

Empowering the Individual: Repressive Regimes in the Human Rights Committee*

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Abstract

The effectiveness of international law depends critically on participation, particularly participation of states that routinely violate legal provisions. Repressive states are the main target of international human rights institutions, and there is substantial variation in participation, especially within those institutions with increased oversight and monitoring. I examine one such example in the human rights regime: individual petition mechanisms which allow individuals to file international, legal complaints to an overseeing treaty body. Why do repressive regimes allow individual petitions, inviting criticism of their routine treaty violations? I argue that repressive regimes face international incentives to signal their commitment to human rights to the European Union, a global power with a clear history and continued interest in the global human rights regime. I leverage variation in domestic, political institutions among repressive states and argue that the costs of allowing individual petitions increase with effective institutional constraints on the executive. In support of my theory, I find that repressive regimes are more likely to ratify the International Covenant on Civil and Political Rights' Optional Protocol (ICCPR-OP) allowing individual petitions when they are economically dependent (trade and aid) on the EU yet face lesser institutional constraints, both legislative and judicial. Individual access in the Human Rights Committee (the overseeing body to the ICCPR) is one example of non-state actor access in international institutions, which is an important component of understanding institutional design and compliance.

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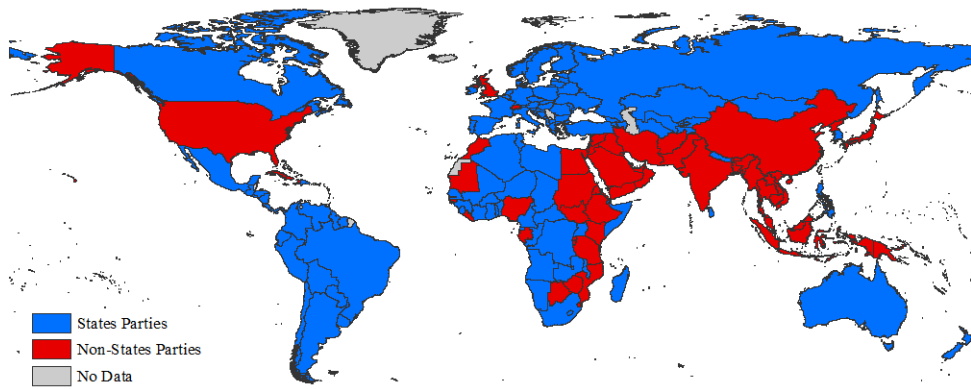
1 Introduction

International human rights law was designed to protect individuals from abuse of state power, but this requires participation of repressive governments. Why do repressive governments join international human rights institutions, especially those that require increased monitoring and oversight? If these institutions were costless, we would expect all or nearly all states to participate. If these institutions do effectively constrain repressive states and poor compliance is costly, participation should be driven by levels of repression. Yet, there is no clear pattern among repressive states. Why do repressive states, those that routinely violate civil and political rights, allow individual complaints (petitions) inviting criticism of their human rights violations?

I argue that repressive regimes strategically allow access to individuals in international human rights institutions when they face economic incentives to participate yet face low costs for poor compliance. Repressive regimes face international incentives to allow individual petitions as a signal of their human rights commitment to the European Union, a global power with a clear history and continued interest in the international human rights regime. I leverage variation in domestic, political institutions among repressive states and argue that the costs of allowing individual petition increase with effective constraints on the executive. The interaction of international benefits and low domestic institutional costs, then, increases the likelihood of allowing individual petition.

I analyze one case: the Human Rights Committee overseeing the International Covenant on Civil and Political Rights (ICCPR) where individuals are allowed to file legal complaints/petitions after a state has ratified its First Optional Protocol (which was open for ratification in 1966). Using a latent variable of physical integrity rights (Fariss 2014), I restrict the sample to 88 repressive countries (the results are robust to alternative sample specifications). Figure 1 shows the global sample of ICCPR-OP ratification, and Figure 2 displays the sample of repressive regimes for this paper. I restrict the sample to countries that have ratified

Figure 1: ICCPR-OP States Parties: Global Sample



the ICCPR treaty, analyzing if and when they ratified the Optional Protocol, measuring repression at time of ratification. Using a hazard model, I find that the interaction of high economic dependence (both trade and aid) on the European Union and low institutional constraints (both legislative and judicial) increases the likelihood of ICCPR-OP ratification among repressive regimes. I also analyze timing of OP ratification and whether countries that ratify both the treaty and its Optional Protocol simultaneously are different than those that choose to wait and ratify the OP at a later date. Finally, I explore an empirical implication of the theory, amount of trade flows before and after OP ratification.

This paper examines when states in violation of international law voluntarily allow increased oversight, specifically through empowering non-state actors and opening access. Individual petition mechanisms “help promote a non-state-centric understanding of international law” (Tyagi 2011), but because this access is allowed on a state-by-state basis, it can only be effective if states open the door. Repressive governments are the main targets of international

of Discrimination Against Women), but this is a low cost action as these treaties have little monitoring and enforcement power. The most repressive countries participate by ratifying these treaties and often do not change their behavior, questioning the effectiveness of these institutions. Scholars frequently contrast human rights with other issue-areas with increased oversight and enforcement, particularly international trade and financial agreements. One understudied and often overlooked institution was designed to remedy this problem, increasing the monitoring power of human rights treaties: individual petition. The United Nations states, “It is through these individual complaints [petitions] that human rights are given concrete meaning” (United Nations Human Rights: Office of the High Commissioner N.d.). Individual petitions are complaints filed by human rights victims in international law against a country in violation of treaty provisions. We know little about this institution which was designed to empower civil society to protect individual rights and freedoms.

After ratifying an United Nations human rights treaty, a country may take an additional step and invite individuals¹ to bring complaints against their own government about human rights violations. These countries open the door to this largely state-centric system by inviting individual persons into the treaty monitoring bodies. For example, countries which have ratified the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) which allows individual complaints/petitions are displayed in Figure 1. Once a state ratifies the ICCPR-Optional Protocol, individuals who are victims of a government which has ratified this document may file a legal complaint to its monitoring body, the Human Rights Committee. The Committee then produces a view, ruling on whether the government violated treaty provisions. Given expected compliance and pressure from civil society groups to ratify UN human rights treaties, it is no surprise that many states which ratify these treaties and allow individual complaints are mature democracies with high levels

¹I purposefully use the term “individual” rather than “citizen” because nationality is irrelevant when filing a petition in the Human Rights Committee. Jurisdiction is based on government action, regardless of the nationality or residence of the individual victim(s).

of respect for human rights. Many repressive states, the main target of the international human rights regime, not only ratify these treaties but also allow individual complaints, and there is significant variation among repressive states.

Numerous studies explore why states participate in the international human rights by analyzing variation in treaty ratification (see: Hafner-Burton 2005; Simmons 2009; Hathaway 2007). Some states ratify human rights treaties because of sincere commitment to human rights values, international normative pressures, and/or expected compliance due to current practices (Chapman and Chaudoin 2013; Simmons 2009; Wotipka and Tsutsui 2008; Downs, Roche and Barsoom 1996). Democratizing states and new democracies may use these institutions to solve the time-inconsistency problem and allow states to lock in current, liberal policies (Hafner-Burton, Mansfield and Pevehouse 2015; Simmons and Danner 2010; Moravcsik 2000). Repressive states, however, have not received as much attention as democratic and democratizing states with good respect for human rights although these are exactly the states that must participate for these institutions to work and accomplish what they were designed to do. Some scholars have argued that states may ratify human rights for purely strategic reasons: potential tangible or intangible benefits such as increased aid, economic agreements, or public praised, finding mixed evidence (Hafner-Burton, Mansfield and Pevehouse 2015; Nielsen and Simmons 2015; Cole 2009; Hathaway 2007). This paper includes a similar strategic nature but adds a specific dyadic focus on the European Union, disaggregating donor preferences rather than overall exposure or a broad “Western” dependence. Given the wide variation in treaty ratification, repressive regimes are still poorly understood. Every state recognized by the United Nations has ratified at least one UN human rights treaty, and most repressive regimes ratify multiple in various combinations. For example, North Korea and Saudi Arabia have both ratified 5 UN human rights treaties, Turkmenistan 7, and Libya has ratified 8 such treaties.

This is particularly puzzling for individual petitions, an optional mechanism in all core United Nations human rights treaties. The current literature treats individual petition

as an extension of ratification, a costlier version of the same phenomenon. While allowing individual petition does increase enforcement and sovereignty costs (defined, according to Moravcsik (2000), as surrendering national discretion and delegation to an international authority) associated with the core treaty, this institution requires separate attention because it directly allows anti-government mobilization for human rights. Individual petition mechanisms are a potential pathway for mobilization through which human rights victims, including suppressed political parties, may hold leaders accountable by bringing attention to the state's treaty violations, pressuring for policy change. Repressive regimes face increased costs to allowing individual petition because of their routine treaty violations. Grievances are more common and often of a different nature: more physical integrity rights and civil liberty violations rather than judicial processes complaints. These increased costs are not uniform across repressive regimes, which I argue depend on institutional constraints on the executive.

Dictators face domestic incentives to ratify human rights treaties (specifically the Convention against Torture discussed in Conrad (2014); Hollyer and Rosendorff (2011); Vreeland (2008)), but these theories do not translate to individual petition mechanisms, which allow for direct anti-regime mobilization. Studies have found that powerful domestic opposition incentivizes dictators to ratify the CAT to appease opponents and reduce pressure to implement real change with no intention to improve human rights practices. While dictators may benefit from treaty ratification, they are unlikely to allow individual petitions because this is an invitation for opponents to call out poor practices in international law. Powerful domestic actors, which may be appeased by ratification, a low cost commitment in the right direction, could mobilize against the government, flooding the overseeing committee with complaints about the state's poor compliance, increasing pressure for meaningful change.

Smith-Cannoy (2012) presents the first work to focus exclusively on individual petition mechanisms, providing an important step in understanding why governments that routinely ratify UN human rights treaties give individuals legal standing and exploring the consequences on domestic practices. She narrows this question to geographic and treaty scope: focusing on

transitioning countries in Central Asia and Central and Eastern Europe and on four “main treaties” - CERD, ICCPR, CAT, and CEDAW. Smith-Cannoy argues that governments in Central Asia and Eastern Europe grant this power insincerely as a cheap signal to Western audiences amid domestic economic pressures. She finds some evidence for her theory but notably not for the ICCPR-OP: economic hardship does not correlate with states’ decisions allow individual petition in the ICCPR. Smith-Cannoy (2012) presents a first step, focusing on a subset of newly independent states. I build upon this work by expanding the theoretical and empirical sample to include all repressive countries, regardless of region. Moreover, I explore variation across repressive regimes and the costs they face given different domestic political institutions.

