Human Rights Institutions, Membership, and Compliance

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1. Introduction

For the better part of the past two decades, scholars have debated whether international institutions have any meaningful influence on state behavior. Many have found that international institutions do influence state behavior in issue areas ranging from financial policy (Simmons 2000); democratization (Kelley 2004; Pevehouse 2005); the environment (Mitchell 2006); and trade (Hafner-Burton 2005; Davis 2006), to name only a few. Yet, others have argued that the real influence of institutions is not to change behavior of member states but to select members who are already in compliance with the goals of the institution, or could comply with the institutions in a relatively low-cost manner (Downs, Rocke, and Barsoom 1996; von Stein 2003).

Human rights is an issue area receiving growing attention from both sides of this debate. Some recent studies have examined whether membership in various international human rights treaties induces changes in state behavior (Hathaway 2002; Neumayer 2005; Hafner-Burton and Tutsui 2007), while others have examined which states join human rights institutions and why (Cole 2005; Goodliffe and Hawkins 2006). Only a handful of studies have examined whether the state selection process into a human rights institution shapes that institution’s effects on states’ behavior (Landman 2005; Simmons 2009).

This ground-breaking body of empirical research has mainly focused on treaties, paying little attention to a larger and growing set of international organizations (IOs) that include the promotion, advancement, or enforcement of human rights among their other aims. Many studies have examined only one particular institution (Keith 1999; Moravscik 2000; Ramirez and Min Wotipka 2003; Vreeland 2008). To our knowledge, no studies have explored whether compliance with human rights institutions systematically influences state decisions to join human rights institutions across multiple human rights issue areas.
In this paper, we outline our empirical investigation to determine whether compliance drives state choices to adhere to human rights institutions. For our purposes, human rights institutions are both regional and United Nations (UN)-sponsored human rights treaties and those IOs designed to govern how countries treat individuals within their borders. Our statistical analyses are global, covering 162 countries, historical, covering over 25 years, and institutionally broad, covering 69 IOs and 44 treaties.

Our research speaks to several ongoing discussions in the fields of international relations and law. The first is the longstanding debate about whether international institutions have any meaningful influence on state behavior or whether states that intend to comply with institutions simply select themselves in as members, while states that intend to break the rules decline to join up to institutions they know they will deviate from. Most research into this question has focused on the environment (von Stein 2008). We explore this general question in the particular issue area of human rights law. We also engage more specific discussions among scholars and lawyers about the efficacy of the human rights legal regime and the wisdom of allowing universal membership as opposed to more limited membership based on some criteria of respect for human rights.

The second is a more recent debate about sovereignty costs and institutional variation within the international human rights regime (Hafner-Burton, Pevehouse and Mansfield 2009). Though nearly all empirical research on human rights institutions examines treaties, there are just as many IOs which govern human rights. We contend that human rights IOs generally exact greater sovereignty costs on their member states than human rights treaties. These heightened costs provide special incentives for certain states, especially those democratizing, to accede to these IOs and for other states, especially autocracies, to avoid participation in them. By contrast, there is little variation in the extent to which different types of governments join human rights
treaties since membership imposes fewer costs on the participating states. We therefore expect that whether or not compliance with human rights institutions systematically influences state decisions to join them will depend on the type of institution examined.

Our analyses are designed to provide evidence for whether compliance with different international human rights institutions systematically influences state decisions to join them. While it is our hope that our findings also speak to a broader array of questions about institutional design and effective strategies for enforcing human rights norms, they do not provide clear answers to these and other important questions. We believe, however, that understanding whether compliance behavior is influencing state choices to join up to the international legal regime is an important next step to understanding how to create more effective institutions to protect human rights.

2. Do International Human Rights Institutions Lead to Compliance?

The new statistical research on the effects of international human rights institutions is focused almost exclusively on treaties and shows some disappointing trends. For many treaties, government ratification is not followed by compliance.

Linda Camp Keith (1999) studied the effects of the UN convention protecting civil and political rights (CCPR) and also its optional protocol, in 178 countries from 1976 to 1993. She considered whether each government had ratified the treaties and also their political regime type, population size, economic development and war behavior. She found that governments that had ratified either law were no better at protecting civil and political rights, including the most precious rights to be free from murder, torture, forced disappearance and political imprisonment, than governments that had not ratified. Other researchers using statistical techniques have also found similar results (Hathaway 2002; Hafner-Burton and Tsutsui 2005).
Oona Hathaway (2002) studied the effects of several other international human rights laws in 166 countries from 1960 to 1999. She found more upsetting results. Countries that ratify the UN genocide convention tend to engage in even worse acts of genocide than countries that do not accept this law. She found the same disturbing trend for the UN torture convention and so did Emilie M. Hafner-Burton and Kiyoteru Tsutui (2005) in another statistical study.

