

CONSTITUTIONAL LAW, CIVIL LIBERTIES, AND CRIMINAL LAW

The World Justice Project (WJP) is honored to count on your expertise for this questionnaire, which will be answered by highly qualified individuals around the world.

The questionnaire consists of 43 questions, and will take approximately 35 minutes to complete. Your responses will be aggregated with those of other experts and supplemented by the results of a randomized general population poll (GPP) conducted in the three largest cities of your country of practice. Together, this data will be used to evaluate adherence to the rule of law. The results will be published, alongside those of over 100 other countries worldwide, in the WJP Rule of Law Index® 2018-2019 report, and in other reports produced by the WJP.

Your contribution will be acknowledged in the *WJP Rule of Law Index® 2018-2019* report, as well as on The World Justice Project's web page and other WJP materials (unless you choose to remain anonymous).

Thank you in advance for your time and attention. With your participation, this joint endeavor will contribute to strengthening the rule of law worldwide.

INSTRUCTIONS

Please answer the following 43 questions in this questionnaire according to your perception of how the laws are applied **in practice** in your country. Please indicate in the box below which country you are responding to in this survey:

| |
|-----------------|
| COUNTRY: |
|-----------------|

When you have completed the survey, please submit your answers by email or fax at:

- Email: ruleoflawindex@worldjusticeproject.org
- Fax: +1 (202) 747-5816

If you have comments or questions, please contact a member of The World Justice Project's (WJP) Rule of Law Index staff, at ruleoflawindex@worldjusticeproject.org.

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Please answer the following questions according to your perception of how the laws are applied in practice in your country. Please mark your answers with an X in the appropriate box.

SECTION I

The following questions describe hypothetical situations. In each question, we will provide you with a set of assumptions. Please select the option that best represents your views.

Hypothetical Scenario No. 1

Please assume that a poor person is arrested on suspicion of aggravated robbery. Assume that the suspect is taken into custody and detained at a local police station in the city where you live.

1. How likely is it that the police interrogators inflict **minor** physical harm on the detained suspect to admit the crime?

| | |
|---------------------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |
| Don't know/Not Applicable | |

2. How likely is it that the police interrogators inflict **severe** physical harm on the detained suspect to admit the crime?

| | |
|---------------------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |
| Don't know/Not Applicable | |

3. If the detained suspect requests access to legal counsel, how likely is it that he/she receives adequate legal counsel from a public defender:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|--|-------------|--------|----------|---------------|---------------------------|
| (a) During the initial police custody? | | | | | |
| (b) During pre-trial detention? | | | | | |
| (c) During the trial? | | | | | |

4. If the detained suspect does not speak the same language as the police officers or the prosecutors, in practice, how likely is it that he/she obtains access to an interpreter?

| | |
|---------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |

| | |
|---------------------------|--|
| Don't know/Not Applicable | |
|---------------------------|--|

5. How likely is the detained suspect to be tried and convicted in a secret trial?

| | |
|---------------------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |
| Don't know/Not Applicable | |

6. How likely is it that the suspect remains in custody without an indictment (or without formal charges) by the prosecutor, or by the competent judicial or administrative authority:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|---------------------------------|-------------|--------|----------|---------------|---------------------------|
| (a) For more than three months? | | | | | |
| (b) For more than one year? | | | | | |
| (c) For more than three years? | | | | | |
| (d) Indefinitely? | | | | | |

7. Assume that the prosecutor/judge/jury determines that there is probable cause (or probable responsibility) to hold the suspect in custody. How likely is the detained suspect to remain in custody without a formal conviction:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|---------------------------------|-------------|--------|----------|---------------|---------------------------|
| (a) For more than three months? | | | | | |
| (b) For more than one year? | | | | | |
| (c) For more than three years? | | | | | |
| (d) Indefinitely? | | | | | |

Hypothetical Scenario No. 2

8. Assume that a police officer inflicts **severe** physical harm on a criminal suspect to obtain a confession. Assume that the criminal suspect files a formal complaint with the competent authority (prosecutor, judge, ombudsman, etc.), and provides sufficient evidence to prove his/her case. Which one of the following outcomes is most likely? (**PLEASE CHOOSE ONLY ONE SINGLE ANSWER**)

| | |
|--|--|
| (a) The accusation is completely ignored by the authorities | |
| (b) An investigation is opened, but it never reaches any conclusions | |
| (c) The police officer is prosecuted and punished (through fines, or time in prison) | |
| (d) Don't know/Not Applicable | |

