

Naming and Shaming in UN Treaty Bodies: Individual Petitions' Effect on Human Rights

Rachel J. Schoner*

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Abstract

Can individual participation in international legal institutions affect state behavior? Much of the existing literature believes that international law has a limited effect, especially without enforcement mechanisms, in the countries where it's needed the most. Focused on repressive regimes, this paper analyzes petitions (complaints) filed by victims of human rights abuse in United Nations human rights treaty bodies. As a form of naming and shaming, I theorize that violation rulings from these organizations may improve human rights when paired with civil society organizations that publicize the rulings after assisting individuals file complaints. Leveraging an original dataset, I find that governments improve respect for the most severe abuses involving bodily harm immediately after violation rulings. These short-lived effects are driven by petitions where civil society actors are listed as representation. This work improves our understanding of non-state actors in global politics and compliance with international institutions.

*Postdoctoral Research Fellow, Niehaus Center for Globalization and Governance, Princeton University.
rjschoner@princeton.edu

1 Introduction

Can individual participation in international institutions affect state behavior? This paper analyzes the United Nations treaty system in which victims of human rights abuse file complaints, and expert Committees rule on these complaints. These treaty bodies often find governments in violation of treaty provisions. These decisions, however, are not legally binding and lack enforcement power. In aim of improving our understanding of compliance with the global human rights regime, I find participation by victims and subsequent validation from UN treaty bodies can improve human rights practices.

Human rights and international relations scholarship over the past few decades has largely focused on ratification (Conrad 2014; Hollyer and Rosendorff 2011; Vreeland 2008; Goodliffe and Hawkins 2006; Hathaway 2002) and its effect on compliance (von Stein 2015; Lupu 2013; Gauri 2011; Hafner-Burton and Tsutsui 2007; Hathaway 2002). Expanding our understanding of these institutions, this paper analyzes the specific actions of treaty bodies. Recent scholarship has begun to look inside these organizations, in particular the self-reporting mechanism, the main task of these organizations (Creamer and Simmons 2020, 2019, 2015). Scholars often focus on the global human rights regime by analyzing all countries and their participation or narrowly on Western democracies (Krommendijk 2015; McQuigg 2011). I shift the focus to repressive countries, who routinely violate the treaty. This is a hard test of the theory, and where we should be most interested in the effects of these institutions.

I argue that Committee violation rulings on petitions submitted by victims of abuse, despite their non-legally binding nature, can effectively name and shame repressive countries in the short term. Petitions (also called complaints or communications) are focused on specific instances of abuse, personalize naming and shaming, and therefore serve as an effective personal narrative. A large variety of actors frequently call attention to human rights abuses and call for repressive governments to improve their practices. UN treaty body Committees, comprised of independent expert members, are quasi-judicial and relatively objective, lending

credibility and validation to this form of naming and shaming. Violation rulings from the Committees increase reputational costs for governments to continue repression. Further, civil society organizations play a crucial role in helping victims file these complaints, serving as legal representation, and publicizing these rulings, increasing negative attention on the government.

I focus on the Human Rights Committee, which oversees the International Covenant on Civil and Political Rights. The HRC has the largest participation in terms of states allowing individual petitions and petitions filed. I leverage new data from (Ullmann and von Staden 2023; Schoner 2022) to test the theory. These data allow me to (1) disaggregate Committee decisions based on the content of communications given the wide breadth of the treaty and (2) analyze targeted, personal compliance in addition to broader effectiveness on broader behavior. By focusing on physical integrity rights, I find support for the theory: violation rulings— but not the prior stage of submitting communications or “no violation” rulings— result in improved respect by repressive governments. This result is driven by the involvement of civil society actors, who serve as representation assisting the individuals in this international legal process.

This paper speaks to large literatures on global human rights, international law, and international organizations. I find that non-binding decisions by IOs without enforcement power can improve compliance, but only when (1) individuals pair up with civil society and (2) IOs confirm the violation. I ground this research with interviews with expert members of these international organizations and civil society. Leveraging new original data allow us to answer new questions, this analysis provides insight into questions of continued interest like compliance with international legal institutions. This work suggests that individuals are important actors in global politics, but only when they pair up with more traditionally powerful actors such as non-governmental organizations and United Nations bodies.

2 Judicialization of International Human Rights

International politics has become increasingly dominated by law, courts, and judges, or in other words, has become judicialized. The judicialization across issue-areas has garnered much scholarly attention, both empirical and theoretical (Alter, Hafner-Burton and Helfer 2019). Alongside trade, investment, and international arbitration, the international human rights regime has numerous international legal institutions. It includes tribunals with ad hoc jurisdiction including the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda, the International Criminal Court with permanent jurisdiction, regional human rights courts including the European Court of Human Rights and the Inter-American Court of Human Rights, and the United Nations human rights treaty system. There is an important distinction between regional courts that produce binding decisions and the quasi-judicial nature of the United Nations treaty bodies which are the topic of this paper.

In regional courts, judges produce legally binding decisions, but the institution can lack sufficient power to compel states to comply with its rulings. Scholars find compliance with these regional bodies is driven by domestic politics (Haglund and Welch 2021; Hillebrecht 2014, 2012). This work, centered around the European and Inter-American systems, provides insights into potential pathways for compliance with the UN human rights treaty system, but the global system faces increased barriers because it produces only non-binding decisions.¹

In contrast to regional courts, scholars are more skeptical of the impact of human rights treaties. This scholarship has centered on ratification—the most common form of commitment— and what effect this ratification can have on human rights practices. In recent years, this has expanded to include broader types of commitment, including reservations/understandings/declarations (McKibben and Western 2018; Hill Jr. 2016; Neumayer 2007), allowing individual petitions (Schoner 2023), and signature/accession/succession (Com-

¹von Staden (2022) pushes back against this dichotomy of legally binding and non-legally binding decisions in his analysis of the Committee Against Torture.

stock 2022, 2021). Of particular interest, scholars have started to look inside the treaty system to better understand the inner workings of these bodies (Reiners 2021; Creamer and Simmons 2020, 2019, 2015). Improved data collection efforts have pushed scholarship along, focused primarily on the reporting process and compliance with the resulting concluding observations (Haglund, Hillebrecht and Read 2022; Haglund and Hillebrecht 2020; Krommendijk 2015; McQuigg 2011). Shikhelman (2019) analyzes original empirical data about when and how states implement decisions on individual communications in the Human Rights Committee, finding that high human rights practices drive state compliance with these decisions.

Some studies are focused on Western, European democracies with high respect for human rights, ignoring repressive countries completely (Krommendijk 2015; McQuigg 2011). Others find compliance is driven by pre-existing high respect for human rights (Shikhelman 2019). Compliance is more difficult in repressive regimes, countries that routinely violate treaty provisions. But, this is where the institution has the most potential for improvement. Therefore, this study focuses on these important but often overlooked countries: repressive governments. I disaggregate repressive countries and explore variation among non-compliers in terms of both prior respect for human rights and domestic politics.

Committee bodies monitor the implementation of United Nations human rights treaties. Committees have two main tasks: reviewing (1) states' regular self-reports and (2) individual petitions (also referred to as communications or complaints).² The former is the main, time-intensive role of the Committees, examining periodic reports, addressing concerns, and making recommendations to states in the form of "concluding observations." Additionally, all core UN human rights treaties have an individual petition mechanism.³

Governments allow individual petitions to each treaty on a state-by-state basis. For the

²Committees are also able to consider inter-state complaints. There have been none filed in the Human Rights Committee. In 2018, three inter-state complaints were submitted to the Committee on the Elimination of All Forms of Discrimination, the first such communications across all treaties.

³The individual petition mechanism for one of these bodies, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, has not yet entered into force. It will become operative when ten countries make the necessary declaration; currently, only five countries have declared this authorization.

International Covenant on Civil and Political Rights, states ratify its First Optional Protocol to allow victims to submit complaints to the overseeing Human Rights Committee. After a state ratifies the Optional Protocol, any individual can file a complaint alleging that the government has violated a treaty provision. As is common in international law, complaints must be focused on violations *after* ratification of the Optional Protocol, when the state accepted this jurisdiction. Victims themselves must be involved in the process, submitting the complaint unless there is reasonable justification: the main victim is missing, detained, or dead, or they have given explicit permission with reasoning for another person to file on their behalf. Civil society actors are often involved, listed as legal representation on the submission.

I present a theory that applies to all United Nations treaty monitoring bodies but focus on the Humans Rights Committee, which oversees the International Covenant on Civil and Political Rights (ICCPR). The ICCPR is one of the broadest treaties, covering a range of rights, including freedom from torture, the right to a fair trial, the right to family, and freedom from discrimination. Almost all countries (173) have ratified the ICCPR, and more governments allow complaints in the HRC than any other treaty body. Since the ICCPR and its First Optional Protocol were open for ratification in 1966, over three thousand petitions have been filed, the highest number among all treaties.

This paper analyzes the effect of Committee body behavior on state human rights practices. Why states select into treaty participation of various intensities has been a popular topic of prior research (Schoner 2023; Simmons 2009), so I do not theoretically or empirically analyze this prior stage. Some, but not all, repressive governments invite individual petitions in the Human Rights Committee by ratifying its First Optional Protocol. Schoner (2023) finds a combination of international demand, in the form of trade dependence on the European Union, and perceived domestic political costs, in the form of institutional constraints on the executive, explain why some states opt-in, and some opt-out. Here, I am interested in the activity of the treaty body, and what effect their decisions can have on compliance, so I am

only concerned with those that ratify the ICCPR-OP and allow individual petitions.

3 Theory: Committee Violations as Naming &

Shaming

I argue that Committee violation rulings are best thought of as a form of naming and shaming. As such, they serve a core function of international organizations, providing information. Naming and shaming is a common technique among both inter-government organizations (IGOs) and non-governmental organizations (NGOs) through which actors publicize “bad behavior” and/or non-compliance. In this paper focused on UN treaties, naming and shaming is both normative and legal, revealing human rights violations detailed in the treaty. Committee violation rulings on these individual petitions reveal specific instances of abuse and increase the salience of abuse, which in turn increases pressure on repressive governments. Violation rulings are particularly salient because of their (1) personal narrative and (2) increased credibility from a (relatively) objective international institution. This can pressure some governments to improve human rights when civil society actors publicize these rulings.