In Hathaway’s analysis, compliance rates are no better for the regional treaties. In the Americas, countries that ratified the American torture convention, the regional equivalent to the UN torture convention, generally tortured more often than the countries that did not accept the law. The countries that ratified the American human rights convention also more readily abused civil liberties more than those that did not ratify. In Europe, countries that ratified the European torture convention actually used tortured more often than countries that did not endorse the law, and countries that ratified the European human rights convention allowed fewer fair trials than those countries that did not ratify. In Africa also, countries that ratified the African charter on human rights used torture more often than countries that did not accept the charter.

There are different explanations for these results. Some scholars believe that the treaties may be creating opportunities for even worse human rights abuses. Others believe that there is a selection process going on – countries where terrible human rights abuses are getting worse anyway are joining the treaties at a higher rate than countries where human rights abuses are more stable. Either way, the statistical data paint a dismal picture about compliance, even many years after a government has ratified a law.

Not all of the statistical facts are gloomy, however. Todd Landman (2005), in another statistical study of 193 countries during the period 1976 to 2000, found that the UN treaties protecting civil and political rights and outlawing torture actually do have some limited positive
effects on the countries that ratify them. Those effects are mainly indirect, taking place through other processes like democratization, economic development and interdependence.

When Oona Hathaway (2002) looked just at the behavior of fully democratic countries, she found that countries belonging to the UN genocide convention used genocide less often than countries that did not accept the treaty. Likewise, fully democratic countries that have joined the optional protocol to the UN treaty protecting civil and political rights have better protections of civil liberties than do fully democratic countries that have not accepted the law. Those that have joined the UN convention on the rights of women are also better at protecting women’s rights.

Eric Neymayer (2006) also studied whether international human rights laws improve respect for human rights and discovered some encouraging facts. His statistical study, from 1972 onwards, found that the effects of international laws sometimes depend on other things taking place inside a country. Very autocratic countries that ratify the UN law protecting civil and political rights usually murder, kill, torture and take political prisoners more often then very autocratic countries that don’t accept the law. However, compliance increases as a country becomes more democratic. His results show the same trend for the optional protocol to this treaty, as well as for some of the regional treaties.

3. Why Do States Join International Human Rights Institutions?

The research on why states join international human rights institutions identifies various reasons. Different types of states exhibit different membership behavior. Sovereignty costs feature prominently as an explanation.

Andrew Moravcsik (2000) argues that governments seek binding commitments to human rights regimes when the benefits of reducing uncertainty over future human rights policy are greater than the sovereignty costs of membership. Emerging democracies gain most from an
external mechanism to guide domestic policy because they have the strongest interest in demonstrating that they intend to act democratically in the future – including an avowal to protect human rights. They have an incentive to accept the sovereignty costs associated with membership in a human rights institution because membership locks in domestic reforms and reduces the likelihood that these reforms will be rolled back at some later date. Moravcsik also contends that this process of hand-tying prompts a very different reaction from established democracies and dictatorships, which tend to oppose binding commitments. Because established democracies already respect human rights, they are generally reluctant to bear the sovereignty costs stemming from participation in human rights institutions. Pressure exerted by domestic interest groups sometimes prompts democracies to join these organizations, but they are less likely to do so than democratizing countries. Because autocratic governments do not generate benefits from such participation, they also tend to eschew membership.

The statistical research mostly focuses on treaties and shows that just about every kind of state now joins up to one or more international human rights treaty. Some do so sincerely, with the best of intentions for complying with their commitments, while others do so disingenuously, never intending to follow the law. However, Beth Simmons (2009) argues that certain types of governments, especially democracies, ratify these treaties when their preferences, if not their practices, already line up with the treaty norms. Undemocratic governments, by contrast, are more reluctant to commit themselves to these treaties. Even so, plenty of undemocratic governments ratify human rights treaties (Hathaway 2002), especially those dictatorships with multiple political parties (Vreeland 2008).

