

- FRA
- Human rights indicators
- Application
 - EU
 - EU-FRA
 - Nationally
 - Regionally & locally
- Lessons learned

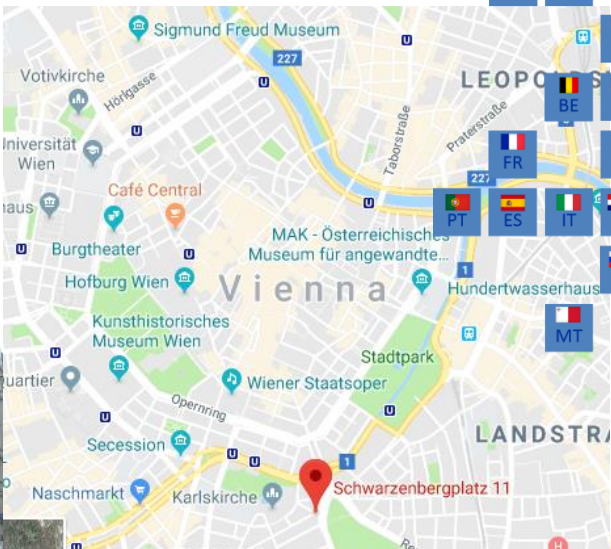


Sharing experiences – Human rights indicators in the EU

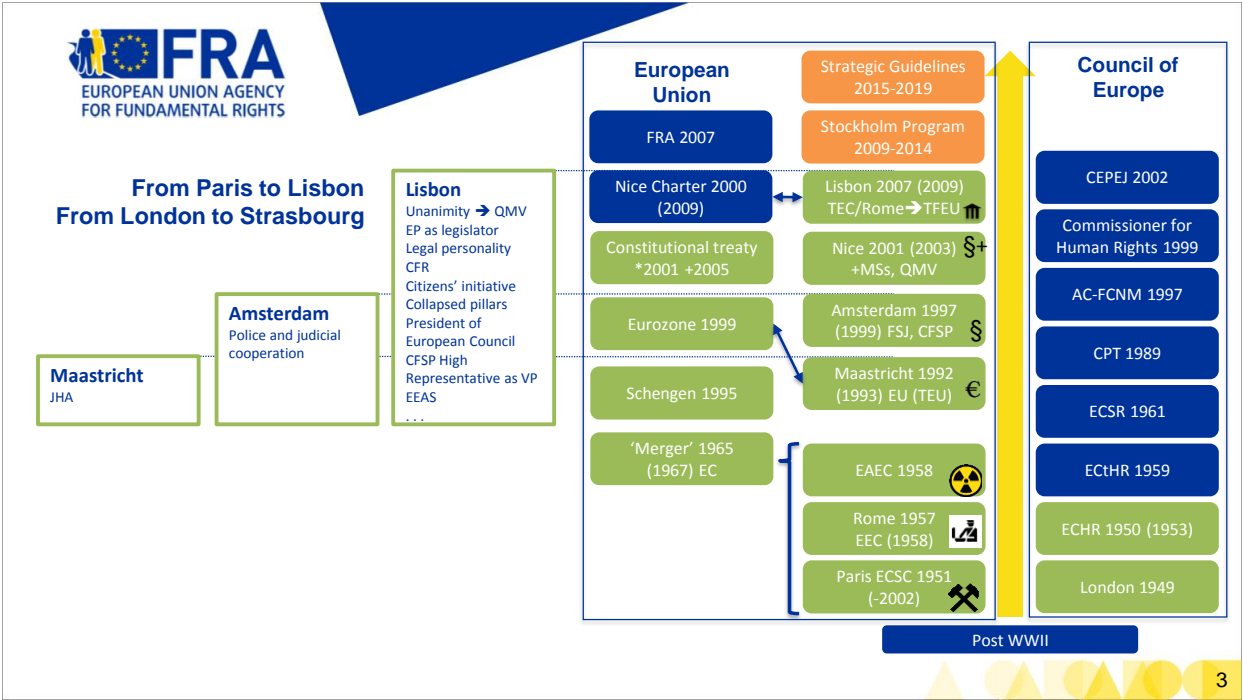
Dr Jonas Grimheden
30–31 January 2019

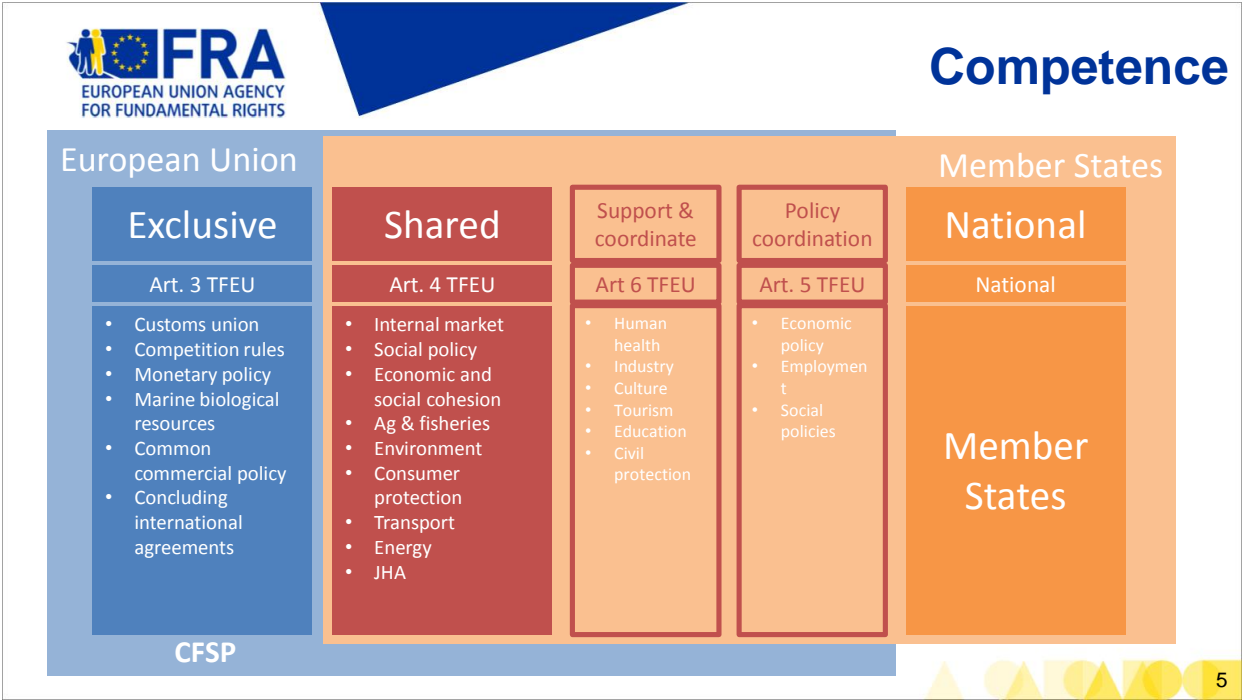



EU’s human rights
advisory body – an
‘NHRI’ for the
European Union

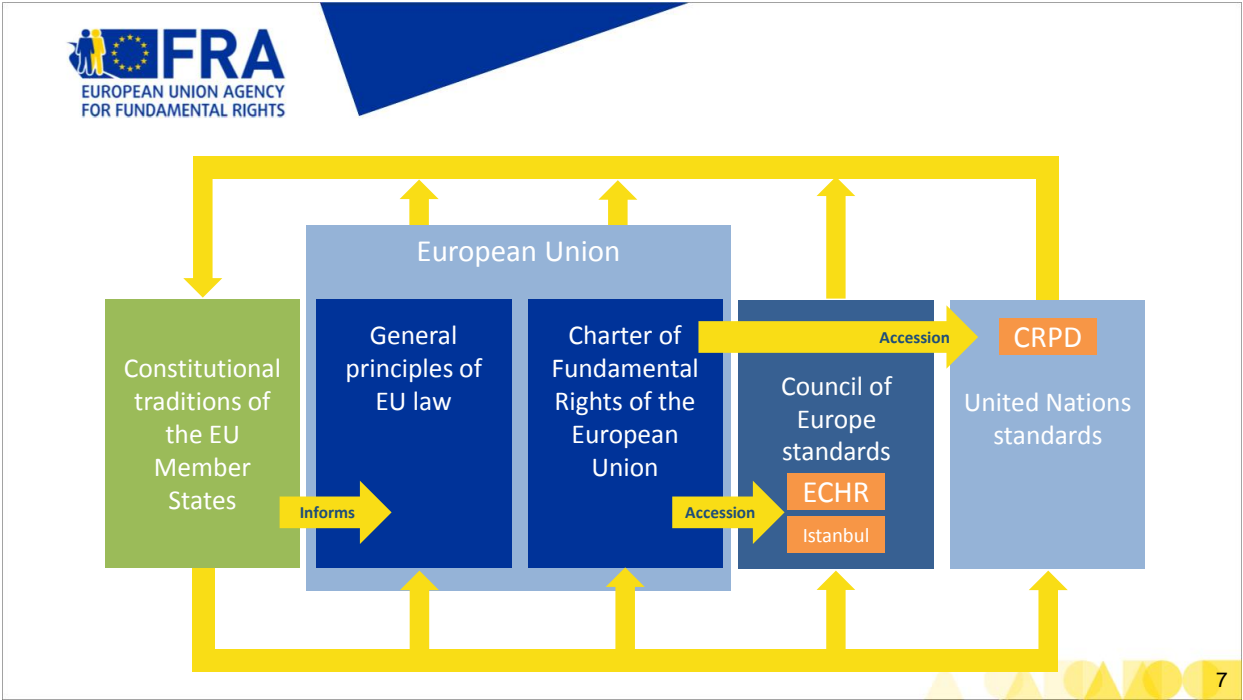


28+2+1-1?

