



World Justice
Project

Perception And Experience Data: The World Justice Project Rule Of Law Index

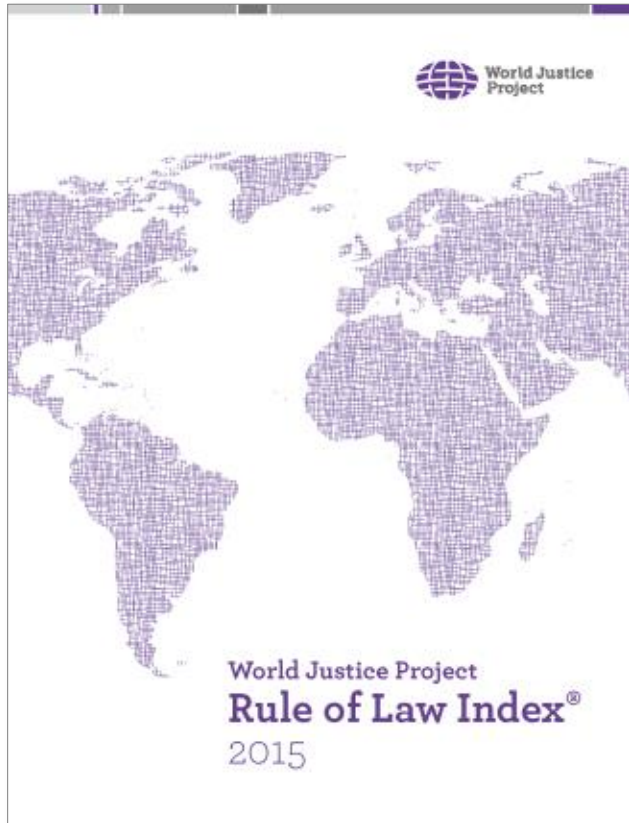
Alejandro Ponce

March 10, 2016

Measurement



Rule of Law Index



- Annual assessment tool to measure adherence to the rule of law
- Original data based on over 100,000 household and expert surveys
- Surveys of the general population provide firsthand information on the experiences and perceptions of ordinary people when dealing with the government, interacting with state bureaucracy, or resolving common disputes.
- 102 countries measured so far