Hafner-Burton, Pevehouse and Mansfield (2009) argue that not all human rights regimes impose high sovereignty costs on members and that the absence of these costs weakens any commitment to a regime and changes the incentives to join. Many human rights treaties are not
stringently enforced and the costs of commitment vary across them (Hathaway 2002, 2003). The UN treaties are largely silent or weak on the issue of enforcement, offer no direct material inducements for improvements in human rights, and can do little to punish perpetrators of the most egregious human rights violations (Hafner-Burton 2005). If there is a large degree of uncertainty concerning enforcement, delegation to an international agent will not tie the hands of government officials and thereby limit their ability to mistreat citizens. Their statistical analyses show that democratizing states are especially drawn to human rights IOs, more so than to human rights treaties. This is because democratizing states are the most likely to seek the services that IO best perform, allowing them to make credible commitments to human rights or signal their intentions to carry through on reform (Pevehouse 2005). Established democracies also provide inducements for emerging democracies to join these organizations. By contrast, all types of regimes are equally likely to sign on to treaties.

4. Is the Bad News about Compliance Bad News for Cooperation?

On the one hand, research shows that membership in international human rights treaties rarely leads to compliance in most places, and certainly not in undemocratic countries where civil society and domestic legal institutions are weak. On the other hand, research shows that all types of countries, even the undemocratic ones, are joining human rights institutions, especially treaties, while only certain types of states, namely those in democratic transition, are especially likely to join human rights IOs. Is the bad news about compliance bad news for cooperation?

The purpose of this paper is to examine this proposition. We attempt to empirically untangle the question of compliance, selection, and membership. Our central idea is that compliance has a systematic effect on membership decisions to human rights instruments. As previously discussed, one could imagine two possible directions for this relationship to run.
Either poor compliance discourages states from entering into human rights commitments or good compliance discourages states from entering into commitments in order to avoid paying sovereignty costs. Of course, what varies in these cases is the nature of the commitment: some human rights instruments may create higher costs than others. To this end, we intend to examine human rights organizations separately from human rights treaties. Our hypothesis is that the stronger commitment engendered by organizations will possible discourage states with poor compliance from joining. We will also be able to test this assumption of higher organizational cost in the creation of an instrument for state compliance – a point we discuss below.

4. Empirical Challenges

We begin by noting that systematic data on membership in global or regional human rights institutions is rare. The most extensive data set on international organizations was compiled by the Correlates of War (COW) Project (Pevehouse, Nordstrom, and Warnke 2004). It includes many different types of IOs, including several that monitor or promote human rights. The COW data, however, exclude all emanations, which are organizations created by other organizations.1 By our calculations, more than seventy percent of human rights IOs are emanations. Relying solely on this data set would therefore risk generating results that may not be representative of the choices made by states to enter human rights IOs or treaties.

To address this problem, we identified and coded state membership in organizations that announced an intention to promote, advance, or enforce human rights during the period from

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1 The justification for this exclusion is twofold. First, most theories of international relations focus on why states form or join IOs, rather than on why other organizations form IOs. Second, in many cases, the membership of many emanations is identical to that of their parent organizations. In the case of human rights organizations, however, we have found this to be less the case, which makes it more important to include emanations in our analysis.
1965 to 2000.² We identified these organizations by searching the 2000 Yearbook of the Union of International Associations (UIA) and looking at every IO’s stated “Goals and Aims” or “Activities.” If the goals included a human rights program of any type, the organization was added to the sample. We then removed two types of organizations. First, we excluded organizations that were largely non-governmental rather than inter-governmental. The UIA included in its catalog of IOs some organizations that consist almost entirely of individual citizens or experts who do not speak for or represent a government. Second, we excluded IOs that have rotating memberships. Some emanations from the United Nations (UN), such as the Commission on the Status of Women, maintain a limited number of seats that rotate among states. While certain states may decide not to serve, it is more likely that membership in these cases is determined by other factors, such as the institutional rules of the parent body. Our arguments do not apply to either non-governmental organizations or organizations with rotating memberships. We are interested only in human rights regimes that states actively decide to join.³ The sample of these regimes includes 69 international organizations.

In addition to organizations that support human rights, numerous treaties at the regional and global level attempt to tie states to various standards of behavior in human rights. We therefore code 44 major human rights treaties, conventions, and optional protocols on a country-year basis. This sample includes all of the core UN human rights treaties, their additional protocols, as well as other human rights instruments such as the Geneva Convention, the Slavery Convention, and the Genocide Convention.

