

# Reporting Compliance

## How Reporting Mechanisms in the ILO Improve Collective Labor Rights

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### Abstract

Do international reports lead to state compliance? If so, how? This paper examines the variation in the design of IOs' reporting mechanisms. Reporting mechanisms are a key process through which IOs can obtain information from member states, evaluate their performance, and publicize the findings via reports. These processes can thus reveal the level of states' actual compliance and generate pressure for improvements. Consequently, even when an IO is constrained in its enforcement capacity, it can still affect compliance in a target state when its reporting practices generate novel information that mobilizes other member states. In particular, I argue that a crucial design feature that determines the effectiveness of the reporting mechanism is its accessibility for non-state actors, whose private knowledge both allows the IO to verify states' self-claim of compliance and provide more tailored advice on how to resolve noncompliance. To test this argument, I adopt a mixed-method approach under the institutional context of the International Labor Organization (ILO): First, I compare two monitoring strategies employed by the ILO using difference-in-differences and two-way fixed effects models. I collect 177 member states' convention ratification records and their reports for freedom of association complaints between 1985-2012. I find that ILO reports significantly improve member states' labor standards, although their effectiveness depends on the reports' information content. Then, using two case studies of Cambodia and China, I provide evidence that the deepening of compliance follows from going through the report-compilation process, which brought the states and the ILO into dialogue.

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# 1 Introduction

Established in 1919 after the First World War, the International Labor Organization (ILO) was tasked with the improvement of labor conditions and social justice. Since then, the ILO has come to be recognized as a flag bearer in setting standards and norms for labor rights: By 2021, the ILO boasts a near-universal membership with 187 member states. It has adopted over 200 conventions and recommendations on topics covering a broad range of labor issues. Its conception of core labor rights – collective labor rights, non-discrimination, and the eradication of forced labor and child labor – has been widely adopted in many aspects of international relations: diplomatic language (Kent and Center, 2007; Baccini and Koenig-Archibugi, 2014), economic agreements (Postnikov and Bastiaens, 2014; Bastiaens and Postnikov, 2020), as well as deference from other international organizations (IOs) (Moorman, 2000). So, has the ILO been effective in promoting and protecting labor rights among its member states?

Despite the ILO's status as the flag-bearer of international labor rights, empirical studies have produced mixed evidence regarding the organization's ability to achieve its mandated goals: On the one hand, the ratification of ILO conventions is often followed by increases in wage levels and welfare provision (Strang and Chang, 1993; Rodrik, 1996). Other procedures, such as reporting and naming-and-shaming, have also been associated with increased respect for labor rights (Koliev and Lebovic, 2018; Koliev, Sommerer and Tallberg, 2021). On the other hand, several research point to the ILO's weak enforcement mechanisms, arguing that the organization lacks the means necessary to protect labor rights (Boockmann, 2010); even worse, ILO conventions may even generate negative spillovers that lead to a deterioration of employees' working conditions (Peksen and Blanton, 2017). In other words, while the ILO wields considerable agenda-setting power on labor rights issues, it is unclear whether the organization can effectively hold its member states to the standards it set.

These mixed findings over the effectiveness of the ILO, moreover, reflect the larger debate on whether IOs with weak enforcement mechanisms can alter member states' behavior (Henkin, 1979; Chayes and Chayes, 1993; Downs, Rocke and Barsoom, 1996). A sizeable body of research has shown how compliance can be achieved when enforcement mechanisms are built into salient issues like security (Fortna, 2003; Leeds and Savun, 2007; Mattes, 2008) and trade (Bagwell and

Staiger, 2002; Davis, 2012). Conversely, it is often posited that treaty-renegeing and international law-breaking are profuse in issues areas where stringent enforcement is typically lacking (Keith, 1999; Hafner-Burton, 2013; Ye, 2020). Recent studies, however, have highlighted a non-coercive approach towards compliance: IO reporting. A wide range of high-profile international organizations and institutions – such as the UN’s Universal Periodic Review (UPR) on human rights, the Paris Agreement on climate change, the World Bank on the (now-defunct) Ease of Doing Business Index – now routinely request information from their member states, evaluate their performance, and issue public reports on the degree to which members comply with their international commitments. Meanwhile, a growing body of evidence shows that these reporting mechanisms can affect compliance with international cooperation (Chayes and Chayes, 1998; Krommendijk, 2015; Terman and Byun, 2022; Doshi, Kelley and Simmons, 2019; Koliev, Sommerer and Tallberg, 2021). Less, however, is known about variations *within* IO reporting: In this paper, I argue that different reporting mechanisms –even those nested in the same organizational context– generate different information. And these reports, in turn, exert heterogeneous effects on states’ compliance.

One of the most influential arguments as to why monitoring in international institutions works is that it generates more information on states’ behaviors (Keohane, 1984; Dai, 2002). Such information then leads to compliance by engaging downstream actors, who may influence the targeted state’s behavior through various channels like economic incentives (Barry, Chad Clay and Flynn, 2013; Peterson, Murdie and Asal, 2018), legal challenges (Allen, 2023), peer pressures Terman and Voeten (2018), and social mobilizations (Simmons, 2009; Kelley, 2017). Moreover, scholars have identified a wide range of monitoring mechanisms that fall broadly under two categories: one that retrospectively collects information aimed at assessing past compliance after the decisions are implemented (i.e., “fire alarms”), and one that empowers monitors to proactively assess state compliance before the decisions are implemented (i.e., “police patrols”) (McCubbins and Schwartz, 1984; Nielson and Tierney, 2003). Thus, two additional questions ensue: are these mechanisms equally conducive to compliance? If not, what explains the effectiveness of a monitoring mechanism?

Despite the theoretical importance of monitoring, few studies have theorized and evaluated the variation in the effect of different monitoring mechanisms. A major challenge is that the design of these mechanisms is often confounded by issue-specific or IO-level factors that could also explain

the levels of compliance. To overcome the inferential threat posed by these potential confounders, I offer a systematic comparison of two reporting mechanisms – a type of monitoring mechanism that disseminates information obtained through monitoring in the form of compiled documents – under the same organizational context. Empirically, I test the effects of different reporting mechanisms using the case of the ILO by collecting and analyzing ILO reports on collective labor rights compiled between 1985 and 2012. The ILO has a long history of using reports to facilitate member states’ engagement with international labor standards. To this end, the organization has set up various committees that adopt both types of monitoring mechanisms. Therefore, leveraging the variations across sub-organizational committees, I’m able to isolate the effects of reporting mechanisms while controlling for other common confounders such as organizational strength and memberships (Koremenos, Lipson and Snidal, 2001).

In examining the variation across different reporting institutions, this paper makes three contributions that both add to the broader literature that challenges coercive enforcement as the *sine qua non* of compliance and extend our understanding of how reports work. Firstly, this paper highlights the theoretical importance of non-coercive approaches IOs can employ to facilitate compliance. Existing literature often characterizes the ILO as a weak institution with no means of coercive enforcement (Mosley, 2011; Baccini and Koenig-Archibugi, 2014; Peksen and Blanton, 2017) and thus overlooks the rich heterogeneity of reports within the organization. The notion that the effect of reporting may differ even within the same IO, therefore, speaks to the importance of treating monitoring and reporting as IO features that are separate from enforcement capacity. The literature on enforcement often considers the effectiveness of IO monitoring as a function of the organization’s ability to correct the non-compliant behaviors it observes (Downs, 1998; Dai, 2005) since they both require substantive input of material resources. While I do not dispute that a strong enforcement mechanism may be conducive to more comprehensive and effective monitoring, I demonstrate that even holding the level of material resources as given, the outcome of compliance in an IO can still vary under different reporting institutions.

Secondly, by comparing the two reporting mechanisms that are established around the same time within the same organization, this paper is, to the best of my knowledge, among the first to provide empirical evidence on how the design of monitoring mechanisms affects their effectiveness. Substantively, I find that after states become subjected to reporting mechanisms within the

ILO that employ police patrol strategies, their respect for labor rights improves only through institutional changes, such as new legislation and policies. Conversely, when states are exposed to fire alarm strategies, their domestic labor rights not only improve institutionally but also behaviorally (e.g., how governments treat trade unions and labor activists). This finding provides an important qualification as to when IO reporting works and does not work.

Thirdly, to assess the heterogeneous effects of different reporting institutions, I compiled an original dataset that contains measurements of reports from three committees in the ILO: the Committee of Experts on the Application of Conventions and Recommendations (CEACR), the Conference Committee on the Application of Convention and Recommendations (CAS), and the Committee on Freedom of Association (CFA). Whereas the first two committees have increasingly received recent scholarly interests (Koliev and Lebovic, 2018; Koliev, Sommerer and Tallberg, 2021), existing studies have yet to examine the effectiveness of CFA reports, which address complaints about potential violations against collective labor rights. These complaints represent a major component of the ILO's work, producing a rich corpus of detailed labor disputes. Therefore, in addition to collecting over 170 ILO member states' treaty ratification status and the ensuing reports generated in the CEACR and the CAS, I also collect novel, case-level information on over 3,000 complaints and 8,000 reports generated by the Freedom of Association Complaints procedure.

The rest of this article is organized as follows: Section 2 develops the theoretical argument that IO reporting affects compliance by generating a wide spectrum of information. Section 3 discusses the various reporting institutions in the ILO and develops the main hypotheses of this paper. Using labor indices and archival documents, section 4 carries out two sets of quantitative analyses that capture different levels of monitoring effectiveness of the International Labor Organization's (ILO) strategy. Section 5 then further explores the potential mechanisms of the theory using the compliance records of Cambodia and China in the ILO. Section 6 concludes by drawing several implications based on the findings presented in this paper as well as discussing potential future research directions.

## 2 Information Provision and Reporting in IOs

As Dai (2002, pp. 407-408) puts it, “Information provision by international institutions lies at the foundation of neoliberal institutionalism... it is in fact a centerpiece of neoliberal institutionalism that international institutions provide compliance information to facilitate compliance with international agreements”. Unsurprisingly, therefore, the link between information provision and compliance outcome has been theorized extensively<sup>1</sup>. On the one hand, functional theories posit that when a state is revealed to violate its previous commitments, it suffers a reputation cost and is seen as less reliable in future cooperations (Keohane, 1984). On the other hand, constructivists argue that the consequence of social punishments, ranging from “shaming, shunning, exclusion, and demeaning, or dissonance derived from actions inconsistent with role and identity” (Johnston, 2001, p.499), also incentivizes states to avoid being cast as a “rule-breaker”. Furthermore, empirical studies have found evidence that these mechanisms are active both at the domestic and international level. Domestically, the information provided by IOs may galvanize citizens or interest groups to challenge their government either in the streets or the courts (Simmons, 2009; Conrad and Ritter, 2019). Internationally, the information generated by IOs against a targeted country may be picked up by third parties such as international non-governmental organizations (INGOs), transnational activists, or other governments (Keck and Sikkink, 1998; Seidman, 2007). These actors may in turn exert pressure on the violator, or generate further attention and criticism.

Therefore, reporting mechanisms in IOs have received increasing scholarly attention due to their potential to provide this public good (Kelley and Simmons, 2019): a centralized source of information on the degree to which states comply with their international commitments. As a form of monitoring mechanism frequently adopted by international institutions, reporting mechanisms provide three types of information on compliance. Firstly, the content of information submitted by states themselves and, when permitted, information supplemented by non-state actors, like domestic citizens or NGOs. Secondly, based on these submissions, reporting mechanisms, often staffed by specialized experts or international bureaucrats, provide an evaluation of a country’s performance. Lastly, a document containing both the submission and evaluation is usually compiled into a document (namely, the report) and circulated, so that both the information regarding the

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<sup>1</sup>for a comprehensive review regarding the role of information provision on international cooperation and compliance, see Simmons (2010)

states and whether or not they participated in the mechanism in the first place become publicly observable.

These reporting mechanisms can take on a wide range of formats, ranging from *before-the-fact* surveys of the quality of member states' rail-guarding institutions to *after-the-fact* investigations on how well these institutions are followed (Hoffman, 2002). Nevertheless, few studies have empirically investigated how variations across reporting mechanisms affect compliance outcomes. As such, the rest of this section first discusses the two most common reporting mechanisms: police patrols and fire alarms, and how they differ from each other. Then, I provide a supply-side theory on how these differences may explain the variation in their effectiveness. Lastly, using the organizational context of the ILO, I provide examples of both types of mechanisms by describing the reporting procedures in two major committees in the ILO.

## **2.1 Varieties of Reporting Mechanisms**

Following the seminal work of McCubbins and Schwartz (1984) on Congressional oversight, the literature on international monitoring often categorizes monitoring mechanisms into two camps. One mechanism takes place before the member states' decisions on compliance are made, in which the monitors examine member states' activities with the aim of deterring violating outcomes. In contrast, the other mechanism is activated after the decisions are made, most often by the victims of such decisions, who then relay the consequences of these decisions to monitors (Dai, 2002; Hoffman, 2002; Tallberg, 2002; Nielson and Tierney, 2003; Creamer and Simmons, 2020; Eilstrup-Sangiovanni and Sharman, 2022). Analogously, the former is often termed as *police patrol* oversight, and the latter as *fire alarm* oversight. In addition to their temporal sequence, the two mechanisms also differ in several other aspects: Since the consequences of states' decisions can only be observed post hoc, third-party actors who are or may be potentially harmed by these decisions often lack the necessary channel to participate in before-the-fact oversights. Thus, compared to fire alarms, police patrols rely more heavily on the centralized and active efforts of international monitors – a role commonly fulfilled by IOs. Comparatively, instead of relying on monitors' direct and routine surveillance, fire alarms are characterized by procedures that enable third-party actors to participate in the monitoring process.

As a common form of monitoring, many reporting mechanisms can also be classified as either police patrols or fire alarms. For example, a classic case of police patrol can be found in the IAEA, which requires states to regularly self-report stocks of nuclear weapons and subsequent annual progress made toward non-proliferation. These claims are then by routine inspections led by the organization, whose outcomes are then published in the Nuclear Safety Review, a report issued by the IAEA annually (Goldschmidt, 1999). Conversely, the reporting mechanisms in human rights institutions, such as the (then) UN Human Rights Committee (Dai, 2002) and the Convention Against Torture (Creamer and Simmons, 2019) are ones that closely resemble fire alarms. These international institutions permit and frequently receive independent input from individuals and NGOs, whose on-the-ground experience of human rights abuses often triggers further investigative reviews. During these processes, accounts and data provided by these non-state actors are then also used to cross-reference claims offered by government officials.