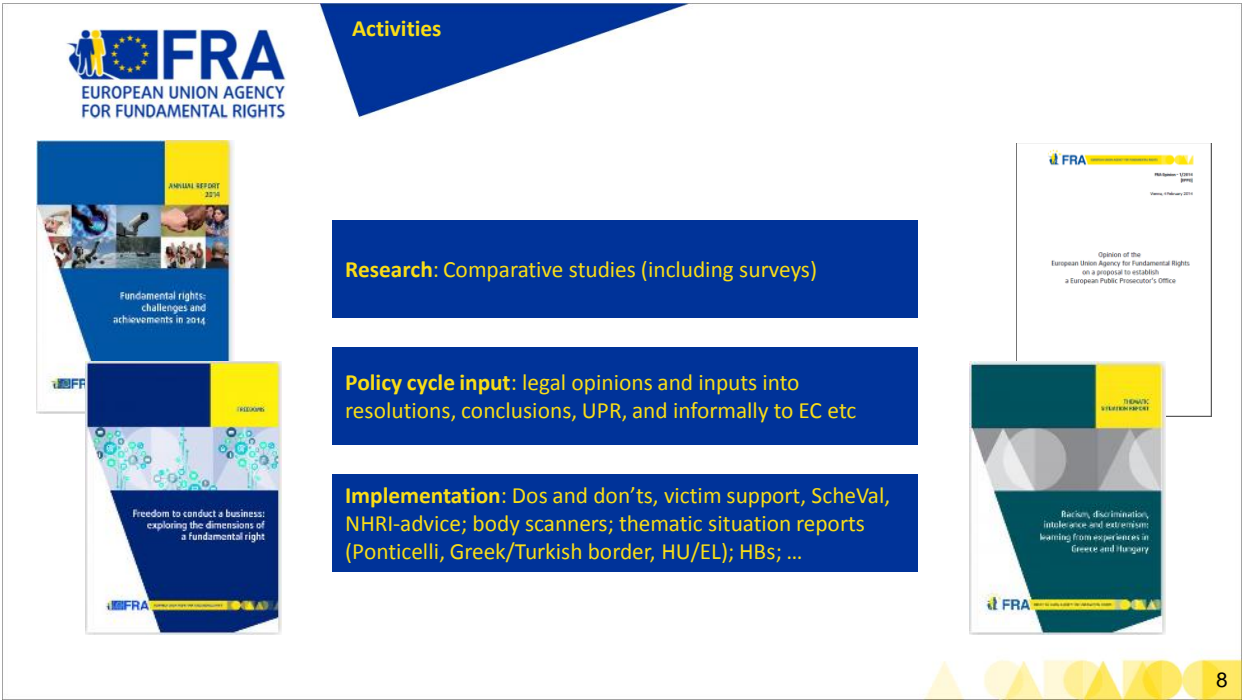




							
Preamble	Peace – common values	Universal values	Diversity, etc	Rights more visible	Reaffirms const. and int'l rights	Rights, duties, responsibilities	Rights, freedoms and principles
I Dignity (Articles 1–5)	1 Human dignity	2 Life	3 Integrity of the person	4 Torture; inhuman, degrading treatment	5 Slavery and forced labour		
II Freedoms (Articles 6–19)	6 Liberty and security	7 Private and family life	8 Personal data	9 Marry and found family	10 Thought conscience and religion		
	11 Expression and information	12 Assembly and association	13 Arts and sciences	14 Education	15 Choose occupation and engage in work		
	16 Conduct a business	17 Property	18 Asylum	19 Removal, expulsion or extradition			
III Equality (Articles 20–26)	20 Equality before the law	21 Non-discrimination	22 Cultural, religious and linguistic diversity	23 Equality: men and women	24 The child	25 Elderly	26 Integration of persons with disabilities
IV Solidarity (Articles 27–38)	27 Workers right to info. and consultation	28 collective bargaining and action	29 Access to placement services	30 Unjustified dismissal	31 Fair and just working conditions		
	32 Prohibition of child labour; prot. at work	33 Family and professional life	34 Social security and assistance	35 Health care	36 Access to services of economic interest	37 Environmental protection	38 Consumer protection
V Citizens' rights (Articles 39–46)	39 Vote and stand as candidate to EP	40 Vote and candidate at municipal elections	41 Good administration	42 Access to documents	43 European ombudsman	44 Petition (EP)	45 Movement and residence
	46 Diplomatic and consular protection						
VI Justice (Articles 47–50)	47 Effective remedy and fair trial	48 Presump. innocence; right of defence	49 Legality and prop. of offences and penalties	50 Ne bis in idem			
VII General provisions (Articles 51–54)	51 Application	52 Scope and interpretation	53 Level of protection	54 Prohibition of abuse of rights			



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FRA and indicators

- Comparable data - methodologies
- European Parliament request for Opinion on how to measures ‘values’
- Identify problems and solutions
- Comparison between countries and over time
- Impact assessment of policies
- Rights of the child, disability, Roma, victims of crime
- Surveys
- Stakeholder/expert meetings



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What are human rights indicators?

- Key Performance Indicators – corporations and others
- Indicating
 - Context needed
 - ‘Direct’ or ‘proxy’
- Human rights-based
 - Process of developing – participatory, transparent, etc
 - Based on or linked to human rights obligations / rights
- Capturing commitment to compliance
 - Duty bearers and rights holders

Structural	Legal, policy and institutional framework	Indicators that measure the existence of a legal, policy and institutional framework that is in line with the EU Charter of Fundamental Rights and the UN Human Rights Treaty Obligations	Structural
Process	Policy-making process, implementation and monitoring	Indicators that measure the quality of the policy-making process, the implementation of policies and the monitoring of their impact	Process
Outcome	Results and impact of policies	Indicators that measure the results and impact of policies on the enjoyment of fundamental rights	Outcome



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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

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Complaints data – opportunities and risks

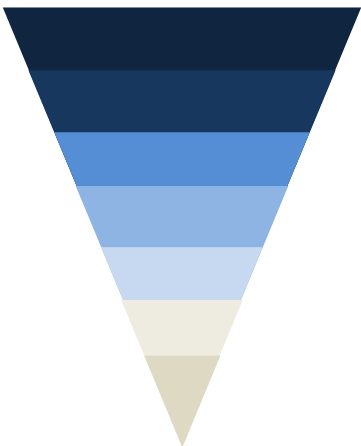
- e.g. European Court of Human Rights – number of:
- Complaints – good or bad?
- Cases in favour of complainant?
- Non-repeat cases (new issue)
- Significant cases
 - Path-breaking (jurisprudential)
 - ‘Life’ of complainant v. allowed to, e.g., get drivers license back

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Attrition – crime

- All incidents
- Reported to the police
- Recorded by the police
- Arrest made
- Person charged
- Prosecution
- Conviction



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Reasons for victims not reporting to the police



- Fear of having to leave country
- Low rights awareness
- Being jobless is worse than current situation



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‘Populating’ indicators – types of data

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

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Best indicator or available data?

- Strive for the ideal
- Compromise with the best available – proxy (proxies)
- Seek ways to get the ideal
- Refine and revisit
- Consistency, still (comparison, credibility)
 - Risk of adapting to ‘please’ indicators only

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Why not always used

- Limiting sovereign powers of a state
- Less flexibility
- Low awareness of human rights and indicators
- Perception that human rights cannot be measured
- Absence of data to populate indicators
- Perceived risk that attention will be put on the indicators only, and not on the actual enjoyment of rights

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... but why should be

- Embraces the 'restrictions' on sovereignty to boost the sovereignty through enhanced legitimacy internally and externally
- Awareness of human rights and indicators is growing
- Human rights can be measures
- There is a range of data available and various ways to capture developments
- Well-designed and transparent use of indicators can mitigate selectivity and ensure a comprehensive approach

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Discuss – person(s) next to you

- Are there additional, ‘specific Taiwanese’ reasons why indicators have not been used more extensively to date?



Sustainable Development Goals

1	Poverty	1
2	Hunger	2
3	Health and well-being	3
4	Education	4
5	Gender equality	5
6	Water and sanitation	6
7	Energy	7
8	Work and economic growth	8
9	Industry, innovation and infrastructure	9
10	Reduced inequalities	10
11	Sustainable cities and communities	11
12	Responsible consumption and production	12
13	Climate action	13
14	Life below water	14
15	Life on land	15
16	Peace, justice and strong institutions	16
17	Partnerships for the goals	17

OHCHR – indicators for selected rights

1. Liberty and security of person
2. Adequate food
3. Health
4. Torture
5. Participate in public affairs
6. Education
7. Adequate housing
8. Right to work
9. Social security
10. Freedom of opinion and expression
11. Fair trial
12. Violence against women
13. Non-discrimination and equality
14. Life