The large literature on naming and shaming by a variety of actors finds mixed effects, in large part due to the heterogeneity of actors.. Hafner-Burton (2008) states, “The evidence shows that naming and shaming is not all cheap talk,” (690) but it can improve, worsen, or have no effect on government abuses. Increasingly, scholars have broadened the view of naming and shaming to include not just non-governmental human rights advocacy organizations (Park, Murdie and Davis 2021; Hendrix and Wong 2013; Meernik et al. 2012; Murdie and Davis 2012) but also inter-governmental organizations including UN treaty bodies (Kahn-Nisser 2019, focused on concluding observations country reports), the Universal Periodic Review (Terman and Voeten 2018), the International Labor Organization (Kolev and Lebovic 2018), and the UN Human Rights Commission/Council (Vadlamannati, Janz and Berntsen 2018; Ausderan 2014; DeMeritt 2012; Lebovic and Voeten 2009, 2006). Some scholars argue any

effects of naming and shaming are conditional on domestic politics, including regime type (Hendrix and Wong 2013) and type of dictatorship (Wright and Escribà-Folch 2009).

Committee rulings on individual petitions are unique among these organizations and combine elements found in both inter-governmental and non-governmental organizations. Three main factors differentiate these rulings:

1. States voluntarily delegate this authority (not universal jurisdiction).
2. Individuals initiate this process, rather than state-to-state or NGO shaming of states.
3. The content is focused on individuals and specific instances of violations rather than aggregate behavior.

As with all forms of naming and shaming, Committee rulings reveal information, publicizing poor behavior by governments for failing to respect human rights. This information can then be used by “stakeholders and broader civil society to reveal and criticize discrepancies between the conduct of governments and their projected self-images” (von Staden 2018, 350). Committee violation rulings on these individual petitions reveal specific instances of abuse and increase the salience of abuse, which in turn increases pressure on repressive governments. Violation rulings are particularly salient because of their (1) personal narrative and (2) increased credibility from a (relatively) objective international institution. This can pressure some governments to improve human rights when civil society actors publicize these rulings.

3.1 Personal Narrative

Petitions focus on specific instances of abuse, centered on individual victim(s). This is contrasted with the more common aggregate performance review of a state’s human rights practices. The Committee’s main role in evaluating state self-reports and producing recommendations concerns a state’s overall practices. Petitions and subsequent decisions from Committee bodies begin with victims and concern their own well-being and livelihood. This creates a compelling, relatable narrative, humanizing human rights violations and evoking an emotional response from an audience.

Research across fields shows that “personal narratives appear to be the most consistently

successful, increasing individuals' knowledge on the issue, their emotional reaction to the issue, and as a consequence, leading them to reject the practice and participate in a campaign to remand its cessation" (McEntire, Leiby and Krain 2015, 421).⁴ Personal narratives can help foster inclusion (Adida, Lo and Platas 2018) as well as mitigate negative views (Audette, Horowitz and Michelitch 2021) and increase empathy for an out-group (Williamson et al. 2021).⁵ Human rights groups regularly focus on narratives and storytelling, carefully crafting the most compelling narratives for their advocacy campaigns. Open Global Rights published an article on "Be the narrative: How embracing new narratives can revolutionize what it means to do human rights."⁶ Similarly, Human Rights Funders Network discusses storytelling and how "Stories Help Human Rights."⁷ Large, well-known, international IGOs like Amnesty International and Human Rights Watch regularly publicize individual victims of human rights abuse in their campaigns. Amnesty International publishes lists of political prisoners and has successfully launched writing campaigns to free imprisoned persons.

Schaffer and Smith (2004) detail the history and usage of narratives in human rights advocacy, including the importance of trauma, traumatic remembering, and the Holocaust. Discussing the commodification of narratives of suffering on the global market, they discuss the commodification of narratives of suffering on the global market, where "publishers and media conglomerates recognize that stories of suffering and survival sell to readers" (12). Human rights advocacy groups strategically use this powerful device: "In the midst of the transits that take stories of local struggle to readerships around the world, NGOs and activists enlist stories from victims as a way of alerting a broader public to situations of human rights violations. They also solicit and package stories to attract readerships" (14). These narratives sometimes serve as "lightning rods in rights campaigns" (16) with the potential for great

⁴See also McEntire, Leiby and Krain (2017); Small, Loewenstein and Slovic (2007).

⁵This line of research often refers to this process as "prospective-taking."

⁶Gomez, Krizna and Thomas Coombes. "Be the Narrative: How Embracing new narratives can revolutionize what it means to do human rights." Webpage

⁷07 November 2013. In Focus: Storytelling and Social Change: How Stories Help Advance Human Rights. Webpage

efficacy.⁸

3.2 Committee Credibility

The involvement of a UN treaty body provides third-party credibility to individual and civil society's calls for naming and shaming. I focus on possible effects of Committee activity, producing decisions, rather than the prior stage of submitting a petition. I argue that improvement in human rights practices is most likely not after *filing* a petition but after *violation rulings*. Committee Views are, on average, published four years after the communication is submitted, with a large variation. A petition can result in the following decisions: inadmissible, violation, no violation.⁹ Before deciding on the merits of a communication, the Committee considers admissibility, the formal requirements including: exhausting domestic remedies, sufficient substantiation, and focus on events after the entry into force of the complaint mechanism for the relevant state party. After deeming the complaint admissible, the Committee considers the merits of the case and decides whether there has been a violation of a treaty. It is important to note that admissibility and merits are considered simultaneously given resource constraints, and one of the three decisions (inadmissible, violation, or no violation) is announced without announcing the intermediary stage of admissibility. Violation rulings coming from UN treaty bodies validate victims' complaints, lending credibility to the aggrieved actor(s).

The involvement of a non-aggrieved actor helps validate claims of wrongdoing and calls for change. These violation rulings stemming from a UN treaty body are more powerful generators of shame than the original abuse itself or shaming from NGOs (Esarey and DeMeritt 2017).¹⁰ The victim(s) and involved civil society may name and shame before the Committee producing their final views, including publicizing the submission of the petitions. This would be one component of the near-constant naming and shaming of repressive governments by

⁸The author discusses limitations such as depersonalization through recontextualization.

⁹In rare cases, the Committee can discontinue the case. This occurs if the matter has been sufficiently remedied in the interim and the victim agrees to discontinue the case. Alternatively, if the Committee loses contact with the author/victim, a case can be discontinued.

¹⁰Esarey and DeMeritt (2017) find that UN naming and shaming is more powerful than NGO shaming by analyzing bilateral aid flows rather than respect for human rights.

non-governmental actors. I argue the relatively rare involvement of the United Nations human rights treaty body and its more objective nature adds credibility. Therefore, any positive effect of these petitions would be at the final stage of Committee public decisions rather than the prior stage of filing. Park, Murdie and Davis (2021) detail shame in international politics: “It is the public condemnation of human rights violations, rather than the violations themselves, that matter for third-party actions” (173). While civil society groups can use petitions as a focal point for their campaigns, Committee violation rulings make these campaigns more powerful. Committee violation rulings, therefore, should have more substantial effects than petitions.

Unlike other inter-governmental bodies, particularly those in the United Nations, Committees overseeing human rights treaties are quasi-judicial. Rather than politics dominating dynamics among states, these Committees operate much more like a court. Scholarship focused on the political nature of UN IGOs such as the UN Commission on Human Rights, later renamed the Human Rights Council (Esarey and DeMeritt 2017; Hug and Lukács 2014; Lebovic and Voeten 2009, 2006) and Universal Periodic Review (Terman and Byun 2022; Terman and Voeten 2018), explores how global politics affects inter-governmental, especially aid flows. Whereas the politicization of the UPR can shift government behavior (Terman and Voeten 2018), the power of these treaty bodies is in their relatively objective nature, lending credibility to naming and shaming. Committees are comprised of independent experts from the human rights field, detailed further in the Appendix A.1, and do not serve as government representatives. Carraro (2019) discusses the importance of the Committee members themselves and how the “expert nature of recommendations... are seen as more objective and of a higher quality than the UPR” (1090).

H1: *Violation rulings*, but not their prior petition submissions, will improve human rights practices.

3.3 Civil Society

Civil society organizations publicize the work of treaty bodies, bringing attention to states' non-compliance. These actors play a crucial role in the prior stage of submitting petitions, and their involvement continues throughout the process. Schoner (2022) highlights the central role civil society actors play in subsidizing costs to individuals, informing them of this remedy, and protecting them from potential retaliation from the state. These organizations use petitions as part of their broader mobilization, and they publicize violation rulings from the Committee.

Depending on the type and scale of the organization, they may post this information on their website, release reports, hold press conferences, and/or network with other organizations and activists. They release information to the media, both domestically and internationally, and offer interviews to those interested. Additionally, civil society actors send this information to other actors, including other IGOs, powerful states and organizations such as the United States and the European Union, and larger, more well-known organizations such as Amnesty International. For example, the Collectif des Familles de Disparus en Algérie (CFDA) is an NGO focused on achieving truth and justice for the families of the disappeared.¹¹ The CFDA has filed 15 communications in the Human Rights Committee concerning the enforced disappearances committed in the 1990s. In addition to their international legal filings, they advocate in a variety of domestic and global institutions. The CFDA regularly advocates in the European Parliament, European Council, and the European Commission as well as UN bodies in Geneva. Additionally, they attend the African Commission on Human and Peoples' Rights and events such as the World Social Forum.¹²

CFDA, a self-described “small organization,”¹³ regularly partners with larger organizations to advocate against the Algerian government for improved human rights and seeks

¹¹There were widespread enforced disappearances in the 1990s in Algeria. CFDA was created in 1999 and has continued its advocacy through today.

¹²Collectif des Familles de Disparus en Algérie: Plaidoyer (*Advocacy*) Webpage

¹³Interview with Nasser Dutour, spokesperson for the CFDA, on 12 March 2021.

global media attention. Recently, CFDA partnered with 15 other organizations, including Amnesty International, Reporters without Borders, and Human Rights Watch, to publish a joint press release supporting the European Parliament’s calls for action on Algerian human rights and demanding broader “collective public action from the international community.”¹⁴ CFDA states the goal of this press release was “to urge the European Union and its Member States to more severely condemn the management of human rights by the Algerian authorities, during a meeting held between the European Union and representatives of the Algerian government which took place a few days after the publication.”¹⁵

CFDA strategically advocates and publicizes these rulings to a broad, global audience. An Al Jazeera article (Osman 2021) recently summarized the work CFDA and other organizations have done in the Committee:

“After families could not obtain redress at the domestic level, several turned to the United Nations human rights mechanisms. However, the authorities refused to respond to individual complaints and resorted to the charter to challenge their admissibility, stating the text provided a “global framework” and constituted, in itself, a domestic remedy addressing the issue of the missing. To date, the UN Human Rights Committee has issued 44 decisions on Algerian cases, but none has been implemented.”