3 Theory

I present a theory that focuses on a repressive regime’s decision to ratify the ICCPR-OP and allow individual complaints about human rights violations in the Human Rights Committee. Repressive leaders facing international incentives to Optional Protocol ratification consider the domestic costs in terms of domestic political institutions under which they be held accountable for their poor compliance.

Repressive leaders, like all political leaders, are primarily motivated by maintaining power and use repression strategically (Davenport and Armstrong II 2004; Moore 2000; Poe, Tate and Keith 1999). Under a rational choice framework, they consider the costs and benefits of policies and implement policies, including repression and ratification of international treaties, when they perceive the benefits outweigh the costs. Repression is sometimes employed to suppress political opposition and deter challenges (Franklin 2009; Shellman 2006; Gartner and Regan 1996; Davenport 1995), but the executive must weigh these benefits against the threat of punishment by domestic democratic and legal institutions (Davenport 1995; Powell and Staton 2009). I present a theory where executive leaders face international incentives but domestic costs to ICCPR-OP ratification. I focus on the

executive's decision-making, but ratification processes differ across regimes and sometimes over time within the same regime. Other domestic actors, namely the legislature, may be involved in the ratification process, demanding support from multiple actors. I argue that leaders often rely on international trade and aid flows for a stable or growing economy, extending their tenure. Repressive leaders, however, face political opposition and constraining institutions can impose real costs, including leader removal. Individual petitions provide a tool to domestic political opponents, increasing the probability of pressure for policy change or leader change under certain political institutions. Repressive regimes, therefore, optimize by balancing these international benefits against domestic costs.

I discuss international benefits and domestic costs of repressive regimes allowing individual petition in human rights treaties. International costs and domestic benefits may exist, but if so they are secondary. Economic flows are thought broadly here as benefits: they may increase or simply continue avoiding costs, where the counterfactual would be a decrease in flows without ratification. Due to the relatively low salience of the ICCPR-OP, positive reinforcement is more likely than negative reinforcement, either decreased economic flows or negative attention. Naming and shaming is a popular strategy in international relations regarding human rights, but it often focuses on specific policies and violations rather than lack of ratifying secondary legal institutions. Human rights NGOs do not spend much time and energy calling repressive governments to ratify individual petition mechanisms, instead focusing their resources in publicizing violations and demanding policy change.

Are there domestic benefits to repressive regimes for allowing individual petition? An alternate domestic story could be told: domestic institutional constraints increase the likelihood a state will ratify the Optional Protocol because the ability of domestic actors to hold the executive accountable and successfully pressure for policy concessions. This follows the existing literature focused on the links between democracies and ratification of human rights treaties. The executive may face domestic benefits to ratifying individual petition and signaling their commitment to their domestic audience, as we know dictatorships face

domestic incentives with organized opposition to ratify human rights treaties (Conrad 2014; Hollyer and Rosendorff 2011; Vreeland 2008). After treaty ratification, allowing individual petition may serve a similar domestic benefit, but its costs far outweigh the benefits when the executive routinely uses repression and has institutional constraints on power. The theory here focuses on repressive regimes, and this routine use of repression changes the calculus, increasing the costs of allowing individual petitions when they face other powerful domestic actors. These leaders employ repression strategically and thus have something to lose if they are forced to change behavior. Domestic benefits of signaling commitment to human rights are outweighed by the costs of being held accountable. This, however, may not hold if the regime is sincerely committed to improving human rights and is undergoing a transition. I discuss regime transitions later, exploring the different incentives these new, more democratic leaders face.

3.1 Economic Benefits

Repressive leaders face international benefits, rather than domestic ones, to ratify the ICCPR-OP. International factors, particularly ties with powerful states, have been shown to influence treaty ratification (Schneider and Urpelainen 2013). States often depend on international economic flows, namely trade and aid, for a strong economy. Stable and growing economies are a driving factor in leader approval, and uprisings (both elite-driven and popular) are more common in poor economic conditions. As the economy depends on international economic inflows, so do leaders' survival. While international inflows may help the economy at large, decreasing the likelihood of a revolution, political leaders may benefit more personally under less democratic institutions. State leaders may be able to skim a fraction of the aid for themselves and their coalition of support. There may be targeted trade benefits for their cronies. Under less constraining institutions, these benefits are more likely to be concentrated in the hands of the powerful, aiding the current regime.

Donors and trade partners may be aware of this dynamic, as economic inflows lengthen the tenure of these repressive regimes. European states, however, see this as an opportunity

to leverage this existing relationship to potentially help human rights. While the question of compliance in the Human Rights Committee is still an open question, the European Union pushes the international human rights regime as a pathway to empower other sub-national actors against repressive regimes. While this may not be the case immediately, as leaders are more likely to ratify without a fear of being held accountable, institutions and politics change, so international legal petitions may be a powerful tool later on.

States with highly globalized economies are not more likely to ratify the ICCPR-OP as demand and support for the international human rights regime varies widely. Rather than global economic exposure, I focus on directed, economic ties: repressive regimes and the European Union. Given the mixed support for the international human rights regime among “Western” countries, this is a narrower argument than previous studies that have analyzed Western linkages. Specifically, the United States is often critical and outspoken about increased enforcement in international human rights law.² Notably, Nielsen and Simmons (2015) find little evidence for tangible or intangible benefits for ratifying human rights treaties (including the ICCPR-OP) looking at Western bilateral aid flows, ratification of preferential trade agreements, and foreign direct investment. I specifically exclude non-European donor states, including the United States, given mixed support of the international human rights regime and increased enforcement in this issue-area. Economic dependence on the European Union (or its constituent countries)³ increases the likelihood a repressive state ratifies the OP due to Europe’s clear commitment to human rights and its corresponding international legal institutions.

There is a large literature linking economic flows and human rights (Hafner-Burton

² The United States supports and pushes human rights around the world but is quite skeptical and opposed to international legal enforcement. The US has not accepted any individual petition mechanisms and has been outspoken about the International Criminal Court, not ratifying its Rome Statute and pushing other countries to sign bilateral non-surrender agreements. For robustness, I include US trade dependence in the empirical analysis presented in the Appendix. Table 9 shows that the key results do not hold when EU trade dependence is substituted for US trade dependence.

³ The European Union did not exist as a political entity for the entire sample of interest, starting when the ICCPR was open for ratification in 1966. I use “European Union” as shorthand to discuss not only the regional organization but also its constituent countries before and throughout the regional integration process.

2009; Carey 2007; Hafner-Burton 2005; Neumayer 2003). Trade may lead to increased participation in the international human rights regime in numerous ways. First, trade communities may socialize partners into similar practices and institutions as policies diffuse.⁴ Policies diffuse among like states, and countries may take cues from their close trading partners, especially more powerful states. Additionally, states such as the European Union may use trade to manipulate human rights behavior in other states, particularly by using trade agreements to explicitly link material benefits to human rights principles (Hafner-Burton 2005). Moreover, trade itself may lead to improved respect for human rights through economic development and improved human welfare (Harrelson-Stephens and Callaway 2003). Donor states distribute foreign aid strategically for policy concessions (Bueno de Mesquita and Smith 2007) and geopolitical reasons at large. Human rights conditionality is common in foreign aid disbursements, but the enforcement is often ignored in favor of more geopolitical and practical reasons (Lebovic and Voeten 2009; Carey 2007; Neumayer 2003; Dunning 2004). This conditionality is often tied to human rights practices, and ratification of the ICCPR-OP is a lower cost signal to donors of commitment to the international human rights regime. While this commitment may be empty and non-sincere, donors are not fooled but nonetheless praise this participation as it may eventually lead to increased compliance (depending on domestic costs detailed later, and future uncertainty about regime change and potential democratization).

The European Union has a clear commitment to human rights and institutionalizing international human rights law. Recent international human rights law largely started in Europe in the postwar era in response to the atrocities of the Second World War. The Council of Europe signed the European Convention of Human Rights (ECHR) in 1950 establishing the European Court of Human Rights (ECtHR), a powerful supranational court designed to check state abuses, pushed for largely by young European democracies (Moravcsik 2000). The ECtHR allows individual complaints against state violations of human rights and political

⁴ See Goodman and Jinks (2004); Simmons and Elkins (2004) for relevant discussion of policy diffusion

freedoms. Members of the Council of Europe (membership has greatly expanded over time) were not all among the early ratifiers of the ICCPR-OP, but this is likely due to their strong, pre-existing regional institutions, presenting little pressing need.

The European Union pays attention to these ratifications and praises those who allow individual petitions. Among the thematic priorities of the European Parliament in 2017, they, “urge all states to ratify the Optional Protocols to the International Covenant on Civil and Political Rights (ICCPR) and to the International Covenant of Economic Social and Cultural Rights (ICESCR) establishing complaint and inquiry mechanisms” (*Register of Commission documents: European Parliament resolution of 16 March 2017 on EU priorities for the UN Human Rights Council sessions in 2017 (2017/2598(RSP))* 2017). The Council of Europe’s Annual Report on Human Rights and Democracy in the World in 2015 discusses ratifications of the ICCPR Optional Protocol, praising some—“The EU welcomed the Moroccan parliament’s adoption of the Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women”—and criticizing others: “However, [Mozambique] has not yet fulfilled commitments to ratify the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the International Covenant on Civil and Political Rights” (*Council of the European Union: EU Annual Report on Human Rights and Democracy in the World in 2015 - Country and Regional Issues ST 12299 2016 INIT* 2016). The European Parliament praised Tunisia’s commitment to democratic reform in 2011, making the distinction between treaty ratification and increased enforcement of individual petitions:

In 2008, while still under the rule of President Zine El Abidine Ben Ali, Tunisia had ratified a number of human rights conventions, but with insufficient enforcement... Following the Jasmine Revolution, in 2011 Tunisia ratified a series of key international conventions in line with the OHCHR’s recommendations... [including] the Optional Protocol to the International Covenant on Civil and Political Rights (*Register of Commission documents: Tunisia: Political groups and parties* 2016).