Given the rich variation in the design of reporting mechanisms, scholars have sought to theorize when may an IO prefer one design over another. For instance, fire alarms are often seen as more trusting than police patrols, since the former implies a belief that violations would be relatively sparse, but the latter operates under an assumption that non-compliance is likely to occur once the police have gone away. (Hoffman, 2002; Keating and Abbott, 2021). Similarly, whereas fire alarms may lie dormant without being put into action for long periods of time, police patrols require constant or routine engagement from the monitoring IO, and may therefore require more financial and personnel resources than fire alarms (Nielson and Tierney, 2003). Thus, in organizations like the IAEA, which is both delegated with high-salience issues like nuclear containment –thus building trust among member states is more difficult – and is equipped with sufficient material resources and specialized expertise, we should expect to see reporting mechanisms that take on the form of police patrols. In comparison, within the human rights regime, where states share a similar understanding of compliance as “treaties have become focal ... statements of the international community’s values relating to human rights”<sup>2</sup> (Creamer and Simmons, 2019, p.1053) but often suffers from a lack of material resources, many human rights institutions turn to fire alarms that allow victims of human rights abuses to alert the institutions about their suffering.

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<sup>2</sup>Here, it should be noted that “trust” denotes “a willingness to place the fate of important interests in another’s hands, based on some belief that the other will not use this discretion to harm the truster” (Keating and Abbott, 2021, p.1094), rather than simply taking the other party’s word at its face value



While there exists a burgeoning literature on reporting mechanisms, two challenges remain. Firstly, not all international institutions are equipped with only one mechanism. In addition to the ILO, which will be discussed in more detail in the rest of this section, the WTO also relies on private firms to report and litigate instances of noncompliance, as well as provide information in the dispute settlement mechanism (Davis, 2012; Brutger, 2018). Moreover, it also reviews and reports countries' trade policy regularly through the trade policy review mechanism (Creamer and Simmons, 2019)<sup>3</sup>. Secondly, there has been little attention paid to theorizing and evaluating the variation in effects across different reporting mechanisms. Paradoxically, this limitation is in part caused by the literature's focus on mechanism design. The identification of why reporting mechanisms vary across issue areas and organizations introduces at the same time a selection problem: The factors that explain mechanism designs could also explain post-implementation levels of compliance. To address these issues simultaneously, therefore, this paper focuses on two major reporting mechanisms –the police patrol oversight led by the CEACR and CAS, and the fire alarm oversight led by the CFA –in the ILO to control for issue-area and IO-level confounders, such as the organization's resources, capacity, membership composition, and so on. Before diving into the analysis of how these mechanisms function under the context of the ILO, however, it is necessary to first introduce some theoretical reasoning as to why we may expect these reporting mechanisms, which are neither designed nor empowered to enforce compliance, would have the power to deter or rectify violations in the first place.

## **2.2 Why Reporting Mechanisms Work (Differently)**

As mentioned earlier in this section, information provided by reporting mechanisms is crucial in facilitating compliance. By itself, however, information does little to change violating behaviors among member states directly. Instead, two conditions usually need to hold for information on compliance to take on actual effects. First, there needs to be an audience that is attentive to the

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<sup>3</sup>Additionally, studies have identified a hybrid form of monitoring that exhibits features from both types of mechanisms: whereas this reporting mechanism functions on a centralized and regular basis, it also permits and receives input from individuals and NGOs, who strategically aligns the submission of information with the schedule of the reports (Tallberg, Sommerer and Squatrito, 2013), for example, the Universal Periodic Review initiated by the UN Human Rights Council (Terman and Voeten, 2018; Schoner, Working Paper). Since there remain relatively fewer cases of the hybrid form of monitoring, and they rarely occur in conjunction with other mechanisms under the same institutional context, in this paper, I bracket the discussion on hybrid monitoring for the sake of conceptual simplicity.

information disseminated from the reporting mechanisms. Upon receiving the information, the audience would then take actions that influence the decisions made by the targeted state. The literature on compliance has discussed extensively who can act as the audience, including other states (Hafner-Burton, 2013; Terman and Byun, 2022), interest groups (Davis, 2012; Peterson, Murdie and Asal, 2018), NGOs (Murdie, 2014), firms (Barry, Chad Clay and Flynn, 2013; Brutger, 2018), citizens (Simmons, 2009), and even individuals (Sikkink and Kim, 2013). These audiences are incentivized to react to the information disseminated through a reporting mechanism as they either share similar normative visions espoused by the IO, or the violation creates negative spillovers which affect them. Thus, via channels like sanction (Nielsen, 2013), litigation (Fjelstul and Carubba, 2018), social pressure (Terman and Voeten, 2018), public opinion (Chaudoin, 2023), and mass mobilization (Conrad and Ritter, 2019), the mobilized audience can attempt to bring the targeted state back to compliance.

A second, and more implicit condition, is that the information revealed by the reporting mechanisms is either previously unknown to its audience, or the cost of obtaining such information is prohibitively high. This condition, moreover, has two further implications. On the one hand, even when an audience has the motivation to discipline noncompliance, going after another state often comes with a price. Collecting information on noncompliance is often costly, time-consuming, and requires a certain level of specialized expertise (Chayes and Chayes, 1998). In addition, confronting a state about its potential wrongdoings can cause damage to diplomatic ties or even cause backlashes (Terman, 2023), which may be further if the information is perceived to be partial or politically charged (Thompson, 2006; Pelc, 2010). On the other hand, if the audience can obtain information on noncompliance without the help of the IO, then one should expect the audience to invoke the aforementioned channels and seek to rectify violations on their own, rendering the intervention of the IO superficial. In sum, reporting mechanisms work only when they make a new piece of information easily accessible to an attentive audience, who has the means to alter the decisions made by the targeted state.

Given these conditions, how does the design of such mechanisms shape their effectiveness? Holding the organizational context fixed, the potential audiences of reporting mechanisms are largely similar, as the documents compiled through reporting mechanisms are usually disseminated at the IO level, often via a centralized outlet or public forum. For example, within the IAEA,

the aforementioned Nuclear Safety Review, the organization also issues various other annual reports such as the Nuclear Security Review and the Nuclear Technology Review, all of which are published by the office of the Director General “in response to requests by member states” (IAEA, 2021, p.3). Similarly, the reports produced by various committees, including the CEACR and the CFA, in the ILO are circulated to all member states during the organization’s annual summit, the International Labor Conference<sup>4</sup> (ILC) and is reviewed and adopted by the member states during the conference (ILO, 2019). In addition, these mechanisms greatly reduce the cost of information collection by replacing numerous bilateral exchanges with one multilateral clearinghouse. Their technical expertise also lends credence to the quality of information contained in their reports (Green, 2013), and instead of simply blaming the target state for failing to uphold its international commitments, they can offer informed recommendations on how to remedy the situation. Theoretically, therefore, the variation in reporting mechanisms, if any, should come from their ability to generate new information that can mobilize the intended audience. In particular, I argue that member states within an IO are the most likely group of actors to be mobilized by reporting mechanisms, as they usually receive the reports firsthand and are given a social forum to discuss and react to the content within these reports.

So, do the reporting mechanisms differ in their ability to generate information that is new to their member states? I argue that one characterizing feature that separates police patrols and fire alarms also contributes to the variation in their effectiveness, which is the availability of channels that permit non-state actors like NGOs, interest groups, or individuals to supply information to the IO. Non-state actors situated within a targeted country are uniquely suited to provide information that is difficult for international actors to observe otherwise. Such information is crucial in identifying whether noncompliance has indeed occurred, verifying accounts given by the state and imposing potential reputation costs, and determining whether the noncompliant actions are deliberate or unintentional (Chayes and Chayes, 1993). As such, the participation of non-state actors in the reporting mechanisms affects the output of information in two ways. Firstly, it directly makes more information on noncompliance available, making it easier for the audience states to determine whether it is necessary or beneficial to take action. Secondly, it helps to identify the gap between

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<sup>4</sup>The ILC is an annual Conference that brings together governments’, workers’ and employer’s delegates of the ILO member states to establish and adopt international labor standards. It is also a forum for discussion of key social and labor questions. It is often referred to as an “international parliament of labor”.

the target state's formal institutions and empirical practice, so that the recommendations given in the reports can be better tailored to fix the issue that led to noncompliance both institutionally and behaviorally.

Thematically, the above discussion of how non-state actors' information provision may lead international actors to pressure their government shares some affinity to the "boomerang model" proposed by Keck and Sikkink (1998). By bringing in the variation in reporting mechanism designs, however, My argument allows for more agency in IOs. Instead of simply broadcasting the information supplied to them, the reporting mechanisms also investigate, evaluate, and synthesize. This active process of involvement thus imbues the information with more neutrality and legitimacy (Abbott and Snidal, 1998; Pelc, 2010). Moreover, the channel between domestic groups and international institutions is not always open, not only because of the hindrance from the home government but also because of the structure of IOs. Since the reporting mechanisms that adopt a police patrol strategy have few alternative sources of information to check against the self-reports made by states themselves, whenever states come under the scrutiny of police patrol, they are only incentivized to make changes that are visible and can thus be verified by IOs without the input from non-state actors. These changes, therefore, often take place on an institutional level, like policy documents, legislation, executive announcements, etc. In contrast, when a reporting mechanism adopts a fire alarm strategy, it receives additional information with which it can both gain insights into the empirical practice of the target and direct the attention of the audience states to the gap between institutions and behaviors. Thus, I hypothesize that, controlling for other confounders, police patrol reports are only effective in improving a state's institutional compliance, whereas fire alarm reports can lead to both institutional and behavioral compliance.

To summarize, fig. 1 provides a stylized representation of the heterogeneous effects of different reporting mechanisms. Given this theoretical framework, the ILO provides an ideal organizational context for further empirical analysis for several reasons: the ILO has a long history of using reports to engage and nudge states to fulfill their obligations towards labor. It established numerous committees that serve the role of reporting mechanisms. In particular, the three committees examined in this paper (the CAS, CEACR, and CFA) are tasked with monitoring the standards of collective labor rights in member states through the collection of different types of compliance information, thereby providing a controlled comparison between the two types of reporting mech-

anisms. In the last part of this section, therefore, I provide a brief overview on the institutional contexts of these committees, how they function, and the roles they play in the ILO.

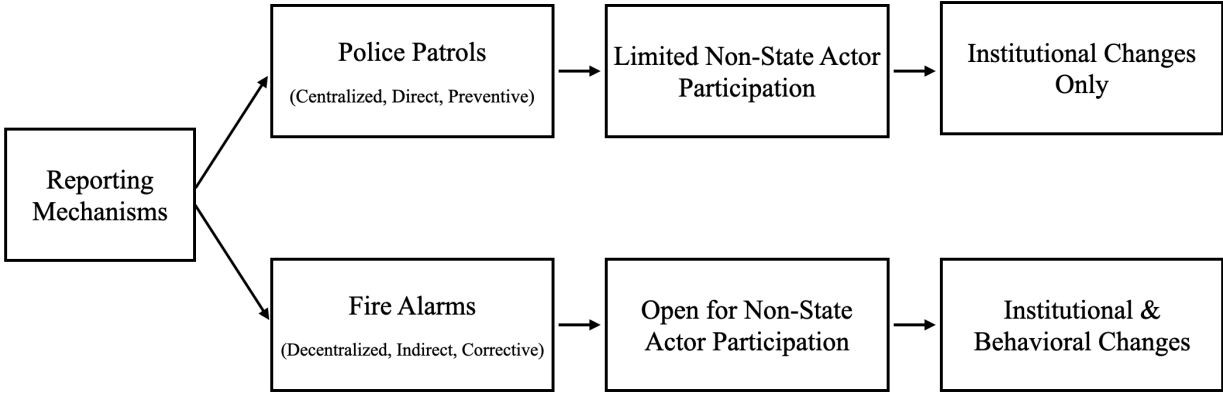


Figure 1: The variation in the effects of reporting mechanisms

### 2.3 Reporting Mechanisms in the ILO

As one of the oldest IOs in the world, the ILO has accumulated a rich record in labor rights promotion. Currently, the organization has 187 member states, numerous employers’ and workers’ NGOs sitting as tripartite members (Thomann, 2008), and governs nearly 200 active conventions, among which 10 are considered as fundamental<sup>5</sup>. Taken together, the ten fundamental conventions form the five major pillars – collective labor rights, the elimination of forced labor, the elimination of child labor, the eradication of discrimination, and workplace health and safety protections – to which the ILO directs most of its efforts of monitoring and reporting. In order to monitor the wide range of treaty compliance, the ILO delegates two committees to supervise compliance among member states that have ratified the related conventions: the Committee of Experts on

<sup>5</sup>The 110th International Labor Conference in 2022 adopted a resolution to add the principle of a safe and healthy working environment to the International Labour Organization’s (ILO) Fundamental Principles and Rights at Work, elevating the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) to the status of fundamental conventions, along with the existing eight: Forced Labour Convention, 1930 (No. 29); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

the Application of Conventions and Recommendations (CEACR) and the Conference Committee on the Application of Convention and Recommendations (CAS), which work sequentially and complementary:

The CEACR is composed of 20 jurists appointed by the Governing Body for three-year terms. Every three years, the CEACR issues a questionnaire to governments, asking them to detail the steps they have taken in law and practice for the fundamental conventions that they have ratified<sup>6</sup>. After the CEACR receives the filled-out questionnaire from the government, it reviews the materials and requests further clarifications when deemed necessary. After the review process, the CEACR publishes a series of observations in its annual report, flagging countries that failed to submit reports or comply with the committee's requests. Following these reports, the CAS, which meets annually during the International Labor Conference, further draws attention to the non-compliant countries in the public forum of ILC via "shortlisting" (Koliev and Lebovic, 2018, p.438). This practice of naming-and-shaming, moreover, is only terminated when the CEACR deems the member states in question have made sufficient efforts in compliance and retracts its request or observation.

Working in tandem, the CEACR and the CAS thus create a reporting mechanism that investigates countries' compliance records for the conventions they previously committed to on a yearly basis. They centralize the current status and incremental changes of states' legal institutions. Moreover, the reports also provide novel evaluations made by legal experts on states' labor codes and policies, whether there exists a gap between these institutions and the international standards states have committed themselves to, and suggestions on what steps states can take to reduce or close the gap. Within the context of the ILO, a handful of studies have found this institution to be effective through both channels of reputation and reciprocity. For instance, during the annual ILC, the CAS reports on conventions that become newly adopted by member states. Baccini and Koenig-Archibugi (2014) find that states are more likely to ratify ILO conventions when they learn that their economic partners have ratified conventions, alleviating fears of becoming less competitive in attracting foreign investments or in selling to export markets. Moreover, treaty ratification also becomes more likely when a country's peers, measured as the number of co-memberships in other IOs, ratify conventions as it generates a desire for the country to identify with its in-groups. Kahn-

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<sup>6</sup>The report schedule for regular (non-fundamental) conventions is every six years

Nisser (2014) similarly argues that reviews by the CEACR generate considerable reputational concerns among EU accession countries. More recently, Koliev, Sommerer and Tallberg (2021) posit that the effect of reciprocity and social identity are empirically complementary in guiding member states' behaviors. The authors' comprehensive analysis shows that reports by both the CAS and the CEACR that expose treaty violations in the ILO help to reduce severe labor rights restrictions.

