and political rights that we are all entitled to simply by virtue of being human. Civil and political human rights ensure your ability to live, and to engage in religious, political, intellectual, or other activities free from coercion, abuse, or discrimination. HRMI's metrics cover the following seven rights, each listed together with reference to the relevant article in the ICCPR or other core UN treaties further elaborating those rights, such as the International Convention for the Protection of all Persons from Enforced Disappearance and the Convention against Torture:

1. the right to be free from torture and ill-treatment (Article 7 and the Convention against Torture),
2. the right to be free from execution (Article 6 and the Second Optional Protocol to the ICCPR),
3. the right to be free from arbitrary or political arrest and detention (Articles 2, 9, 11, 18, 19, 21, 22, and 26),
4. the right to be free from disappearance (Articles 9 and 10, and the Convention for the Protection of all Persons from Enforced Disappearance),
5. the right to political participation (Article 25),
6. the right to opinion and expression (Article 19), and
7. the rights to assembly (Article 21) and association (Article 22).

Over time we aim to become more comprehensive by producing metrics that cover the full range of rights embodied in international law.

HOW DOES HRMI MEASURE CIVIL AND POLITICAL RIGHTS?

Obtaining reliable, unbiased, and comprehensive information is perhaps the most serious impediment to the collection of quantitative civil and political rights data. When violations by government agents are reported, states often attempt to frame the abuse as either necessary or carried out without state permission. Many violations of civil and political rights take place in secret, with the violator seeking to conceal their actions entirely and the degree to which violators conceal their complicity only serves to exacerbate the problems.



Because objective statistics on these human rights are either unavailable or unreliable, HRMI collects information using an expert survey approach and converts it into metrics using Bayesian statistical techniques. The advantage of this approach is that it allows us to:

- Directly collect previously inaccessible information from human rights researchers and practitioners (in their own language wherever possible) who are actively gathering information and monitoring human rights issues in each country.
- Collect data not only on the scope and intensity of abuse, but on the range of abuse as well, i.e. information on which groups of people are particularly vulnerable to each type of abuse within each country.
- Produce not only central estimates of the intensity of each type of abuse in each country, but also uncertainty bands around those central estimates. This results in much more accurate and honest reporting of the level of uncertainty with regard to the intensity of abuses.

So far this approach has only been used once, in our 2017 pilot that rolled out our expert survey to human rights experts in the following 13 countries: Angola, Australia, Brazil, Fiji, Kazakhstan, Kyrgyzstan, Liberia, Mexico, Mozambique, Nepal, New Zealand, Saudi Arabia, and the United Kingdom. We expect that it will become an annual survey and expand to cover most countries in the world.

WHAT QUESTIONS DOES THE EXPERT SURVEY ASK?

For each of the seven civil and political human rights we measure, the expert survey includes:

- A definition of the human right, taken from international law and its interpretation by the appropriate treaty bodies at the United Nations.
- A question about whether non-government actors engaged in acts that amounted to abuse and, if so, which non-government actors.
- A question about the intensity (or frequency) of violations by government agents. For example, the intensity question about acts of torture or ill-treatment is shown below.

From January through June 2017, how often did government agents, such as soldiers, police officers, and others acting on behalf of the state, commit acts of **torture or ill-treatment**?



- Three questions about the range of respect for the rights being discussed.
 1. The first of these was a broad question about who was most vulnerable to abuse by government agents. E.g. as shown here:

From January through June 2017, who was vulnerable to **torture and ill-treatment** by **government agents**, such as soldiers, police officers, and others acting on behalf of the state? (**Select all that apply.**)

- No one; I am not aware of any such abuse by state agents
- Those engaged in or suspected of non-political criminal activities
- Those engaged in or suspected of non-violent political activity (e.g. protesters, journalists, activists)
- Those engaged in or suspected of violent political activity (e.g. terrorists, rebels, rioters)
- Members of particular classes, identities, or groups
- All persons were at noticeable risk
- I don't know/Prefer not to answer
- Other (Please Specify):

2. The second question about range asked for more specific information about those who were especially at risk. Respondents could select from 23 identifiers specified in the survey or provide us with other potential identifiers, as shown below.