Amnesty International’s 2007 report detailed the 2006 HRC Adoption of Views concerning the unlawful detainment without trial and torture of Malik Medjnoun.¹⁶ Additionally, the US State Department report notes these rulings: “In March 2006 the UN Human Rights Committee issued its first ruling on enforced disappearances in the country. The Committee found that the government violated several provisions of the International Covenant on Civil and Political Rights when it failed to protect the rights and life of Salah Saker and Riad Boucherf, who disappeared in 1994 and 1995 respectively.”¹⁷

I theorize the involvement of civil society organizations in the petition process will

¹⁴November 27, 2022. Amnesty International, “Algeria: European Parliament calls for action on human rights and expresses solidarity with demonstrators” Webpage

¹⁵Collectif des Families de Disparus en Algérie: Nos Actions *Our Actions* Webpage

¹⁶Communication No. 1297/2004 submitted by Ali Medjnoun regarding his son, Malik Medjnoun, on 11 June 2004. Committee deemed Algeria in violation on 14 July 2006.

¹⁷Ref World. “2007 Country Reports on Human Rights Practices- Algeria” Webpage

increase the effectiveness of Committee violation rulings. It is important to distinguish this specific form of participation, in the form of representing the victim(s) in the treaty body, from broader civil society activity. These organizations are specifically invested in the case, already devoting resources to filing the petition. These organizations can be domestic-oriented NGOs like the CFDA in Algeria, but they may also be international and involved in many countries, such as the World Organization Against Torture.¹⁸ **H2:** Violation rulings will improve human rights practices concerning *petitions with involvement of civil society actors*.

3.4 Increased Attention and Reputational Costs

UN Committee violation rulings bring negative attention and raise costs to governments for continued repression, specifically focused on reputation. Naming and shaming relies on an audience; external actors must care about the norm violations. Further, naming and shaming is effective only when actors care about their reputation, i.e. what these external actors think (Park, Murdie and Davis 2021; Allendoerfer, Murdie and Welch 2020; Squatrito, Lundgren and Sommerer 2019). Krain (2012) discusses how naming and shaming the most severe human rights abuses can effectively pressure for change:

Naming and shaming should force perpetrators to reduce the severity of these ongoing atrocities [genocide or politicide] in order to shift the spotlight, save their reputation, reframe their identity, maintain international legitimacy and domestic viability, and ease the pressure placed on them by states or IOs.

Here, I shift to discuss the government as a strategic actor, whose behavior ultimately determines respect for human rights within its borders.¹⁹ How do human rights petitions and subsequent Committee violation rulings affect the government's repression calculus? I consider the costliness of this form of naming and shaming for repressive regimes, how this varies across time and space, and discuss how states respond to improve their reputation and

¹⁸The World Organization Against Torture is headquartered in Switzerland. They filed petitions against Cote d'Ivoire (Communication No. 1759/2008), the Democratic Republic of the Congo (2214/2012), Libya (1422/2005 1143/2002 1776/2008 1295/2004), Paraguay (1828/2008, 1829/2008), Sri Lanka (1250/2004), and Russia (1447/2006).

¹⁹I recognize that non-state actors, such as rebel groups and terrorist organizations, can—and often do—violate human rights. The focus of this paper is governments' respect for human rights, whose behavior United Nations treaties seek to govern.

redirect focus.

Liberal democratic values are a core component of the global world order after the Second World War, and even more so after the end of the Cold War. All countries pay some attention to these norms and values by participating in the global rights regime; every country has ratified at least one of the core UN treaties. This participation by no means signals a sincere commitment to these values (see: Hollyer and Rosendorff 2011; Simmons 2009; Vreeland 2008); nonetheless, all countries, regardless of levels of human rights practices and democracy, pay these norms some lip service. Moreover, many repressive countries take an additional step and allow these individual petitions, inviting increased oversight (Schoner 2022). Guriev and Treisman (2022, 2019) discuss a new, dominant type of autocrat: “spin dictator” compared to the old dictatorships based on fear. These dictators are more open to the world, care about global public opinion, and “perform” democracy. These regimes care about their reputation, including as it pertains to human rights, a core value of Western powers. Recently, one former Human Rights Committee member said, “All states care about their reputation.”²⁰

Violation rulings from UN human rights treaty bodies reveal breaches of these norms and are more salient than other forms of naming and shaming discussed earlier (personal narratives and increased credibility). This negative attention, which governments would- all else equal- like to avoid, may cause some states to alter behavior out of shame rather than longer-term norm adoption (Risse, Ropp and Sikkink 2013). Reputational costs increase with media coverage and both international and domestic pressure, highlighting the importance of organizations with resources for a broader publicity effort. Nassera Dutour, spokesperson for Collectif des Familles de Disparus en Algérie (Coalition of Families of the Disappeared in Algeria, CFDA), highlights the importance of their broader advocacy networks and how the Algerian government values its reputation:

“The thing is, since these recommendations are public, they’re visible by all. So what we have seen, other associations have referenced those cases, the commu-

²⁰Interview on 20 September 2022.

nications that have been made regarding Algeria. For example, referenced the Boucherf case in Algeria. That has been a problem for the Algerian government. They are very susceptible. They are very aware of their image, and they want to keep this image of being better than they actually are.”²¹

She was eager to share that the continued filings and responses in the Human Rights Committee “continues to annoy Algeria as much as possible,” and “The Algerian government gets angry.”

Not all countries care equally about their human rights reputation, and this is not uniform within countries over time. To understand this reputational cost mechanism, I argue that repressive countries will be more attentive to their human rights reputation when there is increased international attention to their behavior. This attention must be scheduled and anticipated by the state. If committee violation rulings are released leading up to this increased attention, the repressive government seizes this opportunity to save face, and improve human rights practices and thus their reputation immediately before this review. However, violation rulings are released *after* this review, I do not expect governments to alter their behavior. I focus on one institution where all governments are regularly under review for their human rights: the Universal Periodic Review.

As a part of the Human Rights Council, the UPR began in 2008 to review all governments’ human rights practices regularly. With scholars highlighting the inherently political process (Terman and Byun 2022; Terman and Voeten 2018), the “Reviews take place through an interactive discussion between the State under review and other UN Member States.”²². Non-governmental organizations are also welcome to participate in this process by submitting information that can be added to the “other stakeholders” reports which is considered during the review. All 193 United Nations member states are reviewed every cycle, within a 4.5-year period. In the first cycle, 48 countries were reviewed every year, and beginning with the second cycle, 42 countries are scheduled for review each year. The fourth cycle began in 2022. The review follows a fixed schedule, providing variation when countries’ human rights

²¹Interview on 12 March 2021.

²²Basic facts about the UPR Webpage.

practices are under increased scrutiny while not being every year. The order for the first review was chosen randomly, and subsequent cycles continue in this order.

The UPR review is quite salient, especially covered by local media and NGOs. In their recommendations, states at times mention the Human Rights Committee and other UN treaty bodies. Many times, states are criticized for not submitting their self-reports.²³ More important for this study, states do also scold one another for failing to fully implement the Human Rights Committee's views. In Algeria's 2017 review, Luxembourg recommended it "Cooperate with the Human Rights Committee and fully implement its views."²⁴ Similarly, in Kyrgyzstan's 2020 review, Finland recommended, "Immediately release human rights activist Azimjan Askarov in line with the Views of the Human Rights Committee issued in 2016." Turkmenistan received similar criticism from Austria in 2018, "Cooperate fully with the United Nations, to facilitate all pending requests for visits by the Human Rights Council's special procedure mandate holders and to respond favourably and constructively to the views of the Human Rights Committee."

Violation rulings from treaty bodies are often included in the broader UPR reports. For example, during Algeria's review in the third cycle, the compilation of UN information discussed its adverse views in the Human Rights Committee: "Since 1 April 2012, the Human Rights Committee has adopted 24 Views concluding that Algeria was in violation of its obligations under the International Covenant on Civil and Political Rights. Twenty-one of these related to cases concerning enforced disappearances, two related to cases concerning extrajudicial or arbitrary executions and one related to a case concerning torture and arbitrary detention."²⁵

The UPR puts a government's human rights practices under a microscope every few

²³Luxembourg (by Uruguay in 2018), Swaziland (by Kenya in 2016), Belarus (by Ghana in 2015), Seychelles (by Hungary in 2011), Armenia (by Spain in 2010), Central African Republic (by Ghana in 2009), Costa Rica (by Norway in 2014), Rwanda (by France in 2011), Slovenia (by Uzbekistan), and Malta (by the Netherlands in 2009) were all criticized for their overdue reports.

²⁴UPR recommendations are publicly available online at UPR Info's Database.

²⁵Human Rights Council; Working Group on the Universal Periodic Review in Twenty-seventh session. "Compilation on Algeria." Document title A/HRC/WG.6/27/DZA/2. Available online via UPR's documentation by country.

years. Peer governments and NGOs discuss violation rulings from treaty bodies as criticism, increasing reputational costs. I argue this increased negative attention will encourage a government to improve human rights practices shortly *before* their periodic review.

H3: Violation rulings will improve human rights practices *before a state is under review at the Universal Periodic Review.*

4 Research Design

I begin by defining the repressive sample, a subset of countries that (1) ratify the ICCPR-OP allowing individual petitions and (2) routinely violate human rights detailed in the ICCPR treaty. I use two new datasets, one focused on petitions filed in the Human Rights Committee (Schoner 2023) and one detailing compliance with individual petitions across UN treaty bodies (Ullmann and von Staden 2023). New data on petitions in the Human Rights Committee detail the nature of the alleged violations, involvement of civil society actors, relevant dates, and Committee decisions. The empirical strategy discusses both micro- and macro-level responses from the government. In other words, targeted compliance/remedies given to the specific complaint (micro) and broader effectiveness in terms of human rights practices (macro). Additionally, I leverage the plausibly exogenous timing of the Committee decisions, years after petitions are submitted, which the State party cannot reliably anticipate.

4.1 Repressive Sample

I restrict the analysis to repressive countries that allow individual petitions in the Human Rights Committee. First, I include only countries that have ratified the International Covenant on Civil and Political Rights' First Optional Protocol allowing individual petitions. Because this paper is concerned with the activity of the treaty body and its violation rulings, I exclude countries that do not allow these petitions. I do not compare states that receive violation rulings with those where these decisions are not possible. For example, the Democratic People's Republic of Korea ratified the ICCPR but not the Optional Protocol allowing individual petitions. Therefore, despite being a highly repressive country, I exclude

the DPRK from this analysis because victims of human rights abuse are not able to file petitions, on which the Committee produces decisions.