	Arbitrary deprivation of life	Disappearance of individuals	Health and nutrition	Death penalty
Structure	<ul style="list-style-type: none">• International human rights treaties relevant to the right to life called by the State• Date of entry into force and coverage of the right to life in the constitution or other form of superior law• Date of entry into force and coverage of domestic laws for implementing the right to life• Type of coordination of national human rights institutions by the rules of procedure of the International Coordinating Committee of National Institutions	<ul style="list-style-type: none">• Date of entry into force and coverage of habeas corpus provision in the constitution	<ul style="list-style-type: none">• Time frame and coverage of national policy on health and nutrition	<ul style="list-style-type: none">• Number of substantial administrative entities that have abolished death penalty• Type of entry into force and coverage of safeguards for those facing death penalty (including minimum age (age limit), number of young children, disability)
Process	<ul style="list-style-type: none">• Proportion of received complaints on the right to life investigated and adjudicated by the national human rights institution, human rights ombudsman or other mechanisms and the proportion of these responded to effectively by the Government• Proportion of communications from the Special Rapporteur on extrajudicial, summary or arbitrary executions responded to effectively by the Government in the reporting period• Proportion of law enforcement officials and judicial staff trained in rules of conduct concerning proportional use of force, arrest, detention, investigation and treatment of persons in custody• Proportion of law enforcement officials formally investigated for physical or non-physical abuse or crime that caused death or threatened life in the reporting period• Proportion of formal investigations of law enforcement officials resulting in disciplinary action or prosecution in the reporting period• Ratio of persons brought into formal contact with law enforcement authorities (i.e., suspected, arrested or detained) for alleged arbitrary deprivation of life / homicides (intentional and non-intentional) who are convicted• Proportion of persons brought into formal contact with law enforcement authorities for alleged disappearance / abduction to number of reported cases• Proportion of persons brought into formal contact with law enforcement authorities for alleged disappearance / abduction who are convicted	<ul style="list-style-type: none">• Proportion of communications from the Working Group on Enforced or Involuntary Disappearances responded to effectively by the Government in the reporting period• Proportion of cases where period of detention exceeded the legally stipulated time limit• Number of habeas corpus and similar petitions filed in courts in the reporting period, per 1000 persons detained• Ratio of persons brought into formal contact with law enforcement authorities for alleged disappearance / abduction to number of reported cases• Proportion of persons brought into formal contact with law enforcement authorities for alleged disappearance / abduction who are convicted	<ul style="list-style-type: none">• Proportion of population using an improved drinking water supply• Proportion of births attended by skilled health personnel• Proportion of population below minimum level of dietary energy consumption• Proportion of targeted population covered by public nutrition supplement programmes• Proportion of population using an improved sanitation facility• Proportion of unmet needs for communicable diseases (e.g., measles)• Proportion of disease cases detected and treated (e.g., tuberculosis)	<ul style="list-style-type: none">• Number of convicted persons on death row in the reporting period, in a specified date, including by age, sex, gangster, method used and nationality• Average time spent by convicted persons on death row• Proportion of accused persons facing capital punishment provided with access to a lawyer or legal aid• Proportion of convicted persons facing capital punishment exercising the right to have their sentence reviewed by a higher court• Reported cases of expulsion or imminent expulsion of persons to a country where they may face the death penalty
Outcome	<ul style="list-style-type: none">• Homicides (intentional and non-intentional) rate per 100,000 population• Number of deaths in custody per 1,000 detained or imprisoned persons by state of death (e.g., disease, violence, homicide)• Reported cases of arbitrary deprivation of life and death threats (e.g., as reported in the Special Rapporteur on extrajudicial, summary or arbitrary executions)	<ul style="list-style-type: none">• Reported cases of disappearance (e.g., as reported in the Working Group on Enforced or Involuntary Disappearances)• Proportion of cases of disappearance clarified by status of person at the date of clarification (e.g. liberty, in detention or dead)	<ul style="list-style-type: none">• Infant and under-five mortality rate• Maternal mortality ratio• Life expectancy at birth or age• Incidence of and death rates associated with communicable and non-communicable diseases (e.g., HIV/AIDS, malaria and tuberculosis)	<ul style="list-style-type: none">• Proportion of death sentences commuted (under death penalty)

All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in monitoring sheets

Linking up with global

- UN Committee on the Rights of the Child
 - Child rights indicators
 - Global Network of Research and Development Institutions (GNRDI)
 - Global Child (Canadian university-affiliated research institution)
 - S-P-O model in Canada first
 - FRA part of working group
- Refines 'attribute' of several clusters of CRC articles in order to develop a first set of 'structure' indicators, e.g.:
 - Protection from Violence (Arts. 19 and 34)
 - General Principles of the CRC
 - Non-discrimination (Art. 2)
 - Best interests of the child (art. 3)
 - Right to life and maximum survival and development (Art. 6)
 - Respect for the views of the child (Art. 12)



EU Justice Scoreboard

- 2018 – 6th edition

Figure 7

Time needed to resolve civil, commercial, administrative and other cases (*) (1st instance/in days)

2010 2014 2015 2016

Source: CEPEJ study



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

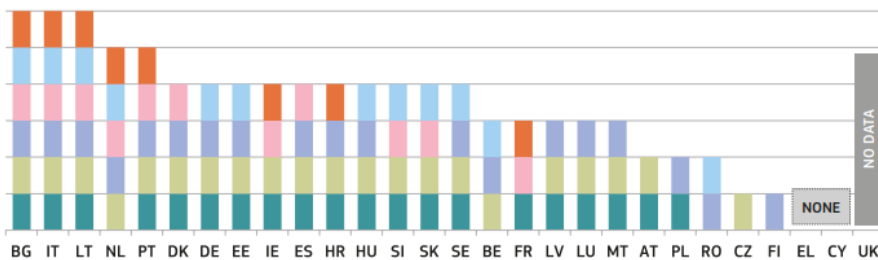


EU Justice Scoreboard

Availability of online information about the judicial system for the general public (*)

Webportal with online forms for the public and companies
Education on legal rights
Targetted information for non-native speakers
Targetted information for children
Targetted information for visually or hearing impaired
Interactive online simulation to assess eligibility for legal aid

Source: European Commission (**)

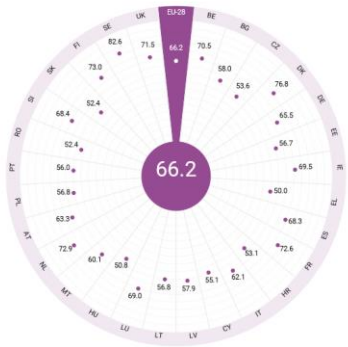






European Institute of Gender Equality (EIGE)

Index score (2015)
/ EU-28



Domain scores
Click on a domain to see data



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



Knowledge

Attainment and participation

72.1 ↑

Graduates of tertiary education (%) ⓘ

EU-28-W	24.3
EU-28-M	23.3

Source: Eurostat, EU LFS, 2015. Eurostat calculations according to EIGE's request.

People participating in formal or non-formal education (%) ⓘ

EU-28-W	16.9
EU-28-M	16.1

Source: Eurostat, EU LFS, 2015. Eurostat calculations according to EIGE's request.

Segregation

55.6 →

Tertiary students in education, health and welfare, humanities and arts (%) ⓘ

EU-28-W	42.8
EU-28-M	21.4

Source: Eurostat, Education statistics, 2015. EU-28 calculated with original variables. Tertiary students (ISCED 5-6) by field of education and sex (2005-2012) [educ_enr15]. Students enrolled in tertiary education by education level, programme orientation, sex and field of education (2013-2015) [educ_uoe_enr103].

Attainment and participation

- Graduate and tertiary education
- Participation in formal and non-formal education
- Tertiary students in education, health and welfare, humanities and arts



Settling In 2018
INDICATORS OF IMMIGRANT INTEGRATION

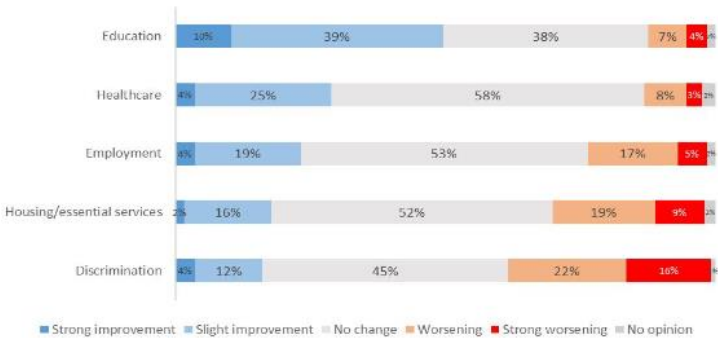
EU-OECD indicators on immigrant integration

- 3rd edition (first in 2012)
- Scoreboard and context
- Indicators on
 - Skills, labour market integration, level of education, language skills, and quality of jobs
 - Living conditions, health, access to healthcare, etc
 - Civic engagement and social integration, perceived discrimination, attitudes towards immigrants
 - Gender, young people, third country-nationals (non-EU)

https://read.oecd-ilibrary.org/social-issues-migration-health/indicators-of-immigrant-integration-2018_9789264307216-en#page21



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



FRA and Roma indicators

- **2012:** the Working Party established – indicators for monitoring the progress on Roma integration.
 - Focused discussion on how to measure progress
- **2013:** adopting the S-P-O framework
 - A 'Word' list of 'process' and 'outcomes' indicators
- **2014:** Aligning the indicators framework firmly with 2013 Council Recommendation
 - Excel-based tool
- **2015:** Developing and testing various options for user-friendly and comparable reporting
 - Agreement to test in 'real time' reporting
- **2016:** First round of reporting to the Council recommendation on process indicators
- **2017 onwards:** EC online reporting tool

9 December 2013 on effective Roma integration measures in the Member States (2013/C 378/01)

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Policy framework reference

Substantive policy issues

- Access to education
- Access to employment
- Access to healthcare
- Access to housing
- Funding

Horizontal policy issues

- Anti-discrimination
- Protection children and women
- Poverty reduction – social investment
- Empowerment

Structural measures

- Local action
- Monitoring and evaluating policies
- Bodies for the promotion of equal treatment
- National Contact Points for Roma integration
- Transnational cooperation

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Process indicators

- Funding availability and sources
- Funding spent and sources
- For each thematic area:
 - Analysis of measures
 - Numbers/percentages
 - Funding amounts
 - Beneficiaries' amounts
 - Safeguards for equal access
- Separate indicators for thematic areas:
 - Funding
 - Bodies for the promotion of equal treatment
 - National Contact Points for Roma integration

Outcome indicators

- Assessment of situation by various stakeholders (qualitative)
- Mostly standard statistical indicators (quantitative)
 - Not group-specific, populated by ethnically-disaggregated statistics (or socio-economic proxy data in Member States where ethnic data collection is not possible) reflecting on changes in the society.
- Agreed set of indicators for education, employment, health, housing and horizontal areas
- Require further work on data collection (statistical offices, research institutions, IGOs, NGOs)
- When put in comparison vis-à-vis the same indicators populated by data on general population they indicate the problem with enjoyment of fundamental rights of the specific population group
 - How 'general population' is defined (average v 'neighbours')

Outcome indicators

- At-risk-of-poverty rate
- Enrolment rate, primary, secondary education
- % of Roma children in segregated schooling
- Employment rate (Roma vs. non-Roma)
- Number of persons covered by health insurance or included in public health system (per 1,000)
- Proportion of youth (aged 15-24) not in education, employment or training
- Should be in line with EU 2020 indicators on poverty and social exclusion
- Should be disaggregated by gender where possible, and some by age

