

Construction or development of EU human rights indicators

歐盟人權指標之建構或發展

Outline of presentation by Jonas Grimheden,¹ Taipei, 30 January 2019

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Companies operate at a macro-level on the basis of Key Performance Indicators (KPIs), carefully selected pointers on the direction of the business. Profit, sales, logistics, turnover, stock-value, customary satisfaction, and more could be covered – in detail or more generally. The operation of a company with its shareholder or owner satisfaction is not that far away from running a country. There are certainly differences, and significant such, but the legitimacy of an elected government to deliver to its constituents and maybe even the larger community clearly has many parallels to the running of a company. That, in essence, is the logic of why indicators are used and maybe even more so for human rights (I will return to this).

企業營運係根據謹慎選擇的發展方針，以宏觀角度擬定關鍵績效指標(KPI)為基礎進行。考量層面包含大方向及細節，並涵蓋了利潤、銷售、物流、營業額、股價、客戶滿意度等各層面。營運一間滿足股東及業主要求的公司，其複雜程度不亞於治理國家。當然兩者存在重大差異，但合法民選的政府在向選民，甚至是廣大的群眾傳遞服務時，與營運企業仍有相近之處。其實這也是在落實人權議題上，為何需設立並遵循人權指標的深層意義（我之後會再講述這部分）。

And just like countries do use indicators, at national and local level, the European Union does similarly, for areas within its fields of competence. For instance, the European Union uses indicators for macro-economic policies, justice and human rights but also in a wider range of other contexts. Such indicators help the policy makers in determining priorities – where to spend money, where to put more emphasis, where things are going well, and not.

如同國家在中央及地方機關均採用相關指標，歐盟在其職權範圍內的領域也是如此。以歐盟為例，不僅應用於宏觀經濟政策、司法和人權，在其他領域也廣泛使用指標。這些指標有助於決策者確立優先順序，例如：哪些部分需要編列預算、哪些部份需要再加強、執行是否順利等。

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Has researched, taught and published academically on human rights indicators (Monitoring human rights compliance within the EU: the use of indicators at the local level, in Indicators and Monitoring Systems as Preventive Tools for Ensuring Peace and Security and Respect for Human Rights in External Policy Making of the EU (The Ludwig Boltzmann Institute Conference Proceedings, BIM Study Series, Verlag Österreich, 2007); Indicators for monitoring human rights, in G. Alfredsson et al, International Human Rights Monitoring Mechanisms, Brill, 2009) and coordinated FRA's work on human rights indicators during several years.

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研究、教學和出版關於人權指標的學術知識(監督歐盟內部遵守人權之情形)：歐盟外部決策(路德維希·波茲曼學院會議記錄，BIM研究系列，2007年奧地利出版)施行區域性指標，以指標和監督系統作為預防性工具，確保歐盟外部決策和平、安全並尊重人權；人權監督指標，收錄於 G. Alfredsson et al, 國際人權監督機制，2009年布里爾出版社)，並連續數年協助聯盟基本權利署 FRA 執行人權指標相關作業。

Indicators also allow for a comparative perspective in terms of progress over time and between entities such as countries (or regions). This, in turn, generates some healthy competition to improve over time and to be better than others.

同時，在執行過程中，設立指標亦可提供不同地區或國家等實體單位間的比較基準，如此可促進長期的良性競爭，以達到更好的成效。

Indicators that are publically available and used for objective assessments also provides for transparency. This leads me back to the topic – human rights indicators. I will elaborate on the construction and development of human rights indicators in the EU under the following headings:

1. What are human rights indicators?
2. Why human rights indicators are not always used but why they should be used
3. How the EU uses indicators generally and human rights indicators more specifically
4. Some concrete examples of how human rights indicators are used in the EU
5. A checklist for establishing human rights indicators

公開運用及客觀評估的指標可使資訊透明化。從這角度切回主題——人權指標，我將依照下列主題介紹歐盟人權指標之建立暨發展：

1. 什麼是人權指標？
2. 為何人權指標尚未完全普及？又為何應推廣並運用？
3. 歐盟如何普遍運用指標？又如何具體施行人權指標？
4. 歐盟人權指標運用實例
5. 訂定人權指標檢核表

What are human rights indicators?

什麼是人權指標？

We all know what indicators are – something that indicates a certain situation or development. Indicators are typically populated with data or information, such as 3 or 5 or yes or no. Human rights indicators are simply indicators that enables an assessment of the human rights situation. 所謂的指標，係用於表明某種情況或發展情形。指標內容多為數據資料或資訊，例如 3 或 5、是或否。人權指標就是用以評估人權發展程度的指標。

Human rights-based approach to indicators

以人權為基礎的指標

So we know what human rights indicators are, but what is a human rights approach to indicators? Human rights indicators are not only good indicators in existence but indicators that come into existence through a good process. This process must build on a wide and representative participation from across the society, with genuine input to ensure that the indicators are as good and credible as at all possible. This process must also be transparent to

provide for assurances that participation is wide and genuine, and that the overall approach to indicators is human rights-based and not mere window-dressing.