Second, I restrict the sample to repressive governments, those that routinely violate human rights detailed in the ICCPR. Following a large focus in scholarly work (Schoner 2023; Cordell et al. 2022; Schoner 2022; Hill Jr. and Jones 2014; Conrad 2014; Murdie and Davis 2012), I focus on a subset of the human rights detailed in the International Covenant on Civil and Political Rights: physical integrity rights. Physical integrity violations include torture, extrajudicial killings, and enforced disappearance. This is the most common group of rights contested in the HRC, alongside judicial issues concerning the right to a fair trial.²⁶ Looking at a group of similar rights allows for strategic substitution (Dragu and Lupu 2021; DeMeritt and Conrad 2019; Payne and Abouharb 2016; Lupu 2013), where governments may improve practices not specifically contested in the violation rulings. Repression is costly, and governments consider both the benefits of improving (or not worsening) their reputation and the costs of changing strategically imposed repression. If a policy under contestation is considered too costly to change, the regime may decide to improve respect for related, but not identical, rights.

I measure repression using a latent measure of respect for physical integrity (PI) rights from Fariss (2014) and Schnakenberg and Fariss (2014) where higher values indicate greater respect and better practices. Countries enter the sample at the time of OP ratification, if they have a value below 0.1, continuing prior analysis of repressive countries' decision to ratify the Optional Protocol (Schoner 2023) and victims' decisions to file petitions (Schoner 2023). It is important to note that states ratify the Optional Protocol at various times, so states do not enter the sample all together. I use 0.1 as a threshold for repression; states with a latent measure below 0.1 are considered "repressive." Creating a dichotomous indicator of repression from a continuous latent variable involves creating a (arbitrary) threshold. This

²⁶Approximately half of the petitions concern judicial issues, and approximately half concern physical integrity rights. These two categories are not mutually exclusive as one petition can deal with both torture and an unfair trial, for example.

threshold aims to capture those with low and medium respect for human rights, excluding those countries with high respect for human rights. Schoner (2023) explores how changing this threshold does not change the sample drastically. Moreover, I opt to focus on repressive countries rather than autocratic countries because poor human rights practices are of greater interest in this situation than domestic political institutions.²⁷ The puzzle relies on countries that routinely violate human rights rather than domestic institutions which concentrate power in a small group of individuals.

After repressive countries enter the sample, there is a large variation in continued human rights practices.²⁸ Many countries greatly improve their respect for human rights over the decades after ratification. For example, South Korea meets the definition of repressive when it ratified the OP in 1990 but later democratizes and significantly improves human rights. Similarly, Uruguay, Estonia, and Croatia all contemporaneously have high respect for human rights although they were considered repressive at the time of OP ratification.²⁹

I restrict the sample based on the dependent variable because there are heterogeneous treatment effects for states with high respect for human rights and those with low or medium respect. This paper is only focused on these low- and middle-respect countries. Moreover, current data for Committee violation rulings are only available for this sample, not the full, global sample. States drop out of the sample if and when they surpass this threshold, 0.1, for three consecutive years. Because I am interested in estimating treatment effects for low- and middle-respect countries, once states reach this threshold, I consider them in the “high” respect category, and they drop out of the sample.³⁰ I note this removes the uncommon possibility of improving above this threshold but reverting. Improvement is largely sustained, so this graduation specification is not very sensitive. Thirty-one countries improve respect

²⁷Previous work centers on autocratic participation in human rights treaties (Conrad 2014; Hollyer and Rosendorff 2011; Vreeland 2008) although newer studies highlight the importance of human rights practices over institutions (Schoner 2023; Shikelman 2019).

²⁸Appendix Figure 6, where each line represents a country, shows the large heterogeneity in this sample.

²⁹Uruguay ratified the ICCPR-OP in 1970, Estonia in 1991, and Croatia in 1995.

³⁰As an alternative, and more restrictive, specification, I use the mean respect for human rights as the improvement threshold (approximately -0.535). This restricts the sample size and power, but results are robust (with decreased statistical significance).

for human rights above 0.1 for at least one year, and 26 countries improved for at least 3 consecutive years, exiting the sample.

The sample includes 56 repressive countries beginning the year of their ICCPR-OP ratification, ranging from 1969 to 2011, through 2016, and the unit of analysis is country-year. I restrict the sample through 2016 to account for the average length of time (4 years) from submission to the Committee’s Adoption of Views, which is when they release the communication to the public. These data, updated in May 2021, have Committee Views through the end of 2016.

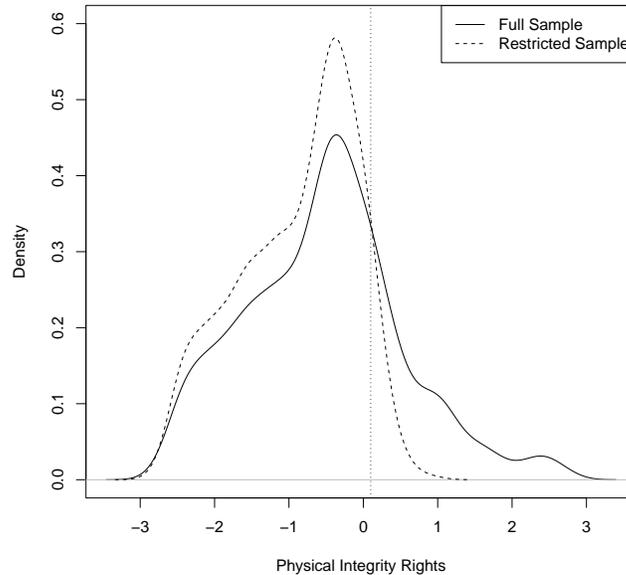
4.2 Dependent Variable

The dependent variable is human rights practices. I focus on macro-level, aggregate human rights practices at the country-year unit of analysis. The analysis will expand to include micro-level targeted compliance, analyzing each petition and Committee violation ruling. The primary dependent variable is respect for physical integrity, the same variable used to create this repressive sample. Figure 1 shows the distribution of the dependent variable for both the full repressive sample (all 56 countries for the entire time period) and the restricted sample of interest, where countries exit after improving repressive practices. The DV ranges from -2.82 to 2.76 with a mean of -0.54 and a standard deviation of 1.07 .

The results presented here use a latent measure of respect for PI rights (Fariss 2014; Schnakenberg and Fariss 2014). Using a variety of input measures, these commonly used data incorporate the changing standard of accountability over time, which biases report-based measures. Additionally, these data have broad temporal and spatial coverage. Other measures of human rights practices were previously standard in scholarly empirical analysis, specifically CIRI (Cingranelli, Filippov and Mark 2021; Cingranelli, Richards and Clay 2014) and Political Terror Scale (Gibney et al. 2022). While I opt for Fariss’ latent measure for various theoretical and methodological reasons, these findings are robust to alternative dependent variables.³¹

³¹Table 7 shows robust results from the PTS using an average of the three inputs: Amnesty International, Human Rights Watch, and US State Department. I reverse the PTS for intuitive comparison, where higher values indicate greater respect for rights. The CIRI dataset has limited coverage for the sample, decreasing the statistical power.

Figure 1: Distribution of the Dependent Variable



I analyze both aggregate effectiveness, in terms of human rights practices, in addition to targeted compliance with rulings. Broader human rights practices are arguably more important for international audiences. This is the central focus of the Human Rights Committee, and personal remedies are secondary.³² This also allows for a broader comparison; we can compare countries that receive an unfavorable ruling from a Committee in a given year to another repressive country that has not received any Committee decisions. Analyzing compliance necessitates narrowing the sample to countries that receive a Committee decision. The broader analysis captures some aspects of possible strategic substitution, not focused on one person or one policy.

Targeted Compliance, Personal Remedy In addition to the aggregate respect for PI rights, I analyze micro-level compliance for all violation rulings against repressive countries, incorporating the broad set of rights covered in the Human Rights Committee. Do repressive regimes comply with adverse views from the Committee? This inherently restricts the analysis to only states that have received violation rulings. I cannot test the first hypothesis but can

³²Interview with former HRC member on 20 September 2022.

test the second (importance of third-party representation) and third (timing, more likely before the UPR review). The theory expects states to be more likely to comply with violation rulings when the victim(s) are represented by counsel, with third-party representation. Additionally, the theory expects compliance will be more likely shortly before the state’s UPR review because of increased international attention.

This dataset is pending release (forthcoming) from Ullmann and von Staden (2023). I plan to describe the data here. Compliance data is only available for a portion of all decisions, restricting the sample further; many decisions are there data on? How many times do governments implement the remedies asked by the Committee?

4.3 Explanatory Variable

The key explanatory variable is Committee violation rulings. These come from an original dataset of 984 petitions filed against 44 repressive countries (56 total, 12 have had no petitions filed against them in the Committee), introduced in Schoner (2023). This new dataset allows me to distinguish the rights under contestation for each submitted complaint. Many petitions include allegations of a variety of rights violations, and I code a petition as “physical integrity” if a physical integrity right is listed as one of the alleged violations.

Table 1 shows the number of total Views from the HRC against each repressive government, the number of violation rulings, and the number of violation rulings on physical integrity rights. The full data, without countries exiting with improvement, is shown in Appendix Table 2. The data are skewed, with most countries (and thus most country-years) without any petitions filed or rulings, and the statistical analysis is robust to excluding key outliers.