From January through June 2017, which types of identities, affiliations, groups, activities, locations, or other attributes, if any, were especially vulnerable to **torture and ill-treatment** by **government agents**, such as soldiers, police officers, and other state-sanctioned actors? (**Select all that apply.**)

- | | |
|---|---|
| <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Political Affiliation |
| <input type="checkbox"/> Race | <input type="checkbox"/> Labor Unions |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Journalists |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> Human Rights Advocates |
| <input type="checkbox"/> Cultural Background | <input type="checkbox"/> Academics |
| <input type="checkbox"/> Indigenous People | <input type="checkbox"/> Professionals (e.g. doctors, lawyers, bankers) |
| <input type="checkbox"/> Immigrants | <input type="checkbox"/> LGBTQIA+ |
| <input type="checkbox"/> Refugees or Asylum Seekers | <input type="checkbox"/> Women and/or Girls |
| <input type="checkbox"/> Low Social or Economic Status | <input type="checkbox"/> Children |
| <input type="checkbox"/> Homelessness | <input type="checkbox"/> Disabled |
| <input type="checkbox"/> Less Educated | <input type="checkbox"/> Geographic Location |
| <input type="checkbox"/> Detainees or those accused of crimes | <input type="checkbox"/> Other (Please Specify) |

3. Finally, the third question provided an open field space for respondents to provide any more specific information.

In the previous question, you were asked to list whether certain types of people were especially vulnerable to **torture and ill-treatment** by **government agents**. Briefly, please give the names (if any) of the specific identities, affiliations, groups, activities, locations, or other attributes that were likely to make one especially vulnerable to **torture and ill-treatment** by **government agents**. (Please do NOT include the names of individual persons.)

Another important part of the survey included a number of anchoring vignettes, in which respondents were asked to score the frequency of abuses in three described hypothetical countries. Responses to these hypotheticals were used to correct for differences in the interpretation of the 11-point intensity scale and contribute meaningfully to the final intensity scores produced for each country.

Please feel free to take a look at the full expert survey questionnaire used in our pilot study [here](#). Note that this is a link to a preview of the survey only, and any responses you make will not be collected.

Looking ahead, it is likely that the survey will be modified somewhat, to take on board feedback, before rolling it out to a larger number of countries in early 2019. But the overall approach will most likely remain very similar.

WHO CAN BE AN EXPERT RESPONDENT?

In the pilot study we focused primarily on human rights practitioners directly monitoring the civil and political rights situation in each country. These experts are often working for an international or domestic non-governmental organisation or a civil society organisation. However, we also allowed for participation by human rights lawyers, journalists covering human rights issues, and staff working for National Human Rights Institutions if that Institution has been given “A”-level accreditation, showing that it is rated as fully compliant with the Paris Principles.

Wherever possible we rely on respondents who are located within the country on which they provide information. The pilot survey was available to take in six languages (Arabic, English, Nepali, Portuguese, Russian, and Spanish) ensuring that it was accessible to as many human rights experts in our pilot countries as possible. This ensures that our expert survey is serving as a bridge to give a voice to experts, to share their knowledge with the outside world in the form of quantitative metrics of civil and political rights. In cases of more closed and repressive countries, it has been necessary to rely on a higher proportion of respondents who are based outside of the country of interest. Our main goal is to collect information from respondents who are first points of contact for human rights information in the country of interest and who often have access to primary sources. As such, we did not invite academics to be respondents in the pilot study, as academics are rarely involved in the collection of primary information and tend to rely more heavily on secondary sources. Staff at government-organised NGOs and government officials outside of A-level national human rights institutions were also excluded.

HOW ARE SURVEY RESPONSES CONVERTED INTO HRMI METRICS?

The statistical model we employ to convert responses to our questions about intensity of abuse into HRMI metrics is a Bayesian variant of the common factor model. Developed to study unobservable factors such as knowledge, intelligence, and personality, this approach allows us to estimate unobserved traits (in this case the level of respect for a specific human right) for individual countries, from a set of observed outcomes (in our case the responses to our survey questions) that were caused by that trait. We use this approach for three main reasons.