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List of process indicators – Roma Integration using the Council Recommendation as key policy framework reference

Funding availability

Indic. No.	Indicator	Definition	Areas	Used questions	Disaggregation categories
F01	Envisaged funding	Share of MSs with envisaged funding in total number of MSs (count of Q1=Yes) / 28 For area 12 and 13: (count of A-1 > 0) / 28	All	Q1 A-1 (in 12 and 13)	By thematic area
F01-1		Average number of thematic areas with envisaged funding (count of Q1=Yes) / (total number of thematic areas reported) For area 12 and 13: (count of A-1 > 0) / (total number of thematic areas reported)	All	Q1 A-1 (in 12 and 13)	By MS
F02		Share of MSs with envisaged funding in total number of MSs ((count of Q10=Yes) / 28)	All except 12,13	Q10	By thematic area By recommendation (Q5) By type of measure (Q17)
F03	Funding by area	Share of MS with funding envisaged in a thematic area as a proportion of those with Roma targeted funding envisaged (Count of Q1=yes) / (count of Q1 in area 5 = yes) For 12 and 13: (Count of A-1 > 0) / (count of Q1 in area 5 = yes)	All except 5	Q1 Q1 in 5	By thematic area
FA01			5	Q2	By MS (A2); EU total

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Absolute number in EUR spent (total per area and per country). Grouping/shares of funding by source; coefficient of "ESIF dependency rate"

FSS09 (FSS04) Spent funding in 2014 in thematic area (Q3-1, Q3-2, Q3-3 in all but 12, 13) EUR (%)	By source of funding (Q2)			Total spent (sources)
	National public funding	ESIFs	Other (international or private)	
Education (1)				
Employment (2)				
Health (3)				
Housing (4)				
Antidiscrimination(6)				
Protection of Roma children and women (7)				
Poverty reduction (8)				
Empowerment (9)				
Local action (10)				
M&E (11)				
Equality bodies (12)				
(TOTAL = amount in A-2)				
NRCP (13)				
(TOTAL = amount in A-2)				
Transnational cooperation (14)				
Total spent (1-4)				
Total spent (6-9)				
Total spent (10-14)				
Total spent (1-14 without 12, 13)				
TOTAL SPENT (1-14)				
Total Roma targeted Funding (5)				



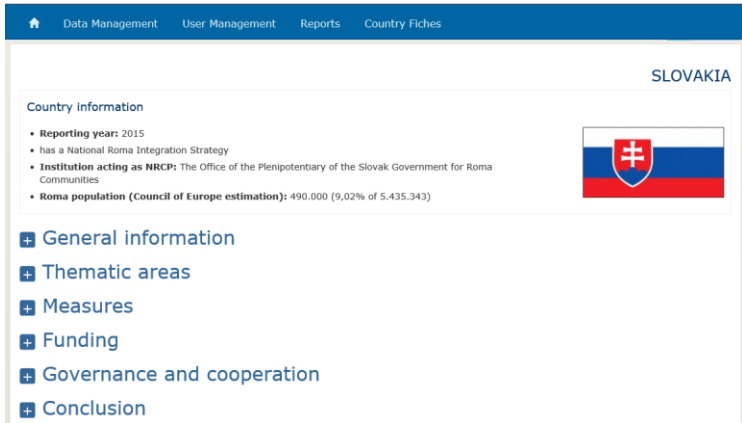
Data to populate indicators

- Online data entry tool to collect data from states (potentially could be used also at sub-national level: region, locality; ministries, CSOs, other entities)
- General info on entity providing the data
- 14 thematic areas
- 12 thematic areas having the same structure:
 - General assessment of the situation
 - General financial parameters for a given thematic area
 - Information of measures within a given thematic area
- Different format of the data entry templates for: Funding, Bodies for the promotion of equal treatment, and National Contact Points for Roma Integration





Data to populate indicators



As of 2017, first results published in Communication from 2017

- 27 EU Member States have national Roma integration strategies (all but Malta)
- Have to report to European Commission with a tool based on these indicators
- since 2016
- Linked to Council Recommendation on Effective Roma Integration (2013/C 378/01)



Roma





EC HLG on combating racism, etc

- Subgroup on methodologies for recording and collecting data on hate crime, etc
 - FRA organising diagnostic workshops on states' respective hate crime recording systems

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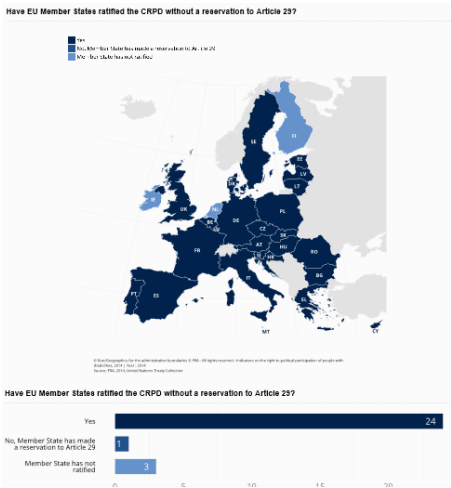
Political participation for persons with disabilities

- Lifting legal and administrative barriers
- Increasing rights awareness
- Making political participation more accessible
- Expanding opportunities for political participation
- FRA with European Commission and the Academic Network of European Disability Experts (ANED)
- 2014 and again in 2019

<https://fra.europa.eu/en/publications-and-resources/data-and-maps/polpar?mdq1=theme&mdq2=212>

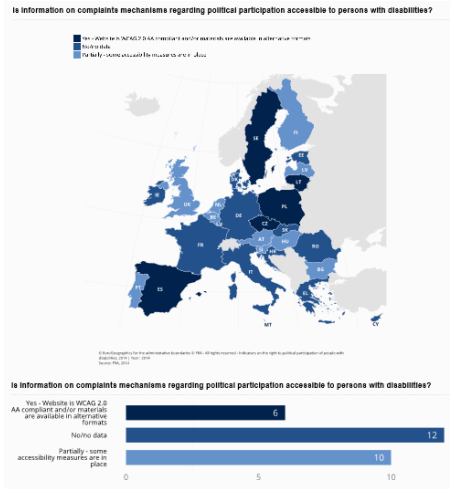
42

Political participation for persons with disabilities – Structural



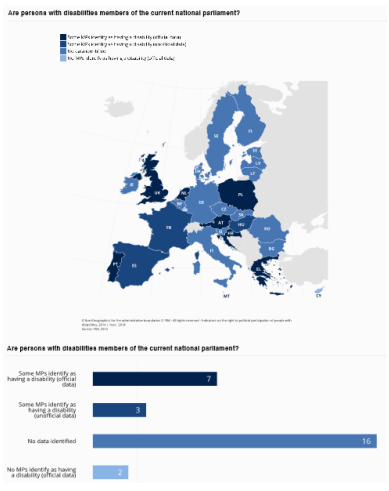
CRPD art. 29
reservations

Political participation for persons with disabilities – Process



Information on
complaints
mechanisms
regarding political
participation
accessible to
persons with
disabilities

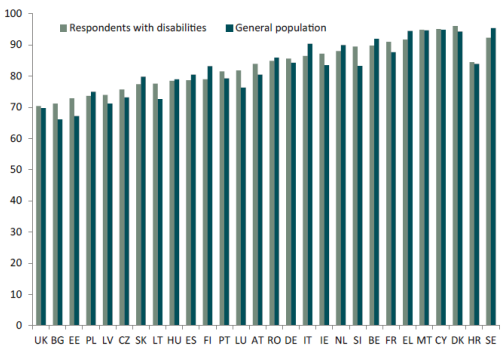
Political participation for persons with disabilities – Outcome



Are persons with disabilities members of the current national parliaments

Detailed survey questions

Figure 3: Respondents who voted in the last national election, by EU Member State (%)



Question: B21. Some people don't vote nowadays for one reason or another. Did you vote in the last national election held in [month/year]? Answer: 'yes; 'yes but I spoiled my ballot/I left my ballot blank; 'no; 'not eligible to vote'; (refusal), (don't know). Sources: European Quality of Life Survey 2007; ANED Grammenos, 2014

Promising practice Raising awareness on the right to vote of persons with intellectual disabilities

The multi-national project – My opinion my vote – raised awareness on the right to vote of persons with intellectual disabilities ahead of the European Parliament elections in 2009. The project aimed at encouraging persons to take part actively in local, national and EU elections and referenda, and was funded under the EU's Lifelong Learning Programme.

Research undertaken by universities and disability organisations in six EU Member States (Denmark, Hungary, Italy, Ireland, Denmark, Malta and Spain) identified a lack of structured programmes and materials for educating persons with intellectual disabilities on the right to vote, politics and democracy. In response, a practical educational programme was developed, based on the experiences of persons with intellectual disabilities. Additionally, the election manifestos of European political parties and groups were translated into an easy-to-read format.