Hypothetical Scenario No. 3

9. Assume that a high-ranking police officer is found by a newspaper reporter to be taking money from a criminal organization. Assume that there is enough evidence to prosecute and convict. Which of the following outcomes is most likely? **(PLEASE CHOOSE ONLY ONE SINGLE ANSWER)**

| | |
|---|--|
| (a) The accusation is completely ignored by the authorities | |
| (b) An investigation is opened, but it never reaches any conclusions | |
| (c) The high-ranking police officer is prosecuted and punished (through fines, or time in prison) | |
| (d) Don't know/Not Applicable | |

10. How likely is the newspaper reporter to be threatened, imprisoned, or punished (either through official or unofficial means), either by the police or by the organized criminal organization?

| | |
|---------------------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |
| Don't know/Not Applicable | |

Hypothetical Scenario No. 4

11. Assume that the police arrest a suspected member of a dangerous criminal organization (e.g. a drug cartel). How likely is it that:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|---|-------------|--------|----------|---------------|---------------------------|
| (a) The police (or the military police) inflict severe physical harm on the suspect during the interrogation | | | | | |
| (b) The suspect is killed by the police (or the military police) without trial | | | | | |

Hypothetical Scenario No. 5

12. Imagine that the local police detain a **person suspected of committing a crime**. In your opinion, how likely is the detained person to be at a disadvantage during the criminal process because he/she is:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|--|-------------|--------|----------|---------------|---------------------------|
| (a) A poor person | | | | | |
| (b) A woman | | | | | |
| (c) A member of an ethnic minority | | | | | |
| (d) A member of a religious minority | | | | | |
| (e) A foreigner (immigrant) | | | | | |
| (f) Gay, lesbian, bisexual, or transgender | | | | | |

Or:

| | |
|-----------------------|--|
| (g) None of the above | |
|-----------------------|--|

13. In your opinion, how likely is the **victim** of a crime to be at a disadvantage during the process of seeking justice because he/she is:

| (New: INL) | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not Applicable |
|--|-------------|--------|----------|---------------|---------------------------|
| (a) A poor person | | | | | |
| (b) A woman | | | | | |
| (c) A member of an ethnic minority | | | | | |
| (d) A member of a religious minority | | | | | |
| (e) A foreigner (immigrant) | | | | | |
| (f) Gay, lesbian, bisexual, or transgender | | | | | |

Or:

| | |
|-----------------------|--|
| (g) None of the above | |
|-----------------------|--|

Hypothetical Scenario No. 6

14. Please assume that a criminal is apprehended by your neighbors after committing a serious crime. Which of the following two situations is more likely to happen? (**PLEASE CHOOSE ONLY ONE SINGLE ANSWER**)

| | |
|---|--|
| (a) The criminal is beaten by the neighbors | |
| (b) The criminal is turned over to the authorities without harm | |

Hypothetical Scenario No. 7

15. Please assume that someone in this neighborhood has a dispute with another resident over an unpaid debt. How likely is it that one or both parties resort to violence in the process of settling the dispute (for example, to intimidate one of the parties, or to ask for a payment of the unpaid debt)?

| | |
|---------------------------|--|
| Very likely | |
| Likely | |
| Unlikely | |
| Very unlikely | |
| Don't know/Not Applicable | |

SECTION II

16. The following question aims at identifying the main problems faced by the **criminal investigation system** in your country. On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how significant are the following problems for the criminal investigative services (prosecutors, investigators, judicial police officers, etc.) in the city where you live:

| | 10 Serious problem | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Not a problem | Don't know/ Not applicable |
|---|--------------------------|---|---|---|---|---|---|---|---|-----------------------|-------------------------------------|
| (a) Lack of effective intelligence systems to support criminal investigators | | | | | | | | | | | |
| (b) Lack of proactive investigation methods, such as undercover operations | | | | | | | | | | | |
| (c) Deficient mechanisms to gather information and analyze evidence | | | | | | | | | | | |
| (d) Improper storage or lack of chain of custody procedures for material evidence | | | | | | | | | | | |
| (e) Deficient systems to protect witnesses and whistle-blowers | | | | | | | | | | | |
| (f) Deficient systems to exchange information between criminal investigative service agencies | | | | | | | | | | | |
| (g) An insufficient number of criminal investigators | | | | | | | | | | | |
| (h) Incompetence of criminal investigators | | | | | | | | | | | |
| (i) Lack of technology and adequate resources | | | | | | | | | | | |
| (j) Corruption of investigators or judicial police | | | | | | | | | | | |
| (k) Investigators' understanding of the law | | | | | | | | | | | |
| (l) Lack of independence of forensic experts | | | | | | | | | | | |
| (m) Eyewitness identification of defendants conducted in a manner that improperly disadvantages the accused | | | | | | | | | | | |