While the CEACR and CAS jointly play a crucial role in monitoring member states' compliance, there exist two major limitations that restrict the scope of their reports. Firstly, member states are only required to submit information on compliance regarding the conventions they have already ratified<sup>7</sup>. Secondly, there exist very few channels for non-state actors' participation. While states can consult with interest groups like trade unions and employers' associations before submitting the questionnaire to the committees, the ability of these associations to partake in the review process is stringently restricted in three ways: First, they must be representative at a national level. Second, states can elect to not go through the consultation step at all. Lastly, states can choose which associations they want to consult, as well as the scope of the consultation (ILO, 2019, p.14). Thus, to address these restrictions, the ILO later established the Committee on the Freedom of Association (CFA) to further monitor states' performance regarding one of the foundational labor rights: collective labor rights.

Created in 1951, The CFA is tasked to examine complaints of alleged violations of freedom of association. Complaints may be brought against a member state by employers' or workers' associations. Unlike the CEACR, the CFA receives and accepts complaints that are either filed by or against member states that have yet to ratify Convention No. 87 and 98, the two core conventions regulating collective labor rights. These associations do not need to seek states' approval before filing the complaints, and in the cases where national-level associations are not independent from state controls, the CFA also accepts complaints brought by local-level associations and INGOs like the International Trade Union Confederation and International Organisation of Employers. Once the CFA decides to take up a complaint, it then requests clarifying information from the defendant state before reporting and recommending to the Governing Body whether and what necessary steps should be taken to remedy the violation. For instance, in a recent complaint alleging the extralegal

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<sup>7</sup>As an example, Section A.1 documents the self-report obligation as stipulated by the Convention on the Freedom of Association (No.87)

arrests of Chinese labor activists (Complaint no.3184), the CFA requested (with partial success) the Chinese government to transmit records of judicial documents in reaction to the government's defense that the arrests were made on bases other than labor protests.

In the rest of this article, I restrict the empirical analysis to collective labor rights. The focus on collective labor rights is a standard practice in labor politics literature (Mosley, 2011; Marx, Soares and Van Acker, 2015; Koliev, Sommerer and Tallberg, 2021), and makes reports compiled by the CEACR/CAS and the CFA more comparable. Given the function carried out by each of the reporting mechanisms discussed in this section, the observable implications with regard to the ILO can be hypothesized as:

*H1a: CEACR/CAS reports lead to institutional improvements of collective labor rights in member states*

*H1b: CEACR/CAS reports do not lead to behavioral improvements of collective labor rights in member states*

*H2a: CFA reports lead to institutional improvements of collective labor rights in member states*

*H2b: CFA reports lead to behavioral improvements of collective labor rights in member states*

## **3 Research Design**

### **3.1 Measuring the Collective Rights of Labor**

As mentioned, to capture changes in the rights of domestic workers, this paper focuses on one of the most fundamental indicators: the collective rights of labor (CRL), which is constituted by two conceptual pillars: freedom of association and the right to collective bargaining. In the late 1940s, the ILO instituted the two following conventions that established workers' collective rights as one of the organization's fundamental principles:

*Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization.*<sup>8</sup>

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<sup>8</sup>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Article 2



*Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.*<sup>9</sup>

To measure the quality of collective labor rights, I use the Freedom of Association and Collective Bargaining (FACB) dataset, which is first assembled by Kucera (2002, 2007) and Mosley (2011) and later extended by Marx, Soares and Van Acker (2015). The main outcome of interest – “the overall collective labor rights score” – measures the quality of cross-country collective rights of labor from 1985 to 2012. Moreover, the FACB index is a weighted score of 37 criteria documenting both institutional and behavioral violations of the rights stipulated by Convention No. 87 and 98, containing six sub-categories: the freedom of association and collective bargaining-related liberties; the right to establish and join worker and union organizations; other union activities; the right to bargain collectively; the right to strike; and rights in export processing zones (Mosley, 2011, pp.115-120). To minimize possible omissions in documenting potential labor violations, the index draws on a wide range of sources, including the International Confederation of Free Trade Unions’ Annual Survey of Violations of Trade Union Rights, the US State Department’s Country Reports on Human Rights Practices, as well as ILO reports. (Marx, Soares and Van Acker, 2015).

Among the 37 criteria that constitute the FACB index, the overall score can also be further divided into two sub-categories: 21 items measure the *legal* elements of the collective labor rights score. The other 16 measure the *practical* elements of the collective labor rights score, which separate the recorded legal rights from the observance of rights in practice (Kucera, 2007; Mosley, 2011)<sup>10</sup>. I utilize these two measurements to reflect the institutional changes and behavioral changes states demonstrate with respect to their domestic labor rights, as previously specified in the hypotheses. Figure 2 provides the changes of the FACB index over time for selected countries and groups.

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<sup>9</sup>Right to Organise and Collective Bargaining Convention, 1949 (No.98), Article 2

<sup>10</sup>In the original dataset, Kucera (2002) and Mosley (2011) uses the term *legal* to refer to the institutional protection a country provide to labor rights; in contrast, the term *practical* is used to denote the extent to which behavioral violation of labor rights is observed within that country. Table A.1 and table A.2 list the rubric used to compute the FACB index

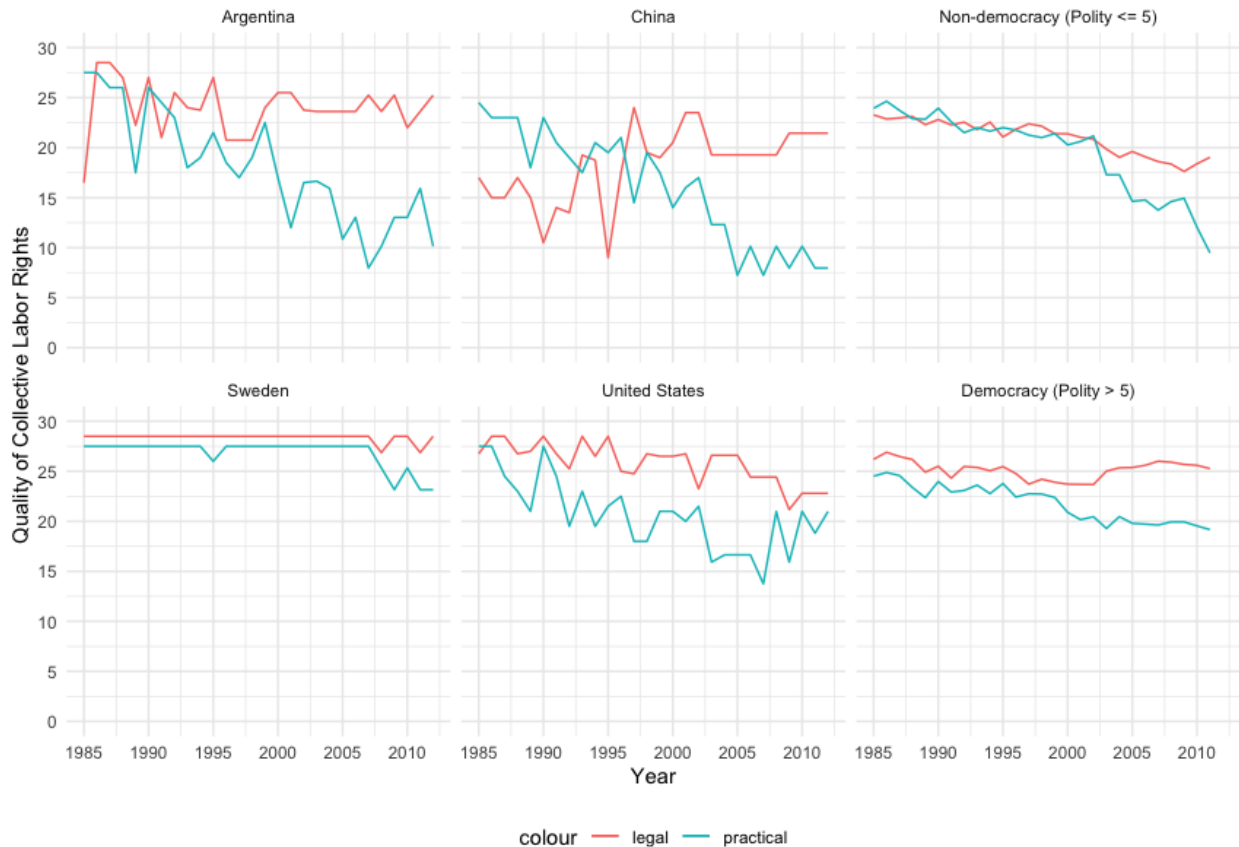


Figure 2: Legal and Practical Collective Labor Rights Index of selected countries and groups

### 3.2 Public Information: CEACR/CAS Reports

To measure the effect of CEACR/CAS reports, I adopt a dummy variable that indicates whether a member state has ratified the conventions that protect the collective rights of labor: ratification of both Convention No. 87 and No. 98. I argue that this variable is an appropriate treatment proxy to states' exposure to the police patrol mechanism in the ILO. First, the CEACR and CAS only review information submitted by the member states on their ratified conventions. Ratifying these two fundamental conventions, therefore, subjects the states to the supervisory procedure in the two committees. Second, these reports provide a summary of otherwise scattered and technical information regarding member states' domestic labor codes and policies, contain evaluations and recommendations made by legal experts, and are publicized and discussed in plenary meetings during the ILC by participants from all countries. These reports, as a result, become a focal point from

which states learn about how each other is providing legal protections to workers, exchange suggestions and sentiments about learned labor violations, and make commitments on future changes and improvements.

After a member state ratifies a convention, the committees issue a *detailed* report form for the state to fill out as stipulated by article 22 of the ILO constitution. The report asks the government to list all relevant legislation or similar provisions, give detailed information for measures taken in applying each article in the convention, indicate the authorities responsible for the administration and enforcement of the convention, supply either a copy or a summary of relevant judicial and administrative decisions, and give a general assessment of how the convention is applied, with extracts from any official reports, statistics of workers covered by the legislation or collective agreements. Then, the government is required to send the complied report to its domestic employers' and workers' organizations, who in turn attach their observations to the form (ILO, 2019). Finally, the government returns the report form to the Committee of Experts, along with the list of employers' and workers' organizations to whom copies of the report are sent, setting in motion the review process by the CEACR and CAS as described in section 2.3. After the initial round of detailed reporting, the state is further expected to report, often in simplified form, updates to their efforts made in compliance with the ratified convention at a three-year interval. Lastly, it is noteworthy that while the principles of collective rights have long been formulated and advocated, the reception of these values is, at best, mixed. Among the ten fundamental conventions, Convention No. 87 and 98 are the least-ratified two. Within the time period of 1985-2012, only 59% of country-year observations have ratified the former, and 66% have ratified the latter. Collectively, the observations in which a state has ratified both conventions just about exceed 50%. A visual summary of countries' ratification history of the two conventions can be found in fig. A.1.

The hypothesized effect of CEACR/CAS reports, therefore, can be identified by comparing the institutional and behavioral compliance of states that ratify the two conventions with those that have yet to do so, which are used to construct the counterfactuals, across each time period. Thus, I use an augmented difference-in-differences model (Imai, Kim and Wang, 2021) to estimate the effect of reports on collective labor rights. The model can be specified as:

$$\hat{\tau}(F, L) = \underbrace{\frac{1}{\sum_{i=1}^N \sum_{t=L+1}^{T-F} D_{it}} \sum_{i=1}^N \sum_{t=L+1}^{T-F} D_{it}}_{\text{Average over all countries}} \underbrace{\left\{ (Y_{i,t+F} - Y_{i,t-1}) - \sum_{i' \in M_{it}} (Y_{i',t+F} - Y_{i',t-1}) \right\}}_{\text{country-specific estimate}}$$

Within the observed period, 23 out of 177 states (13%) become treated. For each member state that ratified both conventions, I first select a matched set of countries with identical treatment histories up to  $L = \{1, 2, 3, 4\}$  years prior to ratification. A matched set is then refined by removing countries in the matched set with covariates and outcome histories that are highly dissimilar from the ratifying countries using Mahalanobis distance<sup>11</sup>. For each matched set, a difference-in-difference estimation is computed for each treated unit and then averaged across each period to estimate the average causal effect on the treated country (ATT).

Furthermore, in order to increase the balance of comparisons across countries that have ratified conventions and those that haven't, I further include several matching covariates. Drawing from previous literature, I include three sets of covariates in the model. The first matching variable I included in the model is the level of democracy of each state in its observation year. Following the seminal work of (Dahl, 2008), it has been long established that democratic regimes significantly outperform non-democracies in terms of the protection of civil rights (Levitsky and Way, 2010; Mainwaring and Pérez-Liñán, 2013). Using the states' Polity score during the observed period, I tried to capture the underlying connection between regime types and the protection of workers' rights. The second set of variables considers labor economic factors. I include GDP per capita, relative trade openness, FDI flows, debt ratio, and labor market participation rate (Przeworski et al., 2000; Mosley, 2011; Dean, 2022). Lastly, I include a set of variables relating to countries' general human rights conditions: the number of domestic labor rights INGOs, the total number of ratified ILO conventions, and the Physical Integrity index (Cingranelli, Richards and Clay, 2014). The summary statistics table for the matching covariates, as well as their sources, are included in section A.4.

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<sup>11</sup>Moreover, as fig. A.3 shows, pairwise matching maximizes balance between the treated units and their controlled set

### 3.3 Private Information: CFA Reports

To measure the effect of CFA reports on collective labor rights, I collected a set of original data that documents reporting activities regarding freedom of association complaints (FOAC) in the ILO. In 1951, The ILO “came to the conclusion that the principle of freedom of association needed a further supervisory procedure to ensure compliance with it in countries that had not ratified the relevant Conventions” (Curtis, Wolfson et al., 2022, p.123). This realization resulted in the establishment of the CFA for the purpose of examining complaints of violations of freedom of association, whether or not the country concerned had ratified Convention No. 87 and 98. More specifically, the CFA is a Governing Body committee and is composed of an independent chairperson and three representatives each of governments, employers, and workers. As a result, in addition to the regular monitoring procedure, in which states submit regular reports on the conventions they have ratified, CRLs receive extra monitoring through the dispute-settling procedure set up by the CFA. Figure 3 illustrates the number of cases the CFA pursued since its establishment in 1951, disaggregated by decades and regions. The total number of cases has increased over time, particularly in Latin America, as a result of both the ILO’s field office initiatives (ILO, 2018a) and the economic transformation the region underwent starting in the 1980s (Dean, 2022). The period from 1985 to 2012, which is covered in the sample analysis, includes the bulk of freedom of association cases, as well as their reports.