Repressive governments also highlight this legal commitment in discussions with the EU. In

the United Nations Third Committee, Sri Lanka responds to a comment made by Luxembourg on behalf of the EU:

In early October, Sri Lanka deposited with the Secretary-General the instrument of ratification of the First Optional Protocol to the International Covenant on Civil and Political Rights, he said. It was an important decision, permitting international scrutiny of Government actions affecting the human rights of its citizens. Constitutional changes were also being made in line with the Covenant. The delicate and complex process of protecting and promoting human rights, while good governance and accountability in an environment of underdevelopment, violence and terrorism, was one that should be moved forward resolutely. (*UN: European Union's view on human rights situation in various states contested in Third Committee 1997*)

European powers clearly valued, and still value, civil and political rights. Given the widespread norm of treaty ratification and low enforcement, ratifying the ICCPR is a noisy signal of commitment to human rights. The ICCPR Optional Protocol allows states to send a more (but clearly not perfectly credible) separating signal from treaty ratification that they are serious about human rights and participating in the global liberal world order. These states take an additional, potentially costly (depending on domestic political institutions), step to signal they are a “good” state in the eyes of European powers.

3.2 Domestic Institutions

While states face incentives from the European Union to allow individual petitions in the Human Rights Committee, leaders face varying costs to ratifying the ICCPR-OP based on domestic political institutions. Political leaders are constrained by public dissatisfaction and opposition. Individual petitions are an additional form of anti-regime mobilization that political opponents may use to confront the regime and bring attention to poor human rights behavior. Mobilization is more likely to occur and also be successful when there are effective institutional constraints on the executive. Here, I argue that domestic political constraints on the executive, both judicial and legislative, increase the costs of ICCPR-OP ratification for a repressive regime.

Repressive leaders fear being held accountable for their poor respect for human rights

(and lack of compliance with the ICCPR). The Optional Protocol allows for international, legal mobilization against the state. Repressive leaders are unlikely to fear complaints for the sake of complaints, in part because their poor human rights behavior is often quite public and widely known. Regimes only fear mobilization when they may be held accountable, when this anti-regime mobilization will be successful and bring about change, which may include policy change or leader removal.

Individual petitions are personal, naming individual victims of state abuse. This is not unique in international politics as some non-governmental organizations such as Amnesty International work to publicize victims and their personal stories. This is unique in international law, as institutions such as Human Rights Committee (without such petitions) and the Universal Periodic Review, mainly produce general reports. The personalization of individual petitions is complementary to other organizations, creating a focal point for other actors, either in their own mobilization or publicity. Independent media may publicize the details of the petition, putting faces to abuses, which can in turn mobilize others to file similar complaints or pressure the government. Media freedoms may constrain leaders, as the repressive regime is not easily able to maintain their own, favorable narrative and propaganda.

I argue that institutional constraints on the executive, both judicial and legislative, serve as accountability mechanisms, increasing the probability of pressure on the repressive leader. Executive leaders with effective political checks are more accountable to other domestic actors and thus fear greater repercussions for continuing to violate human rights while allowing individual legal complaints in the Human Rights Committee. These other actors can pressure for real change, and if the executive is unwilling to alter behavior, they may remove the leader from office. On the other hand, repressive leaders without these constraining institutions do not fear costs to the Optional Protocol ratification because, even if people do file legal petitions, there will be no effective to change allowing for continued favorable policies and continued tenure.

3.2.1 Judicial Independence

Judicial and legislative institutions vary in their ability to effectively constrain executive leaders. Executives may have great independence to act without much accountability to domestic actors, or domestic political institutions may effectively check the executive's power. While separation of powers and constraining institutions are often associated with democracy, this varies across regime types and different definitions of democracy (such as electoral, institutional, liberal, etc.). Independent judiciaries, commonly discussed in the international law and repressive literatures, are comprised of autonomous judges that expect their decisions to be respected by relevant actors, including the government (Linzer and Staton 2015), and effectively constrain the behavior of the executive, limiting its power. Independent judicial systems, therefore, are able to enforce policy change. Given the strategic use of repression, limiting repressive policies because of judicial pressure may indirectly threaten the executive's tenure as the leader may no longer be able to suppress political opponents effectively resulting in uprisings or leader removal.

3.2.2 Legislative Institutions

Similarly, legislatures may be empowered to question and independently investigate the executive, or they may, in effect, be controlled by the executive leader. Legislative institutions vary in their separate ability to constrain the executive, repressive leaders fear this push-back when considering granting individuals international legal access. Constraining legislative institutions increase accountability for unpopular actions, including repressive policies in violation of the ICCPR treaty. Empowered legislatures, with the increased information and negative attention from the Human Rights Committee, are able to pressure the executive to change behavior. Constraining legislatures may also, similarly to independent judiciaries, indirectly threaten a leader's tenure by pressuring for and enacting policy change. Additionally, opposition legislators may directly remove the leader from power due to unfavorable policies (and this process varies among political institutions: democratic, parliamentary, presidential, etc.).

It is important to note that ratification of international treaties is often not an action taken by the executive alone. Rather, treaty ratification, including Optional Protocols, commonly must be approved by the legislature. The question of interest is not whether the legislature is involved or how, but rather how independent from the executive is the legislature. Many highly repressive and consolidated regimes require legislative approval for treaty ratification, but these legislatures may be essentially extensions of the executive. De facto independence and constraint, both legislative and judicial, on the executive is more important rather than de jure laws of ratification procedure.

3.3 Benefits and Costs

The theory thus far has detailed the separate influence of international benefits and domestic costs, but leaders optimize by simultaneously balance benefits and costs. Repressive leaders facing international benefits—economical dependence on the EU— and low domestic costs—lack of institutional constraints on the executive— are more likely to ratify the ICCPR-OP and allow individual petitions. The interaction leads to the following hypothesis:

Repressive regimes more economically dependent on the European Union with lesser domestic political constraints (judicial independence or legislative constraints) are more likely to ratify the ICCPR-OP.

4 Research Design

Similar individual petition mechanisms exist in all nine core UN treaties, but I analyze ICCPR because it is one of the earliest treaties (adopted in 1966), has the largest state membership (173 states parties), and has the largest number of petitions filed (2756 individual communications) compared to other human rights treaties analogous mechanisms.⁵

I focus on repressive regimes, those governments that systematically violate civil and political rights, making their decision to ratify the ICCPR-OP puzzling. I use Fariss' (2014) latent variable of physical integrity rights to subset the data to focus on repressive

⁵Numbers as of July 2019.

countries. Figure 3 shows the distribution of this variable, with a range of $(-3.77, 5.14)$ in the global sample, where larger values represent more respect for human rights. This analysis is restricted to countries that have ratified the ICCPR treaty, examining whether the state also ratified its Optional Protocol. A state may ratify both the treaty and its OP simultaneously which is quite common (approximately 54% of countries ratify both in the same year), or wait any number of years. I restrict the sample based on repression the year of OP ratification, or if they have not ratified the ICCPR-OP, the year the state ratified the ICCPR. Given the high proportion of countries that ratify both in the same year, this is a good counterfactual for those that have not ratified the Optional Protocol. The analysis I present here restricts the sample to those governments who have a latent measure below 0.1 the year of OP ratification or— if they didn't ratify the Optional Protocol— the ICCPR treaty. Given this is an arbitrary threshold of repression, I conduct the same analysis for different variations of this sample, and the results are robust across sample specifications included in the Appendix.⁶ It is important to note this sample is based on repression in a single *year* for each country and does not consider repression in the period leading up to or after ratification (either treaty or OP). Human rights policies are very stable and do not frequently vary dramatically year to year (Zanger 2000; Davenport 1995; Poe and Tate 1994), so this captures a larger trend of repression. This snapshot ensures I capture the simultaneity of policies: OP ratification with current repressive policies.

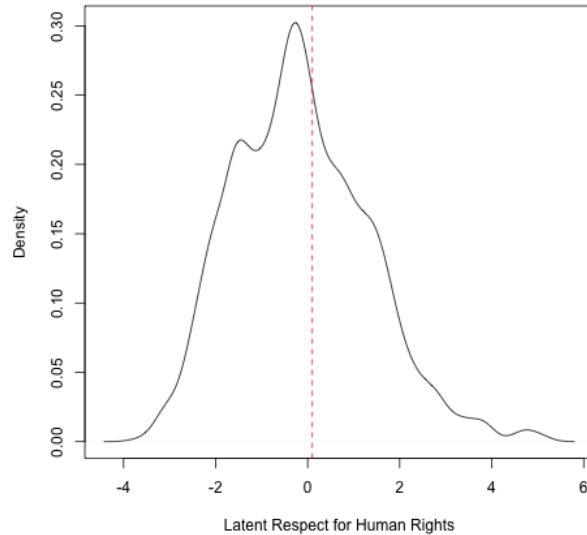
The dependent variable of interest is the year of ICCPR-OP ratification for each state.⁷ Out of the 88 repressive countries in this sample displayed in Figure 2, 56 countries have ratified the OP and 32 have ratified only the treaty. Costa Rica is the first country in the sample to ratify in 1968, and states have continued to join through Tunisia's most recent adoption in 2011. Given the temporal nature of the data, I present a multivariate, Cox proportional hazards model.⁸ The sample begins in 1966, when the ICCPR-OP was open

⁶ See Table 2, Figure 9, Table 3, and Figure 10 in the Appendix for empirical results across different sample specifications.

⁷Data taken from UN website.

⁸ I opt for a Cox model because its semi-parametric nature has fewer assumptions than parametric models.

Figure 3: Global Sample Latent Respect for Human Rights



for ratification, and the unit of analysis is country-year. I discuss operationalizations of the theoretical, explanatory concepts here before presenting the analysis.

I measure economic ties with the European Union using both trade and aid dependence. Trade data (summing imports and exports) are taken from the International Monetary Fund’s Direction of Trade Statistics.⁹ Aid data come from the World Bank World Development Indicators, along with GDP data (World Bank 2015). After dividing trade or aid flows by GDP, I log the ratio given the skewed distribution. While the values are now negative, higher values still indicate increased economic dependence.

I measure constraining domestic institutions considering both the judicial and legislative branches of government. I use a latent variable of de facto judicial independence to capture powerful judicial constraints on the executive and the judicial system’s effectiveness at large (Staton et al. 2019; Linzer and Staton 2015). I use the update of Linzer and Staton’s

I test for the proportional hazard assumptions, and there are no hazard problems in the analysis presented.

