MEASURING RULE OF LAW
Goals of the Index

> To measure adherence to the rule of law, not in theory but in practice.

> To identify strengths and weaknesses of each country as compared with its peers.

> To encourage efforts to strengthen the rule of law.
WORLD JUSTICE PROJECT

I. Government is accountable under the law

II. Laws are clear, publicized, stable, and fair, and protect fundamental rights, including the security of persons and property
III. Laws are enacted, administered, and enforced is accessible, fair, and efficient.

IV. Access to justice is provided by competent, independent, ethical adjudicators, attorneys, and judicial officers (numbers, resources, language)
2012 ROL INDEX

- Factor 1: Limited Governmental Powers
- Factor 2: Absence of Corruption
- Factor 3: Order and security
- Factor 4: Fundamental Rights
- Factor 5: Open Government
- Factor 6: Regulatory Enforcement
- Factor 7: Civil Justice
- Factor 8: Criminal Justice
- Factor 9: Informal Justice
MEASUREMENT APPROACH

1. Perspective of the ordinary person.

2. Two sources of entirely new data:
   - A general population poll (GPP): Probabilistic sample: 1,000 respondents per country (three largest cities).
   - Qualified respondent’s questionnaires (QRQ): Completed by in-country experts in civil and commercial law; criminal justice; labor law; and public health.

3. The WJP Rule of Law Index 2012 scores build on more than 400 variables drawn from the assessments of 97,000 people and 2500 local experts in 97 countries.
BUILDING THE SCORES

400 variables

8 factors and 48 sub-factors
Building the Scores

8. Effective criminal justice

8.1 Crimes are effectively investigated
8.2 Crimes are effectively and adjudicated in a timely fashion

8.7 Due process of law and the rights of the accused are effectively guaranteed.
- Presumption of innocence
- Arrest and pre-trial detention
- Torture and abusive treatment to suspects
- Legal representation
- Access to translators
- Evidence
- Rights of prisoners

9 questions
# GEORGIA

**Tbilisi, Kutaisi, Batumi**

## 1. WJP Rule of Law Index

<table>
<thead>
<tr>
<th>WJP Rule of Law Index Factors</th>
<th>Score</th>
<th>Global Ranking</th>
<th>Regional Ranking</th>
<th>Income Group Ranking</th>
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<tbody>
<tr>
<td>Limited Government Powers</td>
<td>0.48</td>
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<td>21/97</td>
<td>2/21</td>
<td>1/23</td>
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<td>19/97</td>
<td>2/21</td>
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<td>31/97</td>
<td>5/21</td>
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<td>0.66</td>
<td>25/97</td>
<td>4/21</td>
<td>1/23</td>
</tr>
</tbody>
</table>

**Income Lower middle Region**

**Eastern Europe & Central Asia**

**Population**

**5m (2012)**

53% Urban
41% in three largest cities
2. Scores for all WJP Rule of Law Index sub-factors

In each graph, a sub-factor is represented by a radius from the center of the circle to the periphery. The center of each circle corresponds to the lowest possible score for each sub-factor (0-100); the outer edge of the circle marks the highest possible score (100).

Key:
- Georgia
- Top Score
- Lower middle income
- Eastern Europe & Central Asia

Accountable Government
- 6.6 Absence of corruption in the legislative branch
- 6.5 Absence of corruption by the police and the military
- 6.4 Absence of corruption in the executive branch
- 6.3 Government powers are subject to non-governmental checks
- 6.2 Government powers limited by the judiciary
- 6.1 Government powers limited by the legislature
- 6.0 Independence of judiciary and review
- 5.9 Transition of power subject to the law

Security and Fundamental Rights
- 5.8 Fundamental labor rights
- 5.7 Absence of crime
- 5.6 Right to freedom of belief and religion
- 5.5 Freedom of opinion and expression
- 5.4 Right to life and security of the person
- 5.3 Equal treatment and absence of discrimination
- 5.2 Freedom of assembly and association
- 5.1 Abolishment of military

Open Government and Regulatory Enforcement
- 4.9 The laws are publicized
- 4.8 The laws are stable
- 4.7 The laws are effective
- 4.6 Due process in administrative proceedings
- 4.5 Right to petition and public participation
- 4.4 Official information is available
- 4.3 The government does not appropriate without adequate compensation
- 4.2 Laws are publicized

Delivery of Justice
- 3.9 People have access to affordable civil justice
- 3.8 Civil justice is free of improper government influence
- 3.7 Criminal justice system is free of improper government influence
- 3.6 Criminal justice system is free of discrimination
- 3.5 Criminal justice is free of corruption
- 3.4 Criminal system is not subject to unreasonable delays
- 3.3 Civil justice is free of corruption
- 3.2 Criminal adjudication system is timely and effective
- 3.1 Criminal investigation system is effective
- 3.0 Criminal justice system is free of corruption
HOW DOES GEORGIA COMPARE?
ROL INDEX: EASTERN EUROPE & CENTRAL ASIA

Albania  Belarus  Others:
Bosnia    Estonia    Greece
Bulgaria  Georgia    Italy
Croatia   Kazakhstan    Portugal
Czech Rep. Kyrgyzstan    USA
Hungary   Moldova
Macedonia
Poland    Russia
Romania   Ukraine
Serbia    Uzbekistan
Slovenia
Turkey
<table>
<thead>
<tr>
<th>Country</th>
<th>Score</th>
<th>Income Level</th>
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<td>Romania</td>
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<tr>
<td>Greece</td>
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<td>high income</td>
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Factor 1: Limited Government Powers

- Government powers are effectively limited by the legislature 0.49
- Government powers are effectively limited by the judiciary 0.39
- Government officials are sanctioned for misconduct 0.59
- Government powers are subject to non-governmental checks 0.58
- Transition of power is subject to the law 0.44
Factor 5: Open Government

• The laws are publicized and accessible 0.57
• The laws are stable 0.45
• Right to petition the government and public participation 0.35
• Official information is available on request 0.49
<table>
<thead>
<tr>
<th>Country</th>
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<td>Czech Rep.</td>
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<td>Slovenia and Portugal</td>
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# How Does Russia Compare?

<table>
<thead>
<tr>
<th>Factors</th>
<th>Scores</th>
<th>Global Rankings</th>
<th>Regional Rankings</th>
<th>Income Group Rankings</th>
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<td>Fundamental Rights</td>
<td>0.47</td>
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</table>
Rotation: orthogonal varimax
Method: principal factors
Problematic Areas

- Pretrial detention
- Forced confessions
- Selective investigations and prosecutions
- Selective enforcement of judicial decisions
- Failure to investigate complaints
- Procuracy still dominates process