17. In your opinion, material evidence used in criminal trials is obtained lawfully (with a valid search warrant, an order issued by a judge, for example.)

| | |
|---------------------------|--|
| Almost always | |
| In most cases | |
| In some cases | |
| Almost never | |
| Don't know/Not Applicable | |

18. The following question aims at identifying the main problems faced by the **prosecutorial system** in your country. On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how significant are the following problems for the prosecutors in the city where you live:

| | 10 Serious problem | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Not a problem | Don't know/ Not applicable |
|--|--------------------------|---|---|---|---|---|---|---|---|-----------------------|-------------------------------------|
| (a) Corruption of prosecutors | | | | | | | | | | | |
| (b) Prosecutors' understanding of the law | | | | | | | | | | | |
| (c) Lack of adequate training/education of prosecutors | | | | | | | | | | | |
| (d) Lack of independence of prosecutors (unable to act against powerful government officials or private parties) | | | | | | | | | | | |
| (e) Insufficient number of prosecutors to handle caseloads | | | | | | | | | | | |

19. The following question aims at identifying the main problems faced by the **criminal defense system** in your country. On a scale from 1 to 10 (with 10 being a very serious problem, and 1 being not a serious problem), please tell us how significant are the following problems faced by the criminal defense attorneys in the city where you live:

| | 10 Serious problem | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Not a problem | Don't know/ Not applicable |
|--|--------------------------|---|---|---|---|---|---|---|---|-----------------------|-------------------------------------|
| (a) Lack of adequate training/education of state-provided or pro-bono defense attorneys | | | | | | | | | | | |
| (b) Insufficient number of state-provided or pro-bono (free-of-charge) attorneys for poor criminal defendants | | | | | | | | | | | |
| (c) Incompetence of state-provided or pro-bono (free-of-charge) attorneys for poor criminal defendants | | | | | | | | | | | |
| (d) Lack of adequate resources available to state-provided or pro-bono public defense attorneys to prepare for trial | | | | | | | | | | | |
| (e) Inability of state-provided or pro-bono public defense attorneys to gain access to clients while they are detained | | | | | | | | | | | |
| (f) Lack of independence of state-provided or pro-bono public defense attorneys from prosecutors | | | | | | | | | | | |
| (g) Lack of independence of state-provided or pro-bono public defense attorneys from judges | | | | | | | | | | | |

20. The following question aims at identifying the main problems faced by the **criminal courts** in your country. On a scale from 1 to 10 (with 10 being a very serious problem, and 1 being not a serious problem), please tell us how significant are the following problems faced by the criminal courts in the city where you live:

| | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 | Don't |
|--|----|---|---|---|---|---|---|---|---|---|-------|
| | | | | | | | | | | | |

| | Serious problem | | | | | | | | | | | Not a problem | know/ Not applicable |
|---|-----------------|--|--|--|--|--|--|--|--|--|--|---------------|----------------------|
| (a) Excessive length and use of pre-trial detention | | | | | | | | | | | | | |
| (b) Delays in the criminal justice system (cases take too much time) | | | | | | | | | | | | | |
| (c) Court congestion and insufficient number of judges | | | | | | | | | | | | | |
| (d) Appeals clogging the criminal justice system | | | | | | | | | | | | | |
| (e) Poor decisions by criminal judges | | | | | | | | | | | | | |
| (f) Inadequate selection and training of judges | | | | | | | | | | | | | |
| (g) Inadequate selection and training of clerks | | | | | | | | | | | | | |
| (h) Insufficient monetary compensation (pay) for judges and court officers | | | | | | | | | | | | | |
| (i) Insufficient number of judges and court personnel | | | | | | | | | | | | | |
| (j) Inadequate resources | | | | | | | | | | | | | |
| (k) Corruption of judges and judicial officers (they don't move the cases unless the parties bribe them) | | | | | | | | | | | | | |
| (l) Lack of mechanisms to track the efficiency of the criminal courts | | | | | | | | | | | | | |
| (m) Lack of independence of the judiciary from the government's power | | | | | | | | | | | | | |
| (n) Lack of translators (language barriers) for criminal defendants | | | | | | | | | | | | | |
| (o) Bias against marginalized people (discrimination based on social or economic status) | | | | | | | | | | | | | |
| (p) Insufficient or inefficient alternative dispute resolution mechanisms (conciliation, mediation) to resolve disputes outside the criminal system | | | | | | | | | | | | | |