現在我們已了解何謂人權指標，但何謂以人權為基礎的指標呢？人權指標不僅是現有的優良指標，更是透過正確程序而訂定的指標。訂定過程必須奠基於社會全體廣泛且具代表性的參與，以及實質投入的基礎上，以確保指標的完善、公正且可實行。此過程應公開透明，使各領域階層皆能實質參與，並保證指標的整體實施辦法是基於人權，而不會流於表面。

A rights based approach to indicators also requires the indicators to be linked to international standards, so as to provide for a solid benchmark by which to assess the human rights performance. We will return to how to capture this linkage under the next subheading.

以權利為基礎的指標應與國際標準連結一致，以作為評估人權落實的基準。我們將在下個子標題進行這部分說明。

A penultimate point, a rights-based approach to indicators requires the formulation of the indicators to be capturing actual rights the state (or entity) has committed to. This could be with an indicator on the performance of, say, the right to freedom of expression. It could be done with an indicator that directly captures this or a proxy indicator that show us something as close as possible to the actual situation but where a proxy is needed in order to ensure that there is data available or feasible to populate the indicator.

第二點，以權利為基礎的指標，應在建構指標時，能呈現國家（或實體單位）所承認的實質權利，例如關於言論自由的人權發展指標。該指標可以是直接呈現實際情形的指標或能盡量呈現真實情形的替代性指標，以確保可蒐集到資料或指標可達成。

This leads to the last point under this sub-heading, the need for a rights-based approach to indicators to also identify data gaps in a transparent way and to work towards filling the gap. This could be through a process of realizing that the ideal indicators cannot be populated with data or information in the short term and that efforts have to be made to find a way to capture the situation so that at least a meaningful proxy indicator can be achieved.

此子標題的最後一個重點是，以權利為基礎的指標實施時，應能以公開透明的方式辨別資料差距、逐步調整資料精準度。當發現無法在短期使用資料或資訊建立理想指標時，至少應致力於呈現實際情形，建立有效的替代性指標。

How to capture the range from commitment through compliance to actual enjoyment?

如何確立範圍，使人權從承諾將遵守到享有實質權利逐步落實？

Human rights indicators should capture the human rights situation, but what is this? Is it the extent of commitment to human rights or something more? How can commitments be captured and even more so, how could actual compliance be?

人權指標應能精準反映人權發展程度，但實際上如何可得？是否需要承諾落實人權指標（註：如另立人權法案），或還有其他方式？而對於人權指標的承諾該如何落實，實務上又該如何執行？

The human rights situation could be visualized as a sphere. In order to usefully capture the various dimensions of the sphere, it is possible to divide it in different ways into several constituting pieces (or a cake, which can be cut up in different ways!). The description of these pieces would highlight the key characteristics that jointly constitutes the sphere. A system for the how to undertake the division would provide for a methodology.

我們可以將人權發展想像成一個球體，為了能從各種角度掌握這個球體，可將其用不同方式劃分為幾個組成項目深入討論（或也可想像成一個蛋糕，可用不同方式分割！）。關於組成項目的敘述，將突顯出組成這個球體的重要特徵。而劃分組成項目的方式也將訂出一套人權發展的落實方法。

The United Nations Human Rights Office has developed such a methodology. It captures the range from commitments to compliance, and the perspectives, from duty bearers to rights holders. The following figure explains this three-pronged approach: structural, process, and outcome levels. This methodology has several advantages, including providing for needed transparency on the commitment made, efforts undertaken, and actual results on the ground - how the rights are enjoyed.

目前聯合國人權辦事處已發展出一套完整的方法，涵蓋了從承諾到實施、從責任承擔者到權利持有人等不同立場，均規範其中。下圖揭示人權落實的三大層面：結構、過程以及結果。此套方法有數個優點，例如使立約過程、投入成本以及實際成效公開透明，反映如何實際享有人權。