FOAC is the most major complaint procedure that specializes in supervising and monitoring collective labor rights. Employers and trade unions – either national, foreign, or international – can submit a complaint to the CFA against member states in the ILO with allegations of violations of collective labor rights, regardless of the defendant country’s ratification status on Convention No.87 and 98 (ILO, 2018a). Once the complaint is received, the CFA would evaluate specific allegations and decide if a case should be further pursued. For the complaints that are taken up by the CFA, a tripartite dialogue with the government, employers, and workers is then set up. The committee would solicit extra information regarding the alleged violation from all parties involved. After the review process is concluded, the CFA makes recommendations to the ILO secretariat regarding proper remedies. Finally, the secretariat would task the CFA with follow-up monitoring of the case.

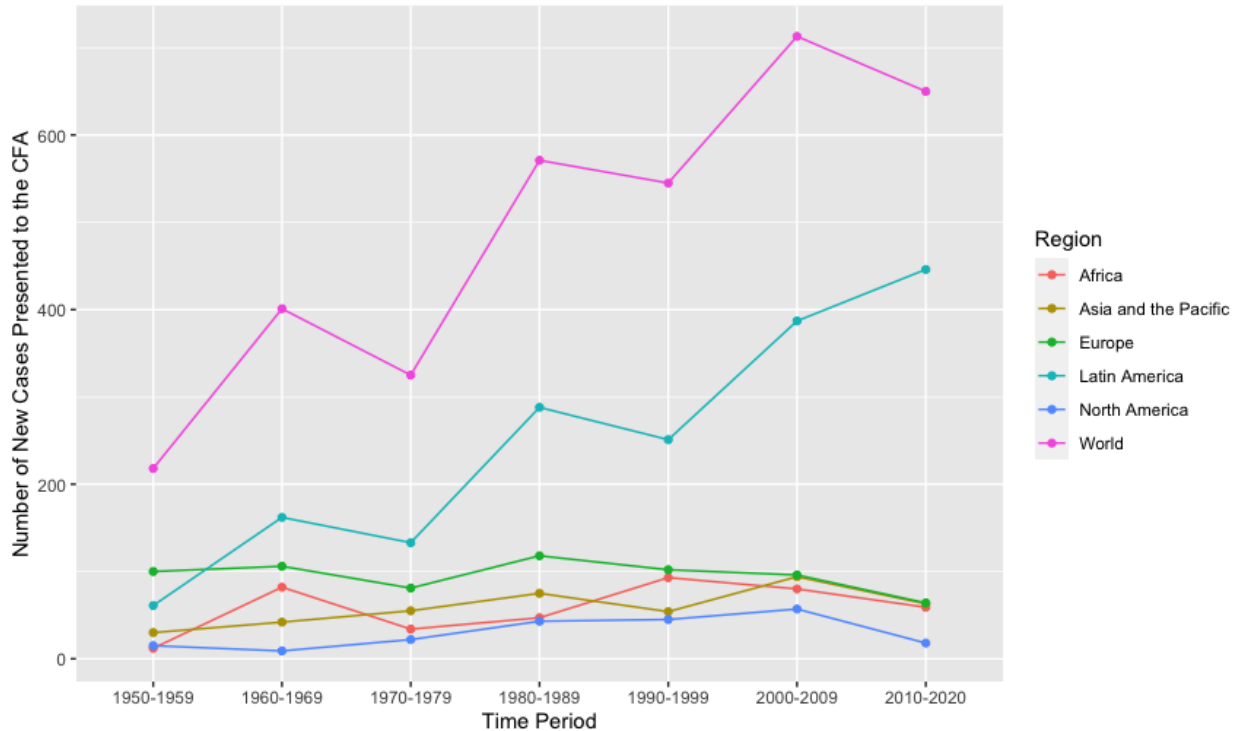


Figure 3: Complaints taken up by the Committee on Freedom of Association (1951–2020) by decade and region (Source: ILO (2021))

The monitoring process of FOACs is one with high information intensity. Cases often remain active for multiple years and require multiple rounds of dialogues, information requests, and document submissions. During the period from 1985 to 2012, over 1000 FOACs were initiated. The average duration of each complaint is around two to three years, resulting in more than 3000 reports in total. While a complaint remains active, interim reports are often produced on an annual basis. These reports often feature multiple sources, ranging from various governmental departments, business associations, union representatives, as well as INGOs. Much information contained in these reports, moreover, was previously private to external observers.

For each country-year observation in the cross-sectional dataset, a value is assigned to the variable *Active Cases* based on the number of freedom of association complaints that meet the following conditions: (1) the complaint is filed to the Freedom of Association Committee; (2) upon preliminary reviews, the Freedom of Association Committee deems the complaint eligible for the initiation of freedom of association case, thereby setting up tripartite meetings during which the defendant state can submit its response; and (3) a report is produced regarding the alleged

transgression.

Given the continuous measurement of the main independent variable in this model, I adopt two-way fixed effects models to estimate the effects of CFA reports on collective labor rights. The models are formulated as the following:

$$\Delta Y_{it} = \beta_0 + \beta_1 \# \text{ NEW REPORT}_{i,t-1} + \sum_{k=2}^K \beta_k \Delta X_{itk} + \alpha_i + \gamma_t + \epsilon_{it}$$

In order to better capture the effect of FOA reports on the improvement of governments' respect for labor rights, I use first-difference in which all variables are represented as incremental changes from time  $t - 1$  to  $t$ . Thus,  $Y_{it}$  takes on two sets of metrics: the change in state  $i$ 's institutional respect for collective labor rights, measured by the legal elements in the FACB index; and the change in state  $i$ 's behavioral respect for collective labor rights, measured by the practical elements in the FACB index. Moreover, for the main independent variable, the number of new freedom of association reports produced on state  $i$ , is lagged by one year. This is because the CFA meets three times a year and examines complaints lodged against governments and then presents the committee's suggestions for the Governing Body to approve (ILO, 2018b). As a result, the CFA often has a turnover period of one year before the first report is issued. Finally, I adopt the same set of control variables as the ones used as matching covariates in the previous section, with the additional control of countries' ratification status of Convention No.87 and No.98.

## 4 Results

### 4.1 Institutional Changes of Respect for Labor Rights (H1)

To test the first set of hypotheses that exposure to police patrol mechanisms leads to institutional improvement (H1a) but not behavioral improvement (H1b) in states' respect for labor rights, I estimate a difference-in-difference estimator using the variables specified in the previous section.

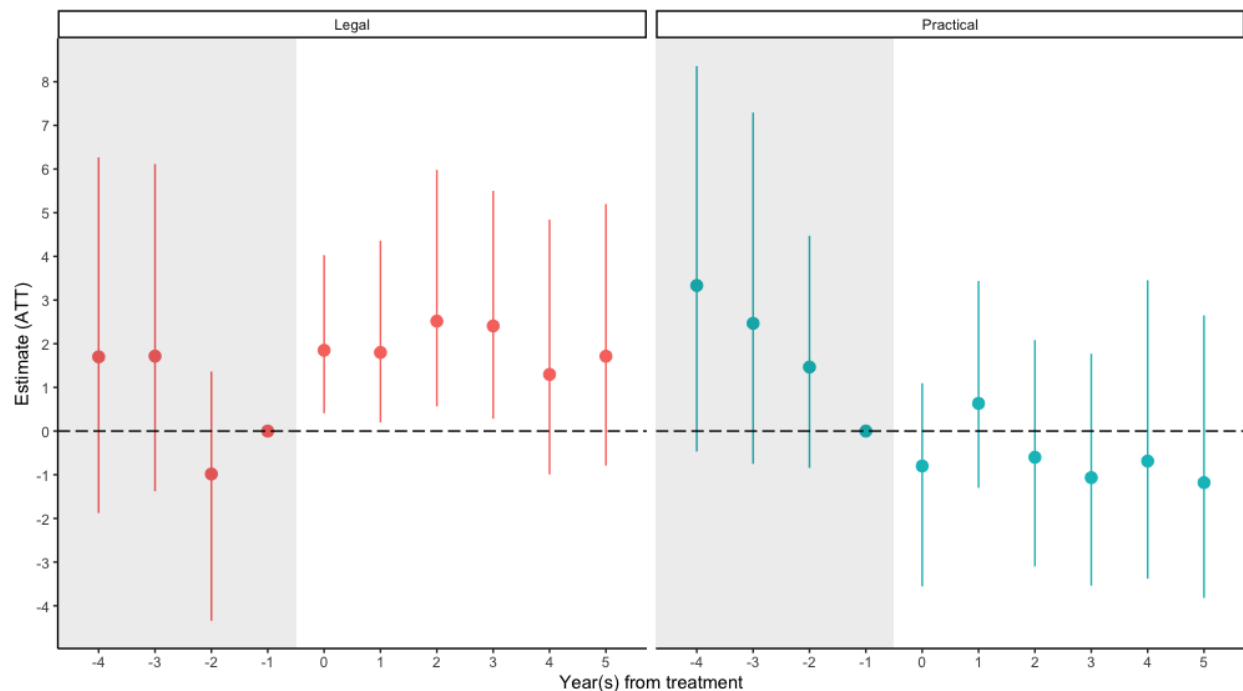


Figure 4: DiD estimates for CEACR/CAS report exposure (Standard errors are obtained from 1000 Bayesian bootstrapping)

Figure 4 reports the estimates of average treatment effects among treated units (ATT). Different color schemes denote the two aspects of respect for labor rights: legal and practical, each corresponding to states' institutional and behavioral compliance. The results show overall empirical support for H1: Exposure to the CEACR/CAS reporting institutions leads to a significant institutional improvement for labor rights by 0.15 - 0.2 standard error up to three years after a member state ratifies the conventions on collective labor rights. Substantively, this effect is similar in size to the difference in labor institutions between democracies and autocracies in 2000 – in particular, between the US and Vietnam. It is also worth noting that the effect becomes statistically indistinguishable from 0 starting from the fourth year, which is intuitively sensible as there should exist an upper limit in the legal improvements of labor rights through domestic legislation. In contrast, there is little evidence suggesting behavioral improvements occur in states after they come under the monitoring of the CEACR/CAS reporting institutions.

In addition, the shaded area on the left side of fig. 4 provides a placebo test on the conditional parallel trend assumption for the estimator. The result shows that the assumption holds for all the pre-treatment time periods included in the analysis, as all confidence intervals cover 0 from  $t - 4$



to  $t - 1$ . Lastly, ?? in the appendix shows that the Mahalanobis matching improves the balance of the matching covariates. The treated units are comparable to the controlled units in terms of these observed dimensions throughout the pre-treatment periods.

## 4.2 Behavioral Changes of Respect for Labor Rights (H2)

For the second set of hypotheses, I estimate the effect of CFA reports using a two-way fixed effects model. The hypotheses posit that exposure to fire alarm mechanisms leads to behavioral improvement (H2a), but little institutional improvement (H2b) in states' respect for labor rights. Table 1 reports the results. Model (1) and (2) return the baseline results of the bivariate regressions (with fixed effects). Since Marx, Soares and Van Acker (2015) calculated the FACB index between 2003-2012 only for a subset of countries that are included in Mosley (2011), I further estimate two sets of models: one that contains the entire time period from 1985-2012 (Model 5 and 6) and one that excludes the decade between 2003-2012 (Model 3 and 4). The results provide consistent evidence supporting hypothesis  $H_{2a}$ . Additionally, after controlling for the aforementioned covariates, CFA reports are also a strong predictor for institutional improvements in states' respect for labor rights, in line with the expectation of  $H_{2b}$ , after including the control variables. Lastly, I discuss some potential alternative explanations in section 4.3.

DV: Model:	$\Delta$ institution (1)	$\Delta$ behavior (2)	$\Delta$ institution (3)	$\Delta$ behavior (4)	$\Delta$ institution (5)	$\Delta$ behavior (6)
<i>Variables</i>						
FOA Cases (1 year lag)	0.027 (0.035)	0.118*** (0.028)	0.151*** (0.048)	0.126** (0.062)	0.070** (0.032)	0.113*** (0.039)
<i>Specification</i>						
Controls	No	No	Yes	Yes	Yes	Yes
Time Period	Full	Full	Restricted	Restricted	Full	Full
Country FE	Yes	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes	Yes
Observations	2,756	2,756	1,398	1,398	1,790	1,790

*Robust standard-errors in parentheses are clustered at the country level*  
*Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1*

Table 1: Regression results for the effects of FOA cases on labor rights improvements

The two-way fixed effects models control for unobserved confounders at the country and year level, and given appropriate assumptions, produce consistent estimations for the treatment effects that are equivalent to the weighted average of the baseline difference-in-differences estimates. Nevertheless, recent developments in political methodology have revealed several drawbacks to this approach: Importantly, 2FE models often assign negative weights to observed units which are difficult to interpret substantively. The elimination of these negative weights, moreover, requires stringent assumptions that are unlikely to hold in observational studies (Imai and Kim, 2022; Callaway and Sant’Anna, 2021; Goodman-Bacon, 2021). In order to address the challenge of estimation and to shed light on causal pathways between the main explanatory and outcome variables, I present a sensitivity analysis proposed by Cinelli and Hazlett (2020). The purpose of the analysis is to assess how large a bias resulting from a potentially omitted variable would be necessary to explain away all of the effects attributed to the explanatory variable of interest, i.e., the CFA reports.

Suppose that there is some unobserved covariate  $U_i$  that is correlated both with the presence of CFA reports and with the outcome variables – in particular, I focus on the improvement in behavioral collective labor rights. Intuitively, the approach suggested by Cinelli and Hazlett (2020) measures how strong the relationship between  $U_i$  and the variable measuring CFA reports – i.e., FOA CASES – and the relationship between  $U_i$  and the outcome variables on labor rights improvements, would have to be to completely explain away the effect attributed to the CFA reports in the linear regressions presented in table 1. The curves on the graph shown in fig. 5 represent the change in  $\hat{\beta}$ , the coefficient on the treatment variable FOA CASE, that would result from varying the partial  $R^2$  of the unobserved confounder with the treatment variable and different assumed values for the partial  $R^2$  of the unobserved confounder with the outcome variables, institutional (left) and behavioral (right) improvements in collective labor rights. On each curve, the combination of the two partial  $R^2$  results in the same value for the bias. The red dotted line indicates the curve on which the bias would completely explain away the effect attributed to the CFA reports in the original regression. For instance, unobserved confounders that explain more than 36% of the residual variance of both the CFA reports and the institutional improvements of labor rights are strong enough to bring the point estimate to 0, namely, the bias would equal 100% of the original estimate. Similarly, to account for the effect of CFA reports on behavioral improvements of labor

rights, unobserved confounders need to explain more than 46.51% of the residual variance on both variables.