21. The following question aims at identifying the main problems faced by the **correctional institutions** in your country. On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how significant are the following problems faced by correctional facilities (jails and prisons) in the city where you live:

| | 10 Serious problem | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Not a serious problem | Don't know/ Not applicable |
|---|--------------------|---|---|---|---|---|---|---|---|-------------------------|----------------------------|
| (a) Harsh conditions and overcrowding | | | | | | | | | | | |
| (b) Poor access to health care and malnutrition among inmates | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| (c) Physical abuse by guards and correctional personnel | | | | | | | | | | | | | | | | | | | | |
| (d) Physical abuse between inmates | | | | | | | | | | | | | | | | | | | | |
| (e) Poor rehabilitative programs and recidivism | | | | | | | | | | | | | | | | | | | | |
| (f) Lack of accessible complaint mechanisms | | | | | | | | | | | | | | | | | | | | |
| (g) Lack of separate facilities for dangerous and less serious offenders | | | | | | | | | | | | | | | | | | | | |
| (h) Poor security that facilitates escapes | | | | | | | | | | | | | | | | | | | | |
| (i) Excessive use of incarceration for minor crimes that could be handled through house arrest | | | | | | | | | | | | | | | | | | | | |
| (j) Lack of separate facilities for men and women | | | | | | | | | | | | | | | | | | | | |
| (k) Lack of separate facilities for minors and adults | | | | | | | | | | | | | | | | | | | | |

SECTION III

22. Based on your experience with common criminal cases (such as armed robbery) during the last year, approximately what percentage (%) of the suspects:

| | 100% | 75% | 50% | 25% | 5% | 0% | Don't know/Not Applicable |
|---|------|-----|-----|-----|----|----|---------------------------|
| (a) Were aware of the charges against them? | | | | | | | |
| (b) Were in fact presumed innocent during the criminal investigation? | | | | | | | |
| (c) Were forced to confess to a crime? | | | | | | | |
| (d) Were in fact presumed innocent by the judge during trial until all evidence had been presented? | | | | | | | |
| (e) Were in fact allowed to challenge the evidence used against them in court? | | | | | | | |

23. Based on your experience with common criminal cases (such as armed robbery) during the last year, in approximately what percentage (%) of cases would you say that:

| | 100% | 75% | 50% | 25% | 5% | 0% | Don't know/Not Applicable |
|--|------|-----|-----|-----|----|----|---------------------------|
| (a) A judge was present during all court proceedings? | | | | | | | |
| (b) The defense was given access to all of the evidence used in court? | | | | | | | |
| (c) The defendant was present during court | | | | | | | |

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| proceedings? | | | | | | | |
| (d) The defense attorney was present during court proceedings? | | | | | | | |
| (e) The prosecutor was present during court proceedings? | | | | | | | |

24. Based on your experience with criminal cases decided by trial courts during the previous year, approximately what percentage (%) of cases reflected the following outcomes?

| | 100% | 75% | 50% | 25% | 5% | 0% | Don't know/Not Applicable |
|---|------|-----|-----|-----|----|----|---------------------------|
| (a) The final decision reflected the judges' honest evaluation of the available evidence and applicable law | | | | | | | |
| (b) The final decision was influenced by undue political or professional pressure | | | | | | | |
| (c) The final decision was influenced by corruption | | | | | | | |

25. Based on your experience with criminal cases during the previous year, in approximately what percentage (%) of them did the criminal system:

| | 100% | 75% | 50% | 25% | 5% | 0% | Don't know/Not Applicable |
|---|------|-----|-----|-----|----|----|---------------------------|
| (a) Erroneously indict or accuse the suspected perpetrator of a crime? | | | | | | | |
| (b) Erroneously convict an individual through a trial? | | | | | | | |
| (c) Erroneously convict an individual through a plea bargain or other pretrial process? | | | | | | | |