For more information, see: www.myopinionmyvote.eu

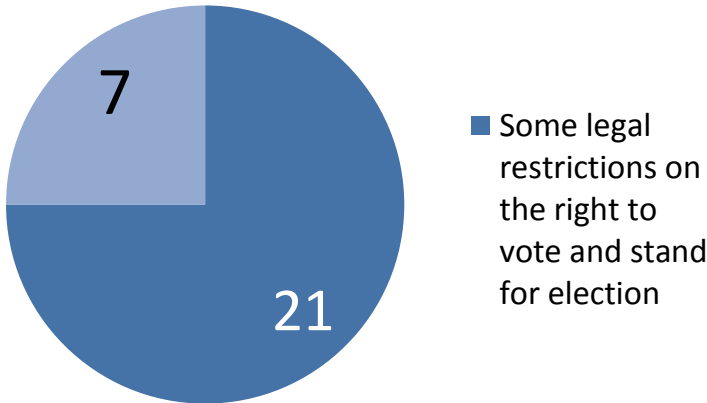


The full set of indicators under ‘barriers’

Theme	Structure	Process	Outcome
Lifting legal and administrative barriers to political participation	2.1.1. Article 29 of the CRPD on participation in political and public life	3.2.1. Accessibility of information about how and where to complain	4.1.1. Members of national parliament with a disability
	2.1.2. Article 12 of the CRPD on equality before the law	3.2.2. Cases considered by judicial complaints mechanisms	4.1.2. Members of municipal authorities with a disability
	2.1.4. National strategies	3.2.3. Cases considered by non-judicial complaints mechanisms	
	2.2.1. Restrictions on the right to vote of people without legal capacity	3.2.4. Cases considered by international complaints mechanisms	
	2.2.2. Legal requirement to register to vote		
	2.2.3. Alternative ways of voting		
	2.2.4. Voting from long-term institutions		
	2.3.5. Duty to provide assistance		
	2.4.1. Legally able to access complaints mechanisms		

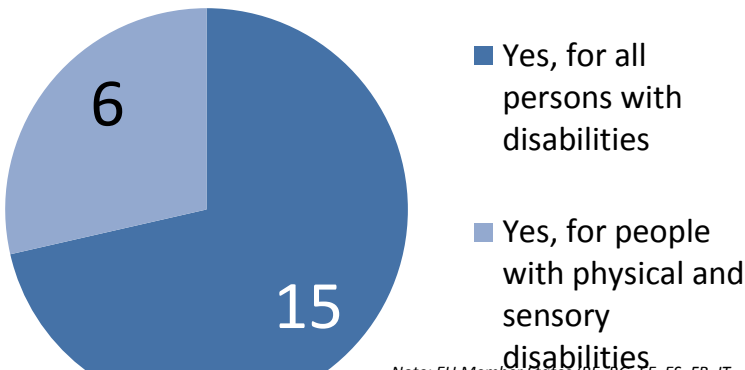


Can persons deprived of their legal capacity vote and stand for election?





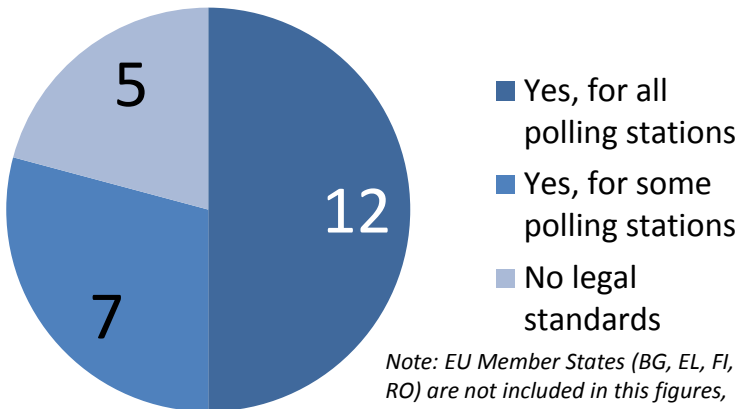
Is there a legal duty to provide assistance in voting to persons with disabilities?



Note: EU Member States (BE, BG, EE, ES, FR, IT, RO) are not included in this figures, as no data was provided by ANED experts.



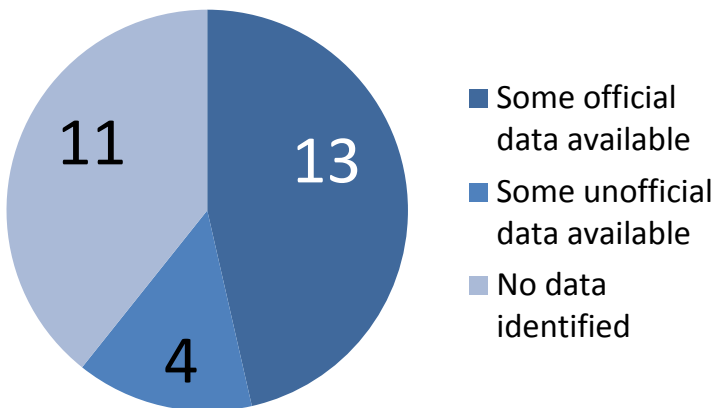
Are there legal accessibility standards for polling stations in place in the EU Member States?



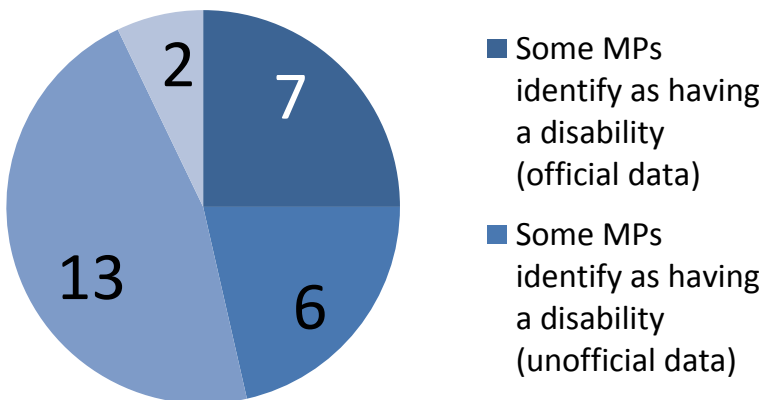
Note: EU Member States (BG, EL, FI, RO) are not included in this figures, as no data was provided by ANED experts.



How many polling stations are accessible for persons with disabilities?

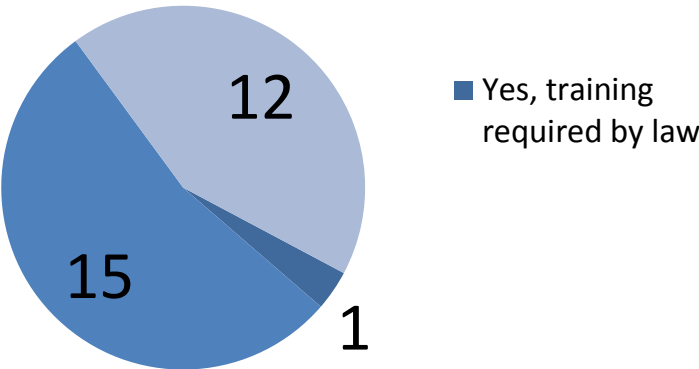


Are persons with disabilities members of the current national parliament?





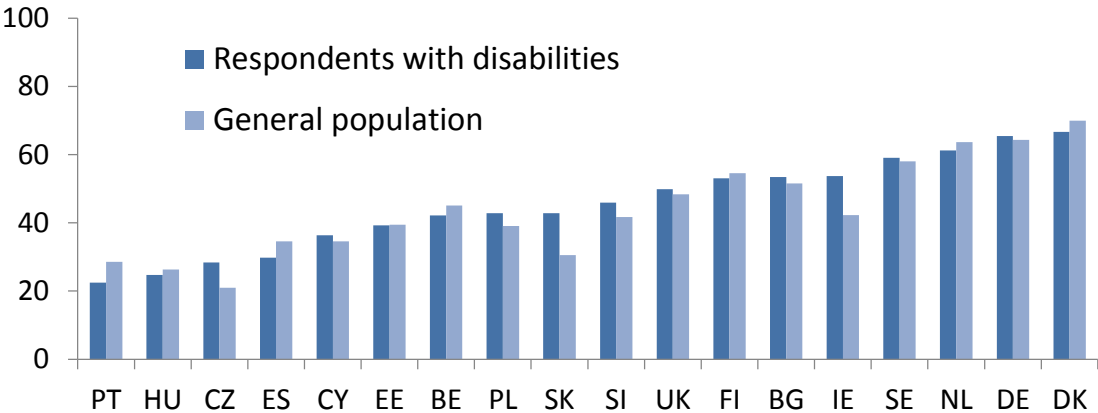
Is training for election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation required by law in EU Member States?



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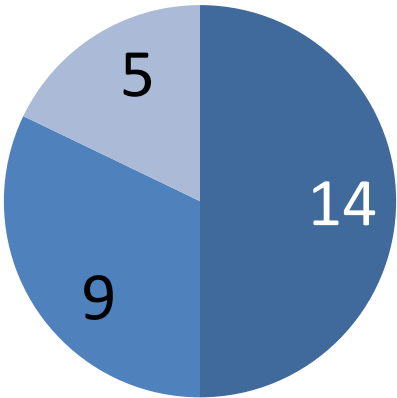


People with disabilities are interested in politics



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Were some political party manifestos provided in accessible formats during the most recent elections?



- Some political parties provided accessible manifestos
- No political parties provided accessible manifestos

Independence – from institutions to community living

- **Commitment and structures – Structural**
- **Funding and budgeting – Process**
- **Outcomes for persons with disabilities – Outcome**



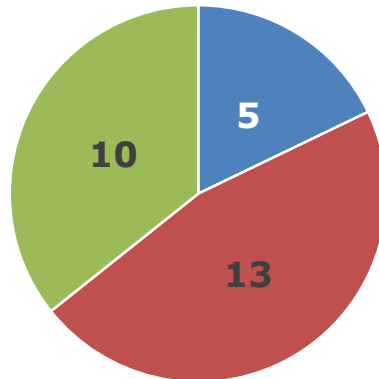
FRA's indicators on Article 19 CRPD

- Developed and refined on the basis of extensive consultation with stakeholders
- Grouped around 21 issues reflecting the core aspects of Article 19
 - Structure, process and outcome indicators within each
- Focus on elements of independent living not captured elsewhere in the CRPD

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Disability strategy includes DI measures



■ Yes, dedicated strategy for deinstitutionalisation (HR, HU, IE, LT, SK)

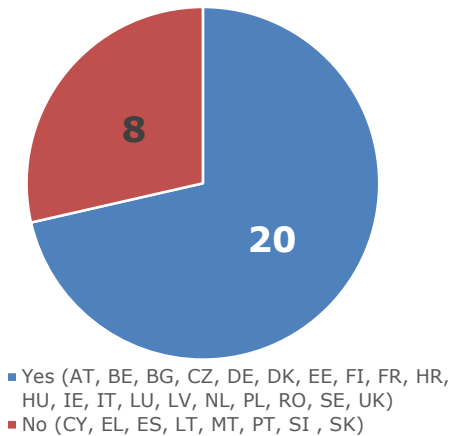
■ Yes, national disability strategy includes measures for deinstitutionalisation (AT, BG, CY, CZ, EE, EL, ES, FI, IT, LV, MT, RO, SE)