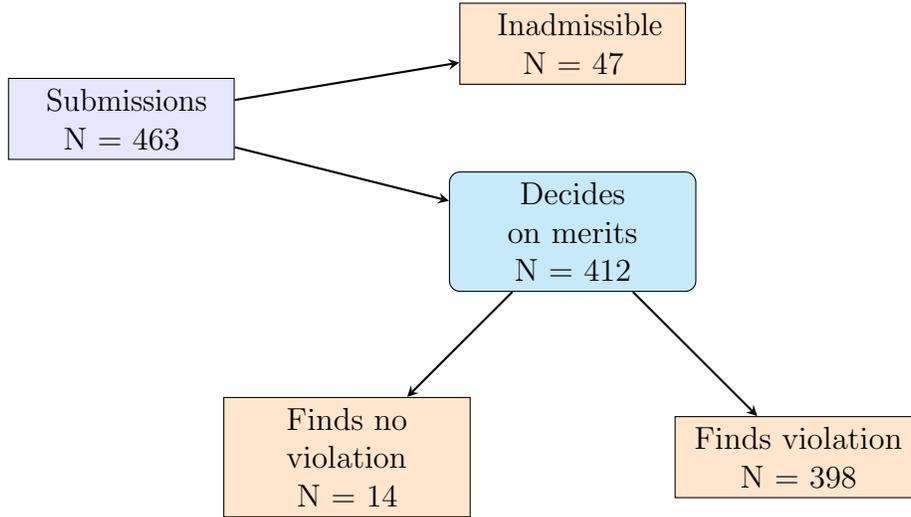
After a victim or victims file a complaint in a treaty body, there are three main outcomes: inadmissible, no violation, and violation.³³ Figure 2 shows the various outcomes

³³There are two other uncommon outcomes: admissible and discontinuance. Rarely, the Committee will release an intermediary stage of admissible, before deciding on the merits of the case. There are four “Admissible” outcomes in the data, where final views are not found. Additionally, committees can decide to discontinue a case. This happens for two main reasons (1) the matter has in the interim sufficiently been remedied by the state or (2) the Committee has lost touch with the author. Fourteen cases (out of the 984) were discontinued by the Committee. Seven were discontinued because the Committee lost touch with the

Table 1: Violations in the Human Rights Committee

Country	Total Views	Violation Rulings	Physical Integrity Violations
Belarus	122	104	17
Russia	64	34	19
Uruguay	49	42	36
Uzbekistan	43	36	29
Colombia	36	19	10
Algeria	27	25	24
Tajikistan	25	22	21
Democratic Republic of Congo	21	18	14
Libya	21	20	18
Sri Lanka	21	16	12
Turkmenistan	17	16	15
Philippines	17	13	10
Peru	15	14	10
Zambia	15	10	8
Cameroon	11	9	6
Kazakhstan	9	7	3
Nepal	9	9	9
Panama	8	2	1
Ecuador	5	5	4
Georgia	5	5	5
Togo	5	4	1
Venezuela	4	3	1
Chile	4	0	0
Azerbaijan	4	3	2
Equatorial Guinea	4	4	4
South Korea	4	3	0
Dominican Republic	3	3	2
Bolivia	2	2	2
Croatia	2	1	1
Bulgaria	2	0	0
Côte d'Ivoire	2	1	1
Central African Republic	2	2	1
Angola	2	2	2
South Africa	2	1	1
Turkey	2	2	0
Mexico	1	0	0
Nicaragua	1	1	1
Paraguay	1	1	0
Yugoslavia	1	1	0
Sierra Leone	1	1	0
Tunisia	1	0	0
Guatemala	0	0	0
Honduras	0	0	0
El Salvador	0	0	0
Brazil	0	0	0
Bosnia and Herzegovina	0	0	0
Romania	0	0	0
Estonia	0	0	0
Niger	0	0	0
Guinea	0	0	0
Chad	0	0	0
Republic of Congo	0	0	0
Uganda	0	0	0
Somalia	0	0	0
Djibouti	0	0	0
Malawi	0	0	0

Figure 2: Committee Decisions on Physical Integrity Rights



of submissions and the number of PI submissions in the relevant repressive sample analyzed below. Most petitions result in violation rulings: 81% of all submissions result in violation rulings, and (similarly) 86% of physical integrity petitions result in violation rulings. The HRC deems 10% of submissions inadmissible, and if they decide on the merits, the vast majority of petitions result in violation rulings. The Committee rarely finds that, in admissible rulings, a repressive government did not violate the ICCPR treaty.

To test the first hypothesis, I run a model with PI petitions filed in a given year and a model with their subsequent PI violation rulings. The maximum value of PI petition submissions for a country-year is 10: Uruguay (1981), Algeria (2008), and Turkmenistan (2012). The maximum value of PI violation rulings, the main explanatory variable, in a given country-year is 8: Uruguay (1981), Uruguay (1983), and Algeria (2013). The models include contemporaneous count variables, capturing a simultaneous relationship among the variables within a given year.³⁴ To further test the theory, I analyze no violation and inadmissible decisions from the Committee.

It is reasonable to measure the variables in the same year given the Committee's

counsel/author and was unable to gather more information. In the other half of discontinued cases, the matter was sufficiently remedied.

³⁴The main results are robust to a dichotomous indicator rather than a count variable.

expectation for a quick response from the State party. The end of each violation ruling ends with the following:

Bearing in mind that, by becoming a party to the Optional Protocol, the State party has recognized the competence of the Committee to determine whether there has been a violation of the Covenant... The Committee wishes to receive from the State party, within 180 days, information about the measures taken to give effect to the Committee's Views. The State party is also requested to publish the present Views to have them widely disseminated in the official languages of the State party.

The Committee meets multiple times a year, and my data include the exact date, allowing for careful qualitative analysis. I expect any effects to be short-term because of short-lived media cycles, where the core mechanism is civil society advocacy and publicity. Media cycles, both domestic and international, move quickly and focus on the day's news and abuses. Because respect for human rights is a sticky measure, improvement may be within the same year or the following year. I do not expect this to have a long-lasting effect because short-term improvement appeases critics while minimizing costs. I analyze treatment effects over time and find, as expected, there are no pre-treatment effects.

To test *Hypothesis 2* concerning civil society involvement, I include a dichotomous indicator of whether each petition (and therefore the subsequent violation ruling) has listed third-party representation. 62% of violation rulings concern petitions with third-party involvement. Listed represented may be a human rights organization such as Track Immunity Always (TRIAL International, based in Geneva, Switzerland), World Organization Against Torture (also based in Geneva), or Kazakhstan International Bureau on Human Rights and Rule of Law. Alternatively, the representation may be a single individual. This often is a staff member from such an organization or law firm (which may not be easy to determine from publicly available information), or an individual lawyer. These lawyers generally cannot publicize the rulings like civil society organizations, but often there is an organization behind the scenes. For example, numerous lawyers including Shane H. Brady and André Carbonneau represented the many petitions filed by Jehovah's Witnesses. All JWs filing complaints are represented by counsel, and these two lawyers (who represented the majority of submissions)

are at the same Canadian law firm: W. Glen How & Associates LLP. There is surely some JW organizational power behind this, so a record of only lawyers and not organizations does not preclude the involvement of broader organizations with the ability to publicize the rulings and increase pressure on the regime. Although this loses some variation, this dichotomous indicator picks up the primary concept, capturing whether there is a third party (that is, neither the victims themselves nor the alleged violator State party) involved with additional resources to publicize the ruling.

The third hypothesis leverages the random yet periodically scheduled reviews of human rights practices in the UPR. A limitation of focusing on this institution is its relative youth: the review began in 2008. This review, however, is truly “universal” in that all countries are under review. Governments know the exact dates of their review, so this analysis is finer-grained than the country-year analysis discussed earlier. The exact dates of Committee decisions are available. I analyze a country’s human rights practices over time as they receive adverse rulings leading up to the UPR. I use both macro-level respect for PI rights and micro-level compliance as dependent variables to test this hypothesis.

4.4 Estimation

I run an OLS regression with clustered standard errors by country, a lagged dependent variable because past levels of repression significantly predict repression (Davenport 1995; Poe and Tate 1994), country fixed effects, and a linear time trend. This specification helps address heteroskedasticity and autocorrelation. The presence of civil society has been strongly linked to respect for human rights (see: Chaudhry 2022; Wong 2012; Keck and Sikkink 1998), so I include a measure of domestic civil society. I distinguish this from my measure of civil society involvement in submitted petitions because of (1) international actor involvement in complaints and (2) this more specific measure captures specific vested interest and involvement rather than the broader domestic environment. I include a measure of civil society in all models, using Varieties of Democracy’s (V-Dem) civil society index which asks, “How robust is civil society?” (Coppedge et al. 2017; Pemstein et al. 2017).

I include controls standard in the literature: judicial independence (Staton et al. 2019; Linzer and Staton 2015), presence of war (civil or international), (logged) population, and (logged) GDP.³⁵ The Appendix presents models with year fixed effects (instead of a linear time trend) in Table 5 with similar results. I also present a first difference model where the dependent variable is the change in physical integrity rights in a given country-year, and Appendix Table 6 shows the results are robust to this alternative specification.

5 Empirical Results

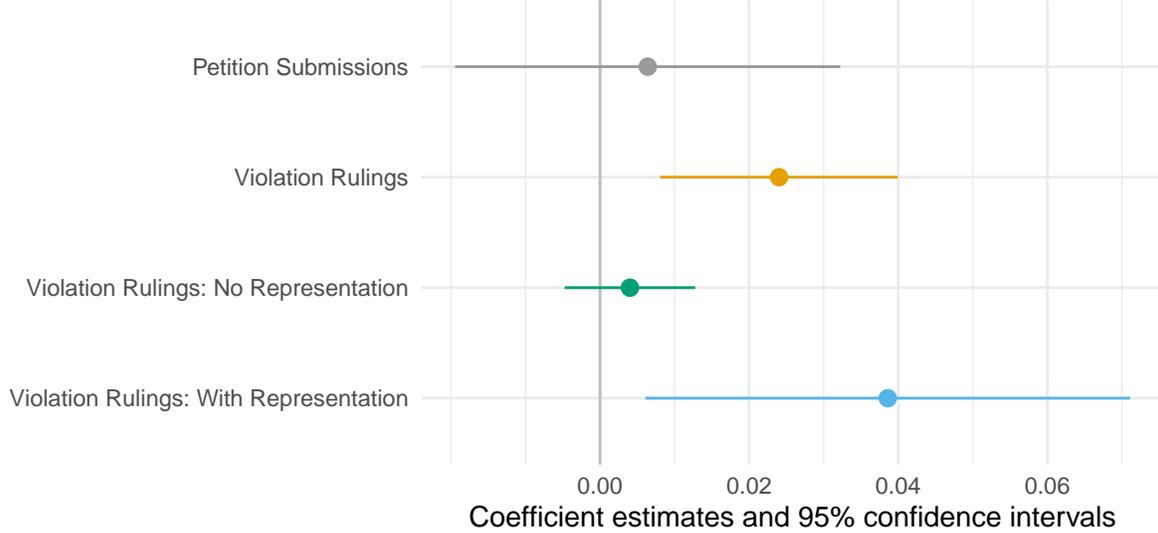
The core empirical finding is shown in the coefficient plot Figure 3 with the full results shown in Appendix Table 3. In support of my theory (*H1*), I find that *violation rulings* in the HRC are associated with *increased* respect for these rights at standard levels of statistical significance. This suggests that violation rulings do significantly improve respect for human rights in a given country-year. Only violation rulings, not filing petitions, are significantly associated with improved respect for human rights. An increase in the number of petitions filed in the HRC is *not* associated with any change in respect for PI rights. This lends support to the theoretical importance of the Committee’s third-party legitimacy and suggests this response is not due to only the mobilization of the victims and/or organizations. Furthermore, inadmissible decisions and no violation rulings do not have any significant effect.