26. In your opinion, how aware is the general population about their legal rights in the event of arrest or interrogation?

| | |
|---------------------------|--|
| Very aware | |
| Somewhat aware | |
| Slightly aware | |
| Not aware at all | |
| Don't know/Not Applicable | |

27. Based on your experience, please tell us:

| | Less than 1 month | Between 1 month and | Between 6 months | Between 1 year and 3 | More than 3 years | Don't know/ |
|--|-------------------|---------------------|------------------|----------------------|-------------------|-------------|
| | | | | | | |

| | 6 months | and 1 year | years | | Not applicable |
|--|----------|------------|-------|--|----------------|
| (a) In practice, how long does it take to convict a suspect accused of a serious crime? | | | | | |
| (b) In practice, how long does it take to convict a suspect accused of a minor crime? | | | | | |

28. Please answer:

| | 100% | 75% | 50% | 25% | 5% | 0% | Don't know/Not Applicable |
|---|------|-----|-----|-----|----|----|---------------------------|
| In your view, what percentage (%) of convicted criminals released from prison relapse into criminal behavior? | | | | | | | |

29. How likely is it that the police:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not applicable |
|---|-------------|--------|----------|---------------|---------------------------|
| (a) Arbitrarily arrest a citizen without probable cause (false arrest)? | | | | | |
| (b) Use excessive force during arrests? | | | | | |
| (c) Arrest an individual accused of a crime without an arrest warrant or order issued by a judge or magistrate? | | | | | |
| (d) Videotape the entire interrogation of a suspect? | | | | | |

30. How frequently would you say that:

| | Almost always | In most cases | In some cases | Almost never | Don't know/Not applicable |
|---|---------------|---------------|---------------|--------------|---------------------------|
| (a) Court proceedings are open to the public? | | | | | |
| (b) The entirety of the criminal case is transcribed and/or videotaped for the official record? | | | | | |

31. Please answer:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/Not applicable |
|--|-------------|--------|----------|---------------|---------------------------|
| (a) How likely are local police officers to collect bribes from traders and small merchants, so that they can carry on their activity? | | | | | |
| (b) How likely are police in your country to receive | | | | | |

| | | | | | |
|--|--|--|--|--|--|
| bribes from criminal organizations to turn a blind eye to their illegal activities (like selling drugs on the streets)? | | | | | |
| (c) How likely are the police to arrest innocent people and take them to court on false charges in order to solicit bribes or to fill a quota? | | | | | |
| (d) How likely are prosecutors to indict innocent people on false charges in order to fill a quota? | | | | | |
| (e) How likely are political dissidents to be secretly imprisoned or killed by agents of the state? | | | | | |
| (f) How likely are government agents to intercept (wiretap) private telephone or electronic communications of regular citizens , without judicial authorization? | | | | | |
| (g) How likely are government agents to intercept (wiretap) private telephone or electronic communications of political opponents , without judicial authorization? | | | | | |
| (h) How likely is it that an inmate breaks out of a maximum security prison? | | | | | |
| (i) How likely is it that an inmate breaks out of an ordinary prison? | | | | | |

32. How much influence do criminal organizations, such as drug cartels or arms smugglers, have on the policies and actions of the following institutions of your country?

| | Very strong influence | Significant influence | Minor influence | No influence | Don't know/ Not applicable |
|-------------------------------|-----------------------|-----------------------|-----------------|--------------|----------------------------|
| (a) Members of the government | | | | | |
| (b) Members of the courts | | | | | |
| (c) The police | | | | | |
| (d) The military | | | | | |
| (e) Warlords | | | | | |

33. How frequently do **prosecutors** working on criminal cases request or receive bribes or other informal payments to:

| | Almost always | In most cases | In some cases | Almost never | Don't know/ Not applicable |
|--|---------------|---------------|---------------|--------------|----------------------------|
| (a) Actually investigate a crime? | | | | | |
| (b) Actually prosecute a criminal? | | | | | |
| (c) Drop or reduce charges, or grant a bail? | | | | | |
| (d) Destroy or tamper with evidence? | | | | | |
| (e) Expedite court processes? | | | | | |