⁹ The European Union was not a political entity for the entire temporal sample. The IMF’s Direction of Trade Statistics covers the following countries for all periods: Austria, Belgium, Belgium-Luxembourg, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden, and the United Kingdom. Of these European countries, Bulgaria, Croatia, and Romania are in my repressive sample. The results are robust to excluding these three countries.

2015 Latent Judicial Independence, covering 1900-2015 which incorporates newer versions of its original, component indicators and adds measures of from the Varieties of Democracy (V-DEM) project, specifically high court independence and high court compliance. Additionally, I use V-DEM's measure of legislative constraints on the executive (Coppedge et al. 2017; Pemstein et al. 2017). This variable asks, "To what extent are the legislature and government agencies (e.g., comptroller general, general prosecutor, or ombudsman) capable of questioning, investigating, and exercising oversight over the executive?" This index is formed by taking the point estimates from a Bayesian factor analysis model of the V-DEM indicators for legislature questions officials in practice, executive oversight, legislature investigates in practice, and legislature opposition parties.

Figures 4 and 5 show the variation in domestic constraining institutions among repressive regimes. While repressive states do have lower judicial independence and legislative constraints than the full, global sample, there is significant variation among repressive states in these two key variables. It is important to note that for judicial independence, extremely low values are not meaningfully different. This is not a problem in the present analysis given the variation in the sample of interest.¹⁰

I include a number of controls from the existing literature.¹¹ I include indicators of newly independent states (last 3 years) and a newly transitioned, democratic regime. Adapted from Simmons (2009), I measure whether a country has experienced a major or minor democratic transition in the sample period using Polity's regime transition measure (Jagers and Gurr 1995). Adding the popular measure of democracy Polity2 is problematic given one of its component variables is constraints on the executive. To capture non-institutional common democratic features (from the theoretical literature), I include a measure of civil

¹⁰ This becomes a problem when I decrease the sample for robustness, decreasing the variation in judicial independence, leaving mostly low values. This is discussed with the robustness checks.

¹¹ For robustness, I include additional controls not presented here but included in the Appendix: financial crises (Smith-Cannoy 2012), executive job security (Conrad and Ritter 2019), and British legal system/common law (Simmons 2009). Table 4 includes financial crises and Table 6 includes legal system type. Following Conrad and Ritter (2019); Young (2012); Cheibub (1998) I create a measure of executive job security using predicted values from a hazard model. I substitute this insecurity measure for my domestic institution variable, and the results do not hold, displayed in Table 5 in the Appendix.

Figure 4: Repressive Regimes: Judicial Independence

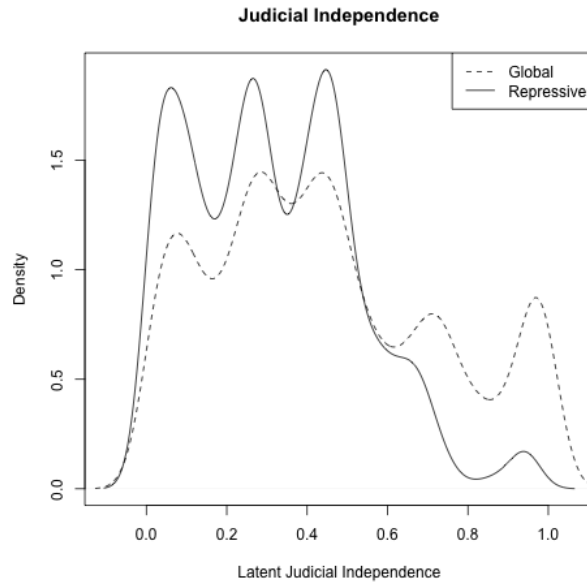
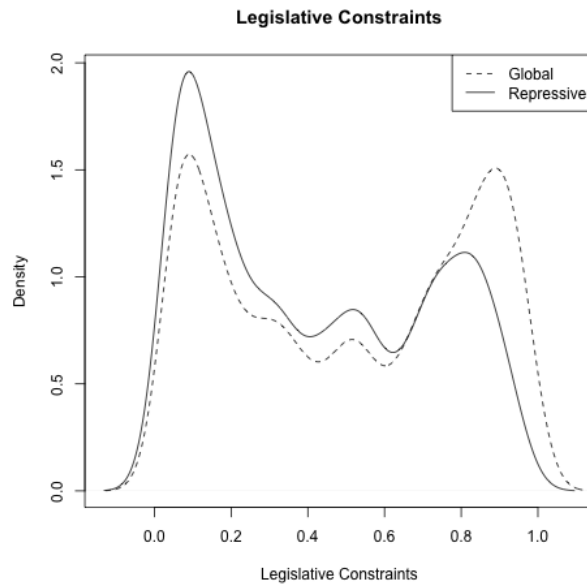


Figure 5: Repressive Regimes: Legislative Constraints



society from V-DEM (Coppedge et al. 2017; Pemstein et al. 2017).¹² Civil society may also be an important determinant of institutions and constraint on repression in general. Additionally, I control for the levels of repression across countries (Fariss 2014), the presence of civil war (Gleditsch et al. 2002), and logged GDP (Graham and Tucker 2017; World Bank 2015; Feenstra, Inklaar and Timmer 2015). Countries may be ratifying the ICCPR-OP more simply as one of many international treaties, so I control for the number of intergovernmental organizations a country has joined in the previous year (taken from Correlates of War International Governmental Organizations Data Set Version 3.0). Due to the spatial clustering seen in Figure 2, I also control for regional membership: the proportion of regional (defined by UN sub-region) members that have ratified the OP in the previous year.¹³ This regional variable also accounts for time and diffusion as other countries’ ratifications over time may influence others.

5 Results and Discussion

Table 1 shows the results from the Cox proportional hazard model. The four models show the four combinations of the two operationalizations of both independent variables: trade and foreign aid dependence on the European Union for economic dependence and judicial independence and legislative constraints for domestic political institutions. I present the traditional coefficients (rather than the hazard ratio) centered around 0 indicating no association. Positive coefficient values indicate that higher values of the independent variable increase the probability of ratification while negative coefficient values indicate that higher values of the independence decrease the probability of ratification. As expected, presence

¹² I use the “core civil society index” from V-DEM which asks, “How robust is civil society?... The core civil society index (CCSI) is designed to provide a measure of a robust civil society, understood as one that enjoys autonomy from the state and in which citizens freely and actively pursue their political and civic goals, however conceived” (Coppedge et al. 2017; Pemstein et al. 2017). The results are robust to using these component variables instead: civil society organization (CSO) entry and exist, CSO repression, and CSO participatory environment.

As a robustness check, I substitute (given very high correlation between these two variables), an index of electoral democracy which includes neither institutional constraints on the executive nor human rights (Coppedge et al. 2017; Pemstein et al. 2017), included in the Appendix, Table 7.

¹³This is robust to total counts as well as neighbor measures (both proportion and count).

of civil society significantly increases the probability of ratification. Other controls are not consistently significant across models.

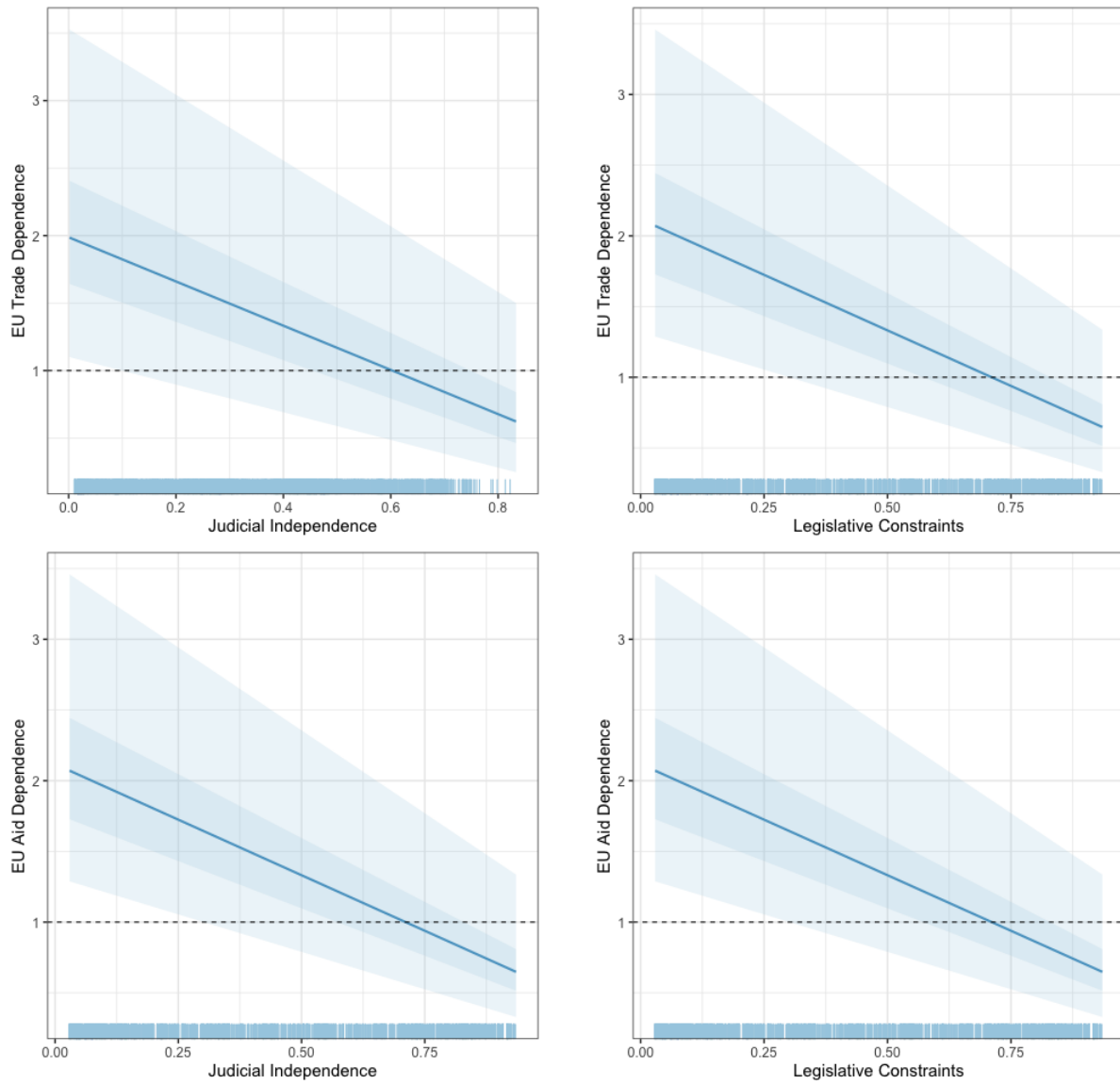
Table 1: Repression Sample, Cox Hazard Model