Rule of Law Factors



Constraints on
Government Powers



Absence of
Corruption



Open
Government



Fundamental
Rights



Order and
Security



Regulatory
Enforcement



Civil Justice



Criminal Justice

Administration of the survey in: Afghanistan



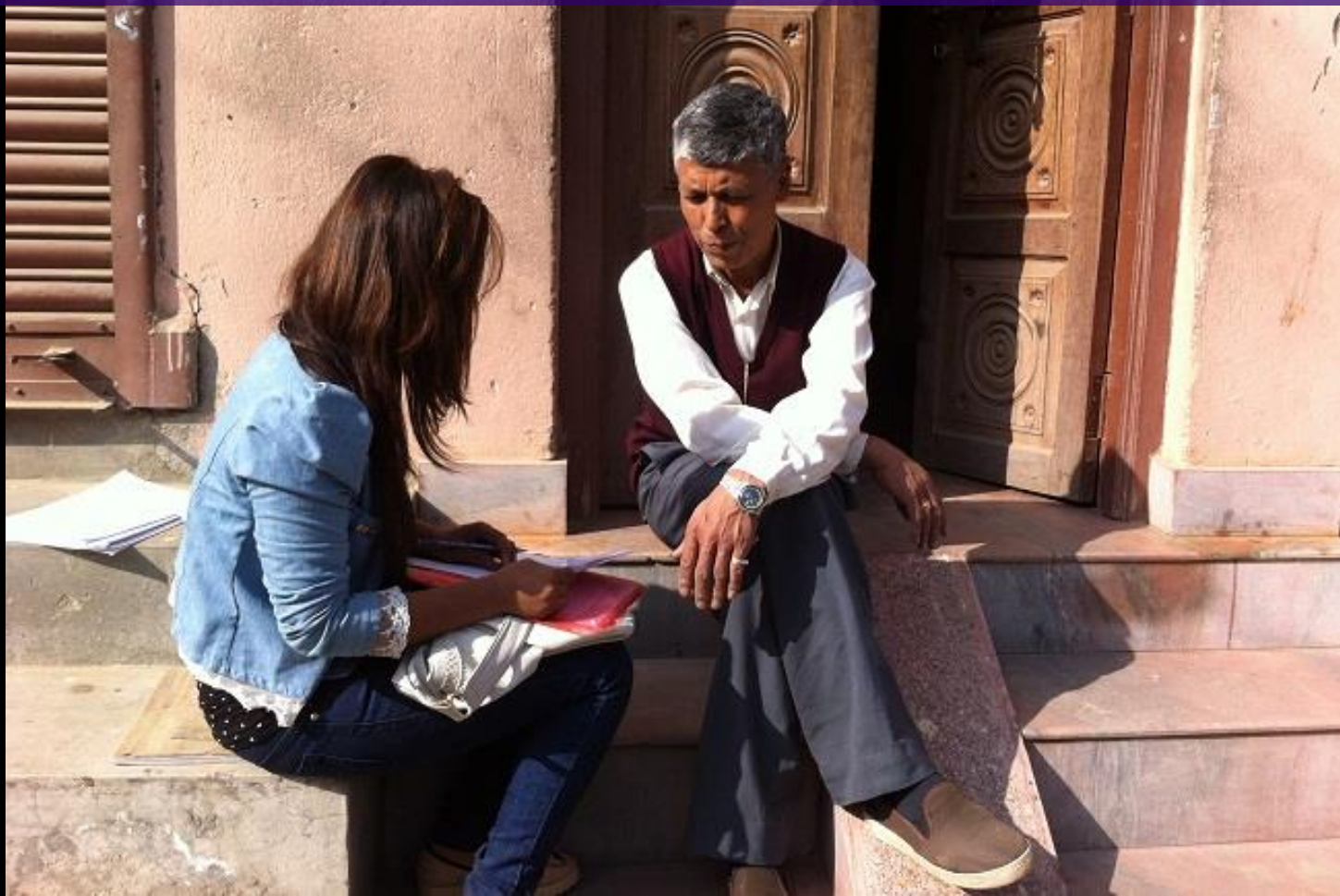
Administration of the survey in: Thailand



Administration of
the survey in:
Honduras



Administration of the survey in: Nepal



Administration of the survey in: Morocco



Administration of the survey in: Indonesia



Administration of the survey in: Zambia



Administration of the survey in: Mexico



Findings from the Rule of Law Index

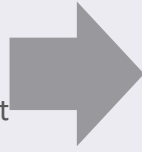


Afghanistan

Data from the *WJP Rule of Law Index 2015*

25%

Conflict with contract
or debt?



Lawsuit

39%

Mechanisms used to solve these conflicts:

Police

18%

Informal

30%

Renegotiation

6%

No Action

6%

Of those who filed a lawsuit



% of respondents who think that the process was...

53% Objective

66% Slow

59% Expensive

52% Fair

35%

Of cases took more than 1 year

81%

Paid a bribe

48%

Received legal assistance

Afghanistan

Data from the *WJP Rule of Law Index 2015*

- Lower Income
- Higher Income

23% | 27%

Conflict with contract
or debt?



Lawsuit
37%
40%

Police
18%
20%

Informal
31%
30%

Renegotiation
6%
5%

No Action
8%
5%

Mechanisms used to solve these conflicts:

Of those who filed a lawsuit



% of respondents who think that the process was...