34. How frequently do the **police officers and court officers** (court personnel or judges) working on criminal cases request or receive bribes or other informal payments to:

| | Almost always | In most cases | In some cases | Almost never | Don't know/ Not applicable |
|--------------------------------------|---------------|---------------|---------------|--------------|----------------------------|
| (a) Actually investigate a crime? | | | | | |
| (b) Actually prosecute a criminal? | | | | | |
| (c) Drop charges or grant a bail? | | | | | |
| (d) Destroy or tamper with evidence? | | | | | |
| (e) Expedite court processes? | | | | | |

35. How frequently would you say that:

| | Almost always | In most cases | In some cases | Almost never | Don't know/ Not applicable |
|--|---------------|---------------|---------------|--------------|----------------------------|
| (a) In practice, the government provides easy-to-understand information on criminal suspects' rights | | | | | |
| (b) In practice, the government strives to make the laws accessible in languages spoken by significant segments of the population, even if they are not "official" languages | | | | | |
| (c) The basic laws are publicly available in all official languages | | | | | |
| (d) In practice, judicial decisions of the highest court are published on a timely basis | | | | | |
| (e) In practice, criminal laws are sufficiently stable to permit the public to ascertain what conducts are permitted and prohibited | | | | | |

36. To what extent do you agree with the following statements:

| | Strongly agree | Agree | Disagree | Strongly disagree | Don't know/ Not applicable |
|--|----------------|-------|----------|-------------------|----------------------------|
| (a) In practice, police officers who commit crimes are prosecuted and punished | | | | | |
| (b) In practice, police officers abusing their power are sanctioned for misconduct | | | | | |
| (c) In practice, the reports issued by the National Human Rights Institution/ombudsman are taken seriously by the authorities, with negative findings drawing prompt corrective action | | | | | |
| (d) In practice, the programs serving the needs of victims of rape, gender-based violence, and human trafficking (to help them to move through the traumatizing experience) are | | | | | |

| | | | | | |
|-----------|--|--|--|--|--|
| effective | | | | | |
|-----------|--|--|--|--|--|

37. In your opinion, what are the main impediments, if any, to a functioning appeals process or case review for convicted defendants in your country? On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how significant are the following problems for the criminal appeals process in the city where you live:

| | 10 Serious problem | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Not a problem | Don't know/ Not applicable |
|---|--------------------------|---|---|---|---|---|---|---|---|-----------------------|-------------------------------------|
| (a) Prosecutors improperly obstruct the process | | | | | | | | | | | |
| (b) Judges are unwilling to consider appeals | | | | | | | | | | | |
| (c) Defense attorneys abuse the appeals system | | | | | | | | | | | |
| (d) The defense is unable to obtain records of previous court proceedings | | | | | | | | | | | |

38. Please choose the statement that is closest to your views on how the National Human Rights Institution (ombudsman) operates in practice in your country: (**PLEASE CHOOSE ONLY ONE SINGLE ANSWER**)

| | |
|---|--|
| (a) The institution is effective in investigating human rights violations | |
| (b) The institution starts investigations into human rights violations, but is limited in its effectiveness. The institution may be slow or unwilling to take on politically sensitive issues | |
| (c) The institution does not effectively investigate human rights violations | |
| (d) There is no such institution in my country | |
| (e) Don't know/Not applicable | |

39. To what extent do you agree with the following statements:

| | Strongly agree | Agree | Disagree | Strongly disagree | Don't know/ Not applicable |
|---|----------------|-------|----------|-------------------|-------------------------------|
| (a) In practice, civil society organizations in your country can freely express opinions against government policies and actions without fear of retaliation | | | | | |
| (b) In practice, the government collaborates with civil society organizations in designing public policy | | | | | |
| (c) In practice, people in your country can freely join together with others to draw attention to an issue or sign a petition | | | | | |
| (d) In practice, people in your country can freely join any political organization they want | | | | | |
| (e) In practice, people in your country can freely hold public non-violent demonstrations without fear of retaliation | | | | | |

| | | | | | |
|--|--|--|--|--|--|
| (f) In practice, non-adherents in your country are not required to submit to religious laws | | | | | |
| (g) In your country, religious minorities can freely and publicly observe their holy days and religious events | | | | | |
| (h) In practice, the media (TV, radio, newspapers) in your country can freely expose cases of corruption by high-ranking government officers without fear of retaliation | | | | | |
| (i) In practice, the media (TV, radio, newspapers) in your country can freely express opinions against government policies without fear of retaliation | | | | | |
| (j) In practice in your country, the government does not prevent citizens from accessing content published on-line | | | | | |
| (k) In practice in your country, opposition parties can freely express opinions against government policies without fear of retaliation | | | | | |
| (l) In practice in your country, opposing factions within the dominant party can freely express opinions in public without fear of facing substantial negative consequences | | | | | |