The indicator framework of Structural-Process-Outcome

結構-過程-結果之指標架構

Structural	Legal, policy and institutional framework	Commitment	Commitment to international human rights law Legislation in place Policies, action plans, guidelines, etc adopted Institutional framework Complaint and support mechanisms exists	Duty bearers
Process	Policy implementation, effectiveness of complaints and support systems	Effort	Budgetary allocations Implementation of policies, action plans, guidelines, etc Effectiveness of complaint and support mechanisms	Duty bearers
Outcome	Situation on the ground – rights realized in practice	Results	Actual awareness of rights Actual impact of policies and other measures Actual occurrence of violations Comparative data	Rights holders
結構	法律、政策、組織架構	承諾	致力於國際人權法案 實際立法 採用政策、執行計畫、指導原則等 組織架構 建立投訴及協助機制	責任承擔者
過程	施行政策、投訴及協助機制的有效性	投入	預算分配 政策執行、行動計畫、指導原則等 投訴及支援機制之有效性	責任承擔者
結果	實際情形—權利落實成果	結果	對權利的實際認知 政策及其他措施的實際影響 侵犯人權的真實案件 比較資料	權利持有人

What should actually be measured?

應衡量事項

What then should be measured? As seen in the previous figure, the structural dimension should capture aspects like the legal, policy and institutional framework. This includes the link to the international human rights instrument, and could be an implementing law and an institutional set up, such as a mechanism to ensure implementation or to receive complaints of non-implementation. This is the commitment.

實際應衡量的項目究竟有哪些？如上圖所示，在結構層面應規範法律、政策及組織架構等。其中包含與國際人權文書同步，或是貫徹法規、成立組織，作為確保執行成效或受理未依法執行之投訴的機制。就是所謂的法案。

The process dimension would look at the effort made to realize the commitment. This could be budgetary allocation, strength of action plan or such to ensure implementation or the effectiveness of a complaints mechanism. The commitment and the effort put into this both relate to the duty bearers' role - typically a state but also other entities, such as local governments or supra-national organizations like the European Union.

在過程層面，則著重於實踐法案的努力。可能包含預算分配、執行計畫強度，或確保執行進度或投訴機制的有效性。法案及投入皆屬於此範疇，且與責任承擔者息息相關——主要是國家，但也包含其他單位，例如地方政府或歐盟等跨國組織。

The third dimension, on the contrary, is about the rights holder's perspective - typically the persons in a country - and how they actually enjoy the rights. This could relate to actual awareness of rights, experience of action flowing from policies, to the existence of complaints. This dimension is about the results and completes the three-pronged methodological approach from structural through process to outcome - commitment, effort and results.

相反地，第三個層面則是從權利持有人的觀點出發——通常是人民，以及人民如何能實際享有權利。這部分多關乎對權利的實際認知、從政策執行流程到投訴產生。此層面著重於成效，以及落實結構-過程-結果三大層次的執行成果。

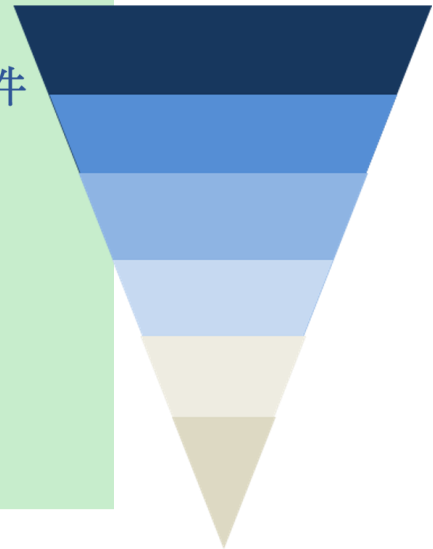
A remark on complaints data is relevant in the context. The number of complaints should be considered with caution, and must be extensively contextualized to give a genuine picture. Not only is a low level of complaints not necessarily positive (there could be procedural or cultural reasons that keeps it low) and high level negative (this could be due to a high awareness or procedural incentives), complaints in themselves is potentially only the tip of an iceberg. The so called attrition pyramid in the figure below seeks to explain this (with an example given in relation to crime).

對於投訴資料的解讀與整體環境相關。處理投訴件數需謹慎，且應能完整還原實際情形，以了解人權落實程度。投訴案件少，不一定代表人權發展成熟（有可能是程序或文化因素使然），案件多也不一定代表落後（可能出於對人權的高度認知或程序上的鼓勵機制），投訴本身反映的很可能僅是冰山一角。下圖為解釋此現象的損耗金字塔（以犯罪為例）。

The ‘attrition pyramid’ – the example of crime

損耗金字塔——以犯罪為例

- **All incidents** 全部案件
- **Reported to the police** 民眾主動通報案件
- **Recorded by the police** 警方紀錄案件
- **Arrest made** 逮捕
- **Person charged** 起訴犯人
- **Prosecution** 刑事控訴
- **Conviction** 有罪判決



While complaints data can be easy to collect, the actual experience of say, discrimination, may be much wider with only few cases actually being reported and even fewer leading to a remedy of some sort for an aggrieved person.