52% | 56% Objective

72% | 57% Slow

55% | 60% Expensive

50% | 56% Fair

30%

38%

Of cases took
more than 1 year

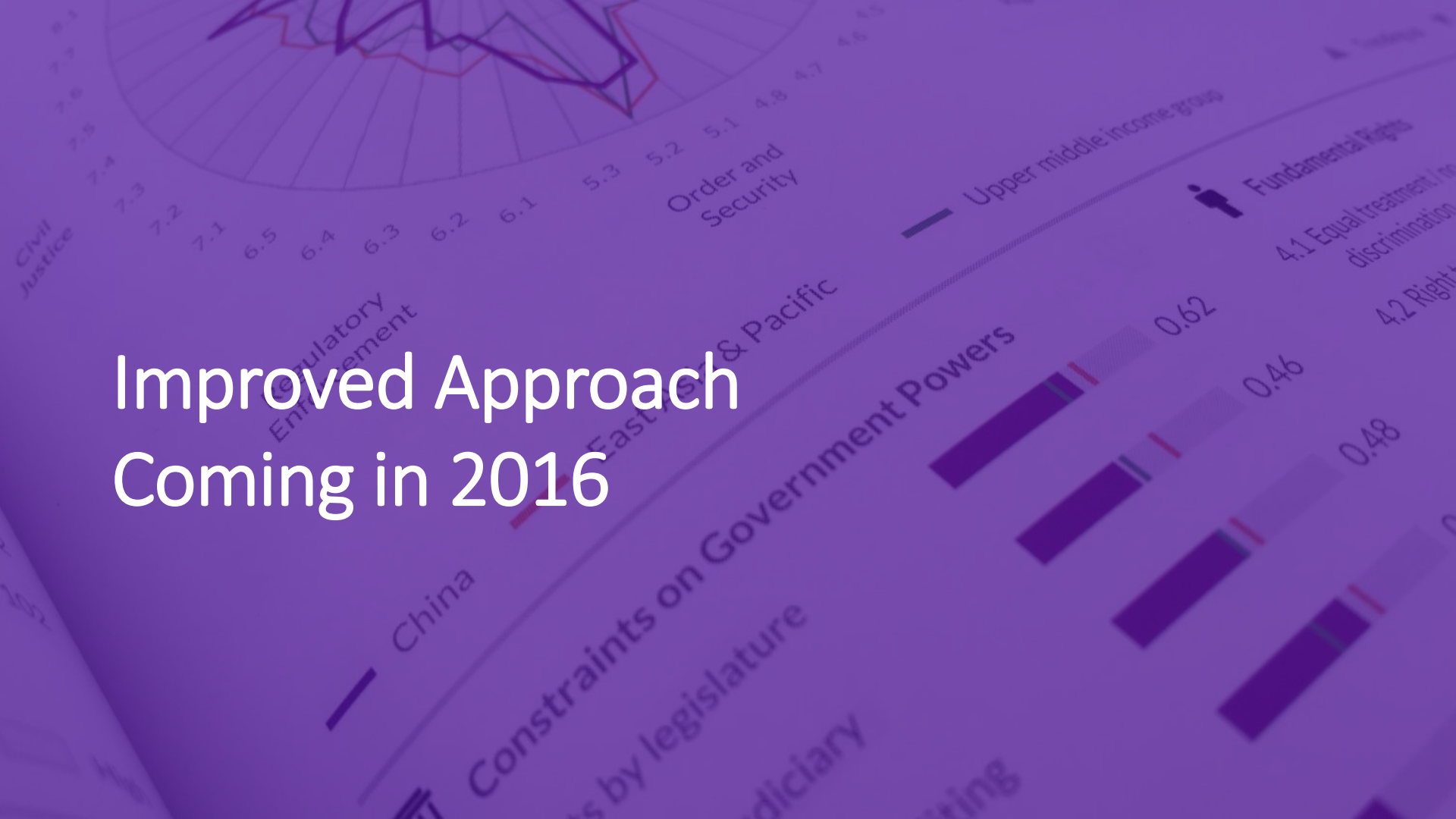
80% | 81% Paid a bribe

39% | 55% Received legal
assistance

	Bolivia	Brazil	Mexico
Conflict with contract or debt?	11%	8%	7%
Mechanisms used to solve these conflicts			
- Filed a lawsuit	25%	32%	38%
- Renegotiated	28%	24%	38%
- Did nothing	37%	24%	21%
% of respondents who think that the process was...			
- Slow	81%	75%	74%
- Expensive	67%	29%	58%
- Fair	48%	71%	41%