40. To what extent do you agree with the following statements:

| | Strongly agree | Agree | Disagree | Strongly disagree | Don't know/ Not applicable |
|---|----------------|-------|----------|-------------------|----------------------------|
| (a) In practice, the government's power is not concentrated in one person, but is distributed among different independent branches, for instance, the President or Prime Minister, the Congress or Legislative body, and the judges | | | | | |
| (b) In practice, the national courts in your country are free of political influence in their application of power | | | | | |
| (c) In practice, the local courts in your country are free of political influence in their application of power | | | | | |
| (d) The government always obeys the decisions of the high courts, even when it disagrees with these decisions | | | | | |
| (e) In practice, the reports issued by the government auditor (supreme audit institution, comptroller, etc.) are taken seriously by the authorities, with negative findings drawing prompt corrective action | | | | | |
| (f) In practice, members of the legislature abusing their power are sanctioned for | | | | | |

| | | | | | |
|---|--|--|--|--|--|
| misconduct | | | | | |
| (g) In practice, members of the legislature who commit crimes are prosecuted and punished | | | | | |
| (h) In practice, members of the judiciary abusing their power are sanctioned for misconduct | | | | | |

41. To what extent do you agree with the following statements:

| | Strongly agree | Agree | Disagree | Strongly disagree | Don't know/ Not applicable |
|---|----------------|-------|----------|-------------------|----------------------------|
| (a) The chief executive (President, Prime Minister, etc.) of your country was elected through a clean process | | | | | |
| (b) The chief executive (President, Prime Minister, etc.) of your country was elected in accordance with the rules and procedures set forth in the constitution | | | | | |
| (c) In your country, detailed election results are readily available for public scrutiny | | | | | |
| (d) In practice, the electoral appeals court is free of political influence in its application of power | | | | | |
| (e) In practice, proper checks and balances exist to maintain public confidence in the electoral process | | | | | |
| (f) In practice, in your country, local government officials are elected through a clean process | | | | | |
| (g) In practice, in your country, people can vote freely without feeling harassed or pressured | | | | | |
| (h) In practice, the chief executive (President or Prime Minister, etc.) in your country rules without regard to legislative checks | | | | | |

42. Please answer:

| | Very likely | Likely | Unlikely | Very unlikely | Don't know/ Not applicable |
|---|-------------|--------|----------|---------------|----------------------------|
| (a) How likely is a citizen to be beaten by the police, without justification, for participating in a non-violent public demonstration in your country? | | | | | |
| (b) How likely is a journalist to be attacked by the police, without justification, for covering a non-violent public demonstration in your country? | | | | | |
| (c) How likely is it that a political dissident is taken from his home to a detention center | | | | | |

| | | | | | |
|--|--|--|--|--|--|
| without any warrant of arrest? | | | | | |
| (d) How likely is it that the police search without warrant the house of a political dissident? | | | | | |
| (e) How likely is it that a powerful or politically connected person avoids or escapes legal consequences for a non-violent criminal breach of the law? | | | | | |
| (f) What is the likelihood that a newspaper in your country declines to run a credible exposé of corruption because of threats of violence or legal action? | | | | | |
| (g) How likely is it that a high-ranking government official illegally diverts public funds to finance personal lifestyle or political campaigning costs? | | | | | |
| (h) How likely is it that a member of the Legislature/Parliament solicits or receives illegal payments or bribes in exchange for political favors or a favorable vote on a bill? | | | | | |

43. The following question aims at gauging the overall performance of government institutions in addressing various specialized types of criminal cases. On a scale from 1 to 10 (with 10 meaning a very strong and high-quality performance, and 1 meaning a very weak and low-quality performance), please tell us how well the government performs when it comes to investigating and prosecuting the following types of crimes:

| | 10 Very good | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 Very poor | Don't know/ Not applicable |
|---|--------------------|---|---|---|---|---|---|---|---|-------------------|-------------------------------------|
| (a) Narcotics production and trafficking | | | | | | | | | | | |
| (b) Public internal and external security | | | | | | | | | | | |
| (c) Conspiracy/Criminal networks | | | | | | | | | | | |
| (d) Money laundering | | | | | | | | | | | |
| (e) Financial/Economic crimes | | | | | | | | | | | |
| (f) Corruption by government officials | | | | | | | | | | | |
| (g) Trafficking in Persons | | | | | | | | | | | |
| (h) Gender-based violence | | | | | | | | | | | |

ALMOST FINISHED!