A range of types of data and information should be considered, including:

- Administrative
- Survey based
 - Perception
 - Experience
- Format
 - Large scale, random sample, ...
 - ‘Less objective’ – business peoples’ views on ...
- Complaints-based

雖然投訴資料可能很容易蒐集，但依實際經驗，受到歧視的案例通常更為廣泛，事實上，只有少數案例會進到投訴程序，最後能對受害人稍為補償的又更少了。

應納入考量的資料與資訊範圍，包含：

- 行政管理
- 有研究調查基礎的
 - 感知
 - 經歷
- 格式
 - 大規模、隨機採樣.....
 - 「較不客觀」——從商業人士的觀點出發
- 以投訴案例為基礎

The temptation of just looking at complaints data in turn leads to the attractiveness of measure the measurable only, or even the things that are the most easily measured. It is important to, again, in a transparent way have ambitious indicators that would be ideal to capture a situation, but where populating these may for the time being not be feasible. A proxy indicator or indicators may have to be used instead but the ambition should remain.

若僅考量於投訴案件數，則可能忽略其他無法被量化衡量的現象，甚至是其他普遍可見的情形。以透明的方式制定有意義、理想的指標，以充分呈現實際情形是很重要的。然而理想的指標，可能並非短期內可制定完成，因此將需要使用能達到同樣效果的替代性指標。

A final concern under this sub-heading would be that set indicators could lead to action focused on improving factors influencing these indicators only rather than a more holistic and genuine effort. Dynamic or evolving indicators could address this, with indicators not being consistent over time. But better is likely to use stick to clear and known 'KPIs', with good indicators that capture central features that contributes to a broad and genuine implementation.

此子標題中最後一個應考量之處，在於設定指標這件事本身，將可能使施政只著重於能影響指標的因素，而非全面性地提升人權發展。針對此疑慮，可使用非長期固定的動態或變化指標。若情況合適，盡可能還是使用固定且明確的關鍵績效指標。使用良好的指標，將可反映人權普及與落實的核心要素。

Important in conclusion on what human rights indicators are, is to recall that they are indicators, and as such they indicate. A context is typically needed to get the full picture. At least, indicators help to reduce the complexity and bring measurable focus to action.

總結以上，最重要的是，人權指標正因具代表性，才有作為指標的意義。其內容應能反映全貌，或至少能減少複雜性，使政策能專注於可衡量的要素。

Why human rights indicators are not always used but why they should be used

為何人權指標尚未普及？又為何應採用人權指標？

While we all use indicators in various contexts, usage for human rights is not as common. Why so? There could be several reasons why human rights indicators are not frequently used:

- International human rights are to an extent limiting the sovereign powers of a state and thus, greater flexibility could be achieved by not being as transparent
- Awareness of human rights and indicators could be low
- There could be a perception that human rights cannot be measured
- Absence of data to populate indicators can be an issue
- There is a perceived risk that attention will be put on the indicators only, and not on the actual enjoyment of rights

我們在各領域中都有使用指標，為何在人權領域這方面卻不普及？以下為可能的因素：

- 國際人權發展在某些程度上會限制國家權力，因此越不公開透明，政府權力就越大。
- 對人權和指標的認知不足。
- 可能有”人權無法測量”的觀念。
- 缺乏建立指標的量化資料。
- 可能存在僅關注指標本身，但實際上未享有權利的風險。

However, similar reasons could almost be listed as why human rights indicators should be used:

- Given the sensitivity of human rights, objective and transparent use of indicators would ensure that a government is not selective about human rights but rather embraces the ‘restrictions’ on its sovereignty to actually boost the sovereignty through enhanced legitimacy internally and externally
- Awareness of the importance of human rights as well as indicators is growing
- Human rights can be measures – something I will return to
- There is a range of data available and various ways to capture developments
- While indicators certainly only indicate, well-designed and transparent used of indicators can mitigate selectivity and ensure a comprehensive approach

Thus, human rights indicators should arguably be used more extensively than they commonly are.