| | ICCPR-OP Ratification | | | |
|--------------------------------|-----------------------|----------------------|----------------------|---------------------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| Trade Dependence | 0.686** (0.296) | 0.766*** (0.263) | | |
| Aid Dependence | | | 0.227 (0.142) | 0.116 (0.128) |
| Judicial Independence | -25.226* (13.593) | | -7.928*** (2.836) | |
| Legislative Constraints | | -23.549** (9.232) | | -5.044** (2.091) |
| Trade * Judicial | -1.376* (0.813) | | | |
| Trade * Legislative | | -1.278** (0.544) | | |
| Aid * Judicial | | | -0.638** (0.316) | |
| Aid * Legislative | | | | -0.317 (0.242) |
| Civil Society | 2.255** (0.887) | 2.891*** (0.918) | 2.363** (0.970) | 2.537*** (0.929) |
| Physical Integrity Rights | -0.009 (0.216) | -0.102 (0.215) | -0.046 (0.234) | -0.122 (0.228) |
| Civil War | -0.379 (0.467) | -0.475 (0.471) | -0.557 (0.486) | -0.574 (0.481) |
| Lagged IGO Change | 0.083 (0.066) | 0.076 (0.064) | 0.085 (0.083) | 0.069 (0.083) |
| Newly Independent | 1.794* (0.955) | 1.766** (0.890) | 1.158 (0.925) | 1.081 (0.912) |
| Newly Transitioned | 0.902** (0.429) | 0.816* (0.431) | 0.655 (0.465) | 0.519 (0.448) |
| Regional Lag | -0.574 (0.638) | -0.427 (0.642) | -0.921 (0.689) | -0.587 (0.679) |
| N | 3348 | 3354 | 2819 | 2825 |
| R-squared | 0.009 | 0.011 | 0.007 | 0.008 |
| Max. R-squared | 0.120 | 0.120 | 0.118 | 0.117 |
| Log Likelihood | -199.504 | -196.228 | -166.345 | -164.409 |
| Wald Test (df = 10) | 28.680*** | 33.700*** | 19.460** | 24.260*** |
| LR Test (df = 10) | 29.149*** | 35.702*** | 19.930** | 23.804*** |
| Score (Logrank) Test (df = 10) | 30.753*** | 36.262*** | 21.138** | 25.952*** |

***p < .01; **p < .05; *p < .1

The coefficients in Table 1 for the main variables of interest preform as expected: economic dependence (trade and aid) has a positive relationship with OP ratification while

Figure 6: Hazard Models' Marginal Effects



domestic constraining institutions (legislative and judicial) has a negative relationship with ratification for repressive states. The interaction between the two is negative. Interactions are notoriously difficult to interpret in table form (compounded by the fact both latent judicial independence and legislative constraints are bounded between 0 and 1), so I present marginal effects plots below for all four models for a more intuitive presentation. Figure 6 shows the marginal effect of economic dependence on ICCPR-OP ratification in hazard ratios, mediated by domestic constraining institutions.¹⁴ The light shading represents the central 50 percentage interval of the simulation, and the lighter shading represents the traditional 95 percent confidence interval. The lines on the bottom of each figure by the x axis represent the distribution of the moderator variables. The y-axis shows the exponential coefficient, relative to one, equivalent to the traditional zero coefficient displayed in Table 1. Values below 1 represent higher values of the independent variable reduce the hazard of ratification occurring while values above 1 represent higher values of the independent variable increase the hazard of ratification occurring.

Economic dependence, both trade and aid, increases the likelihood a repressive state ratifies the ICCPR-OP, but this effect is driven by low levels of domestic constraints. The influence of economic dependence disappears for higher levels of judicial independence or legislative constraints. At low levels of domestic constraints (with high sample density), a one-unit increase in either trade or aid dependence corresponds to approximately a 100% increase probability of OP ratification. This is not only a statistically significant but also substantive increase. I find support for my theory that economic dependence on the EU increases probability of ratification while domestic institutional constraints decrease the probability of ICCPR-OP: repressive states are more likely to ratify the ICCPR-OP when they are economically dependent on the European Union yet face low domestic constraints. These results are robust to various specifications of the repression sample and additional controls.¹⁵

¹⁴ These figures use `simPH`, a R package developed by Gandrud (2015).

¹⁵ This analysis is robust to various specifications, displayed in the Appendix: restricted to either negative

I briefly discuss two countries, Turkmenistan and Liberia, that fit the theoretical expectations and empirical findings. Turkmenistan ratified the ICCPR and its Optional Protocol in 1997. This repressive country has average trade and aid dependence on the European Union around the time of ratification but has, on average, the lowest domestic institutional constraints in the sample. Facing low domestic constraints, Turkmenistan ratified both documents together without much fear of domestic mobilization and pressure for change.

Liberia has the highest economic dependence (both trade and aid) in the sample yet does not ratify the ICCPR-OP. Liberia, under a transitional government after the end of the Second Liberian Civil War, ratified the ICCPR treaty on September 23, 2004 along with numerous other international treaties. Liberia had previously signed the ICCPR in 1967 but ratified in 2004 alongside the Convention against Torture and the International Covenant on Economic, Social, and Cultural Rights. The transitional government faced strong international incentives to participate in the international human rights regime, as it trades heavily with the European Union. The transitional government in 2004, however, faced high legislative constraints, increasing the costs of OP ratification. Instead, the government chose to simultaneously sign 5 new treaties, accede to ten, and ratify an additional three treaties. Liberia did not accept individual petition in any United Nations treaty. Liberia was able to signal a regime transition to the EU by ratifying a large number of human rights treaties, and this was possible due to the lack of participation by the previous regimes.

values (Table 2 and Figure 9) and values below the mean (Table 3 and Figure 10). I note that judicial independence, one of the key independent variables, loses significance in some of alternative specifications. This is not surprising given the decrease sample size, increasing the standard errors. The coefficient point estimates remain similar, and the other results hold.

The Appendix also includes robustness checks for multiple controls mentioned earlier.

One of the key explanatory variables, judicial independence, is a latent variable. The data include a point estimate and a measure of uncertainty. The analysis presented in the main paper uses the point estimate, ignoring the uncertainty of the estimate. I incorporate the uncertainty (standard deviation) of this latent variable in the Appendix, following the method detailed in Crabtree and Fariss (2015). The results, including bootstrapped standard errors are shown in Table 8. These results support the core results shown in the paper.

5.1 Bundling: Simultaneous Ratification

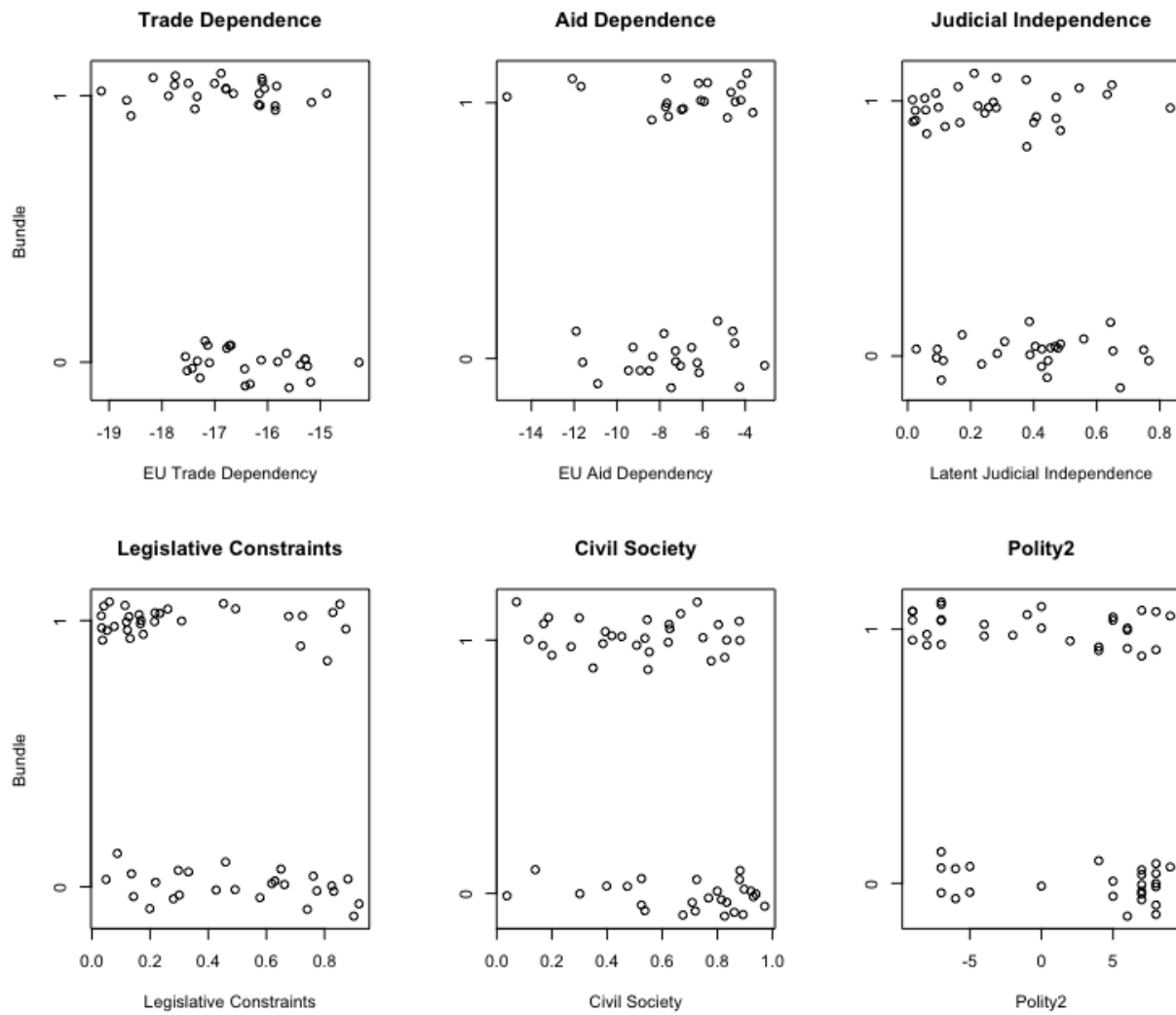
Most countries ratify the ICCPR and its Optional Protocol at the same time: of countries that ratify the OP, 54% ratify both agreements in the same year (Interestingly, the proportion is the same for the restricted, repressive sample and the full, global sample). While many states “bundle” ratification of the core treaty and its First Optional Protocol, some states wait to ratify the ICCPR-OP. This is frequently after a regime change, such as Tunisia’s ratification in 2011 after the Jasmine Revolution. Here, I explore whether states that bundle the ICCPR and its OP are systematically different those that wait to ratify.