	Mexico		
	2009	2012	2014
Conflict with contract or debt?	18%	15%	7%
Mechanisms used to solve these conflicts			
- Filed a lawsuit	35%	25%	38%
- Renegotiated	39%	38%	38%
- Did nothing	13%	20%	21%
% of respondents who think that the process was...			
- Slow	76%	73%	74%
- Expensive	60%	62%	58%
- Fair	46%	46%	41%

Improved Approach Coming in 2016



Types of Disputes

In the past 12 months, has your household experienced any of the following disputes or problems?

	*	Land and Property	
C1	A	Land disputes (disputes over land title, land grabbing, disputes related to selling or buying property, expropriation, etc.)	Yes _____ 1 No _____ 2
		Administrative	
C2	B	Problems obtaining ID cards or birth certificates	Yes _____ 1 No _____ 2
C3	C	Problems obtaining marriage or divorce certificates	Yes _____ 1 No _____ 2
C4	D	Problems obtaining land or property titles	Yes _____ 1 No _____ 2
C5	E	Problems obtaining public benefits (for example, social security and medical treatment)	Yes _____ 1 No _____ 2
		Family	
C6	F	Divorce or separation	Yes _____ 1 No _____ 2
C7	G	Child custody or child support	Yes _____ 1 No _____ 2
C8	H	Domestic violence	Yes _____ 1 No _____ 2
C9	I	Dispute involving inheritance of land or property	Yes _____ 1 No _____ 2
		Neighbor	
C10	J	Neighbor disputes (disputes over boundaries, shared wall, property, etc.)	Yes _____ 1 No _____ 2
		Landlord / Tenant	
C11	K	Landlord / Tenant disputes	Yes _____ 1 No _____ 2
		Labor	

C12	L	Workplace disputes (i.e. unpaid wages, harassment, injury at work, wrongful firing)	Yes _____ 1 No _____ 2
		Business, Financial, or Consumer	
C13	M	Disputes over a business agreement	Yes _____ 1 No _____ 2
C14	N	Disputes over an unpaid debt	Yes _____ 1 No _____ 2
C15	O	Dispute over undelivered or incomplete goods or services	Yes _____ 1 No _____ 2
		Crime/Disputes between individuals	
C16	P	Physical assault / fighting / beating	Yes _____ 1 No _____ 2
C17	Q	Theft (burglary /looting, pick-pocketing, motor vehicle theft, livestock stolen, etc.)	Yes _____ 1 No _____ 2
		Traffic	
C18	R	Traffic disputes	Yes _____ 1 No _____ 2
		Abuse of law enforcement authorities and processes	
C19	S	Arrest or detention without any justifiable reason	Yes _____ 1 No _____ 2
C20	T	Harassment by the police	Yes _____ 1 No _____ 2
		Government / Development	
C21	U	Corruption, extortion, or bribery	Yes _____ 1 No _____ 2
C22	V	Other, [SPECIFY]	

Resolution Mechanisms

Read: Now I am going to ask you some details about the disputes that your household experienced.

C O D E	T Y P E *	C23. Who was the dispute with? Family _____ 1 Individual _____ 2 Group _____ 3 Company _____ 4 Local Government _____ 5 Central Government _____ 6 Other _____ 7 DK/NA _____ 99	C24. Which of the following mechanisms were used to solve this dispute? [Select all that apply] Direct negotiation with other party _____ 1 Negotiation with help of another party (family, friend, police, local leader) _____ 2 Used a local or traditional leader _____ 3 Used a state court _____ 4 No action taken _____ 5 Other [SPECIFY] _____ 6 DK/NA _____ 99	C25. Has this dispute been settled? Yes _____ 1 No _____ 2 DK/NA _____ 99	
		1			

Read: Now, I am going to ask you some questions about how you or other members of your household resolved the dispute that you indicated as the most important one.