■ No dedicated DI strategy or concrete measures for DI in general disability strategies (BE, DE, DK, FR, LU, NL, PL, PT, SI, UK)

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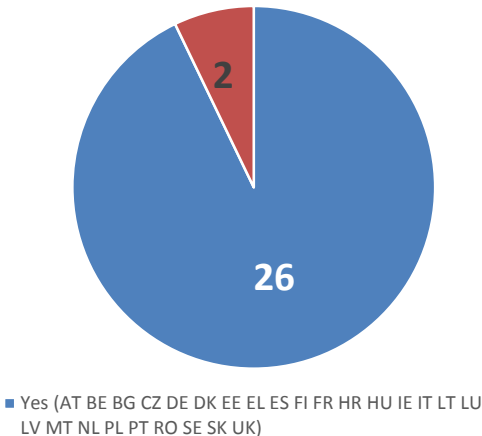
Legally enforceable quality standards



- A majority of EU Member States have legally enforceable standards for all social and health services
- Few cases where standards specifically relate to services for people with disabilities
- Little/no data regarding measurable indicators to assess implementation



Regular monitoring of service quality



- Regular monitoring is provided for in law, but there are major differences in their features:
- Number and organisation
 - Frequency of monitoring
 - Independence
 - Cooperation with DPOs



Outcome indicators on Article 19

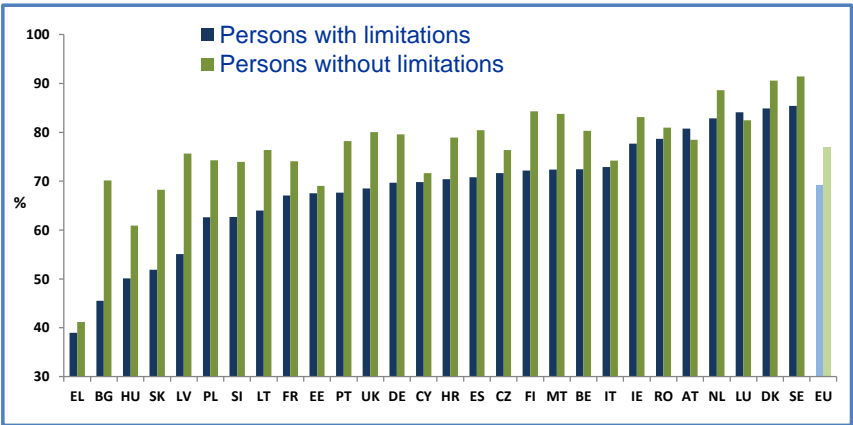
- Using existing statistical data sets in the EU
- Looking at outcome gaps between people with and without impairments
 - Degree of impairment
 - Other explanatory factors e.g. gender, age, education level, economic status etc.
- Challenges
 - Some people with disabilities excluded from the data
 - Limited scope for analysis by age, gender etc.



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Freedom to decide how to live in the community



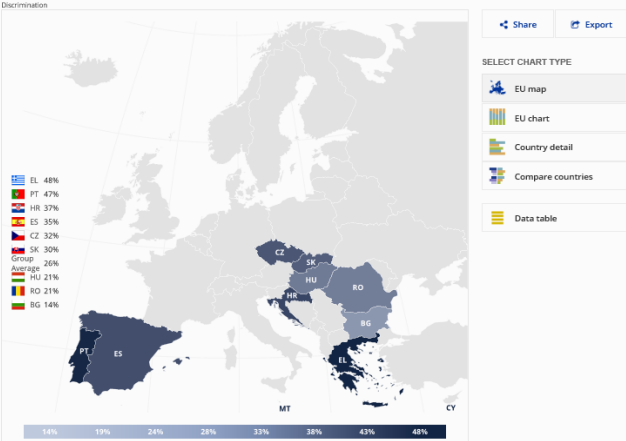
62

% of persons age 18+ who agree or strongly agree with the statement: 'I feel I am free to decide how to live my life'



EU minorities and immigrants (MIDIS II)

In the past 12 months have you ever felt discriminated against because of skin colour / ethnic origin / religion in 10 areas of life?



<https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-second-eu-minorities-discrimination-survey?mdq1=theme&mdq2=3508>

Felt discriminated based on skin colour / ethnicity / religion in the past 12 months



Victim support services – structural

Structural - acceptance, intent and commitment	Basics	Sole point of access / 'one-stop-shop' (18)	Available in part online (FRA)
		Support provided through a sufficient geographical distribution (14b)	
		Access not dependent on complaint (11)	Available online (FRA)
		Support available at earliest possible moment (22)	
		Before, during and after trial (3)	
	Reporting	Shelters in place (12)	Available in part through EIGE
		Dedicated EU-wide phone number (116 006) (24)	Available online (FRA)
		Complaints possible also by communication technology (21)	Available on file with FRA
		Third-party reporting possible, including by CSOs (20)	
	Data protection	Reporting possible in country of origin (28a)	
		Protection when transferring data – automatic transfer (15a)	Available online (FRA)
		Victim's consent needed to transfer data (15b)	Available online (FRA)
	Quality & funds	Legal basis for transferring of data (15c)	Available online (FRA)
		Quality standards in place (27)	Available online (FRA)
		National crime victim fund (25)	Available online (FRA)

Victim support services –

Process - effort to implement obligations	Information & advice	Information, advice and support (5a)	Available online (FRA)
		Information on compensation scheme (5b)	Available online (FRA)
		Information on role in criminal proceedings (5c)	Available online (FRA)
		Information /referral to specialised service (6)	
		Emotional and psychological support (7)	
		Advice on financial and practical aspects of the crime (8)	
	Capacity	Advice on risk and prevention (9)	
		Capacity to service all victims in need (26)	
		Free of charge (2)	
		Access to confidential service (1)	
		Support provided without excessive formalities (14a)	
		Specific needs assessment (10)	
	Adequacy	Internal procedure for assessing the needs (23)	
		Targeted and integrated support (13)	
		Respectful, sensitive, professional and non-discriminatory manner (19a)	
		Training for professionals likely to receive complaints (19b)	
		Referrals by competent authorities to support services (4)	
		Member States in close cooperation with CSOs (16)	
	Coordination	Public services joined up – horizontally and vertically (17)	
	Cross-border	Cross-border contacts established between support providers (28b)	Available online (FRA)
		Information available in different languages (28c)	Available online (FRA)

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Victim support services –

Outcome - results on the ground	Quality & capacity	Level of 'customer satisfaction' through surveys	
		Quality of the support provided, in terms of sensitivity, timeliness and accessibility	
		Ratio of victims of crime supported v. estimated total	
	Awareness	Victims' awareness of their rights	Available for specific groups from FRA surveys
		Victims' awareness of victim support services and what they offer	See Table 13
		Duty bearers' awareness of victims' rights	
	Trust	Trust in police and judges	E.g. Eurobarometer
		Trust in victim support as neutral providers of support	See Table 14

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Performance standards and indicators

- Recital 63 of the Directive
 - “reliable support services are available to victims and that competent authorities are prepared to respond to victims’ reports in a respectful, sensitive, professional and non-discriminatory manner”
- Establishing quality control standards that respect the independence of civil society
- ‘satisfaction surveys’
- Clear and consistent quality control mechanisms should be established, including for ‘cross-border’
- ‘Self-accreditation’

FRA opinion

FRA stresses the responsibility of EU Member States to develop a comprehensive network of victim support services and to monitor support services’ performance, ensuring that they conform to designated standards while also respecting the independence of civil society.

FRA analysis highlights good examples of criteria and/or membership conditions developed by EU-level umbrella organisations active in the fields of networking, coordinating and promoting generic victim support, or supporting specific groups of victims. Such criteria include, for example:

separation between victim support and probation services, independence from political activities, confidentiality of service users (i.e. victims) and transparency concerning sources of funding. Such standards could form a basis on which to explore additional criteria that could be developed at national, regional and EU levels, as appropriate.

Inspiration for a system of quality control for victim support services could also be drawn from the peer-review system used globally by National Human Rights Institutions (a self-accreditation system under the so-called Paris Principles).

To this end, and taking these examples into account, Member States could consider establishing an accreditation system for victim support services.



Structural	Commitment	International obligations					
Process	Effort	Victims of crime – support	Surveys	Children and justice	Disability – political participation	Roma inclusion	Migrants inclusion and participation in society
Outcome	Results	FRA projects	EU-MIDIS LGBTI Antisemitism Roma Violence against women FR survey				





FRA's Surveys

- Roma
- MIDIS
- Violence against women
- Religion
- Fundamental Rights Survey
- ...