Figure 4 shows the treatment over time. I include lag and lead variables in models with a change in respect for human rights respect as the dependent variable.³⁶ As expected, I find no significant effects for pre-treatment; that is, physical integrity violation rulings are not associated with respect for human rights in the *previous* year(s). This shows again that there is a contemporaneous effect: violation rulings affect practices in the same year, but there is no continued improvement. Because the dependent variable is the change in practices

³⁵I measure the presence of civil or international war from Gleditsch et al. (2002). I use World Bank Development Indicators for both population and GDP, logging both given their skewed distributions (World Bank 2015).

³⁶I opt for this specification here to avoid the lagged dependent variable. These models still take into account prior respect for human rights, but in a different way.

Figure 3: HRC Activity on Effect on Respect for Physical Integrity Rights

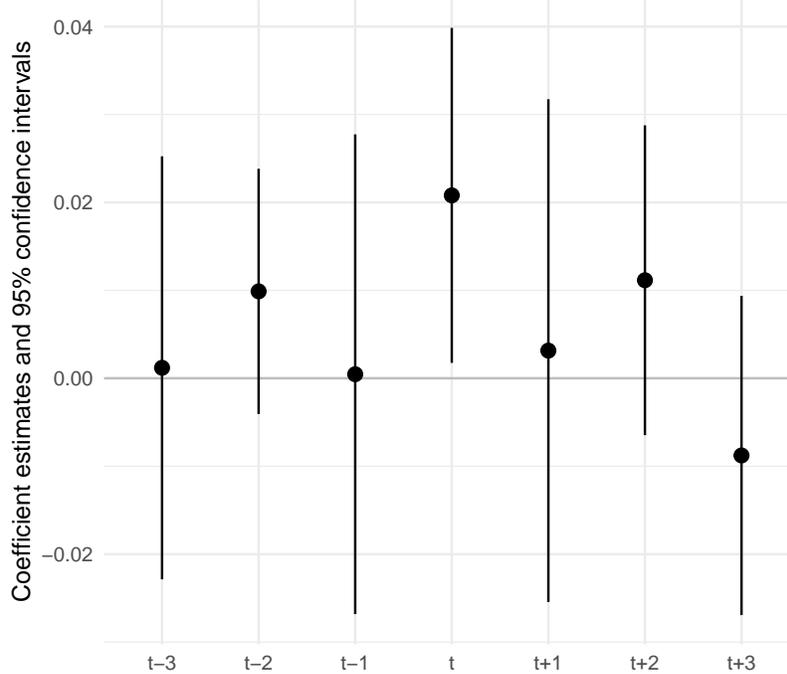


in a given country-year (and Table 3 includes a lagged dependent variable) and there is no subsequent decrease in practices after the treatment, this positive change is sustained. In other words, countries do *not* improve practices and then decrease to revert to pre-treatment levels.

The key independent variable, violation rulings, is statistically significant but substantively small. This variable does not explain a large amount of variation in the dependent variable. This is not surprising because repression is a complex political behavior with numerous input factors. However, *any* statistically significant change in respect for human rights is important. The dependent variable measures abuses including torture and extrajudicial killing, so a very small increase indicates a reduction in bodily harm and killings.

To test *Hypothesis 2*, I separate violation rulings on whether the alleged victim is represented by a third party. The significant relationship in the core model is driven by violation rulings that list third-party representation. Rulings without a third party listed are not significantly associated with any change in repression. This lends empirical support to the second hypothesis, highlighting the importance of civil society involvement.

Figure 4: Treatment Effects over Time



5.1 Timing: Universal Periodic Review

Figure 5 shows violation rulings over time with each state's UPR cycle date.

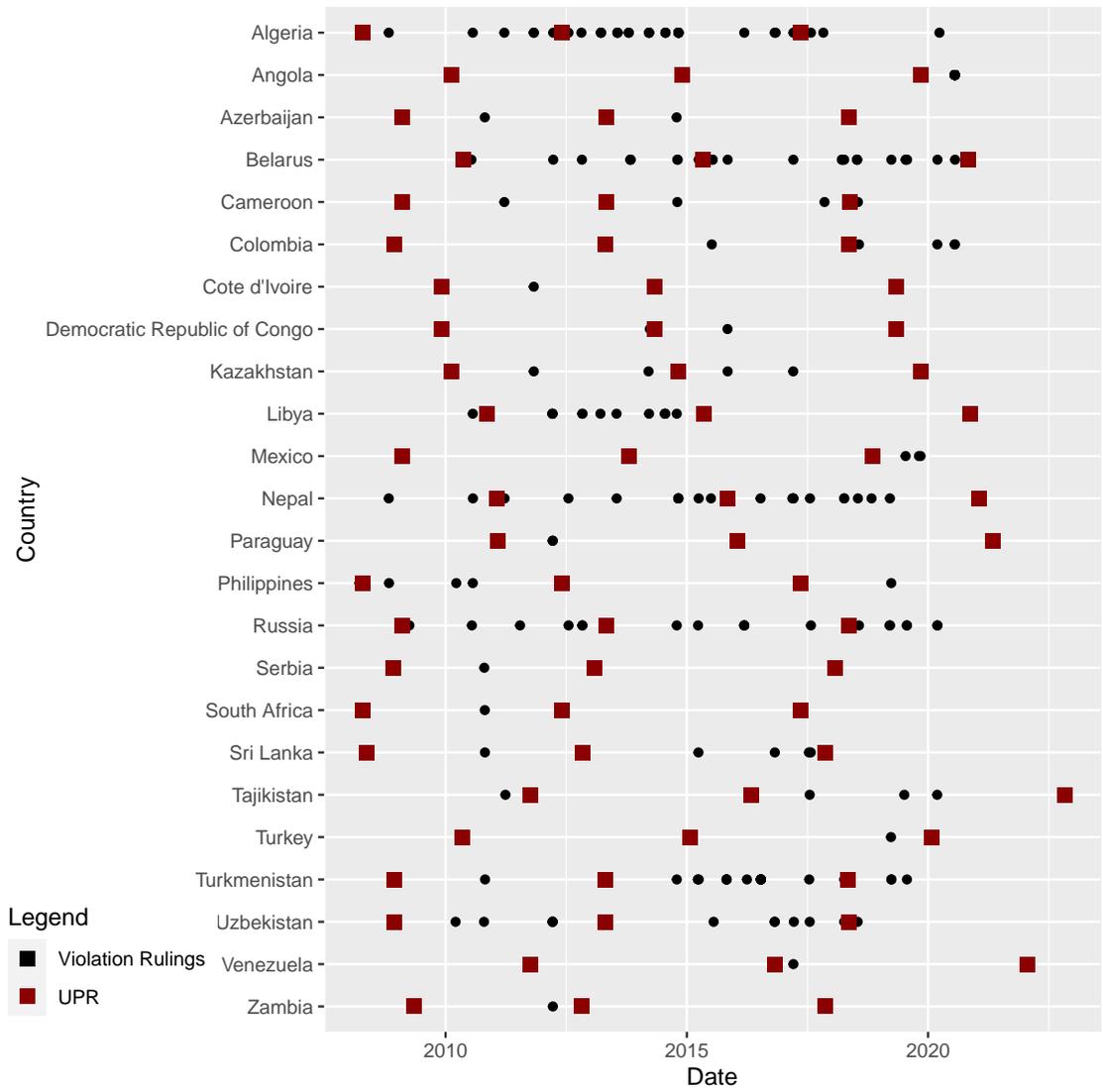
5.2 Compliance with Rulings

This section is pending data release from (Ullmann and von Staden 2023). Belarus is an important country to consider. This will likely come up in this analysis. Belarus has ignored many petitions and violation rulings concerning the same issue: suppression of the freedoms of expression and assembly. Numerous petitions also detail allegations of torture and enforced disappearances. We could theorize why this would be the case— not as sensitive to their reputation, strong ties to major power, Russia, that is not concerned with human rights.

5.3 Alternative Explanations

These rulings are only one form of naming and shaming. As discussed earlier, a variety of both non-governmental and inter-governmental organizations name and shame

Figure 5: Violation Rulings and UPR Over Time



governments in hopes of improving respect for human rights. Does naming and shaming by other organizations correlate with the key explanatory variable here, Human Rights Committee violation rulings? Could these alternatives be driving the results? This is unlikely because these violation rulings occur years after the initial human rights abuse (with the intermediate stage of filing the complaint), when other forms of naming and shaming are concentrated.

Existing data for naming and shaming is limited, particularly before 1990 and in recent years, although recent data by Zhou, Kiyani and Crabtree (2022) makes a significant contribution in expanding the scope. Here, I discuss three alternative forms of naming and shaming, which are not correlated with the number of violation rulings from the Human Rights Committee. I present one alternative IGO naming and shaming, the Human Rights Council (DeMeritt and Conrad 2019), one dataset comprised of INGO human rights shaming (Murdie and Davis 2012), and one dataset that uses human rights reports from both the US State Department and Amnesty International (Zhou, Kiyani and Crabtree 2022).

Data from the UN Human Rights Council is limited from 1995 to 2011, losing many observations. Additionally, the Human Rights Council has only shamed 4 countries concerning physical integrity rights with 8 instances in this sample.³⁷ This is not correlated with Committee violation rulings, shown in Appendix Figure 7. Next, I use a measure of international non-governmental human rights organizations (HROs) from Murdie and Davis (2012). Murdie and Davis produce a count variable of the number of HRO conflictual events that occurred toward a government in a given year. These data begin in 1992 and are recorded through 2007. This measure is also uncorrelated with the key variable of interest, shown in Appendix Table 9.

Zhou, Kiyani and Crabtree (2022) introduce a new measure of naming and shaming by global actors beginning in 1981. They use automatic text analysis on US State Department and Amnesty International reports to create two measures of naming and shaming from these

³⁷Bosnia (1995, 1996), Belarus (2003, 2004, 2005), Equatorial Guinea (1997), and Turkmenistan (2003, 2004).

distinct actors. Unlike the counts of naming and shaming discussed previously, these measures capture the intensity of shaming in these reports. While they analyze all reports yearly, not all countries are discussed every year. These two measures are uncorrelated with the PI violation rulings in the Human Rights Committee (correlation coefficients 0.001 Amnesty International and 0.037 US State Department).