Focusing on repressive states that ratify the ICCPR, I look at whether the state “bundled” both agreements, ratifying both in the same year, or waited at least one year to ratify the Optional Protocol after treaty ratification. Figure 7 plots this new dependent variable– “Bundle”– against various independent variables. States that do not bundle and wait to ratify the ICCPR-OP *after* the treaty are different than those that do bundle. Repressive states that wait to ratify are more trade dependent (at the $\alpha = 0.1$ level, using a two-sample t-test) on the EU but not more aid dependent. States that wait also have significantly increased judicial independence and legislative constraints ($\alpha = 0.05$). They also have significantly more civil society and increased Polity scores ($\alpha = 0.05$). In line with the Tunisia motivating example, repressive countries that wait to ratify are also more likely to have experienced a recent regime transition.¹⁶

Repressive countries that delay Optional Protocol ratification are more likely to be democratic with high civil society presence and have experienced a recent regime transition. Mexico, Guatemala, Honduras, El Salvador, Peru, Brazil, Paraguay, Chile, Bulgaria, Malawi, South Africa, Turkey, and the Philippines all delayed OP ratification after a recent democratic transition. This supports existing literature on the new democracies’ participation in the international human rights regime: new democracies ratify human rights treaties to lock in

¹⁶ Chi-squared test significant at the $\alpha = 0.05$ level. Tunisia is not counted as a recent democratic transition in the data-set given the transition started in the same year as ratification and Polity2 concerned it an “anocracy” in 2011.

Figure 7: Bundling



current policies and signal commitment to their new values (Hafner-Burton, Mansfield and Pevehouse 2015; Moravcsik 2000). I find this holds for new democracies that still routinely violate human rights, perhaps residual policies from the prior regime, given repression is temporally stable and does not change much year to year.

5.2 Carrots? Trade Flows After Ratification

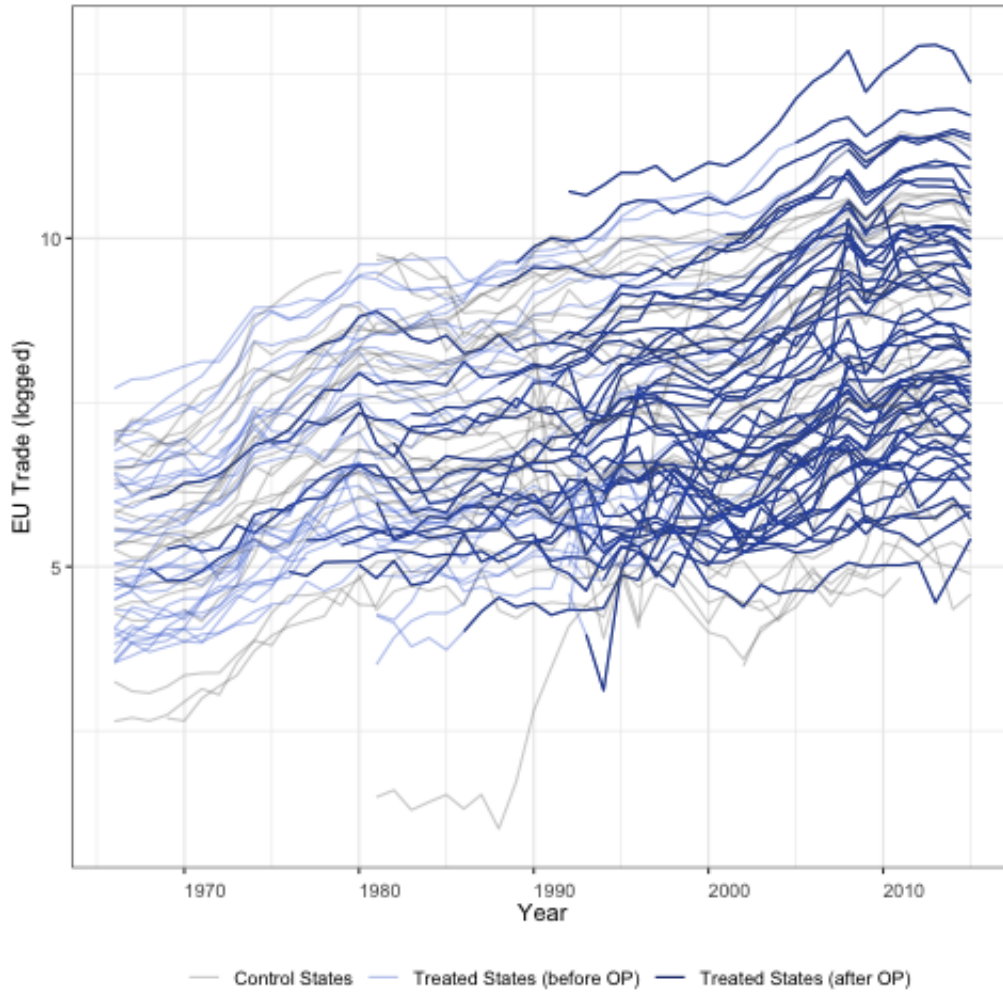
The model presented includes European Union trade dependence in the year of ratification. I explore an empirical implication of this theory: increased economic flows surrounding OP ratification. Repressive governments are more likely to allow individual petitions in human rights law if they are economically dependent on the European Union. Given the clear demand from the EU, dependent states ratify the OP to appease their large trade partners and aid donors in hopes of continued or increased trade flows. Do trade flows actually increase after ratification? First, I explore trade flows in the years before and after ratification. In the hazard models, I replace the contemporaneous dependence variable with trade flows, one year lag as well as various leads (one through five years). Higher trade flows, both previous and future, are associated with increased probability that a repressive state will ratify the ICCPR-OP in a given year. The simple result is confirmed by a t-test across the sample: repressive states that ratify the ICCPR-OP trade significantly more with the European Union than those countries that do not ratify. Figure 8 displays trade flows where each line represents one repressive country.¹⁷

Does OP ratification increase trade flows with the European Union? Do these repressive countries which allow individual petitions see increased benefits in terms of trade flows? I run a gravity model of trade flows between European Union constituent countries and repressive countries and take the residuals, the amount of trade unexplained by this standard model.¹⁸ I then regress Optional Protocol ratification by repressive countries on the residuals from

¹⁷ This figure uses `panelView`, a R package developed by Liu and Xu (2018).

¹⁸ I run a linear model with clustered, robust standard errors for distance (country dyads). The dependent variable is logged trade, and the independent variables are logged distance, logged GDP of EU country, logged GDP of repressive country, colony, contiguous, common religion, and common language. Data are taken from Cow International Trade (Barbieri and Keshk 2016; Barbieri, Keshk and Pollins 2009) and CEPII GeoDist (Mayer and Zignago 2011). I include fixed effects for both countries.

Figure 8: OP Ratification and EU Trade Flows



the gravity model, using standard OLS with clustered standard errors for repressive country. Optional Protocol ratification is not associated with trade levels at any standard levels of statistical significance.¹⁹ This null result holds whether the original dependent variable is total trade flows, imports, or exports. While repressive countries that ratify the OP generally trade more than repressive countries that do not, I do not find evidence here that trade levels increase after ratification.

¹⁹ The results remain if I include the variable of interest, OP ratification, in the gravity model of trade rather than run the two models.

6 Conclusion

This paper explores one important component of international, human rights law which has been spreading to other issue-areas of international relations: non-state access. Access of non-state actors in international organizations has attracted recent scholarly attention (see: McNamara 2019; Sommerer and Tallberg 2016; Tallberg et al. 2013), and individual petition in human rights allows a unique form of non-state access: individual peoples. This institution empowers individual victims of human rights abuse, giving them a forum in international law to confront their repressive government when domestic remedies are unavailable and/or ineffective.

I find that repressive regimes are more likely to ratify the ICCPR's Optional Protocol along with the treaty allowing individual complaints when the executive faces low domestic political constraints and stands to benefit from high economic dependence with the European Union. The leaders expect continued or increased economic flows while avoiding costs given low domestic institutional accountability. Repressive governments also ratify the Optional Protocol after a recent transition as a tool to signal commitment to democratic values after ratification by a previous regime. After understanding repressive regimes' participation in international law, we can look to the next steps in this institution: usage by filing petitions and influence on compliance. The United Nations states: "It is through individual complaints that human rights are given concrete meaning" (United Nations Human Rights: Office of the High Commissioner N.d.). If these complaints do indeed "find [human rights standards]' most direct application," when are complaints actually filed? This institution is unlikely to have a strong deterrent effect without any complaints, where governments improve human rights to avoid having petitions filed at all. The Optional Protocol is likely to have influence on human welfare only if individuals file complaints against governments. Victims of government abuse may fear confronting a repressive regime as they have already suffered and and may fear targeted retaliation, or simply leave in an environment of fear(Schoner 2019). Cole (2006)

presents the first work analyzing the pattern of human rights petitions in the Human Rights Committee, but there is much to learn about, particularly focused on repressive regimes.

This analysis answers a critical puzzle in international relations: participation in international regimes despite routine violation. The states that are routine violators are often the most sought after participants, but many avoid costly participation without certain benefits. I find that the interaction of international and domestic factors can influence governments' treaty ratification, accepting additional oversight and monitoring despite routine violations. Non-state actor access, designed to allow additional voices in the largely state-centric system, in international law may improve compliance, dependent upon governments allowing this access, and non-state actor participation.