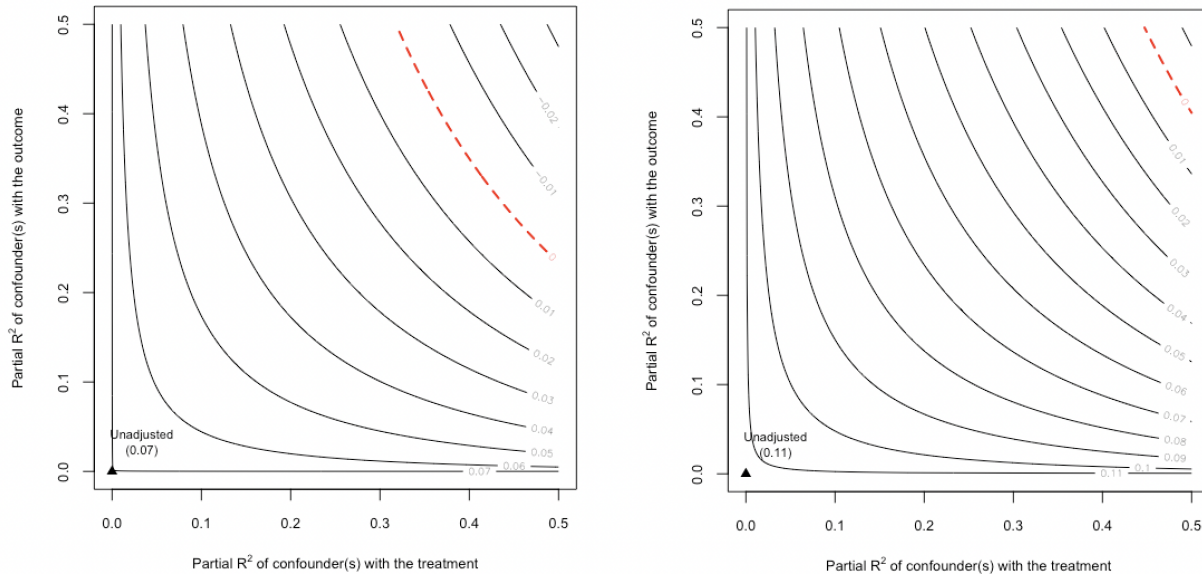


Figure 5: The plots show the sensitivity of model (5) and (6) in Table 1 to potential unobservable omitted variable bias.

### 4.3 Discussions

The empirical patterns laid out above merit further discussions on several findings. To start, skeptics of international compliance tend to see treaties and agreements without enforcement mechanisms as little more than window-dressing. While it might be tempting to interpret the effects of the CEACR reports in the same fashion, namely that states that have ratified the core conventions of collective labor rights in the ILO do not provide better domestic labor rights environments than those who haven't – they just say so in their legal codes. It is worth noting, however, that this pattern does not imply that such institutional improvements are superficial, as these changes occur in states' domestic legal systems. While it is not uncommon that in many industrializing and democratizing (or less-than-democratic) countries, the governments do not live up to the standards dictated by their own laws (Caraway, 2009; Marx, Soares and Van Acker, 2015), many have documented that opening up the judicial environment can lead to better compliance through activating mass mobilization and empowering domestic courts (Simmons, 2009; Conrad and Ritter,

2013). To illustrate how reporting institutions like the CEACR facilitate substantive labor legislation, I use Cambodia as a case study that further investigates the mechanism through which public reports affect meaningful compliance in the next section.

Next, the results detailed in table 1 in support of  $H_{2b}$  is unlikely to stem from estimation bias. First, fig. 6 indicates that the effect of CFA reports on institutional improvements of labor rights is rather insensitive towards bias resulting from omitted variables. Second, and more substantively, the CFA has little leeway in selecting cases that might be easier to pursue. In fact, as the workload of the committee increases over time, it focuses on cases that “represent a systemic violation on a national level”<sup>12</sup>, rather than complaints that only contain isolated incidents. Therefore, to the extent that selection may occur when the CFA chooses which complaints to further pursue, these nationally representative cases should theoretically be the more difficult ones, thereby creating a downward bias. Accounting for the selection bias, therefore, would lead to a higher estimate that indicates CFA reports to be more effective in addressing institutional improvements.

How should we make sense of this robust difference between the scope of effectiveness of the CEACR/CAS and the CFA? Unlike the CEACR/CAS reports, CFA reports work on a complaint basis. This means that CEACR/CAS reports often address the broader concepts of labor rights, which can be seen from the more norm-oriented language used in these reports. In comparison, CFA reports have a much narrower scope, as they primarily seek to address the description of rights violations laid out by the plaintiff. However, this also means that when a complaint is lodged against a harmful law or policy, the CFA may also step in. In some cases, if the CFA gathers sufficient, public information on the targeted laws or policies, and concludes that institutional violations indeed exist on a national level, it would inform the Committee of Experts of the situation, acting as a type of whistle-blower<sup>13</sup>. To further examine how CFA reports tackle both public and private information and use them to facilitate improvements for collective labor rights, I adopt a case study on China, which experienced freedom of association complaints both on institutional and behavioral grounds.

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<sup>12</sup>Interviews with John Ritchotte, senior labor relations and collective bargaining specialist, and Tim de Meyer, senior specialist on international labor standards and labor law

<sup>13</sup>Interview with Karen Curtis, Chief of the Freedom of Association Branch, International Standards Department

## 5 Case Studies: Cambodia and China

### 5.1 Cambodia

Emerging from decades of civil conflicts and wars in the early 1990s, the new government of Cambodia was eager to participate in the global economy. Similar to many other Southeast Asian countries, Cambodia decided to develop its textile industry and became an exporter of apparel, as the sector requires an abundance of labor and relatively less capital investment. The comparative advantage of the country quickly attracts not only neighboring East Asian investors from Japan, South Korea, and Taiwan, but also multinational apparel companies from Europe and the US. The growth of the Cambodian textile industry, as a result, was spectacular: starting from only thousands of dollars in exports in 1990, export value skyrocketed to half a billion by the turn of the millennium.

The boom quickly drew attention from the global apparel trading system, which had been operating under a system of quotas since the 1960s (Polaski, 2006).<sup>14</sup> In particular, in 1998, The US government initiated negotiations with Cambodia to bring the latter into the quota system. The end product of the negotiations is a uniquely designed US-Cambodia Textile Agreement, which established quota limits on Cambodia's apparel exports to the US in the coming three years. Moreover, it includes a novel term stipulating that if the Cambodian government were able to ensure substantial compliance by the apparel factories with national labor laws and internationally agreed labor rights, the new quotas would be increased on an annual basis and extended after the agreement concludes in 2001.

While interest groups in both countries recognized the value of the agreement, several concerns made implementing the deal difficult: To start with, the nascent regime of Cambodia was in the process of revamping the legal system inherited from its predecessor. Few national labor laws, therefore, can actually be applied to monitor compliance in the textile industry. Second, the government was also extremely limited in its bureaucratic capacity to carry out public monitoring.<sup>15</sup> Inspection by private monitors was also infeasible as neither country was willing or able to pay

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<sup>14</sup>The quota system sets limits on the textile and apparel products from any one country that can be sold in large, affluent markets like the US and Europe. When a country is not a party to the quota system, it is free to sell into these markets. These markets, however, can also limit or completely cut off their access with no consequence. The system was brought to an end by WTO negotiations in 2005.

<sup>15</sup>According to IMF's statistics, the average wage for civil servants (\$28/month) in Cambodia at the time was a little

the associated cost.

Faced with these challenges, the two governments turned to the ILO as a third-party monitor. Given the ILO's reporting mechanisms and its familiarity with the Cambodian labor legislation, the organization was well positioned for this role: The ILO's supervisory system would report the relevant information at a regular interval on Cambodia's compliance record, upon which bonus quota would be allocated. In addition, the ILO had been closely involved with Cambodia's crafting of its new labor codes (Caraway, 2009), providing not only technical and legal assistance but also going so far as drafting an earlier script of the country's 1997 Labor Code<sup>16</sup>. As such, a few months after the US-Cambodia Textile Agreement came into force on January 1st, 1999, Cambodia ratified Convention 87 and 98 simultaneously, opening itself up to the CEACR/CAS reporting mechanism.

Cambodia's ratification of Convention No. 87 and 98, therefore, provides an ideal case for testing the first set of hypotheses about the effects of information-gathering reports. Prior to the textile negotiations with the US, the Cambodian government demonstrated little interest in joining either convention. In its correspondence to the ILO, the Cambodian government argued that the lack of specific legislation on freedom of association and collective bargaining, which the administration struggled to design due to a lack of expertise, means that the country would automatically be in non-compliance should it choose to sign on to the conventions (ILO, 1994a, p.128). Instead, the push to ratify mostly came from the need for a reliable source of information, so that the attentive audience—in this case, the US—could learn about its compliance records with more ease.

To estimate the effects of Cambodia's exposure to CEACR/CAS reports, I use synthetic control to generate a counterfactual control group Abadie and Gardeazabal (2003); Abadie, Diamond and Hainmueller (2010). The units within the control group receive weights based on their similarity along pre-specified covariates to the treated unit such that pre-treatment outcomes and covariates closely resemble that of the treated unit.

In this case, Cambodia received the treatment in 1999, and the control group consisted of countries that ratified neither convention between 1985-2002. I use the same set of covariates used in the event study, with an additional covariate indicating if a country is in East or Southeast Asia. Figure 6 presents the result from synthetic control. After 1999, the institutional respect for labor

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over half of the minimum wage (\$45/month) in the textile industry (IMF 2003, p.9, see also Polaski 2006, p.921)

<sup>16</sup>Mission Report by Arturo Bronstein, ILO Regional Office for Asia and the Pacific, May 2-6, 1994. Accessed at the ILO Archive (Dossier No. ACD 49-158-3-119)

rights in Cambodia became significantly ( $p < 0.05$ ) higher than the control group, with an annual average of 6.76. In comparison, there is no discernible pattern for the behavioral respect for labor rights: While the point estimate for Cambodia is smaller than the control group, the difference between the two remains indistinguishable ( $p > 0.1$ ) from 0 across the post-treatment period.

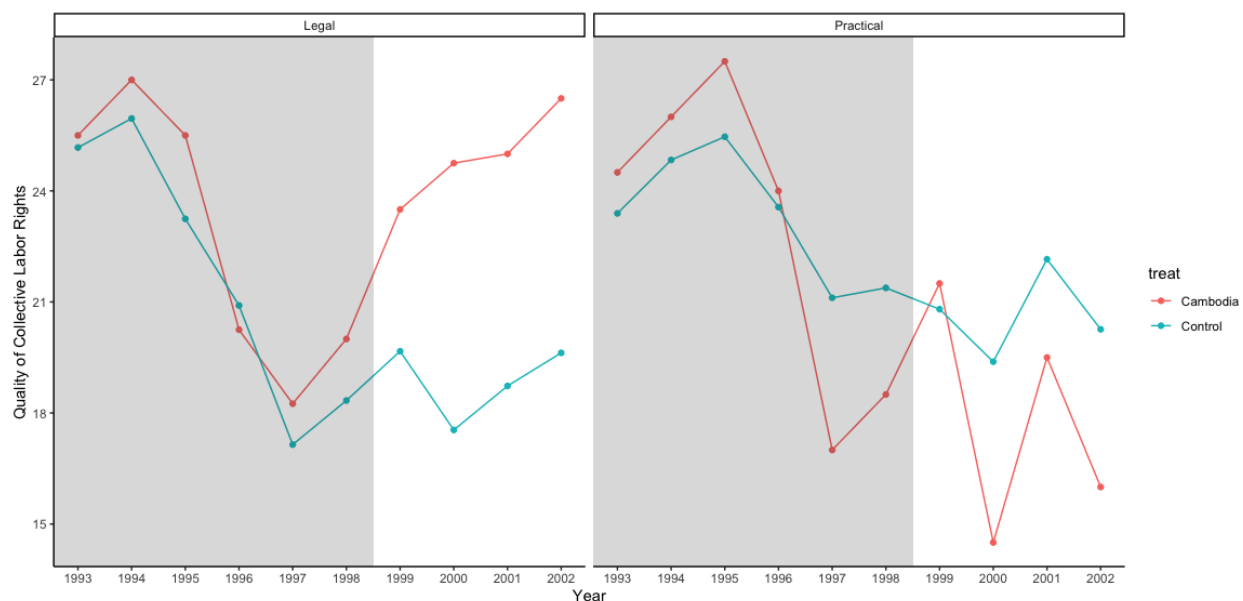


Figure 6: Synthetic Controls: Institutional (left) and behavioral changes of collective labor rights in Cambodia after Convention 87 and 98 ratifications

The archival evidence, moreover, further aligns with the quantitative results. Starting from 1999, the Cambodian government began to issue for the first time laws and administrative decrees that regulate and protect the rights to strike<sup>17</sup>, settle disputes<sup>18</sup>, and unionize<sup>19</sup>. By the mid-2000s, Cambodia emerged as the country that has the most protective labor laws in the region (Bronstein, 2005; Caraway, 2009). In comparison, the reports' effect on behavioral respect of collective labor rights appears muted. Violations of freedom of association and collective bargaining were still found on a number of occasions, and in several serious cases, resulted in freedom of association complaints.

The case of Cambodia, therefore, crystallizes the mechanism through which CEACR/CAS reports improve the institutional respect for labor rights. The legal expertise provided by the Com-

<sup>17</sup> *Pakras on the Right to Strike (No. 005 MoSALVY), 2000,*

<sup>18</sup> *Pakras on Labour Dispute Settlement (No. 12 MoSALVY), 2002*

<sup>19</sup> *Prakas on registration of professional organizations and certification of union representation (No. 16 MOSALVY), 2002*

mittee of Experts not only enables it to identify non-compliance in a target country's labor laws but also to provide advice and coordinate assistance in cases where the country lacks the legal capacity to meet the standard of compliance. Equipped with the professional insights provided by the Committee of Experts, the Committee on the Application of Standards then provides a further push by leveraging the pressure of public forums.

## 5.2 China

While Cambodia represents a typical experience for developing countries threading the delicate balance between seeking to enter the global market and satisfying the demands of international regulations, the case of China in the ILO provides a theoretically hard test for this article's second set of hypotheses. Despite being the most populated communist country that claims to be led by the working class, China has, however, been seen as a "problem" within the ILO for a long period of time due to its complicated history with the organization (Robinson, 1994). After much internal debate in 1971, the ILO reopened its floor to China the latter replaced Taiwan's representation in the UN system, becoming the only state in the ILO that did not apply for its membership. Since its accession into the organization, moreover, China has ratified only a handful of ILO conventions, and has signed neither Convention No.87 nor 98. The historical aloofness of China in participating in the ILO thus to a great extent alleviates concerns of selection in attributing the effect of CFA reports on China's compliance records towards labor rights.