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FRS (draft questions 2018)

OPINION: Trust in the services provided by various professionals / companies

How much do you trust the following groups to deal honestly with you?
[SINGLE RESPONSE ALLOWED TO EACH QUESTION a TO j]

- | | |
|------|---|
| a | Plumbers, builders, car mechanics and other repair people |
| b | Financial companies such as banks or insurers |
| c | Doctors and other health care providers |
| d | Public administration/local authorities |
| e | Courts |
| f | Internet service providers/mobile phone companies |
| g | Voluntary organisations/charities |
| h | Local politicians |
| i | National politicians |
| j | Members of the European Parliament |
| 1 | No trust at all |
| 2 | |
| 7 | Complete trust |
| (888 | Prefer not to say) |
| (999 | Don't know) |



FRS (draft questions 2018)

EXPERIENCE: If experienced a burglary – Reason(s) for not reporting the most recent incident to the police

[MULTIPLE RESPONSES ALLOWED EXCEPT IF CATEGORY 888 SELECTED]

- | | |
|------|---|
| a | Not serious enough |
| b | Inconvenient / too much trouble to report |
| c | Police won't do anything about it |
| d | Don't trust the police |
| e | Reported to other authorities or services |
| f | Took care of it myself |
| g | Fear of reprisals |
| h | Other reasons |
| (888 | Prefer not to say) |
| (999 | Don't know) |



Additional experience questions (draft) related to trust

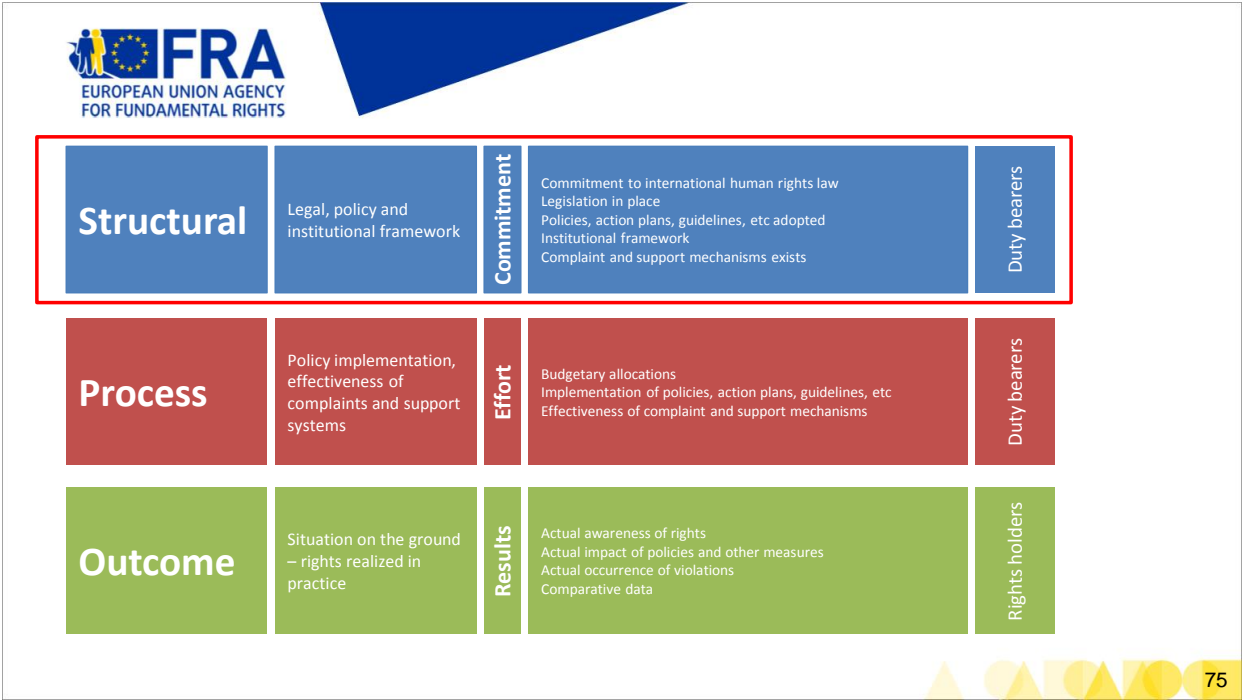
- **EXPERIENCE:** If experienced online banking or payment card fraud – Reason(s) for not reporting the most recent incident to the police
- **EXPERIENCE:** If experienced consumer fraud – Reason(s) for not reporting the most recent incident to the police
- **EXPERIENCE:** If experienced harassment in the past 5 years – Reason(s) for not reporting the most serious incident to the police
- **EXPERIENCE:** If experienced physical violence – Reason(s) for not reporting the most serious incident to the police

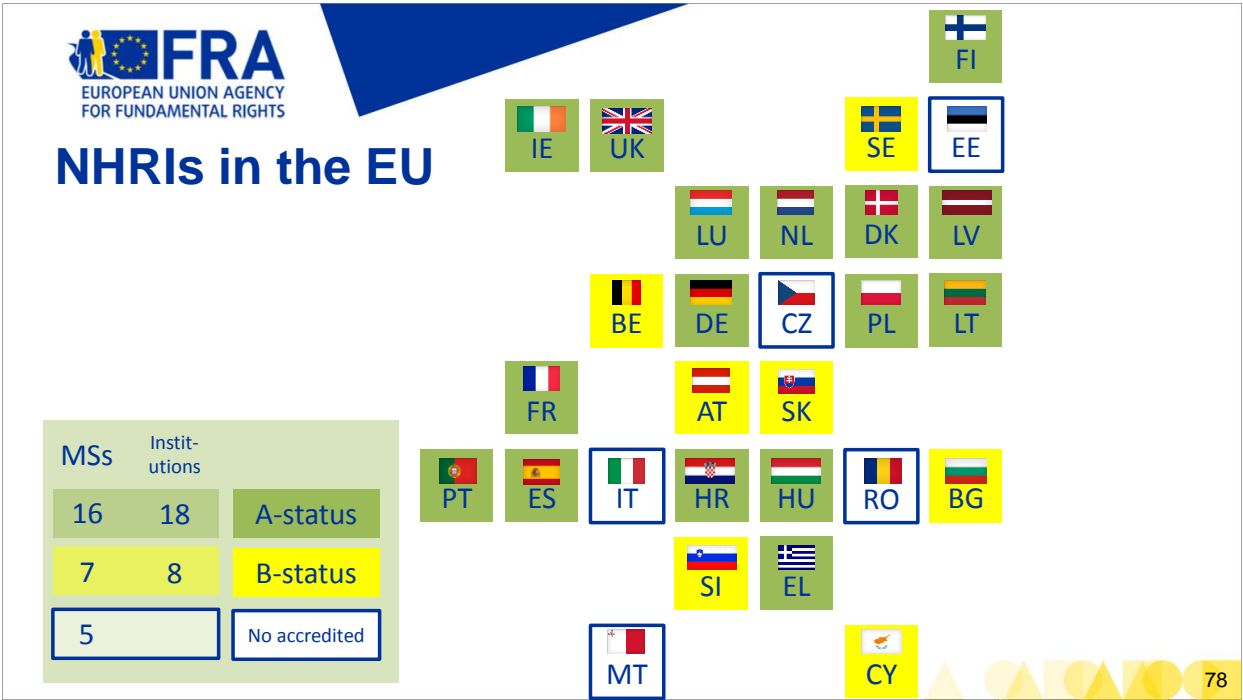
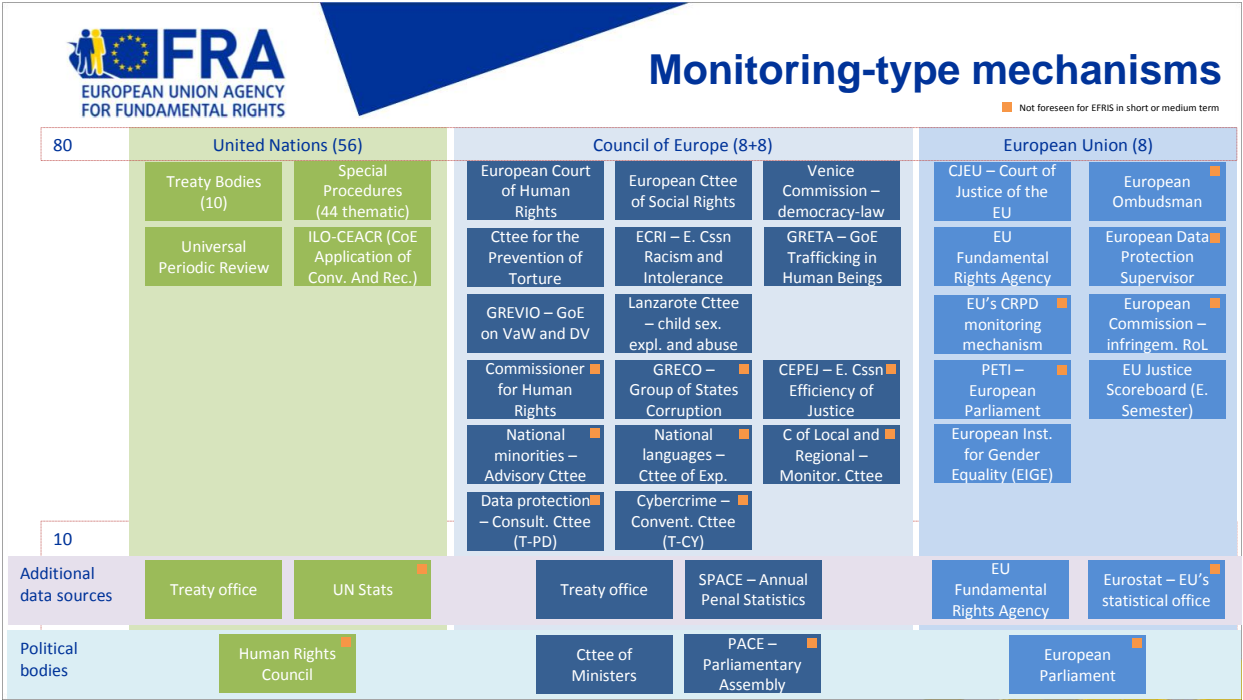
73