When controlling for these alternative measures in the statistical models, the sample size decreases given the smaller temporal coverage. These models are found in Appendix Tables 10 and 11. This decreases the power to find a statistical significance for the small substantive effect, especially with country fixed effects. In these models with country fixed effects, the core finding of this paper is no longer statistically significant. When country fixed effects are removed, the core result is statistically significant with this alternate model specification. Data limitations restrict this quantitative exploration of alternative explanations, but this analysis suggests there is little concern of collinearity with other international forms of naming and shaming, and thus they are unlikely to drive the main result.

6 Conclusion

United Nations human rights treaty bodies are quasi-judicial institutions and lack enforcement power. Therefore, the functions of these Committees are best thought of as naming and shaming. Committees produce Views on individual petitions, deciding whether allegations made by victims disclose violations of treaty provisions. I argue these petitions, focused on individual circumstances of alleged abuse, are effective personal narratives, differentiated from other forms of naming and shaming commonly used in inter-governmental organizations. Further, the Committee's violation rulings provide legitimacy and credibility to civil society's near-constant pressure. Civil society plays an important role in publicizing these rulings which may harm states' reputations. Focused on repressive regimes, I find statistical support for this theory. Committee violation rulings do improve respect for physical integrity rights when third-party actors are involved. Although these effects are substantively

small, any change in respect for human rights is meaningful because the data reflect human welfare and suffering, capturing the presence and severity of severe abuses including torture and political killings.

Civil society plays a crucial role in both filing these complaints (Schoner 2022) and publicizing the rulings. There is a wide variety of third-party representation, and these actors may be domestic or international. This paper adds to a growing literature on non-state actor access in international institutions, and the role third parties play in international politics (see: Brutger 2023; McNamara 2019; Sommerer and Tallberg 2016; Tallberg et al. 2013). Future research should explore this variation in civil society actors.

This research highlights a core function of international institutions: providing information and identifying non-compliers (Keohane 1984, 1982). Committees provide additional information to domestic and international actors, supporting civil society's more constant naming and shaming. Both domestic politics, particularly the presence of civil society, and international relations combine to affect compliance. Naming and shaming in inter-governmental organizations is not limited to the Human Rights Committee or even human rights as an issue-area. The Paris Agreement, for example, functions primarily through naming and shaming (Falkner 2016).

This paper shows that quasi-judicial international institutions, that lack enforcement power and have low levels of obligation (Abbott et al. 2000), can be an effective forum for naming and shaming. These human rights institutions have the potential to have a real effect in the most repressive countries, where there is the most concern and greatest potential for improvement. By involving relevant third-party civil society actors, victims of human rights abuse can effectively improve government practices, if the government is sensitive to its global reputation.

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A Appendix

A.1 Committee Body Membership

Each treaty body is comprised of “independent experts who are persons of high moral character and recognized competence in the field of human rights”³⁸ who are “nominated and elected for fixed, renewable terms of four years by State parties. The elections of half of the committees’ members are staggered every 2 years to ensure a balance between continuity and change in committee composition. All elected members serve in their personal capacity.”³⁹ Guidelines detailed in the General Assembly resolution 68/268 encourage states to consider “equitable geographic distribution, the representation of different forms of civilization and the principal legal systems, balanced gender representation and the participation of experts with disabilities when nominating experts for Committee elections.” These monitoring bodies are generally less politicized than other inter-governmental organizations and institutions although there is, to my knowledge, no scholarly work exploring the make-up of these Committees and their effect on Committee behavior.

A.2 Data

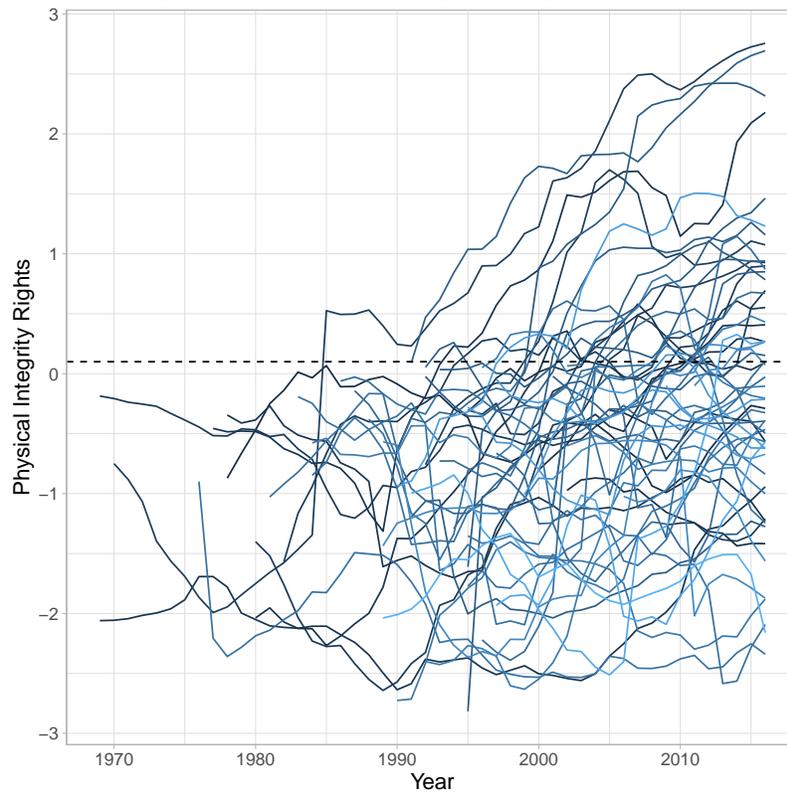
³⁸United Nations Human Rights Office of the High Commissioner “Membership: Human Rights Committee” Webpage.

³⁹United Nations Human Rights Office of the High Commissioner “Electing Treaty Body Members: Treaty Bodies” Webpage.

Table 2: Violations in the Human Rights Committee: Full Sample

Country	Total Views	Violation Rulings	Physical Integrity Violations
South Korea	126	122	2
Belarus	122	104	17
Russia	64	34	19
Uruguay	60	48	39
Algeria	43	41	40
Uzbekistan	43	36	29
Colombia	36	19	10
Tajikistan	25	22	21
Democratic Republic of Congo	21	18	14
Libya	21	20	18
Sri Lanka	21	16	12
Turkmenistan	17	16	15
Philippines	17	13	10
Peru	16	15	10
Bosnia and Herzegovina	16	15	15
Zambia	15	10	8
Nepal	13	13	13
Cameroon	11	9	6
Kazakhstan	9	7	3
Panama	8	2	1
Chile	7	0	0
Ecuador	6	6	4
Croatia	6	3	3
Bulgaria	6	1	0
Estonia	5	1	0
Georgia	5	5	5
Togo	5	4	1
Venezuela	4	3	1
Azerbaijan	4	3	2
Equatorial Guinea	4	4	4
Dominican Republic	3	3	2
Paraguay	3	3	2
Yugoslavia	3	2	1
Bolivia	2	2	2
Romania	2	1	0
Côte d'Ivoire	2	1	1
Central African Republic	2	2	1
Angola	2	2	2
South Africa	2	1	1
Turkey	2	2	0
Mexico	1	0	0
Nicaragua	1	1	1
Sierra Leone	1	1	0
Tunisia	1	0	0
Guatemala	0	0	0
Honduras	0	0	0
El Salvador	0	0	0
Brazil	0	0	0
Niger	0	0	0
Guinea	0	0	0
Chad	0	0	0
Republic of Congo	0	0	0
Uganda	0	0	0
Somalia	0	0	0
Djibouti	0	0	0
Malawi	0	0	0

Figure 6: Physical Integrity Rights Panel



A.3 Additional Empirical Analysis

Table 3: Respect for Physical Integrity Rights

	(1)	(2)	(3)	(4)
Violation Rulings	0.024** (0.008)			
Petition Submissions		0.006 (0.013)		
Rulings: With Representation			0.039* (0.016)	
Rulings: No Representation				0.004 (0.004)
Civil Society Index	0.197 (0.137)	0.194 (0.138)	0.194 (0.138)	0.193 (0.139)
Judicial Independence	-0.127 (0.229)	-0.123 (0.233)	-0.122 (0.235)	-0.126 (0.234)
War	-0.229*** (0.039)	-0.230*** (0.039)	-0.234*** (0.039)	-0.231*** (0.040)
Population (ln)	-0.238 (0.146)	-0.262+ (0.156)	-0.238 (0.147)	-0.255 (0.155)
GDP (ln)	0.038+ (0.021)	0.037+ (0.021)	0.036+ (0.021)	0.037+ (0.021)
Time	0.007* (0.003)	0.008* (0.004)	0.007* (0.003)	0.008* (0.004)
DV _{t-1}	0.857*** (0.025)	0.858*** (0.026)	0.853*** (0.025)	0.858*** (0.026)
N	992	992	992	992
R ²	0.944	0.944	0.944	0.944
R ² adjusted	0.941	0.940	0.941	0.940
Country FE	X	X	X	X

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Standard errors are clustered by country.

Table 4: Repressive Threshold as Mean Value

	(1)	(2)	(3)	(4)
Physical Integrity Violations	0.028* (0.011)			
Physical Integrity Petitions		0.009 (0.019)		
Violations: With Representation			0.049+ (0.029)	
Violations: No Representation				0.012 (0.008)
Civil Society Index	0.190 (0.181)	0.193 (0.179)	0.186 (0.183)	0.193 (0.182)
Judicial Independence	-0.215 (0.293)	-0.205 (0.303)	-0.211 (0.296)	-0.216 (0.299)
War	-0.270*** (0.046)	-0.272*** (0.046)	-0.274*** (0.046)	-0.272*** (0.046)
Population (ln)	-0.224 (0.236)	-0.256 (0.262)	-0.236 (0.234)	-0.233 (0.254)
GDP (ln)	0.055** (0.020)	0.056** (0.020)	0.051* (0.021)	0.056** (0.020)
Time	0.007 (0.006)	0.008 (0.006)	0.008 (0.005)	0.008 (0.006)
DV _{t-1}	0.801*** (0.040)	0.798*** (0.039)	0.797*** (0.039)	0.800*** (0.039)
<i>N</i>	662	662	662	662
<i>R</i> ²	0.904	0.903	0.904	0.904
<i>R</i> ² <i>adjusted</i>	0.894	0.893	0.894	0.894
Country FE	X	X	X	X

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Standard errors are clustered by country.