然而，正因為上述的類似因素，才更應使用人權指標：

- 由於人權的機敏性，使用指標才能確保政府客觀與公開透明，並非選擇性地釋出人權，而是藉由限制政府權力，以合法性穩固對內及對外的政權，以實質提升主權。
- 對人權和指標重要性的認知不斷提升。
- 人權是可以被量化的——我之後會解釋這部分。
- 有很多種可取得的數據資料，能反映人權發展。
- 因為指標僅作為標示，採用設計良好且公開透明的指標，能降低選擇性並確保整體政策落實。

因此，人權指標的使用應更加普及推廣。

How the EU uses indicators generally and human rights indicators more specifically

歐盟如何使人權指標的使用更普及且具體呢？

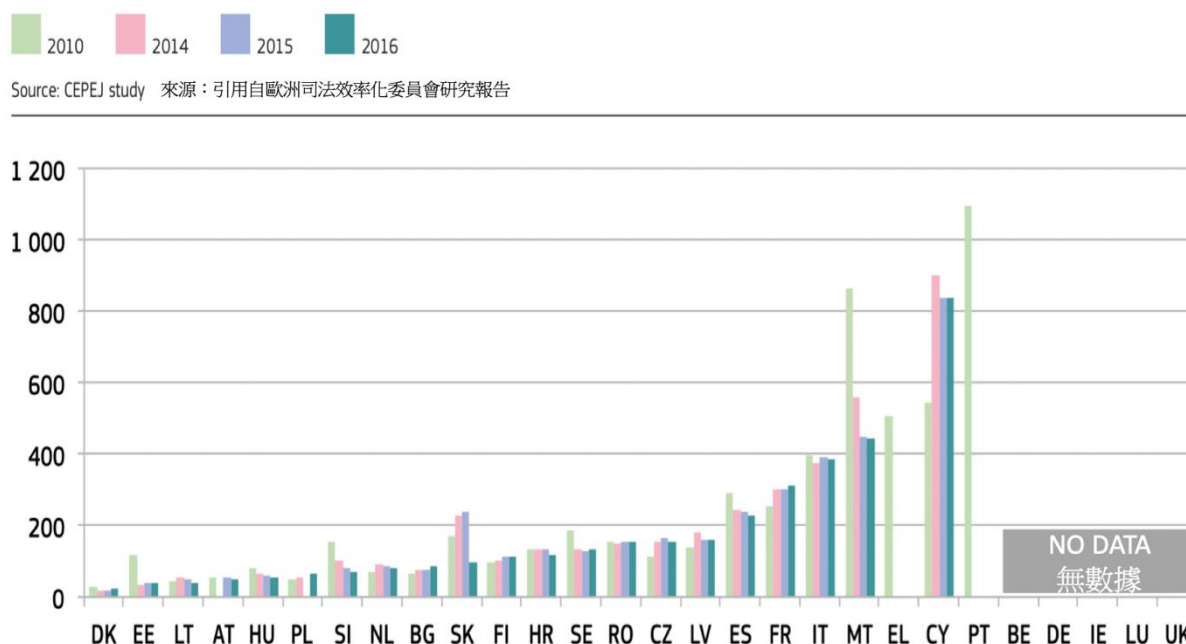
The European Union uses indicators in a range of policy areas, bringing focus and attention to issues in a way that allows for quick access to the situation, and comparison over time and between entities. Many examples could be given but a case in point could be the EU Justice Scoreboard, which was introduced a few years ago and has since been expanded on and refined.

It seeks to capture the performance of the justice systems in the EU Member States by looking at features such as trust in courts, the extent of technology used in courts, and judicial independence.

歐盟在許多政策領域皆使用指標，不僅能使議題得到關注、快速理解情況，更有利於長期、實體之間的比較。關於這部分有許多案例可以參考，其中以幾年前導入，如今已推廣並發展成熟的歐盟司法評分制度最具代表性。此制度評估項目包含對法院的信任度、法院運用科技程度，以及司法獨立程度，以反映歐盟成員國的司法系統績效。

EU Justice Scoreboard 2018: time needed to resolve civil, commercial, administrative and other cases (1st instance/in days)

2018 年歐盟司法評分表：終結民事、商業、行政和其他案件所需時間（第一審/以日為單位）



國家代碼：

DK 丹麥	EE 愛沙尼亞	LT 立陶宛	AT 奧地利	HU 匈牙利	PL 波蘭	SI 斯拉維尼亞
NL 荷蘭	BG 保加利亞	SK 斯洛伐克	FI 芬蘭	HR 克羅埃西亞	SE 瑞典	RO 羅馬尼亞
CZ 捷克	LV 拉脫維亞	ES 西班牙	FR 法國	IT 義大利	MT 馬爾他	EL 希臘
CY 賽普勒斯	PT 葡萄牙	BE 比利時	DE 德國	IE 愛爾蘭	LU 盧森堡	UK 英國