After regaining its seat in the ILO, China expressed little intention to fulfill its obligation as a member state. In fact, China did not send any delegation to the ILO until 1983, after extensive steps were taken by the ILO's Director-General, Francis Blanchard, who took three trips to China between 1980 and 1982 to negotiate with the government over China's participation in the ILO<sup>20</sup>. In exchange for China's agreeing to fill the seat left vacant by Taiwan, the 1983 International Labor Conference moved to waive China's statutory contribution since 1971, which had accumulated to more than 37 million US dollars<sup>21</sup> and nullified all conventions ratified by Taiwan since 1949. In addition, the ILO channeled a substantial amount of resources to various technical cooperation

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<sup>20</sup>Briefing: Mission of the Director General to China. Accessed in the ILO Archive (Dossier No. Z-3/265/BJ3)

<sup>21</sup><https://www.nytimes.com/1983/06/07/world/around-the-world-china-takes-ilo-seat-vacant-since-1971.html>



projects in China, which frequently requested assistance in personnel training and collecting labor statistics<sup>22</sup>. In stark contrast, compliance on China's side remained low. Before 1989, it only ratified one convention (*Convention on the Vocational Rehabilitation and Employment*, No.159. Ratified in 1988). China was also slow in fulfilling its reporting obligations, citing the state's limited capacity. Until the end of the 1980s, China's attitude towards ILO standards could perhaps be best summarized by the speech given by Guan Jinghe, China's representative to the ILO, during an ILO symposium in March 1989: "China is a big country... it is not possible to meet the requirement of the extensive application of ILO Conventions and recommendations", (Guan, 1989, p.57).

This dynamic between a catering ILO and a distant China, however, took a dramatic turn in the aftermath of June 4, 1989. Such an event, certainly, marked the end of specific exemptions and entitlement for China in the ILO. Whereas the "China Solution" of 1989 was met with astonishment worldwide, only a handful of international actors directly took on the issue of labor repression: weeks after the violent repression had happened, complaints made by the International Confederation of Free Trade Union (ICFTU), who later merged with World Confederation of Labour to form the ITUC, over the massive killing of workers reached the governing body of the ILO. For the first time since China gained its membership in the organization, it was challenged with an FOA complaint (No.1500) adopted by the CFA. Although faced with extremely defensive responses from China at first, the CFA officials eventually succeeded in convincing China that "noncompliance was more destructive of its reputation and sovereignty than cooperation" (Kent and Center, 2007, p.195). In the government's official response to the ILO Office regarding the initiation of case 1500, Zhang Wei, the Director of Foreign Affairs in the Ministry of Labor, wrote that the committee "made some utterly unjustifiable requests [that] can not be accepted", and that although the government "is making further analysis on those unfounded attacks and wrong viewpoints...[but] Frankly speaking, it is impossible for us to complete the work."<sup>23</sup>. In private, however, Zhang frequently contacted ILO personnel in Beijing and Geneva "asking what to do with case 1500"<sup>24</sup>. The ILO officials in Beijing advised the Ministry of Labor to "give information as much as possible

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<sup>22</sup>An official in the ILO Beijing Office once observed that, "each time there is a contact between the Chinese and [the ILO], some new proposal for technical co-operation emerges". Letter from S.K. Jain to A. Ahmad, 18/07/1984. Accessed in the ILO archive (Dossier No. Z-1/265/1 (J.6))

<sup>23</sup>Letter from Zhang Wei to Th. Sidibe, Director of the International Labour Standards Department, International Labor Office. Apr. 4, 1990. Accessed at the ILO Archive (Dossier No. ACD 49-158-3-265)

<sup>24</sup>Mission Report by S. Ago, Regional Adviser on International Labour Standards. No. 4/91. Accessed at the ILO Archive (Dossier No. ACD 7-119-87-98-1972/98)

replying to the queries made by the Committee of Freedom [of] Association. If the government remained silent, the Committee would draw its conclusions without taking the government's view into account and that would certainly not be the intention of the government"<sup>25</sup>.

As such, by the time case No.1500 closed in 1992, China was seen to have cooperated at the procedural reporting level. Providing the names of more than 50 labor activists as well as the charges brought against them, the response given to the CFA constitutes "most comprehensive response to date that the Chinese government supply to a foreign inquiry"<sup>26</sup>. This list was later obtained by Asian Watch, a regional branch of Human Rights Watch, and became the very first instance in which international observers were able to assess how Chinese labor was impacted in the aftermath of the events that took place in June 1989. Swiftly disseminated to various INGOs and foreign governments, the information extracted by the ILO played an instrumental role in the release of several labor activists (ILO, 1992*a*).

Shortly after the conclusion of case No.1500, a second case, No.1652 against China was again initiated in the ILO in 1992 concerning China's newly passed Trade Union Law. This case is a clear example that the CFA not only audits private information but also gathers details on public legislation. Similarly, China's defensive position on noninterference was briefly resurrected but soon complied with its reporting obligations. While China double-downed on its single union system in the Trade Union Law, it provided information on the purpose and process of the 1994 Labor Law, which was underway during the span of case No. 1652. It marked the first entry of self-reported documents provided by China as it pertains to the state's domestic legislation. The new Labor Law acknowledged ILO's definition of tripartitism in collective bargaining, thus superseding a 1988 law that allowed collective bargaining only by workers in private enterprises (Zhou, 2016). By the time the case concluded in 1994, a shift in China's expressed attitude towards its obligation of compliance with the ILO had become apparent: Appearing before the Committee on the Application of Standards in June 1994 in relation to the Convention on Minimum Wage-Fixing Machinery, China's representative stressed the country's renewed interest in complying with ILO's labor standards, who now seeks "more emphasis on the role of labor legislation in protecting the basic rights of workers" (ILO, 1994*b*, p.83).

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<sup>25</sup>Ibid.

<sup>26</sup>*News from Asia Watch*, March 13, 1991. Accessed at the ILO Archive (Dossier No. ACD 49-158-3-265)

Another typical case where China's compliance with the ILO translates into domestic legal improvements happened in 2006, in which year China ratified ILO's core convention on the Elimination of All Forms of Discrimination of the Right to Work (No.111). Parallel to the experience in the 1990s, China's ratification of this convention was preceded by legal challenges initiated in the CFA. In 2005, the CFA concluded in case no. 2189 that "Chinese legislation and single-union system were not compatible with the principles of freedom of association" (ILO, 1992*b*). Following this case, China claimed that one of the reasons for ratifying Convention No.111 was to "protect migrant workers from rural areas from discrimination", thereby ensuring the rural workers' freedom of "improv(ing) work conditions" (Tapiola, 2014, p.14). One year later, the same language was adopted in the corpus of the new Labor Contract Law, confirming that "all individual workers have the right to negotiate their own written employment contracts with their employers, specifying terms, conditions, and benefits" (Donn and Zhao, 2016, p.258). This stipulation is especially beneficial to rural workers since in the past they suffered from widespread and institutionalized discrimination based on their rural "household identity" (*hukou*) and were thereby excluded from seeking contractual jobs in urban China.

In sum, since 1989, it has become clear that China has been growing increasingly in compliance with the ILO, which leveraged its reporting mechanisms to direct the attention of a global audience to the condition of Chinese workers. A major feature in the CFA's institutional design is the national tripartite mechanisms, which bring the state into a social dialogue with workers and employers. The participation of non-state actors enables the committee to uncover private information and use it to engage the state's response. The voluntary nature of states' participation further amplifies the pressure and effect CFA reports can have on the behavioral changes of labor rights: Other international actors can not only obtain difficult-to-observe information on whether a state's domestic behavior constitutes violations of collective labor rights, but also infer the limit of the state's capacity as well as its intention towards compliance from the CFA reports.

Moreover, similar to other social environments created within international institutions, tripartitism provides a stage where actors "learn about shared expectations of appropriate behavior and face social consequences for their ability or failure to adhere to those expectations" (Terman and Voeten, 2018, p.5). As a result, in both the case of the 1994 Labor Law and of 2007 Labor Contract Law, a recurring pattern of boomerang effect can be discerned: while China still shies

away from making explicit commitments over the ratification of collect rights conventions, the basic language of collective rights seeps into the legal corpus through the intercorrelated convention network. Both laws ended up promoting collective bargaining and the settlement of industrial disputes, which opened up a legal ground on which workers engaged in more than fifty thousand strikes, slowdowns, rallies, petitions, and sit-ins to register dissatisfaction with the government's failure to guarantee a basic livelihood (Perry, 2009). In particular, the passage of the new 1992 labor union law further created a more permissive structure of political opportunity. In that year alone, the Ministry of Public Security reported more than 540 episodes labeled as illegal demonstrations and assemblies and more than 480 strikes involving hundreds of thousands of workers.

## **6 Conclusion: Is the bad news about enforcement bad news about compliance?**

In their classic work, (Downs, Rocke and Barsoom, 1996) worried that the partial focus on compliance without building the necessary means of enforcement would hurt the depth of international cooperation. This paper provides two rejoinders to their concerns: first, at the level of member states, concrete changes both in terms of institutions and behaviors can still happen even when the IO is not equipped with strong enforcement mechanisms. In particular, I find that reporting institutions under the organizational context of the ILO have a tangible influence in holding the member states up to their international commitments. It should be noted, however, that while ILO reports have a local effect of increasing respect for labor rights, the findings in this paper do not necessarily contradict the observed trend of the "race-to-the-bottom" phenomenon Peksen and Blanton (2017), which states that factors like international trade and global value chains reduce the relative power of labor and lead to an overall downward trend in labor standards worldwide. Nevertheless, the results documented in this paper add to the growing literature that examines the efficacy of IO reports: International organizations do not just "function", rather, they absorb members, hold conferences, conduct investigations, disseminate information, adjudicate litigations, and so on and so forth. Therefore, instead of seeing compliance as a one-shot deal that brings under some obligations in IOs, we should start to see compliance as a tug-of-war that continuously seeks to reign

in deviating states.

Second, IO reports work, but not equally. In particular, it matters how a report is made, and who participates in the report-compilation process. A key reason why reports can affect compliance is their ability to mobilize interested audiences, like certain member states in the IO, with novel information. Therefore, one should expect that reports containing more accurate information and better-suited solutions against violations would have great effects on compliance. The CEACR/CAS reports are able to improve states' institutional respect for labor rights because they provide a focal point for states to learn about and discuss each other's labor codes and policies, and the evaluations made by legal experts staffing the committees frequently draw the attention of audience states that are invested in learning about the legal improvements made by a target state, as represented by the case study of Cambodia. However, the virtual exclusion of non-state actors in the entire mechanism greatly hinders its ability to observe the gap between a state's law and practice, and can therefore make few comments on how to remedy behavioral violations of labor rights.

In comparison, the CFA reports allow for the participation of non-state actors, notably business associations and trade unions, thereby further uncovering on-the-ground information that is scattered across various domestic actors. As in the case of China, consistent international pressure from the ILO, taking the form of freedom of association complaints, are effective tools to extract information and, gradually, compliance from the deviant state. Importantly, while the CFA's focus on China initially starts with a high-profile event of labor prosecution, its prescription on how to rectify unjust labor treatments overtime extends to the word of law. As O'Donnell and Schmitter famously observed, the process of liberalization is defined as the process by which political rules start to modify in the direction of "providing more secure guarantees for the rights of individuals and groups" (2013, p.5), almost always serves as the precursor of the more substantive diffusion of citizenship. In other words, compliance may not always be good news, but even without the aid of enforcement, it is still a good start for changes.

## References

- Abadie, Alberto, Alexis Diamond and Jens Hainmueller. 2010. "Synthetic control methods for comparative case studies: Estimating the effect of California's tobacco control program." *Journal of the American statistical Association* 105(490):493–505.
- Abadie, Alberto and Javier Gardeazabal. 2003. "The economic costs of conflict: A case study of the Basque Country." *American economic review* 93(1):113–132.
- Abbott, Kenneth W and Duncan Snidal. 1998. "Why states act through formal international organizations." *Journal of conflict resolution* 42(1):3–32.
- Allen, Michael O. 2023. "Unbundling the State: Legal Development in an Era of Global, Private Governance." *International Organization* 77(4):754–788.
- Baccini, Leonardo and Mathias Koenig-Archibugi. 2014. "Why do states commit to international labor standards? Interdependent ratification of core ILO conventions, 1948–2009." *World Politics* 66(3):446–490.
- Bagwell, Kyle and Robert W Staiger. 2002. "Economic Theory and the Interpretation of GATT/WTO." *The American Economist* 46(2):3–19.
- Barry, Colin M, K Chad Clay and Michael E Flynn. 2013. "Avoiding the spotlight: Human rights shaming and foreign direct investment." *International Studies Quarterly* 57(3):532–544.
- Bastiaens, Ida and Evgeny Postnikov. 2020. "Social standards in trade agreements and free trade preferences: An empirical investigation." *The Review of International Organizations* 15(4):793–816.
- Boockmann, Bernhard. 2010. "The effect of ILO minimum age conventions on child labor and school attendance: Evidence from aggregate and individual-level data." *World Development* 38(5):679–692.
- Bronstein, Arturo. 2005. "The role of the International Labour Office in the framing of national labor law." *Comparative Labor Law and Policy Journal* 26:339–369.

- Brutger, Ryan. 2018. "Litigation for sale: private firms and WTO dispute escalation." *American Political Science Review* pp. 1–18.
- Callaway, Brantly and Pedro H.C. Sant'Anna. 2021. "Difference-in-Differences with multiple time periods." *Journal of Econometrics* 225(2):200–230.
- Caraway, Teri L. 2009. "International negotiations and domestic politics: The case of IMF labor market conditionality." *Journal of East Asian Studies* 9:153–186.
- Chaudoin, Stephen. 2023. "How International Organizations Change National Media Coverage of Human Rights." *International Organization* 77(1):238–261.
- Chayes, Abram and Antonia Handler Chayes. 1993. "On compliance." *International organization* 47(2):175–205.
- Chayes, Abram and Antonia Handler Chayes. 1998. *The new sovereignty: compliance with international regulatory agreements*. Harvard University Press.
- Cinelli, Carlos and Chad Hazlett. 2020. "Making Sense of Sensitivity: Extending Omitted Variable Bias." *Journal of the Royal Statistical Society. Series B: Statistical Methodology* p. 39–67.
- Cingranelli, David L, David L Richards and K Chad Clay. 2014. "The CIRI human rights dataset."
- Conrad, Courtenay R and Emily Hencken Ritter. 2013. "Treaties, tenure, and torture: The conflicting domestic effects of international law." *The Journal of Politics* 75(2):397–409.
- Conrad, Courtenay R and Emily Hencken Ritter. 2019. *Contentious compliance: Dissent and repression under international human rights law*. Oxford University Press.
- Creamer, Cosette D and Beth A Simmons. 2019. "Do self-reporting regimes matter? Evidence from the convention against torture." *International Studies Quarterly* 63(4):1051–1064.
- Creamer, Cosette D and Beth A Simmons. 2020. "The proof is in the process: self-reporting under international human rights treaties." *American Journal of International Law* 114(1):1–50.
- Curtis, Karen, Oksana Wolfson et al. 2022. *70 years of the ILO Committee on Freedom of Association: a reliable compass in any weather*. ILO: International Labour Organization.