Figure 7: Correlation: Violation Rulings and HRO Naming and Shaming

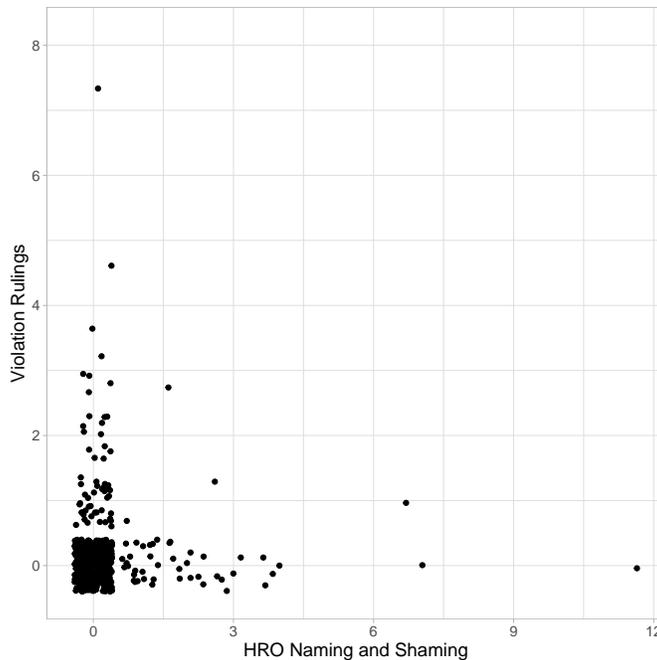


Table 5: Respect for Physical Integrity Rights: TWFE

	(1)	(2)	(3)
Physical Integrity Violations	0.025** (0.008)		
Physical Integrity Petitions			0.008 (0.012)
Violations: With Representation		0.037* (0.016)	
Civil Society Index	0.282+ (0.167)	0.266 (0.163)	0.272 (0.165)
Judicial Independence	-0.215 (0.229)	-0.203 (0.233)	-0.209 (0.231)
War	-0.232*** (0.039)	-0.236*** (0.039)	-0.232*** (0.039)
Population (ln)	-0.235 (0.149)	-0.232 (0.147)	-0.253+ (0.151)
GDP (ln)	0.030 (0.024)	0.028 (0.024)	0.028 (0.025)
DV _{t-1}	0.855*** (0.024)	0.853*** (0.024)	0.858*** (0.025)
<i>N</i>	994	994	994
<i>R</i> ²	0.947	0.947	0.947
<i>R</i> ² <i>adjusted</i>	0.941	0.941	0.940
Country FE	X	X	X
Year FE	X	X	X

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Standard errors are clustered by country.

Table 6: Change in Respect for Physical Integrity Rights

	(1)	(2)	(3)
Physical Integrity Violations	0.022*** (0.006)		
Physical Integrity Petitions			0.007 (0.009)
Violations: With Representation		0.024* (0.011)	
Civil Society Index	0.245+ (0.128)	0.243+ (0.130)	0.243+ (0.131)
Judicial Independence	-0.394* (0.192)	-0.394* (0.195)	-0.387+ (0.196)
War	-0.151*** (0.031)	-0.154*** (0.031)	-0.153*** (0.031)
Population (ln)	-0.171 (0.160)	-0.182 (0.165)	-0.191 (0.168)
GDP (ln)	0.015 (0.033)	0.013 (0.034)	0.014 (0.033)
Time	0.004 (0.003)	0.005 (0.004)	0.005 (0.004)
<i>N</i>	994	994	994
<i>R</i> ²	0.196	0.193	0.191
<i>R</i> ² <i>adjusted</i>	0.143	0.140	0.138
Country FE	X	X	X

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Standard errors are clustered by country.

Table 7: Political Terror Scale

	(1)	(2)	(3)	(4)
Physical Integrity Violations	0.024** (0.008)		0.031 (0.020)	
Violations: With Representation		0.039* (0.016)		0.064+ (0.034)
Civil Society Index	0.197 (0.137)	0.194 (0.138)	-0.014 (0.233)	-0.016 (0.234)
Judicial Independence	-0.128 (0.229)	-0.122 (0.234)	0.382 (0.384)	0.378 (0.386)
War	-0.229*** (0.039)	-0.234*** (0.039)	-0.525*** (0.080)	-0.530*** (0.080)
Population (ln)	-0.237 (0.146)	-0.237 (0.147)	-0.550* (0.237)	-0.521* (0.239)
GDP (ln)	0.038+ (0.021)	0.036+ (0.021)	0.121* (0.052)	0.118* (0.052)
Time	0.007* (0.003)	0.007* (0.003)	0.001 (0.006)	0.000 (0.006)
DV _{t-1}	0.857*** (0.025)	0.852*** (0.025)		
<i>N</i>	994	994	972	972
<i>R</i> ²	0.945	0.945	0.695	0.696
<i>R</i> ² <i>adjusted</i>	0.941	0.941	0.674	0.675
Country FE	X	X	X	X

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Table 8: CIRI Physical Integrity Index

	(1)	(2)	(3)	(4)	(5)
Physical Integrity Violations	0.024** (0.008)	-0.030 (0.056)		0.027** (0.008)	
Violations: With Representation			0.044 (0.060)		0.039 (0.031)
Civil Society Index	0.197 (0.137)	0.651 (0.691)	0.677 (0.699)	0.141* (0.055)	0.129* (0.055)
Judicial Independence	-0.128 (0.229)	0.185 (1.135)	0.174 (1.134)	0.007 (0.065)	0.013 (0.067)
War	-0.229*** (0.039)	-1.175*** (0.229)	-1.169*** (0.229)	-0.145*** (0.037)	-0.151*** (0.036)
Population (ln)	-0.237 (0.146)	0.161 (1.105)	0.213 (1.131)	-0.041* (0.018)	-0.041* (0.019)
GDP (ln)	0.038+ (0.021)	0.129 (0.313)	0.113 (0.311)	0.006 (0.011)	0.006 (0.011)
Time	0.007* (0.003)	-0.021 (0.027)	-0.022 (0.028)	0.004* (0.001)	0.004* (0.001)
DV _{t-1}	0.857*** (0.025)			0.895*** (0.019)	0.893*** (0.020)
Constant				0.280 (0.187)	0.304 (0.203)
<i>N</i>	994	770	770	789	789
<i>R</i> ²	0.945	0.629	0.629	0.934	0.934
<i>R</i> ² <i>adjusted</i>	0.941	0.597	0.597	0.934	0.933
Country FE	X	X	X		

+ p < 0.1, * p < 0.05, ** p < 0.01, *** p < 0.001

Table 9: Violation Rulings and Human Rights Council Shaming

	Council Shaming	
	0	1
	0	7
	1	0
	2	1
	3	0
	4	0
Violation Rulings	5	0
	6	0
	7	0
	8	0

Note: Correlation coefficient is 0.0045.

Table 10: Human Rights Council and NGO Shaming

	(1)	(2)	(3)	(4)	(5)	(6)
Physical Integrity Violations	0.024** (0.008)	0.004 (0.015)	0.021 (0.021)	0.030*** (0.007)	0.024+ (0.012)	0.030+ (0.017)
Council Shaming		0.156 (0.154)			0.200 (0.213)	
NGO Shaming			-0.004 (0.008)			-0.009 (0.010)
Civil Society Index	0.197 (0.137)	0.162 (0.199)	0.313 (0.278)	0.156** (0.055)	0.129+ (0.072)	0.121 (0.081)
Judicial Independence	-0.128 (0.229)	-0.177 (0.284)	-0.376 (0.420)	0.042 (0.060)	-0.014 (0.078)	0.044 (0.090)
War	-0.229*** (0.039)	-0.219*** (0.046)	-0.271*** (0.060)	-0.136*** (0.032)	-0.135** (0.043)	-0.186*** (0.051)
Population (ln)	-0.237 (0.146)	-0.170 (0.191)	-0.272 (0.254)	-0.037* (0.018)	-0.045+ (0.025)	-0.046+ (0.025)
GDP (ln)	0.038+ (0.021)	-0.002 (0.029)	0.052* (0.025)	0.005 (0.009)	0.013 (0.014)	0.016 (0.014)
DV_{t-1}	0.857*** (0.025)	0.808*** (0.038)	0.755*** (0.037)	0.894*** (0.018)	0.890*** (0.028)	0.877*** (0.027)
Time	0.007* (0.003)	0.012** (0.004)	0.012* (0.006)	0.003*** (0.001)	0.002 (0.002)	0.004 (0.003)
Constant				0.227 (0.193)	0.242 (0.253)	0.107 (0.293)
N	994	548	500	994	548	500
R^2	0.945	0.956	0.955	0.934	0.939	0.936
$R^2_{adjusted}$	0.941	0.950	0.949	0.933	0.938	0.935
Country FE	X	X	X			

+ $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Standard errors are clustered by country.

Table 11: AI and US Naming and Shaming

	(1)	(2)	(3)	(4)	(5)	(6)
Physical Integrity Violations	0.024** (0.008)	-0.004 (0.019)	0.006 (0.014)	0.030*** (0.007)	0.024** (0.008)	0.015 (0.010)
Amnesty International Shaming		-0.044** (0.014)			-0.040** (0.012)	
US Shaming			-0.134** (0.039)			-0.111*** (0.031)
Civil Society Index	0.197 (0.137)	0.179 (0.148)	0.153 (0.121)	0.156** (0.055)	0.152* (0.060)	0.171** (0.063)
Judicial Independence	-0.128 (0.229)	-0.224 (0.236)	-0.296 (0.204)	0.042 (0.060)	0.003 (0.068)	-0.034 (0.065)
War	-0.229*** (0.039)	-0.237*** (0.048)	-0.214*** (0.046)	-0.136*** (0.032)	-0.155*** (0.040)	-0.143*** (0.039)
Population (ln)	-0.237 (0.146)	-0.200 (0.182)	-0.113 (0.166)	-0.037* (0.018)	-0.039+ (0.023)	-0.038+ (0.021)
GDP (ln)	0.038+ (0.021)	0.033+ (0.020)	0.030+ (0.018)	0.005 (0.009)	0.010 (0.012)	0.008 (0.011)
DV_{i-1}	0.857*** (0.025)	0.842*** (0.029)	0.822*** (0.031)	0.894*** (0.018)	0.891*** (0.024)	0.872*** (0.026)
Time	0.007* (0.003)	0.009* (0.004)	0.011* (0.005)	0.003*** (0.001)	0.005** (0.002)	0.008*** (0.002)
Constant				0.227 (0.193)	0.157 (0.239)	-0.016 (0.216)
N	994	738	771	994	738	771
R^2	0.945	0.948	0.954	0.934	0.934	0.941
$R^2_{adjusted}$	0.941	0.943	0.950	0.933	0.933	0.940
Country FE	X	X	X			

+ $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Standard errors are clustered by country.