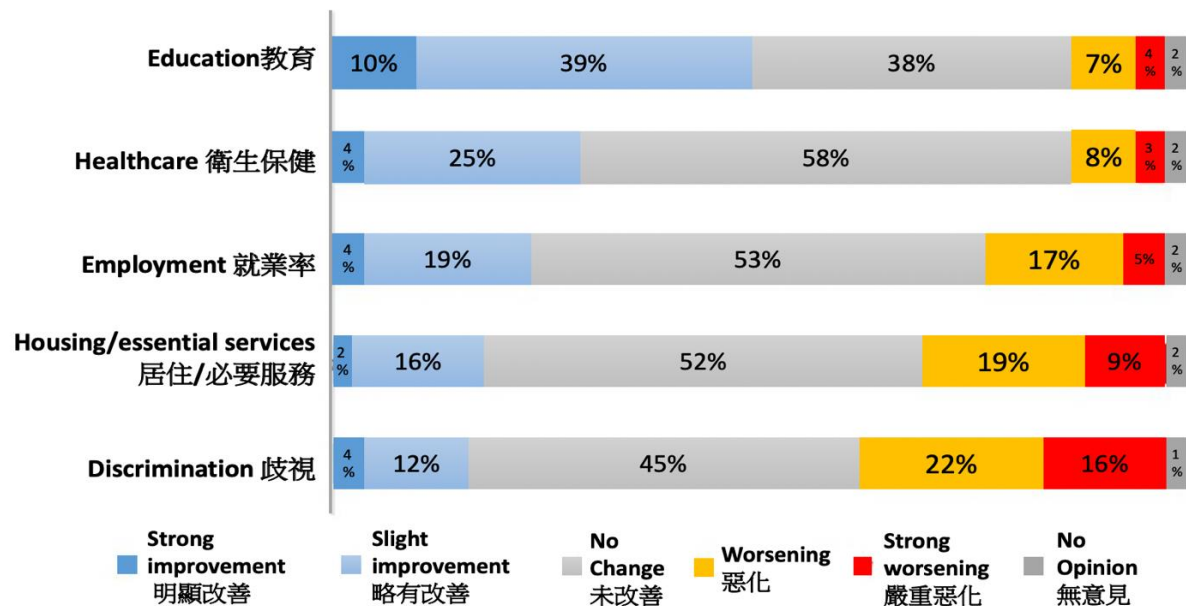
出處：https://ec.europa.eu/info/sites/info/files/justice_scoreboard_2018_en.pdf

The leading example of how indicators are used in relation to human rights in the EU comes from the area of discrimination, where EU policy is driven greatly by the use of indicators for the minority groups of Roma and Sinti.

如何將指標用於歐盟人權相關領域的首要範例，就是在歧視領域——為保護少數民族的羅姆人與辛提人，在指標的推動下有效施行歐盟政策。

2018 evaluation of the EU Framework for National Roma Integration Strategies up to 2020

2018 年至 2020 年歐盟協助羅姆人融入社會策略之評估



出處: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018DC0785&from=EN>

Some concrete examples of how human rights indicators are used in the EU 歐盟人權指標運用案例

More specifically, how is the European Union Agency for Fundamental Rights using indicators and how are selected EU Member States going about this?

更具體而言，歐聯基本權利署（FRA）是如何推行指標，而選定的歐盟成員國是如何執行？

FRA applies the framework of Structural-Process-Outcome indicators and based on its practice has come to include certain aspects within the three dimensions, some of which are EU-specific. The following figure provides an overview

FRA 套用前述「結構-過程-結果」指標架構，並以此架構為基礎考量各層面，其中某些部分是歐盟特有的，如下圖所示。

FRA's practice of populating the Structural-Process-Outcome framework

FRA 訂定「結構-過程-結果」架構之做法

	FRA practice	FRA之做法
結構	<ul style="list-style-type: none"> - Formal acceptance of standards - Scope/content/timeframe of strategies, policies, action plans - Independence and mandate of monitoring - Transposition (EU) - Who can complain (standing) 	<ul style="list-style-type: none"> -正式採用標準 -策略、政策及行動計畫的範圍/內容/時程表 -監督的獨立性及授權 -依歐盟指令立法 -誰可以投訴（常設）
過程	<ul style="list-style-type: none"> - Number of complaints submitted - Budget allocation and trend - Sustainability of budget (source) - Awareness raising efforts (existence, scope, training) - Ease of reporting (reporting rate) - Infringement proceedings (EU) - FRA Roma: Input – Output 	<ul style="list-style-type: none"> -提出投訴件數 -預算分配及趨勢 -預算的可持續性（來源） -加強宣導（存在、範圍、訓練） -易於通報（通報率） -侵權訴訟（歐盟） -FRA羅姆人：建檔—結案
結果	<ul style="list-style-type: none"> - Number/proportion of respondents experiencing violations - Perception of human rights protection - Number/proportion aware of rights and policies - Reporting rate 	<ul style="list-style-type: none"> -經歷過人權侵害的受訪者數量/比例 -對人權保護的感受 -權利與政策的認知數量/比例 -通報率

FRA's most developed work on indicators is related to rights of persons with disabilities² but also non-discrimination of Roma people³ – in these areas the indicators have also been populated. Other areas where FRA has suggested indicators include the rights of the child⁴ and victims of crime^{5,6}. In addition, the Agency has provided an online overview of commitments of EU Member States to international human rights instruments⁷ and is developing a more advanced tool,⁸ which in addition to details on commitments, will also include compliance, as assessed by international human rights monitoring mechanisms. The figure below provides an overview of the potential of this tool.