² We choose this sample period both because it overlaps with the study period of more general studies of IO membership (Mansfield and Pevehouse 2006) and also because prior to 1965, data on IO membership is spottier, especially for emanations (Pevehouse, Nordstrom, and Warnke 2004).

³ Some may be concerned that our inclusion criteria for human rights IOs is overly broad. However, even organizations that do not have human rights as a central focus can impose significant (sometimes more significant) sovereignty costs relative to treaties. Moreover, if one believes the driving force behind membership is norms, there is no a priori reason to expect the socialization or mimesis process to be limited to IOs that focus exclusively on human rights.
The next empirical challenge is to match the substance of each treaty or organization to a particular measure of state behavior. After all, if general measures of political repression are examined, one may not want to include treaties or organizations that prohibit economic discrimination. One does not want to measure the effectiveness of institutions to control behavior to which they do not speak. To this end, we coded all 69 IOs and 44 treaties into four broad issue areas: political rights, civil rights, physical integrity, and workers/economic rights.\footnote{Future iterations will continue to disaggregate these issue areas further, but we begin with a broader conceptualization of state behavior and prohibitions to generate our initial results. The coding was done by two of the three authors with disputes on coding settled by the third author.} These four areas cover nearly all the IOs and treaties.

The final step in measuring institutional commitments was to compute a country-year sum of the number of IOs and for the number of treaties to which each state was a member in year $t$. This results in eight count variables for each country-year: one for each of the four issue areas in IOs plus one for each of the four issue areas in treaties.

The most daunting research challenge is that of selection – institutions may influence compliance, but if this is so, states that do not wish to comply with their obligations may not join institutions. Thus, inserting a measure of compliance into a model of institutions may systematically misstate the influence of compliance since that compliance may be influenced by institutional commitments (or the lack thereof). To this end, we first estimate an instrument for compliance – the predicted value of compliance based on an econometric model as a first stage estimate, to later be introduced into a second-stage model of institutional accession.

5. Predicting Compliance

To determine whether compliance has any systematic influence on whether states accede to human rights IOs or treaties, we must first model why shapes state compliance. We adopt the
empirical model of Hafner-Burton and Tutsui (2007) who attempt to determine whether membership in UN human rights treaties improve state behavior in the areas covered by the treaties.\(^5\) Once we estimate our model of compliance, we can use the predicted values of compliance as an instrument to predict membership in human rights IOs.

Our model of compliance is as follows:

\[
\text{Human Rights Compliance } \text{[type]} = \beta_1 \text{Compliance}_{t-1} + \beta_2 \#\text{Human Rights IOs }_{t-1} + \\
\beta_3 \#\text{Human Rights Treaties }_{t-1} + \beta_4 \text{Regime Type }_{t-1} + \beta_5 \text{pcGDP }_{t-1} \text{ (log)} + \beta_6 \text{Trade }_{t-1} \text{ (log)} + \\
\beta_8 \text{Population }_{t-1} \text{ (log)} + \text{Region Effects} + \epsilon
\]

To measure human rights compliance, we rely on both the Freedom House data and the Cingranelli and Richards (2004) data. Freedom House measures state behavior in two of the four issue areas that we have coded institutions: Political Rights and Civil Liberties. \textit{Political Rights} measures such factors as rule of law, political disappearances and participation and is scored on a seven-point scale with lower scores representing less political repression. \textit{Civil Liberties} measures factors such as freedom of press, speech, association, and movement and is also scored on a seven-point scale with lower scores representing less infringement on individual rights. The final two variables, Physical Integrity and Worker Rights, come from the Cingranelli and Richards data.\(^6\) \textit{Physical Integrity} is coded as a nine-point variable measuring torture, political killings, and imprisonment, where higher scores represent less political violence. Finally, \textit{Worker Rights} is scored as a three-point variable where higher scores represent more protection for workers.

\(^5\) Our model is nearly identical to theirs with two exceptions. We do not include a measure of NGO activity but we include broader measures of human rights institutions. Their model only codes the membership in only the core UN human rights treaties.