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7 Appendix: Robustness Checks

Table 2: Repression Sample: Below Zero Value

| | ICCPR-OP Ratification | | | |
|---------------------------|-----------------------|-----------------------|---------------------|---------------------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| Trade Dependence | 0.635 (0.391) | 0.854*** (0.329) | | |
| Aid Dependence | | | 0.265 (0.167) | 0.130 (0.146) |
| Judicial Independence | -15.980 (17.028) | | -7.799** (3.202) | |
| Legislative Constraints | | -25.600** (12.048) | | -5.204** (2.361) |
| Trade * Judicial | -0.836 (1.010) | | | |
| Trade * Legislative | | -1.375* (0.702) | | |
| Aid * Judicial | | | -0.684* (0.356) | |
| Aid * Legislative | | | | -0.347 (0.268) |
| Civil Society | 2.644*** (1.020) | 3.265*** (1.054) | 3.056*** (1.115) | 3.083*** (1.055) |
| Physical Integrity Rights | -0.172 (0.268) | -0.244 (0.262) | -0.168 (0.272) | -0.241 (0.265) |
| Civil War | -0.332 (0.508) | -0.366 (0.512) | -0.409 (0.534) | -0.447 (0.524) |
| Lagged IGO Change | 0.130* (0.078) | 0.122 (0.074) | 0.170** (0.084) | 0.149* (0.083) |
| Newly Independent | 1.957* (1.027) | 1.493 (1.015) | 1.397 (0.986) | 1.146 (0.981) |
| Newly Transitioned | 0.978** (0.477) | 0.979** (0.484) | 0.562 (0.518) | 0.510 (0.494) |
| Regional Lag | -0.414 (0.750) | -0.347 (0.764) | -0.726 (0.784) | -0.333 (0.768) |
| N | 2794 | 2796 | 2415 | 2417 |

***p < .01; **p < .05; *p < .1

Figure 9: Marginal Effects: Below Zero Value

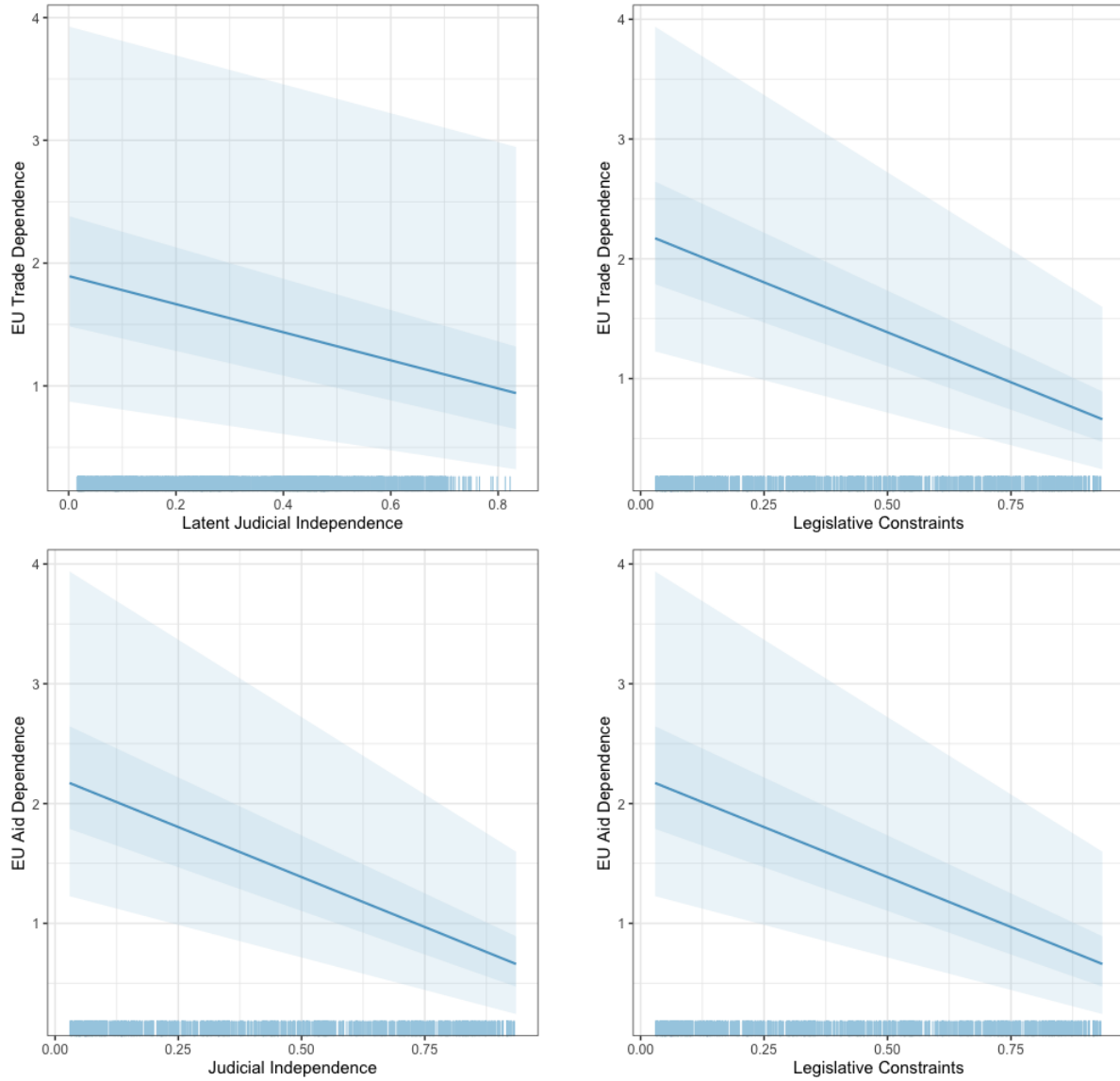


Table 3: Repression Sample: Below Mean

| | ICCPR-OP Ratification | | | |
|---------------------------|-----------------------|-----------------------|----------------------|----------------------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| Trade Dependence | 0.632** (0.307) | 0.771*** (0.273) | | |
| Aid Dependence | | | 0.221 (0.143) | 0.139 (0.128) |
| Judicial Independence | -21.891 (14.377) | | -7.754*** (2.865) | |
| Legislative Constraints | | -23.498** (10.019) | | -5.895*** (2.196) |
| Trade * Judicial | -1.177 (0.859) | | | |
| Trade * Legislative | | -1.258** (0.588) | | |
| Aid * Judicial | | | -0.637** (0.318) | |
| Aid * Legislative | | | | -0.406* (0.246) |
| Civil Society | 2.125** (0.925) | 2.832*** (0.957) | 2.514** (1.019) | 2.635*** (0.953) |
| Physical Integrity Rights | -0.038 (0.228) | -0.152 (0.228) | -0.044 (0.244) | -0.138 (0.235) |
| Civil War | -0.351 (0.474) | -0.429 (0.477) | -0.538 (0.494) | -0.593 (0.487) |
| Lagged IGO Change | 0.104 (0.080) | 0.093 (0.076) | 0.114 (0.084) | 0.101 (0.083) |
| Newly Independent | 1.706* (1.019) | 1.533 (0.963) | 1.294 (0.978) | 1.130 (0.959) |
| Newly Transitioned | 0.967** (0.455) | 0.938** (0.456) | 0.486 (0.487) | 0.419 (0.469) |
| Regional Lag | -0.598 (0.681) | -0.435 (0.681) | -0.820 (0.719) | -0.483 (0.705) |
| N | 3147 | 3151 | 2689 | 2693 |