First, it allows us to derive sensible results from quite small sample sizes. The number of fully completed survey responses that were used to calculate the civil and political rights scores ranged between 5 and 11 per country. It is important to use a methodology that works with small sample sizes because the number of human rights experts in some countries is quite small, and it would be unrealistic to expect all of them to complete our survey every time we conduct it. Because our models are Bayesian, they produce a central estimate of the score for each country along with an estimate of uncertainty around each score. A higher level of uncertainty (larger uncertainty band) results when there is more variance among survey respondents' scores on a particular right, and/or when the number of survey respondents is smaller.

Second, this approach enables us to place each country on a common scale, even though different survey respondents may interpret the numeric values on the scale differently. For example, respondent one may give a score of 6/10, while respondent two gives the same country a score of 4/10 even if the two respondents have the same set of knowledge about what is going on in that country, simply because they interpret the scale differently from one another. Our methodology allows us to correct for that by using their responses to the questions surrounding the anchoring vignettes mentioned above.

Third, and related, it allows us to correct for any country-specific differences in interpretation of the scales. For example, if survey respondents in country X have become accustomed to a particular intensity of abuse, it is possible they could see it as "more normal" than respondents in another country. In this case and the one above, responses to our questions about the hypothetical countries are used as "bridging observations" to correct for any such bias and create a scale that is cross-nationally comparable.

HOW DO HRMI'S METRICS DIFFER FROM OTHER MEASURES OF CIVIL AND POLITICAL RIGHTS?

There are three important differences between our measures and existing efforts. Each of these represents improvements over current practices.

First, previous efforts have either relied on reports by governments and non-governmental organisations intended for public consumption, e.g. the U.S. State Department's Country Reports on Human Rights Practices, Amnesty International's Annual Report, and Human Rights Watch's World Report, or on surveys of academics. By contrast, our source of information is a survey of human rights practitioners, primarily located in the country in question. This is likely to be a better source of information because it is closer to primary sources.



Second, our measures cover the following two aspects of human rights that have not previously been measured by cross-national human rights data projects:

- Arbitrary/unlawful arrests unrelated to political activity.
- Prevalence of death penalty executions.

Third, our expert survey collects information on all three of the following dimensions of rights abuse by governments. Previous efforts to measure civil and political rights have tended to focus most on scope and intensity.

- Scope, or the type of abuse the violator has engaged in. For instance, have the violators tortured political opponents, arrested them, or kept them from participating in elections? Have they done one of these things, two, or all of them?
- Intensity, or the frequency of the type of abuse. For example, did the violator arbitrarily imprison one or two people or hundreds?
- Range, or the portion of the population targeted for abuse. Did the violator focus their abuses on political opponents, on accused criminals, or on discriminated groups or classes? Or, alternatively, was the abuse indiscriminate, placing all people at risk?

HOW DOES THIS METHODOLOGY DIFFER FROM THE WAY HRMI MEASURES ECONOMIC AND SOCIAL RIGHTS?

HRMI measures these two groups of rights quite differently, as is consistent with state obligations under international law. Under international law, the state must immediately and completely respect, protect, and fulfil all rights listed in the International Covenant on Civil and Political Rights, while the rights listed in the International Covenant on Economic, Social, and Cultural Rights are to be progressively realised using the maximum of available resources. Thus HRMI measures economic and social rights relative to the extent to which a given country ought to be able to fulfil those rights for its people. By contrast, our civil and political rights metrics are not adjusted to account for the resources available to a country.

A second important difference is that HRMI's civil and political rights metrics are calculated using surveys of human rights experts in each country, whereas our economic and social rights metrics are calculated from internationally comparable, publicly accessible statistical data published by national and international bodies.

HRMI will help everyone see the big picture more easily, influencing both global decision-makers and ordinary people. We will create an opportunity for tremendous advances in knowledge and progress. Together, we can help facilitate a step-change for the better in the lives of billions of people. HRMI is hosted by Motu Economic and Public Policy Research Trust.

Motu is an independent research institute operating as a charitable trust. It is the top-ranked economics organisation in New Zealand and in the top ten global economic think tanks, according to the Research Papers in Economics (RePEc) website, which ranks all economists and economic research organisations in the world based on the quantity and quality of their research publications.