- Dahl, Robert A. 2008. *Polyarchy: Participation and opposition*. Yale university press.
- Dai, Xinyuan. 2002. "Information systems in treaty regimes." *World Politics* 54(4):405–436.
- Dai, Xinyuan. 2005. "Why comply? The domestic constituency mechanism." *International Organization* 59(2):363–398.
- Davis, Christina L. 2012. Why Adjudicate? In *Why Adjudicate?* Princeton University Press.
- Dean, Adam. 2022. *Opening up by Cracking Down: Labor Repression and Trade Liberalization in Democratic Developing Countries*. Cambridge University Press.
- Donn, Clifford B and Minghua Zhao. 2016. Freedom of Association: A Comparison of Chinese and US Approaches to ILO Standards. In *The ILO from Geneva to the Pacific Rim*. Springer pp. 251–276.
- Doshi, Rush, Judith G Kelley and Beth A Simmons. 2019. "The power of ranking: The ease of doing business indicator and global regulatory behavior." *International Organization* 73(3):611–643.
- Downs, George W. 1998. "Enforcement and the Evolution of Cooperation." *Michigan Journal of International Law* 19:319–344.
- Downs, George W, David M Rocke and Peter N Barsoom. 1996. "Is the good news about compliance good news about cooperation?" *International Organization* 50(3):379–406.
- Eilstrup-Sangiovanni, Mette and Jason Campbell Sharman. 2022. *Vigilantes Beyond Borders: NGOs as Enforcers of International Law*. Princeton University Press.
- Fjelstul, Joshua C and Clifford J Carrubba. 2018. "The politics of international oversight: Strategic monitoring and legal compliance in the European Union." *American Political Science Review* 112(3):429–445.
- Fortna, Virginia Page. 2003. "Scraps of paper? Agreements and the durability of peace." *International Organization* 57(2):337–372.



- Goldschmidt, Pierre. 1999. "The IAEA safeguards system moves into the 21st century." *Supplement to the IAEA Bulletin* 41(4):15.
- Goodman-Bacon, Andrew. 2021. "Difference-in-differences with variation in treatment timing." *Journal of Econometrics* 225(2):254–277.
- Green, Jessica F. 2013. *Rethinking private authority*. Princeton University Press.
- Guan, Jinghe. 1989. Country Paper on China. In *Report on the ILO Asian-Pacific Symposium on Standards-Related Topics (New Delhi, March 14-17, 1989)*. International Labour Office, Geneva pp. 56–58.
- Hafner-Burton, Emilie M. 2013. Making human rights a reality. In *Making Human Rights a Reality*. Princeton University Press.
- Henkin, Louis. 1979. *How nations behave: law and foreign policy*. Columbia University Press.
- Hoffman, Aaron M. 2002. "A conceptualization of trust in international relations." *European Journal of International Relations* 8(3):375–401.
- IAEA. 2021. *Nuclear Technology Review 2021*. International Atomic Energy Agency.
- ILO. 1992a. *Report in which the committee requests to be kept informed of development - Report No 281, March 1992*. International Labor Office.
- ILO. 1992b. *Report in which the committee requests to be kept informed of development - Report No 337, June 2005*. International Labor Office.
- ILO. 1994a. *General Survey: Freedom of Association and Collective Bargaining - International Labour Conference, 81st Session*. International Labor Office.
- ILO. 1994b. *Record of proceedings : International Labour Conference, 81st Session, Geneva, 1994*. International Labor Office.
- ILO. 2018a. *Committee on Freedom of Association - annual report for the period 2018*. International Labor Office.

- ILO. 2018b. *Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*. International Labor Office.
- ILO. 2019. *Handbook of procedures relating to international labour Conventions and Recommendations*. International Labor Office.
- ILO. 2021. *Committee on Freedom of Association - Annual Report for the Period 2021*. International Labor Office.
- Imai, Kosuke and In Song Kim. 2022. “On the Use of Two-Way Fixed Effects Regression Models for Causal Inference with Panel Data.” *Political Analysis* 225(2):200–230.
- Imai, Kosuke, In Song Kim and Erik H Wang. 2021. “Matching methods for causal inference with time-series cross-sectional data.” *American Journal of Political Science* .
- IMF. 2003. Cambodia: Selected issues and statistical appendix. In *IMF Country Report 03/59*. International Monetary Fund.
- Johnston, Alastair Iain. 2001. “Treating international institutions as social environments.” *International studies quarterly* 45(4):487–515.
- Kahn-Nisser, Sara. 2014. “External governance, convention ratification and monitoring: The EU, the ILO and labour standards in EU accession countries.” *European Journal of Industrial Relations* 20(4):383–398.
- Keating, Vincent Charles and Lucy M Abbott. 2021. “Entrusted norms: security, trust, and betrayal in the Gulf Cooperation Council crisis.” *European Journal of International Relations* 27(4):1090–1113.
- Keck, Margaret E and Kathryn Sikkink. 1998. *Activists beyond borders: Advocacy networks in international politics*. Cornell University Press.
- Keith, Linda Camp. 1999. “The United Nations International Covenant on Civil and Political Rights: Does it make a difference in human rights behavior?” *Journal of Peace Research* 36(1):95–118.

- Kelley, Judith G. 2017. *Scorecard diplomacy: Grading states to influence their reputation and behavior*. Cambridge University Press.
- Kelley, Judith G and Beth A Simmons. 2019. "Introduction: The power of global performance indicators." *International Organization* 73(3):491–510.
- Kent, Ann E and East-West Center. 2007. *Beyond compliance: China, international organizations, and global security*. Stanford University Press.
- Keohane, Robert O. 1984. *After hegemony: Cooperation and discord in the world political economy*. Princeton university press.
- Koliev, Faradj and James H Lebovic. 2018. "Selecting for shame: The monitoring of workers' rights by the International Labour Organization, 1989 to 2011." *International Studies Quarterly* 62(2):437–452.
- Koliev, Faradj, Thomas Sommerer and Jonas Tallberg. 2021. "Compliance without coercion: Effects of reporting on international labor rights." *Journal of Peace Research* 58(3):494–509.
- Koremenos, Barbara, Charles Lipson and Duncan Snidal. 2001. "The rational design of international institutions." *International organization* 55(4):761–799.
- Krommendijk, Jasper. 2015. "The domestic effectiveness of international human rights monitoring in established democracies. The case of the UN human rights treaty bodies." *The Review of International Organizations* 10(4):489–512.
- Kucera, David. 2002. "Core labour standards and foreign direct investment." *Int'l Lab. Rev.* 141:31.
- Kucera, David. 2007. "Measuring trade union rights by violations of these rights." *Qualitative indicators of labour standards: Comparative methods and applications* pp. 145–181.
- Leeds, Brett Ashley and Burcu Savun. 2007. "Terminating alliances: Why do states abrogate agreements?" *The Journal of Politics* 69(4):1118–1132.
- Levitsky, Steven and Lucan A Way. 2010. *Competitive authoritarianism: Hybrid regimes after the Cold War*. Cambridge University Press.

- Mainwaring, Scott and Aníbal Pérez-Liñán. 2013. *Democracies and dictatorships in Latin America: emergence, survival, and fall*. Cambridge University Press.
- Marx, Axel, Jadir Soares and Wouter Van Acker. 2015. The protection of international labour rights: a longitudinal analysis of the protection of the rights of freedom of association and collective bargaining over 30 years in 73 countries. In *Global Governance of Labour Rights*. Edward Elgar Publishing pp. 13–41.
- Mattes, Michaela. 2008. “The effect of changing conditions and agreement provisions on conflict and renegotiation between states with competing claims.” *International Studies Quarterly* 52(2):315–334.
- McCubbins, Mathew D and Thomas Schwartz. 1984. “Congressional oversight overlooked: Police patrols versus fire alarms.” *American journal of political science* pp. 165–179.
- Moorman, Yasmin. 2000. “Integration of ILO core rights labor standards into the WTO.” *Columbia Journal of Transnational Law* 39:555.
- Mosley, Layna. 2011. *Labor rights and multinational production*. Cambridge University Press.
- Murdie, Amanda. 2014. “The ties that bind: A network analysis of human rights international nongovernmental organizations.” *British Journal of Political Science* 44(1):1–27.
- Nielsen, Richard A. 2013. “Rewarding human rights? Selective aid sanctions against repressive states.” *International Studies Quarterly* 57(4):791–803.
- Nielson, Daniel L and Michael J Tierney. 2003. “Delegation to international organizations: Agency theory and World Bank environmental reform.” *International organization* 57(2):241–276.
- O’donnell, Guillermo, Philippe C Schmitter and Laurence Whitehead. 2013. *Transitions from authoritarian rule: Tentative conclusions about uncertain democracies*. JHU Press.
- Peksen, Dursun and Robert G Blanton. 2017. “The impact of ILO conventions on worker rights: Are empty promises worse than no promises?” *The Review of International Organizations* 12(1):75–94.

- Pelc, Krzysztof J. 2010. "Constraining coercion? Legitimacy and its role in US trade policy, 1975–2000." *International Organization* 64(1):65–96.
- Perry, Elizabeth J. 2009. "China since Tiananmen: a new rights consciousness?" *Journal of Democracy* 20(3):17–20.
- Peterson, Timothy M, Amanda Murdie and Victor Asal. 2018. "Human rights, NGO shaming and the exports of abusive states." *British Journal of Political Science* 48(3):767–786.
- Polaski, Sandra. 2006. "Combining global and local forces: The case of labor rights in Cambodia." *World Development* 34(5):919–932.
- Postnikov, Evgeny and Ida Bastiaens. 2014. "Does dialogue work? The effectiveness of labor standards in EU preferential trade agreements." *Journal of European public policy* 21(6):923–940.
- Przeworski, Adam, R Michael Alvarez, Michael E Alvarez, Jose Antonio Cheibub, Fernando Limongi, Fernando Papaterra Limongi Neto et al. 2000. *Democracy and development: Political institutions and well-being in the world, 1950-1990*. Number 3 Cambridge University Press.
- Robinson, Thomas W. 1994. "Chinese Foreign Policy from the 1940s to the 1990s." *Chinese foreign policy: Theory and practice* pp. 555–602.
- Rodrik, Dani. 1996. *Labor Standards in International Trade: Do They Matter and what Do We Do about Them?*. Overseas Development Council.
- Schoner, Rachel J. Working Paper. "Naming and Shaming in UN Treaty Bodies: Individual Petitions' Effect on Human Rights?."
- Seidman, Gay W. 2007. *Beyond the boycott: Labor rights, human rights, and transnational activism*. Russell Sage Foundation.
- Sikkink, Kathryn and Hun Joon Kim. 2013. "The justice cascade: The origins and effectiveness of prosecutions of human rights violations." *Annual Review of Law and Social Science* 9:269–285.

- Simmons, Beth. 2010. "Treaty compliance and violation." *Annual review of political science* 13:273–296.
- Simmons, Beth A. 2009. *Mobilizing for human rights: international law in domestic politics*. Cambridge University Press.
- Strang, David and Patricia Mei Yin Chang. 1993. "The International Labor Organization and the welfare state: institutional effects on national welfare spending, 1960–80." *International Organization* 47(2):235–262.
- Tallberg, Jonas. 2002. "Paths to compliance: Enforcement, management, and the European Union." *International organization* 56(3):609–643.
- Tallberg, Jonas, Thomas Sommerer and Theresa Squatrito. 2013. *The opening up of international organizations*. Cambridge University Press.
- Tapiola, Kari. 2014. The ILO declaration on fundamental principles and rights at work and its implementation in China. In *China and ILO fundamental principles and rights at work*. Kluwer Law International pp. 9–16.
- Terman, Rochelle. 2023. *The Geopolitics of Shaming: When Human Rights Pressure Works—and When It Backfires*. Princeton University Press.
- Terman, Rochelle and Erik Voeten. 2018. "The relational politics of shame: Evidence from the universal periodic review." *The Review of International Organizations* 13(1):1–23.
- Terman, Rochelle and Joshua Byun. 2022. "Punishment and politicization in the international human rights regime." *American Political Science Review* 116(2):385–402.
- Thomann, Lars. 2008. The ILO, tripartism, and NGOs: Do too many cooks really spoil the broth? In *Civil Society Participation in European and Global Governance*. Springer pp. 71–94.
- Thompson, Alexander. 2006. "Coercion through IOs: The Security Council and the logic of information transmission." *International Organization* 60(1):1–34.
- Ye, Fangjin. 2020. "The impact of bilateral investment treaties (BITs) on collective labor rights in developing countries." *The Review of International Organizations* 15(4):899–921.

Zhou, Changzheng. 2016. Legal Protection of the Right to Old-Age Insurance for Migrant Workers from Rural Areas in China. In *The ILO from Geneva to the Pacific Rim*. Springer pp. 233–250.