C27	When the problem occurred or after talking to the other party, did you or anyone in your household go to a local leader or institution (for example, the police, a court, a local leader, an NGO) to try to resolve the dispute?	Yes _____ 1 (SKIP TO C29) No _____ 2 Don't know/Refused _____ 99
C28	Why did you or other members of your household not take any action? [Surveyor: Do not read response choices. Allow respondent to answer freely. Then use codes below to classify the answer.] [Code all that apply, then skip to C32.]	FOR CODES SEE CODE SHEET

C26	Of those disputes that you or your household experienced, can you please tell me the <u>MOST IMPORTANT</u> to you or your household?	Most important _____ [ENTER CODE] Don't know/Refused _____ 99
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Experience

Read: Now I am going to ask you some details about the disputes that your household experienced.

	C29	C30
A. To whom did you or someone in your household take the dispute?	FOR CODES SEE CODE SHEET	FOR CODES SEE CODE SHEET
B. What was the main reason why you or your household decided to go to this person, group, or institution? [Surveyor: Allow respondent to answer freely. Then, use codes below to classify the answer][Code all that apply]	FOR CODES SEE CODE SHEET	FOR CODES SEE CODE SHEET
C. Was the dispute resolution process conducted in your preferred language?	Yes _____ 1 (SKIP TO C29_E) No _____ 2 Don't know/Refuse __99	Yes _____ 1 (SKIP TO C30_E) No _____ 2 Don't know/Refuse __99
D. Did you have access to an interpreter?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
E. Did this institution come to a resolution for the dispute?	Yes _____ 1 No _____ 2 (SKIP TO C29_P) Don't know/Refuse __99 (SKIP TO C29_P)	Yes _____ 1 No _____ 2 (SKIP TO C30_P) Don't know/Refuse __99 (SKIP TO C30_P)
F. How long did it take between reporting the incident and finding a resolution (in months)?	Months []	Months []
G. Did you comply with this resolution?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
H. Did the other party comply with this resolution?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
I. Do you think that this resolution was fair?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
J. After the resolution was reached, did you have another dispute or conflict with the same party?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99

K. During the process were you asked to pay a bribe?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
L. How much money (if anything) did your household spend in fees and bribes at this institution?	[CURRENCY] LOCAL [Surveyor: If nothing, write "0"]	[CURRENCY] LOCAL [Surveyor: If nothing, write "0"]
M. Regardless of the outcome, do you think that the process was fair?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
N. Do you think that that the process was slow?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
O. Do you think that that the process was expensive?	Yes _____ 1 No _____ 2 Don't know/Refuse __99	Yes _____ 1 No _____ 2 Don't know/Refuse __99
P. Did you or the other party go to another person, group, or institution to look for a resolution to your problem or dispute?	Yes _____ 1 (CONTINUE TO C30) No _____ 2 (SKIP TO C32) Don't know/Refuse __99 (SKIP TO C32)	Yes _____ 1 No _____ 2 Don't know/Refuse __99

Legal Aid

Read: Now, I'm going to ask you about your experience (or the experience of anyone in your household) when looking for legal advice or legal assistance to help you resolve the dispute.