If you have any feedback or comments regarding the questionnaire, we would be grateful if you would let us know in the space below.

1.) Are there any relevant topics, issues, or questions that you think were left out?

2.) Additional Information: We are grateful for your contribution as an expert respondent to the WJP Rule of Law Index. Many of the World Justice Project's rule of law experts contribute their time and expertise year after year to create one of the world's most comprehensive data sets measuring countries' adherence to the rule of law. To ensure that we have the most up to date records in our database, we would greatly appreciate if you would take the time to fill out your contact information below. This information will remain strictly anonymous, and will not be shared with any third parties. Your contact information will be securely stored in our database for further engagement and for future editions of the WJP Rule of Law Index.

| <i>Please fill out the information below:</i> | |
|---|--|
| Title (Mr., Ms., Dr., etc.): | |
| First Name: | |
| Last Name/Surname: | |
| E-mail: | |
| Gender: | |

Do you teach at the university level? Yes [] No [] Which courses? _____

Are you an attorney? Yes [] No []

If yes, how many years have you practiced law? _____

| If you are an attorney, what are your areas of practice? | | | | | |
|---|------------------------------|-----------------------|------------------------------|------------------------|------------------------------|
| Antitrust | [<input type="checkbox"/>] | Contracts | [<input type="checkbox"/>] | International law | [<input type="checkbox"/>] |
| Bankruptcy | [<input type="checkbox"/>] | Corporate law | [<input type="checkbox"/>] | Labor law | [<input type="checkbox"/>] |
| Business law | [<input type="checkbox"/>] | Criminal law | [<input type="checkbox"/>] | Litigation/Arbitration | [<input type="checkbox"/>] |
| Civil law | [<input type="checkbox"/>] | Employment law | [<input type="checkbox"/>] | Medical malpractice | [<input type="checkbox"/>] |
| Civil rights | [<input type="checkbox"/>] | Environmental law | [<input type="checkbox"/>] | Property law | [<input type="checkbox"/>] |
| Commercial law | [<input type="checkbox"/>] | Family law | [<input type="checkbox"/>] | Taxation | [<input type="checkbox"/>] |
| Constitutional law | [<input type="checkbox"/>] | General practice | [<input type="checkbox"/>] | | [<input type="checkbox"/>] |
| Consumer law | [<input type="checkbox"/>] | Intellectual property | [<input type="checkbox"/>] | | [<input type="checkbox"/>] |

3.) As a token of our appreciation to your invaluable contribution, we would like to mail you a complimentary copy of the WJP Rule of Law Index 2018-2019 report when it is published later this year. If you would like to receive a complimentary hard copy of the report, please enter your preferred mailing address below.

| Please fill out the information below if you would like us to mail you a copy of the Index 2018-2019 report later this year: | |
|---|--|
| Street address: | |

| | |
|--|--|
| Other (i.e. apartment/ post office box): | |
| City: | |
| Province/State: | |
| Postal code: | |
| Country: | |

4.) Finally, as an expert in your field, we would welcome referrals or suggestions of colleagues who may be willing to contribute by completing one of the four questionnaires best aligned with their expertise:

- Civil and Commercial Law
- Constitutional Law, Civil Liberties, and Criminal Law
- Labor Law
- Public Health

| | Name | Email | Area of Expertise |
|-------------|------|-------|-------------------|
| Referral #1 | | | |
| Referral #2 | | | |
| Referral #3 | | | |

Thank you very much for your collaboration

Thank you for completing the questionnaire. We are honored to include your expertise in the 2018-2019 administration of the WJP Rule of Law Index®. For more information on the Rule of Law Index and the other program areas of the World Justice Project, please visit:

www.worldjusticeproject.org