FRA 指標發展最成功的部分是身心障礙者權利²及羅姆人歧視³問題，歐盟在這兩個領域皆訂定了指標。同時，FRA 使用指標的領域還包含兒童權利及犯罪受害者人權^{5,6}此外，FRA 已供歐盟會員國線上瀏覽歐盟會員國致力於國際人權文書⁷，並將研發更先進的工具⁸，除了建有承諾的細節，還可以藉由國際人權監督系統評估其遵守人權指標的程度。由下圖可一覽此工具的潛在用途。

² 例如：<https://fra.europa.eu/en/project/2014/rights-persons-disabilities-right-independent-living/indicators> 與

<https://fra.europa.eu/en/publication/2014/indicators-right-political-participation-people-disabilities> 以及近期的

<https://fra.europa.eu/en/publication/2017/independent-living-structures>

³ <http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-results-2011-roma-survey>

⁴ <https://fra.europa.eu/en/publication/2012/developing-indicators-protection-respect-and-promotion-rights-child-european-union>

⁵ <https://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

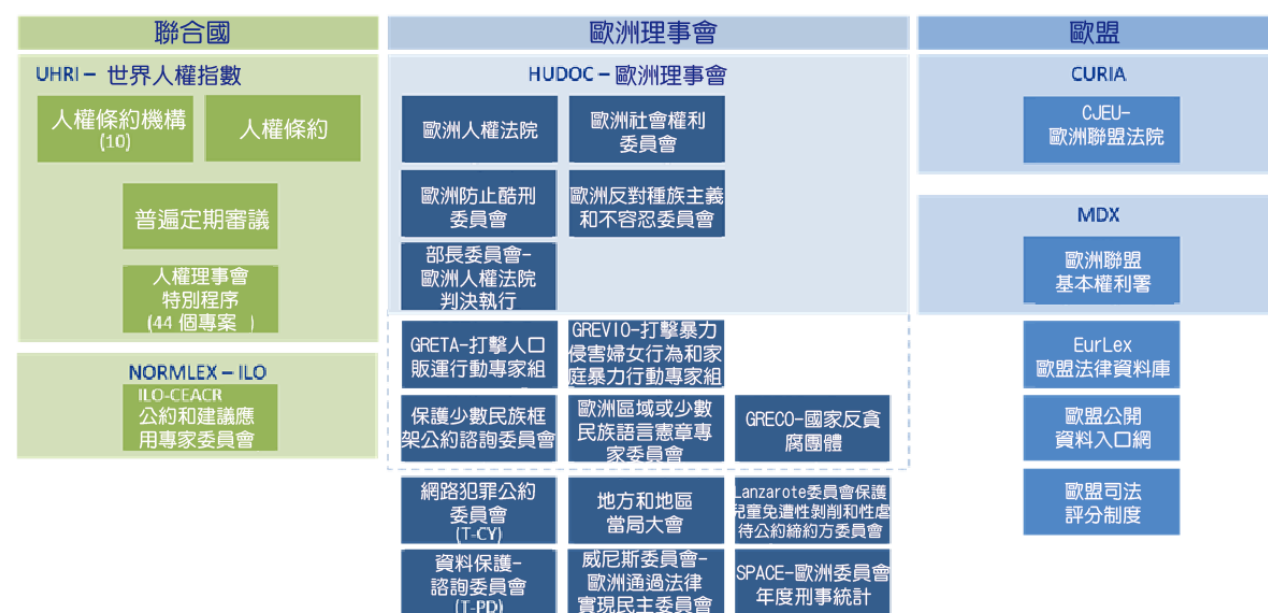
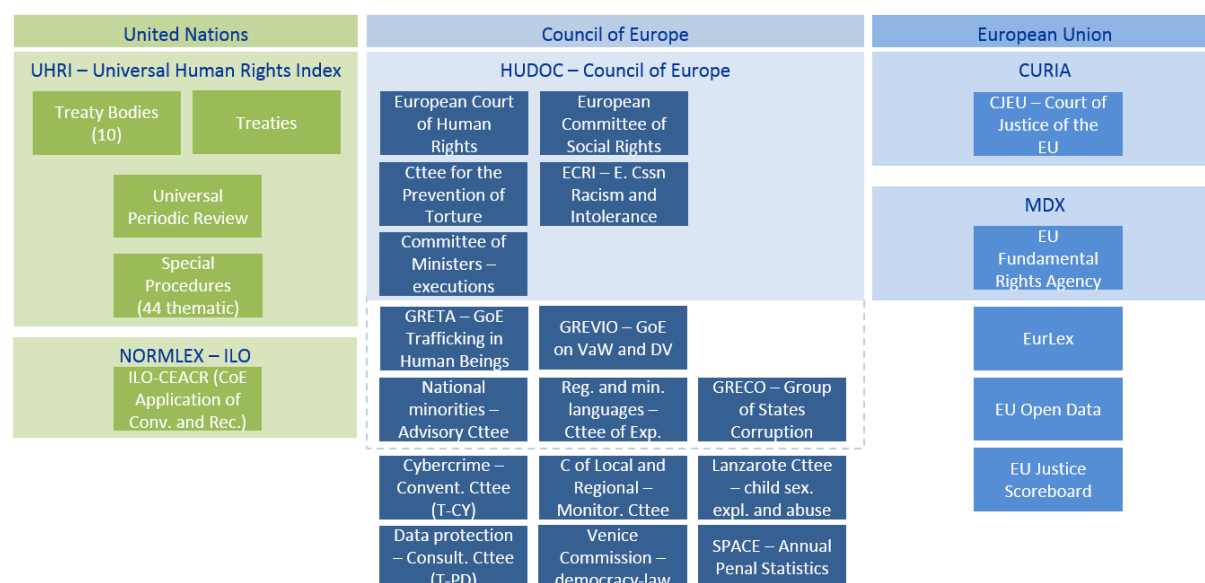
⁶ 2011 年歐盟基本權利署研討會總結 FRA 初步方案，請見：<https://fra.europa.eu/en/publication/2012/fra-symposium-report-using-indicators-measure-fundamental-rights-eu-challenges-and>