## Appendix

### A.1 Questionnaire Items as Stipulated by Convention No. 87 (Excerpts)

Item	Content
1	Please indicate whether effect is given to the Articles of the Convention: (a) by customary law or practice, or (b) by legislation. In the first alternative, please indicate how effect is given to the Articles of the Convention. In the second alternative, please give a list of the constitutional and legislative provisions or administrative or other regulations which give effect to the Articles of the Convention...
2	<p>Please supply available information concerning the customary law, practice, legislative provisions and regulations and any other measures the effect of which is to ensure the application of each of the following Articles of the Convention. In addition, please provide any indication specifically requested below under individual Articles (omitted here)...</p> <p>If the Committee of Experts on the Application of Conventions and Recommendations or the Conference Committee on the Application of Standards has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.</p>
3	Article 11 of the Convention is as follows: Each Member of the International Labour Organisation for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise. <b>Please indicate the legislative or other measures taken to ensure the free exercise of the right to organise.</b>
4	Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.
5	Please supply any general observations which may be considered useful with regard to the manner in which the Convention is applied.
6	<p>Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated...</p> <p>Please indicate whether you have received from the organizations of employers or workers concerned any observations... If so, please communicate the observations received, together with any comments that you consider useful.</p>



## A.2 Scoring Rubrics for the FACB Index

Item	Criterion	Weight
1	General prohibitions of unionization	10
2	Previous authorization required for unionization	1.5
3	Only workers' committees and labor councils permitted	2
4	Only state-sponsored or other single unions permitted	1.5
5	Exclusion of tradable/industrial sectors from union membership	2
6	Exclusion of other sectors from union membership	2
7	No rights to form/join confederations of unions	1.5
8	Previous authorization requirements regarding Item 7	1
9	No rights to elect representatives in full freedom	1.5
10	No rights to establish union constitutions or rules	1.5
11	General prohibition of union participation in political activities	1.5
12	General prohibitions of collective bargaining	10
13	Prior approval by authorities of collective agreements	1.5
14	Compulsory binding arbitration	1.5
15	Exclusion of tradable/industrial sectors from right to collectively bargain	1.75
16	Exclusion of other sectors from right to collectively bargain	1.75
17	General prohibitions of right to strike	2
18	Previous authorization required prior to strike	1.5
19	Exclusion of tradable/industrial sectors from right to strike	1.5
20	Exclusion of other sectors from right to strike	1.5
21	Restricted rights in export processing zones	2

Table A.1: Labor Standards Coding Template for *Institutional* Compliance (Source: Kucera (2002); Mosley (2011); Marx, Soares and Van Acker (2015))

Item	Criterion	Weight
1	Murder or disappearance of union members or organizers	2
2	Other violence against union members or organizers	2
3	Arrest, detention, imprisonment, or forced exile for union membership or activities	2
4	Interference with union rights of assembly, demonstration, free expression	2
5	Seizure or destruction of union premises or property	2
6	Exclusion of other sectors from union membership	2
7	General absence of right to unionize resulting from ocio-economic breakdown	10
8	Employment conditional on non-membership in union	1.5
9	Dismissal or suspension for union membership or activities	1.5
10	Interference of employers (attempts to dominate unions)	1.5
11	Dissolution or suspension of union by administrative authority	2
12	No union control of finances	1.5
13	Other specific de facto problems or acts of prohibition against unions	1.5
14	Intervention of authorities in collective bargaining	1.5
15	Other specific de facto problems or acts of prohibition against collective bargaining	1.5
15	Other specific de facto problems or acts of prohibition against strike	1.5

Table A.2: Labor Standards Coding Template for *Behavioral* Compliance (Source: Kucera (2002); Mosley (2011); Marx, Soares and Van Acker (2015))

### A.3 Chinese government response towards FOA Complaints

Case #	Years Active	Government Response
No. 1500	1989 - 1992	In its communication dated 28 September 1989, the Government states that the ICFTU's complaint alleging the violation of Convention No. 87 is <b>completely unfounded</b> and is a case of <b>blatant intervention in the internal affairs</b> of China, which the Government <b>cannot accept</b> .
No. 1652	1992 - 1994	In its communication of 19 October 1992, the Government stated that the accusations made against it <b>were unfounded</b> . This was <b>a serious case of interference</b> in the internal affairs of a sovereign State.
No. 1819	1995-1997	In a communication dated 13 October 1995, the Government indicates that <b>it has learned through investigations... The Government has nevertheless undertaken vast inquiries in respect of the allegations</b> made with the Minister of Public Security and the Minister of Justice, as well as with the All-China Federation of Trade Unions (ACFTU) and the cities and provinces of Beijing, Shanghai, Guangdong, Hunan and others.
No. 2031	1999-2001	In a communication dated 6 March 2000, the Government states that the complaint presented by the ICFTU alleging that the Chinese Government violated the principle of freedom of association is <b>completely unjustified</b> . <b>However, the Government, in a sincere attempt to cooperate fully with the ILO, undertook in-depth inquiries, in respect of the issues raised in the complaint</b> , with the Ministries of Public Security and Justice as well as with the All-China Federation of Trade Unions and the departments concerned of the Provinces of Shaanxi, Gansu, Sichuan and Hunan.

Case #	Years Active	Government Response
No. 2189	2002-2005	The Government states that it has made an extensive investigation of related individuals and incidents, including visits to such relevant departments as the Ministries of Public Security, State Security and Judiciary Affairs, the ACFTU and local governments... <b>there should be no need for discussion by the Committee on Freedom of Association.</b> Nevertheless, <b>in the spirit of promoting cooperation and enhancing understanding</b> , the Government expresses its willingness to maintain dialogue with the Committee.
No. 3184	2016-present	By its communications dated 6 March and 26 April 2018, the Government informs that <b>a special investigation into the allegations in this case had been carried out.</b> With regard to the alleged cruel treatment of Mr Zeng and others during their detention, the investigation revealed that they were not subject to cruel treatment while in detention. The Government adds that the public security authority deals with cases <b>in strict conformity with the relevant legal provisions</b> and that the rights of those concerned were sufficiently guarded during the hearing process.

## A.4 Summary Statistics

	mean	sd	median	min	max	source
Respects for Labor Rights	27.29	7.84	29.00	0.00	37.00	FACB
Respects (Legal)	23.57	5.30	25.25	0.00	28.50	FACB
Respects (Practical)	22.72	4.40	24.50	0.00	27.50	FACB
Both Convention	0.62	0.48	1.00	0.00	1.00	NORMLEX
Active FOAC	0.82	1.82	0.00	0.00	17.00	NORMLEX
GDP per capita (logged)	8.15	1.55	8.10	4.89	11.49	World Bank Database
Polity2	1.78	7.20	5.00	-10.00	10.00	Polity5 Project
Physical Integrity Index	4.76	2.31	5.00	0.00	8.00	CIRI
Labor Rights INGOs	17.16	10.80	16.00	0.00	58.00	Peksen and Blanton (2017)
Population (logged)	15.96	1.56	15.94	12.36	21.02	World Bank Database
Trade volume (logged)	4.19	0.60	4.22	-1.18	6.10	IMF DOT
Net FDI inflow	3.07	7.67	1.46	-161.24	172.72	IMF DOT
External debt	5.42	6.73	3.81	0.00	135.38	IMF DOT

## A.5 Treatment History of the Event Study

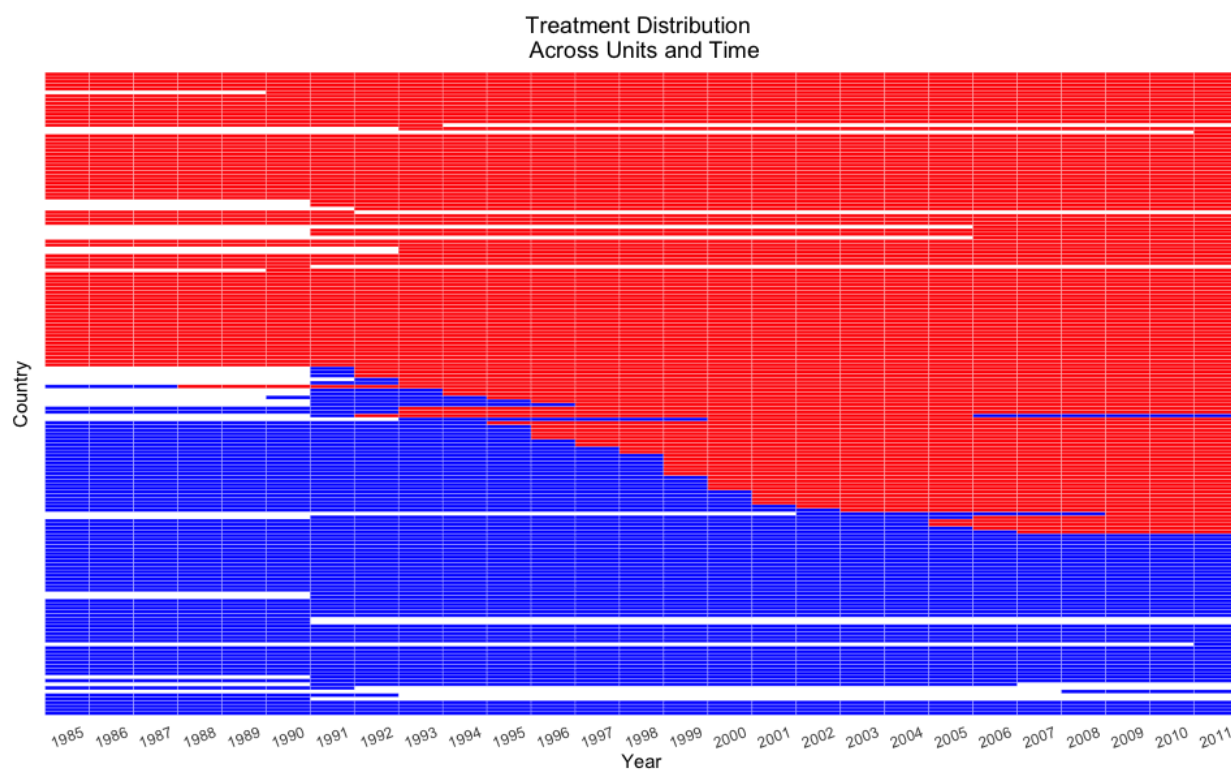


Figure A.1: The treatment history for model 1

## A.6 Covariate Balance of the Event Study

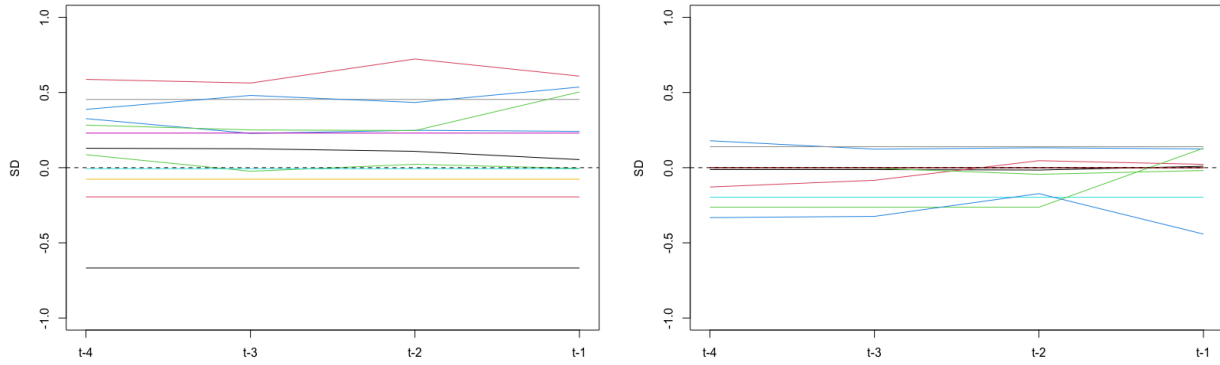


Figure A.2: Mahalanobis matching (right) significantly improves balance of matching covariates

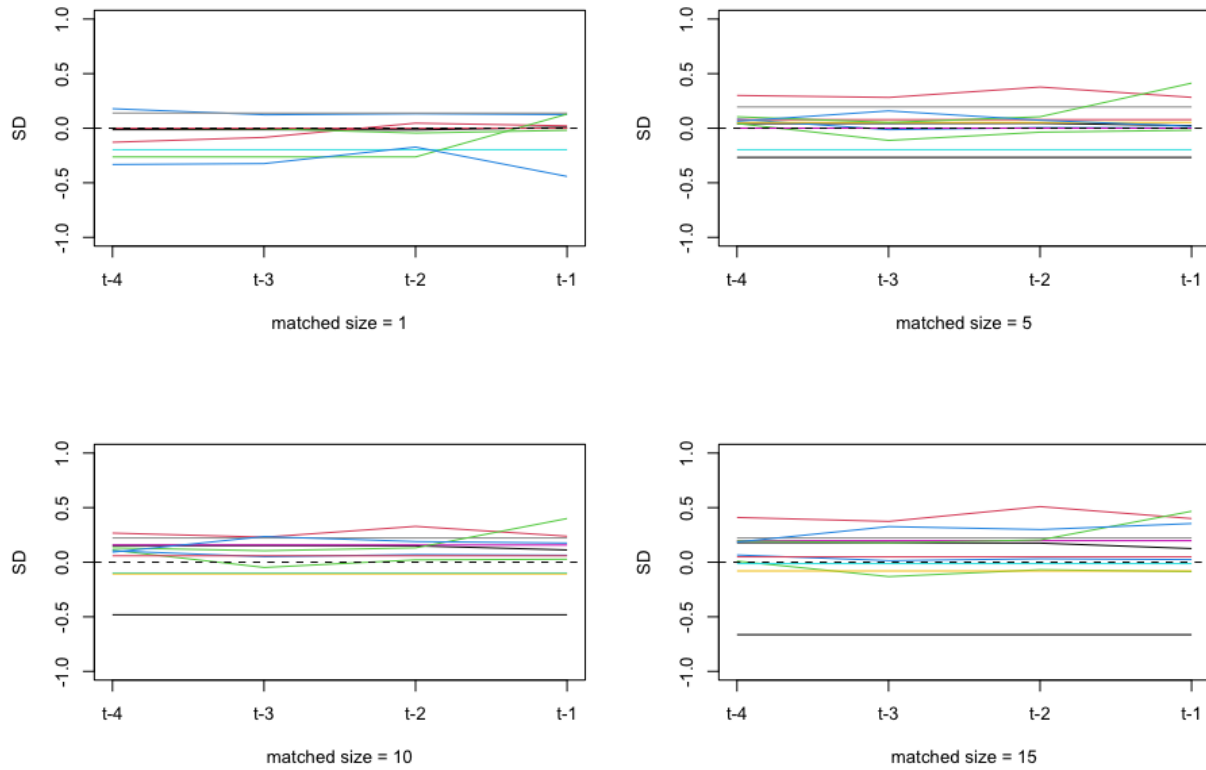


Figure A.3: Pairwise matching results in the best balance between treated and controlled units

## A.7 Full Results for Table 1

Dependent Variables:	d_legal	d_practice	d_legal	d_practice	d_legal	d_practice
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
l.foac	0.027 (0.035)	0.118*** (0.028)	0.151*** (0.048)	0.126** (0.062)	0.070** (0.032)	0.113*** (0.039)
d.lgdp			2.62 (2.25)	2.12 (1.92)	2.44 (2.01)	2.15 (1.75)
d.polity			0.029 (0.057)	0.112 (0.074)	0.026 (0.052)	0.094 (0.069)
d.physint			0.100* (0.058)	0.059 (0.075)	0.091* (0.052)	0.070 (0.071)
d.LINGO			0.265*** (0.100)	0.128 (0.133)	0.143 (0.088)	0.065 (0.107)
d.lpop			-13.5 (9.40)	-2.27 (7.43)	-12.9* (7.70)	-2.96 (6.10)
d.trade			-0.0002 (0.007)	0.003 (0.008)	-0.003 (0.006)	0.001 (0.007)
d.fdinetcinflows			-0.032 (0.027)	0.031 (0.027)	-0.010 (0.007)	0.007 (0.007)
d.debt			0.007 (0.024)	-0.007 (0.017)	-0.0001 (0.020)	0.001 (0.015)
d.labor_part			-0.030 (0.080)	-0.112 (0.093)	0.014 (0.067)	-0.094 (0.087)
<i>Fixed-effects</i>						
ccode	Yes	Yes	Yes	Yes	Yes	Yes
year	Yes	Yes	Yes	Yes	Yes	Yes
<i>Fit statistics</i>						
Observations	2,756	2,756	1,398	1,398	1,790	1,790
R <sup>2</sup>	0.02821	0.05952	0.03987	0.05421	0.03377	0.06745
Within R <sup>2</sup>	0.00014	0.00236	0.01143	0.01052	0.00714	0.00725

Clustered (ccode) standard-errors in parentheses

Signif. Codes: \*\*\*: 0.01, \*\*: 0.05, \*: 0.1