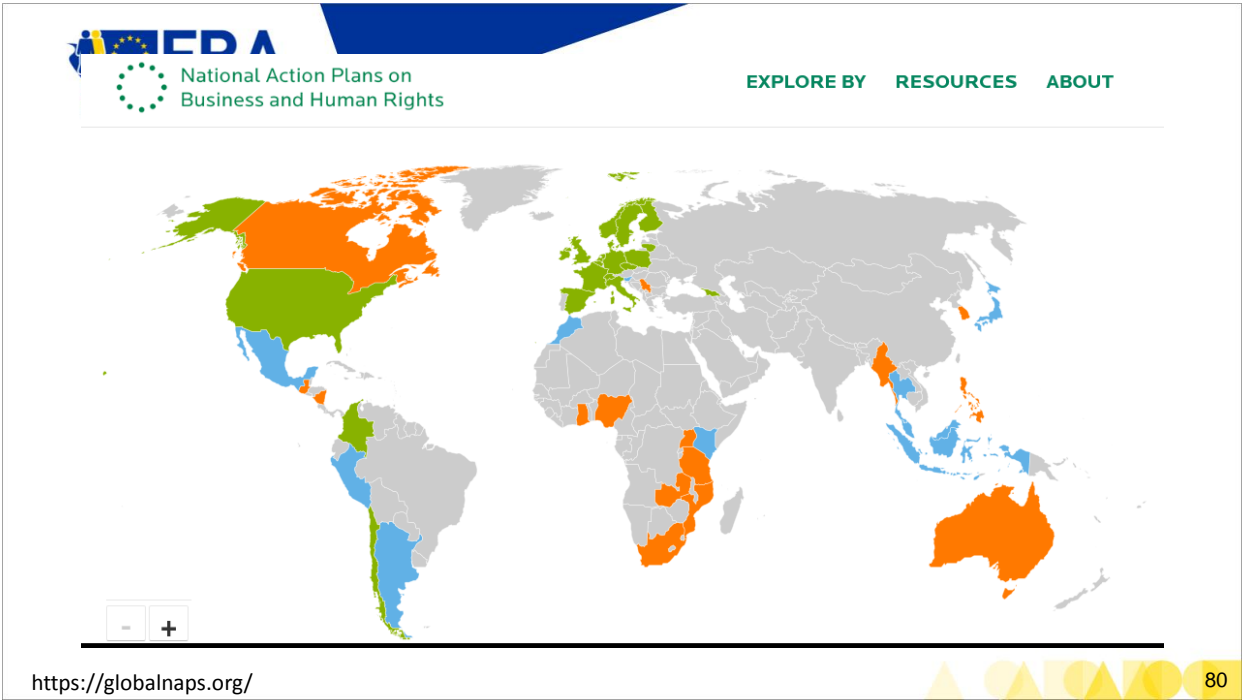
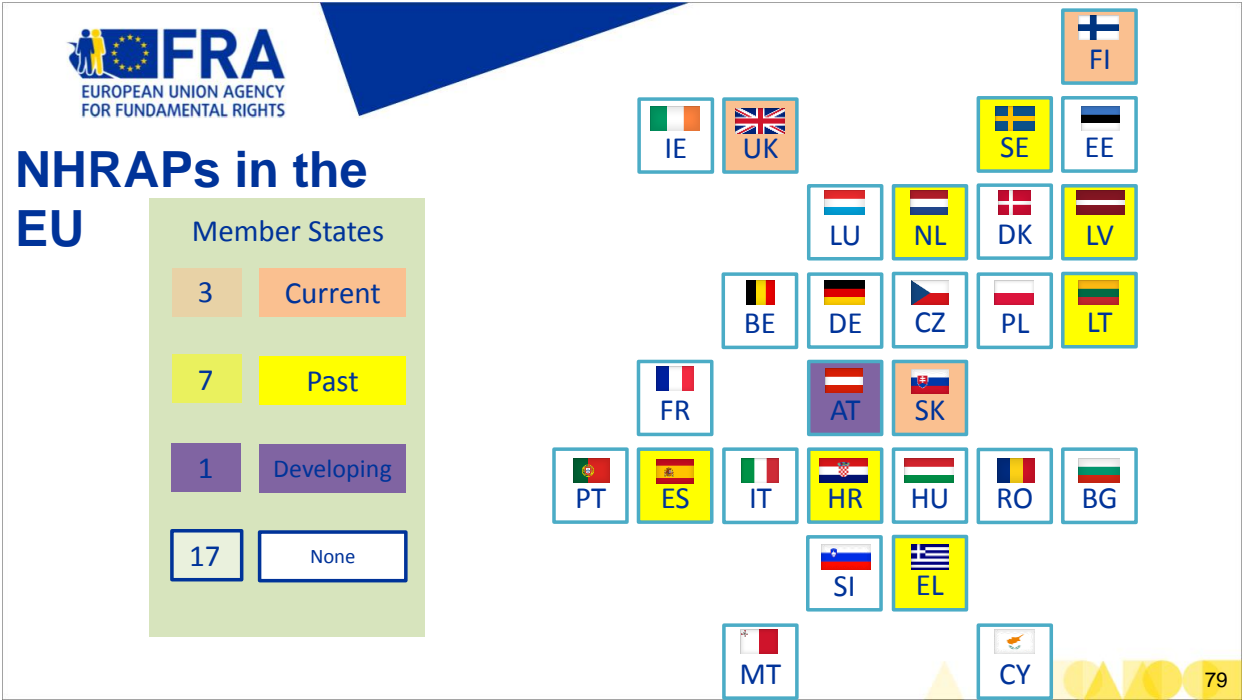
Discuss – person(s) next to you

- What topics would be in particular important for Taiwan to have human rights indicators for?

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Discuss – person(s) next to you

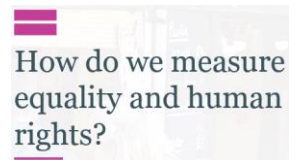
- What would be well-known indicators in Taiwan?
- What makes them well-known?

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Great Britain – Equality and Human Rights Commission

- Legal duty to report on progress based on indicators every three years
- Equality Measurement Framework first published in 2009 with report to parliament in 2010 (How Fair is Britain?)
- Is Britain Fairer? (2015 and 2018)
- S-P-O
- e.g. the right to health
 - Life expectancy, cause-specific mortality, disability, health treatment, etc

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Is Britain Fairer? (2018)

- 6 domains (education, work, living standards, health, justice and personal security, participation)
- Protected characteristics (e.g. ethnicity)
- Socio-economic group
- Geography
- People of higher risk of harm, abuse, discrimination or disadvantage
- Intersectional analysis

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Is Britain Fairer? Example of education

- Structure
 - Legislation and policy document on education etc
- Process
 - Strategies, plans, regulators, monitoring mechanisms, resource allocation
- Outcome
 - Percentage
 - of literacy and numeracy in early primary education
 - Good examination results at school-leaving age
 - Exclusion
 - Unemployment (out of school)
 - Degree-level qualifications

https://www.equalityhumanrights.com/sites/default/files/measurement-framework-interactive_pdf.pdf

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Sweden

- Action plans
 - 2002–2004
 - 2006–2009
- Strategic and systematic approach (2010)
- Long-term goals to ensure progress and compliance with commitments
 - Specific goal on human rights for government and parliament (2016))
- Coordinated with
 - Local and regional
 - Civil society and business
- Follow up and evaluation

<https://www.regeringen.se/4ab455/contentassets/7c2275eb5e9846249f52db5859543973/en-strategi-for-det-nationella-arbetet-med-manskliga-rattigheter>

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Data collection – Sweden and statistical bureau

- Government request to National Statistical Agency (August 2018)
- Link to Agenda 2030
- Indicators and data to populate
- Coordination with local and regional etc
- Capture governments goals of systematic work on human rights
 - Strong legal and institutional protection
 - Coordinated and systematic work
 - Civil society as well as business
- 50,000 EUR
- Delivery 1 March 2019

<https://www.regeringen.se/4a4d7e/contentassets/b6a930b0fcc448eaa2cb18e966598131/uppdrag-till-statistiska-centralbyran-att-ta-fram-forslag-till-indikatorer-for-regeringens-nationella-arbete-for-manskliga-rattigheter.pdf>

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Regional approach – Västra Götaland

- Action plan (only regional one in Sweden)
 - 2017–2020
 - Indicators
- Systematic work
 - Coordinators
 - Built into general processes
 - Political commitment and knowledge
 - ...

<https://www.vgregion.se/regional-utveckling/verksamhetsomraden/manskliga-rattigheter/plan-for-manskliga-rattigheter/>

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12 goals of Västra Götaland's action plan

1. Improved accessibility for persons with disabilities
2. Reinforced rights for children and youth
3. Systematic to prevent violence
4. Improved LGBTI-competence
5. Understanding and patients' own powers in health care
6. Systematic dialogue with inhabitants
7. ...

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Municipal level indicators on children

- Children's ombudsman
- All 200+ municipalities
- Data on concrete aspects
- Comparative and visual tool
- ...

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Scotland

- Scotland – action plan

<http://www.snaprights.info/wp-content/uploads/2016/01/SNAPpdfWeb.pdf>

90

CRPD indicators – Netherlands NHRI

- Indicators for three articles from the CRPD
 - Independent living
 - Forming part of society
 - Education and work.
 - Only 45% of persons with a disability have a paid job (general population 66%)

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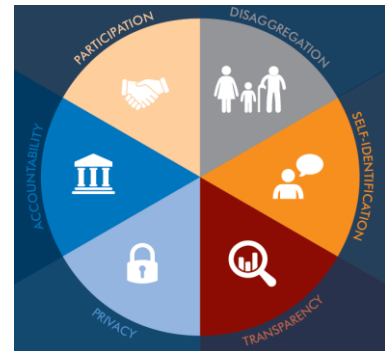
Finland expanding on MIDIS

- 2018–2019 Human Rights Centre human rights barometer
- Explore
 - Level of rights-awareness
 - Importance of rights
 - Enjoyment of rights
- Link to FRA's survey
 - Follow up at national level – interviews with migrants and persons with disabilities

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SDGs and leave no one behind – a human rights based approach to data

- Participation
- Disaggregation
- Self-identification
- Transparency
- Accountability
- Privacy



<https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

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Participation

- A range of processes that facilitate and encourage participation
 - Online submission and feedback
 - Public meetings – accessibility and outreach
 - Community visits and dialogues
 - Include relevant CSOs in thematic or advisory groups
- Communicate participatory process – how done and outcomes
- Ensure views of marginalised and at risk groups
- Ensure institutional memory of participatory process
 - Focal points in data collection organisations
 - Formal agreements between statistical offices, NHRIs, etc



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Details and disaggregation

- Benchmarks as starting point
- International comparators?
- Regional and local differences
- Disaggregation by 'characteristics'
- Hard to reach groups
- ...

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Discuss – person(s) next to you

- What could Taiwan do to step up its use of good human rights indicators?

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Checklist – lessons learned

- The process matters
 - Transparency in identification and population of indicators
 - Consultation and co-creation
- Capturing the full range
 - From commitment to compliance, including actual enjoyment
- Ideal indicators as a starting point
- Consider complaints based data carefully
- Survey-data based on sentiments is important – experience and perception

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谢谢

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