⁷ <https://fra.europa.eu/en/publications-and-resources/data-and-maps/intobsun-0?mdq1=theme&mdq2=3510>

⁸ <https://fra.europa.eu/en/project/2018/eu-fundamental-rights-information-system-efris>

Potential inclusion on monitoring mechanisms, into FRA's tool 'European Union Fundamental Rights Information System' (EFRIS)

監督機制在 FRA 工具「歐洲聯盟基本權利資訊系統(EFRIS)」中的潛在用途



In response to a request from the European Parliament, FRA has also issued an Opinion on how to measure human rights by drawing on the existing international human rights monitoring mechanisms.⁹ FRA's extensive large-scale surveys are important to capture experiences and perception of actual enjoyment of rights (related to the Outcome-level of the Structural-Process-Outcome framework).¹⁰

⁹ <https://fra.europa.eu/en/opinion/2016/fra-opinion-eu-shared-values-tool>

¹⁰ 範例請見 <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-second-eu-minorities-discrimination-survey?mdq1=dataset>

為回應歐洲議會的要求，FRA 已發表意見——如何藉由既有的國際人權監督機制⁹ 量化人權發展程度。FRA 廣泛且大規模的研究調查，對於反映實質享有人權的經歷與感受即為重要（與「結構-過程-結果」這個架構的結果有關）¹⁰。

Apart from the work of FRA, the EU is using indicators in relation to human rights when it comes to the rule of law in accession countries¹¹ and for gender equality¹². Among the EU Member States, the United Kingdom, Finland, and Sweden are the most relevant examples of good practices.

除了 FRA 的執行工作，歐盟在加入國的法治¹¹ 及性別平等方面¹²，也採行人權相關指標。在歐盟成員國中，英國、芬蘭和瑞典在實務運作上可作為相關典範。

A checklist for establishing human rights indicators

1. The process matters – transparency and participation in identification and population of indicators
2. Capturing the range from commitment to compliance, including actual enjoyment
3. Ideal indicators as a starting point
4. Consider complaints based data carefully
5. Survey-data based on sentiments is important – experience and perception

訂定人權指標的檢查表

1. 過程重要事項透明度和參與識別及指標的對象總體。
2. 描述範圍從承諾到遵守，到權利實質享有。
3. 從理想的指標開始發想。
4. 謹慎分析投訴的資料。
5. 基於觀點的調查資料很重要——經歷與感受。

¹¹ <http://www.fp7-frame.eu/wp-content/uploads/2016/08/12-Deliverable-13.1.pdf> (參考附件 II)

¹² <https://eige.europa.eu/gender-equality-index>