C31	During the dispute resolution process, did you or anyone in your household <u>receive</u> legal advice or legal help from another person or group, for example, a friend, a local leader, an attorney, or a paralegal?	Yes _____ 1 No _____ 2 (SKIP TO C34) Don't know/Refused _____ 99 (SKIP TO C34)																								
C32	From whom did you receive it?	<table border="0"> <thead> <tr> <th></th> <th style="text-align: center;">Yes</th> <th style="text-align: center;">No</th> </tr> </thead> <tbody> <tr> <td>a. A family member or a friend _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>b. A local religious leader _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>c. A local community leader _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>d. A private attorney _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>e. A government legal aid office _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>f. A paralegal or a NGO _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td>g. Other organization _____</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> </tbody> </table>		Yes	No	a. A family member or a friend _____	1	2	b. A local religious leader _____	1	2	c. A local community leader _____	1	2	d. A private attorney _____	1	2	e. A government legal aid office _____	1	2	f. A paralegal or a NGO _____	1	2	g. Other organization _____	1	2
	Yes	No																								
a. A family member or a friend _____	1	2																								
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e. A government legal aid office _____	1	2																								
f. A paralegal or a NGO _____	1	2																								
g. Other organization _____	1	2																								
C33	How much money (if anything) did your household spend in legal aid fees?	[_____] LOCAL CURRENCY [Surveyor: If nothing, write "0"]																								
C34	Why didn't you attempt to get legal advice or legal aid? [Surveyor: Do not read response choices. Allow respondent to answer freely. Then use codes below to classify the answer][Code all that apply]	I did not think I needed advice or legal help _____ 1 I did not know who to call _____ 2 I did not think that I could afford a legal assistant or a lawyer _____ 3 I do not trust legal assistants or lawyers _____ 4 Lawyers and legal aid offices are ineffective _____ 5 Other (specify) _____ Don't know/Refused _____ 99																								



**World Justice
Project**

[WorldJusticeProject.org](https://www.WorldJusticeProject.org)



Factor 1: Constraints on Government Powers

- 1.1 Government powers are effectively limited by the legislature
- 1.2 Government powers are effectively limited by the judiciary
- 1.3 Government powers are effectively limited by independent auditing and review
- 1.4 Government officials are sanctioned for misconduct
- 1.5 Government powers are subject to non-governmental checks
- 1.6 Transition of power is subject to the law
- 1.7 Transition of power is subject to the law



Factor 2: Absence of Corruption

- 2.1 Government officials in the executive branch do not use public office for private gain
- 2.2 Government officials in the judicial branch do not use public office for private gain
- 2.3 Government officials in the police and the military do not use public office for private gain
- 2.4 Government officials in the legislative branch do not use public office for private gain



Factor 3: Open Government

- 3.1 Publicized laws and government data
- 3.2 Right to information
- 3.3 Civic participation
- 3.4 Complaint mechanisms



Factor 4: Fundamental Rights

- 4.1 Equal treatment and absence of discrimination
- 4.2 The right to life and security of the person is effectively guaranteed
- 4.3 Due process of law and rights of the accused
- 4.4 Freedom of opinion and expression is effectively guaranteed
- 4.5 Freedom of belief and religion is effectively guaranteed
- 4.6 Freedom from arbitrary interference with privacy is effectively guaranteed
- 4.7 Freedom of assembly and association is effectively guaranteed
- 4.8 Fundamental labor rights are effectively guaranteed



Factor 5: Order and Security

- 5.1 Crime is effectively controlled
- 5.2 Civil conflict is effectively limited
- 5.3 People do not resort to violence to redress personal grievances



Factor 6: Regulatory Enforcement

- 6.1 Government regulations are effectively enforced
- 6.2 Government regulations are applied and enforced without improper influence
- 6.3 Administrative proceedings are conducted without unreasonable delay
- 6.4 Due process is respected in administrative proceedings
- 6.5 The government does not expropriate without lawful process and adequate compensation



Factor 7: Civil Justice

- 7.1 People can access and afford civil justice
- 7.2 Civil justice is free of discrimination
- 7.3 Civil justice is free of corruption
- 7.4 Civil justice is free of improper government influence
- 7.5 Civil justice is not subject to unreasonable delay
- 7.6 Civil justice is effectively enforced
- 7.7 ADR is accessible, impartial, and effective



Factor 8: Criminal Justice

- 8.1 Criminal investigation system is effective
- 8.2 Criminal adjudication system is timely and effective
- 8.3 Correctional system is effective in reducing criminal behavior
- 8.4 Criminal system is impartial
- 8.5 Criminal system is free of corruption
- 8.6 Criminal system is free of improper government influence
- 8.7 Due process of law and rights of the accused