***p < .01; **p < .05; *p < .1

Figure 10: Marginal Effects: Below Zero Value

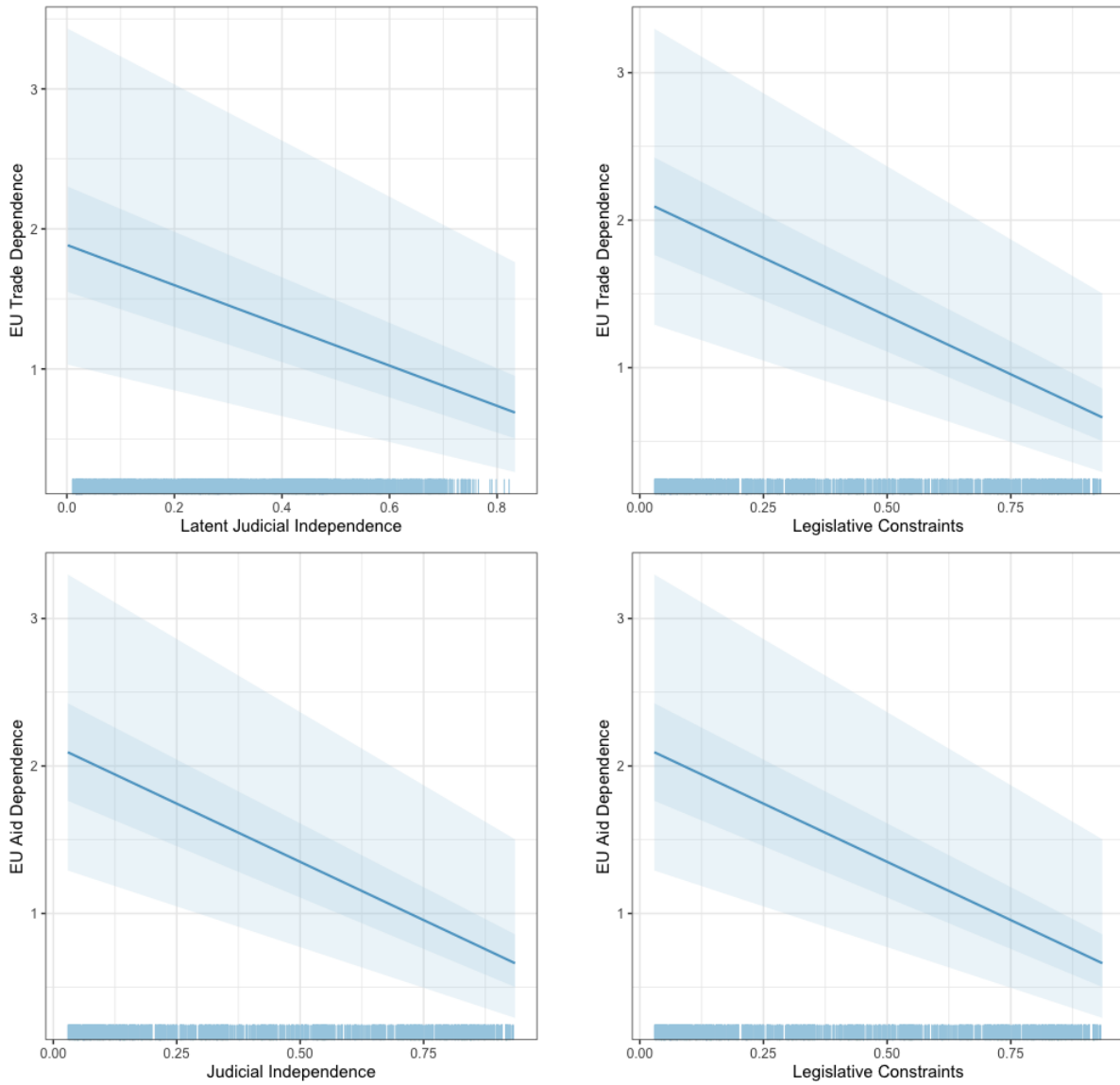


Table 4: Financial Crisis

| | ICCPR-OP Ratification | | | |
|---------------------------|-----------------------|----------------------|----------------------|---------------------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| Crisis | -0.120 (0.536) | -0.018 (0.538) | 0.003 (0.542) | 0.111 (0.543) |
| Trade Dependence | 0.683** (0.296) | 0.765*** (0.264) | | |
| Aid Dependence | | | 0.227 (0.142) | 0.117 (0.128) |
| Judicial Independence | -25.201* (13.585) | | -7.928*** (2.836) | |
| Legislative Constraints | | -23.543** (9.233) | | -5.053** (2.090) |
| Trade * Judicial | -1.375* (0.813) | | | |
| Trade * Legislative | | -1.278** (0.544) | | |
| Aid * Judicial | | | -0.638** (0.316) | |
| Aid * Legislative | | | | -0.317 (0.242) |
| Civil Society | 2.259** (0.887) | 2.890*** (0.918) | 2.363** (0.970) | 2.542*** (0.930) |
| Physical Integrity Rights | -0.008 (0.216) | -0.102 (0.215) | -0.046 (0.234) | -0.122 (0.228) |
| Civil War | -0.378 (0.467) | -0.475 (0.471) | -0.557 (0.486) | -0.575 (0.481) |
| Lagged IGO Change | 0.082 (0.066) | 0.076 (0.064) | 0.085 (0.083) | 0.068 (0.083) |
| Newly Independent | 1.795* (0.956) | 1.766** (0.890) | 1.158 (0.926) | 1.082 (0.911) |
| Newly Transitioned | 0.899** (0.429) | 0.815* (0.431) | 0.655 (0.465) | 0.523 (0.448) |
| Regional Lag | -0.568 (0.639) | -0.426 (0.642) | -0.921 (0.690) | -0.592 (0.679) |
| N | 3348 | 3354 | 2819 | 2825 |

***p < .01; **p < .05; *p < .1

Table 5: Executive Leader Insecurity

| | ICCPR-OP Ratification | |
|---------------------------|-----------------------|--------------------|
| | Model 1 | Model 2 |
| Trade Dependence | 0.362 (0.278) | |
| Aid Dependence | | 0.267* (0.136) |
| Job Insecurity | -2.500 (3.565) | -1.405* (0.737) |
| Trade * Job | -0.137 (0.208) | |
| Aid * Job | | -0.155* (0.083) |
| Civil Society | 1.251 (0.788) | 0.952 (0.846) |
| Physical Integrity Rights | -0.062 (0.216) | -0.109 (0.236) |
| Civil War | -0.389 (0.472) | -0.385 (0.495) |
| Lagged IGO Change | 0.079 (0.064) | 0.117 (0.082) |
| Newly Independent | 1.858* (0.949) | 1.177 (0.914) |
| Newly Transitioned | 0.963** (0.458) | 0.839 (0.517) |
| Regional Lag | -0.445 (0.679) | -0.704 (0.757) |
| N | 2851 | 2378 |

***p < .01; **p < .05; *p < .1

Table 6: British Legal System (Common Law)

| | ICCPR-OP Ratification | | | |
|---------------------------|-----------------------|----------|----------|---------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| British Legal System | -0.895* | -0.784 | -0.689 | -0.764 |
| | (0.479) | (0.482) | (0.493) | (0.493) |
| Trade Dependence | 0.492 | 0.592** | | |
| | (0.321) | (0.287) | | |
| Aid Dependence | | | 0.277* | 0.128 |
| | | | (0.157) | (0.138) |
| Judicial Independence | -16.558 | | -7.636** | |
| | (14.625) | | (3.086) | |
| Legislative Constraints | | -17.322* | | -3.916* |
| | | (10.197) | | (2.288) |
| Trade * Judicial | -0.860 | | | |
| | (0.874) | | | |
| Trade * Legislative | | -0.917 | | |
| | | (0.599) | | |
| Aid * Judicial | | | -0.625* | |
| | | | (0.346) | |
| Aid * Legislative | | | | -0.210 |
| | | | | (0.268) |
| Civil Society | 2.726*** | 3.067*** | 2.452** | 2.568** |
| | (1.003) | (0.999) | (1.101) | (1.049) |
| Physical Integrity Rights | -0.005 | -0.116 | -0.025 | -0.125 |
| | (0.249) | (0.246) | (0.269) | (0.261) |
| Civil War | -0.476 | -0.532 | -0.720 | -0.716 |
| | (0.510) | (0.507) | (0.537) | (0.529) |
| Lagged IGO Change | 0.132* | 0.126* | 0.111 | 0.102 |
| | (0.076) | (0.074) | (0.092) | (0.091) |
| Newly Independent | 0.575 | 0.913 | 0.316 | 0.196 |
| | (1.205) | (1.183) | (1.308) | (1.287) |
| Newly Transitioned | 0.842* | 0.817* | 0.904* | 0.782 |
| | (0.479) | (0.467) | (0.529) | (0.496) |
| Regional Lag | -1.406* | -1.165 | -1.886** | -1.570* |
| | (0.742) | (0.773) | (0.828) | (0.855) |
| N | 2812 | 2812 | 2336 | 2336 |

***p < .01; **p < .05; *p < .1

Table 7: Electoral Democracy

| | ICCPR-OP Ratification | | | |
|---------------------------|-----------------------|-----------|----------|---------|
| | Model 1 | Model 2 | Model 3 | Model 4 |
| Trade Dependence | 0.583* | 0.612** | | |
| | (0.305) | (0.265) | | |
| Aid Dependence | | | 0.263* | 0.147 |
| | | | (0.154) | (0.134) |
| Judicial Independence | -21.096 | | -5.885** | |
| | (14.286) | | (2.861) | |
| Legislative Constraints | | -19.421** | | -3.623* |
| | | (9.667) | | (2.136) |
| Trade * Judicial | -1.188 | | | |
| | (0.858) | | | |
| Trade * Legislative | | -1.073* | | |
| | | (0.572) | | |
| Aid * Judicial | | | -0.585* | |
| | | | (0.339) | |
| Aid * Legislative | | | | -0.236 |
| | | | | (0.259) |
| Electoral Democracy | 0.352 | 0.837 | -0.170 | 0.544 |
| | (1.420) | (1.388) | (1.598) | (1.549) |
| Physical Integrity Rights | 0.076 | 0.025 | -0.055 | -0.082 |
| | (0.225) | (0.225) | (0.249) | (0.243) |
| Civil War | -0.289 | -0.346 | -0.499 | -0.476 |
| | (0.476) | (0.476) | (0.499) | (0.493) |
| Lagged IGO Change | 0.096 | 0.089 | 0.117 | 0.103 |
| | (0.068) | (0.067) | (0.082) | (0.082) |
| Newly Independent | 1.667 | 1.651* | 0.872 | 0.849 |
| | (1.015) | (0.966) | (0.938) | (0.929) |
| Newly Transitioned | 1.258** | 1.204** | 1.242** | 1.122** |
| | (0.511) | (0.524) | (0.560) | (0.559) |
| Regional Lag | -0.542 | -0.427 | -0.944 | -0.691 |
| | (0.703) | (0.699) | (0.773) | (0.745) |
| N | 2850 | 2850 | 2376 | 2376 |

***p < .01; **p < .05; *p < .1

Table 8: Latent Variable Uncertainty

| | ICCPR-OP Ratification | |
|---------------------------|------------------------------|---------------------|
| | Trade | Aid |
| Economic Dependence | 0.674** (0.290) | 0.207 (0.146) |
| Judicial Independence | -24.492* (12.721) | -7.481** (3.120) |
| Dependence * Judicial | -1.328* (0.745) | -0.602* (0.335) |
| Civil Society | 2.149** (0.932) | 2.077* (1.078) |
| Physical Integrity Rights | 0.011 (0.202) | 0.025 (0.213) |
| Civil War | 0.073 (0.091) | 0.074 (0.108) |
| Lagged IGO Change | -0.444 (0.499) | -0.629 (0.516) |
| Newly Independent | 2.024 (4.101) | 2.387 (6.913) |
| Newly Transitioned | 0.895* (0.465) | 0.741 (0.478) |
| Regional Lag | -0.590 (0.653) | -0.963 (0.677) |

***p < .01; **p < .05; *p < .1
 Bostrapped Standard Errors

Table 9: US Trade Dependence

| | ICCPR-OP Ratification | |
|---------------------------|------------------------------|--------------------|
| | Model 1 | Model 2 |
| US Trade Dependence | 0.293 (0.260) | 0.225 (0.217) |
| Judicial Independence | -7.793 (5.995) | |
| Legislative Constraints | | -6.616* (3.716) |
| US Trade * Judicial | -0.657 (0.698) | |
| US Trade * Legislative | | -0.568 (0.443) |
| Civil Society | 1.860** (0.861) | 2.202** (0.894) |
| Physical Integrity Rights | 0.037 (0.216) | -0.032 (0.210) |
| Civil War | -0.192 (0.441) | -0.266 (0.438) |
| Lagged IGO Change | 0.068 (0.078) | 0.054 (0.077) |
| Newly Independent | 1.029 (0.973) | 1.185 (0.946) |
| Newly Transitioned | 0.782* (0.410) | 0.724* (0.395) |
| Regional Lag | -0.743 (0.633) | -0.640 (0.640) |
| N | 3480 | 3486 |

***p < .01; **p < .05; *p < .1