\(^6\) All Cingranelli and Richards data are based on coding of the yearly Amnesty International and State Department Human Rights reports to Congress.
To explain these measures of state behavior, we include a lagged endogenous variable since the data exhibit strong autocorrelation. Our next two independent variables measure a state’s involvement in international human rights-related institutions. First, Human Rights IOs measures the yearly count of the number of human rights IOs in which state \( i \) is a member in year \( t-1 \) (as discussed in the previous section). Human Rights Treaties measures the yearly count of the number of human rights treaties in which state \( i \) is a member in year \( t-1 \) (also discussed in the previous section).

The remainder of the variables have been found to correlate to human rights compliance and serve as control variables. Regime Type is the state’s level of democracy as coded by the Gleditsch’s updated Polity IV data (Gleditsch 2009). This variable is coded on a -10 to +10 scale with higher numbers representing more democratic states. It is measured in year \( t-1 \). pcGDP is a state’s annual per capita GDP (measured using purchasing power parity conversions and logged) measured in year \( t-1 \). Trade is a measure of a state’s total volume of international trade (logged) measured in year \( t-1 \). Population is the total population (logged) of each state measured in year \( t-1 \).7 Finally, in order to control for region-level heterogeneity in compliance, we introduce region-based indicator variables.8

Because of the ordinal nature of each of the measures of compliance, we utilize ordered logit regression for each of the four sets of estimates. The estimates are reported in Table 1. We draw particular attention to three variables in these models: the two institution-related variables and Regime Type. For Political Rights and Civil Liberties, both human rights institutional variables achieve statistical significance, but have opposite signs. More memberships in IOs that

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7 Per capita GDP, Trade, and Population data are taken from the Penn World Tables. Heston, Summers, and Aten 2002. Trade is calculated using the PWT’s openness measure (trade/GDP).
8 We use the COW Project’s definition of geographic regions with the exception of Oceania, which we combine with Asia. Because of the small number of observations in that region, this decision is necessary to achieve model convergence in several cases. See Singer and Small 1994.
support political rights leads to more respect for those rights, while membership in similarly oriented treaties appears to lead to less respect for these rights (column 1). The same can be said for Civil Liberties (column 2). Similar patterns emerge for Physical Integrity, although the estimate for Human Rights IOs does not achieve statistical significance (column 3). Also, for Worker Rights, IOs are systematically correlated with more respect for worker rights, while the same cannot be said for Human Rights Treaties (column 4). Recall that in these final two models, higher scores represent better human rights.

These findings are consistent with some existing empirical work that has found little systematic influence on state behavior from treaty commitments, yet more influence when examining international organizations (Hafner-Burton, Mansfield, and Pevehouse 2008). The reasoning behind this could relate to the fact that organizations can more effectively create incentives to abide by prescribed behavior as well as solve collective action problems to facilitate punishing rule-breakers.

The Regime Type variable follows a mostly-predictable pattern, with higher democracy scores correlating with better respect for human rights, at least across the first three measures. For Worker Rights, however, the estimate of Regime Type is negative and statistically significant, indicating less respect for worker rights in more democratic states.

Besides the interesting substantive findings generated by these models, the main purpose of this exercise was to create a predicted value of state compliance in these four areas to be used as an instrument. We note that in our first stage model, three variables, pcGDP, Population, and Trade do not appear in the second stage model. More importantly, these three variables have not been found to influence accession to international institutions, broadly defined (see Mansfield and Pevehouse 2006). Moreover, these variables are statistically significant in some combination in each of the four first stage compliance models.
**Does Compliance Shape Institutional Membership Choices?**

To investigate the conditions under which states enter human rights organizations, we estimate the following model:9

\[
\Delta \# \text{Human Rights IOs [type]} = \beta_0 + \beta_1 \text{Pred. Compliance}_{t-1} + \beta_2 \text{Number IOs[type]} + \beta_3 \text{Number Treaties[type]} + \beta_4 \text{Regime Type} + \beta_5 \text{Democratization} + \beta_6 \text{Autocratization} + \beta_8 \text{Dispute} + \beta_9 \text{Year} + \beta_{10} \text{Major Power} + \beta_{11} \text{Independence} + \beta_{12} \text{Former Communist} + \text{Region Effects} + \varepsilon
\]

In order to test our argument, it is important to analyze human rights organizations and treaties separately, as in the preceding analysis. To this end, we define \( \Delta \# \text{Human Rights IOs} \) as the change in the number of human rights IOs to which each state, \( i \), is a party from year \( t \) to year \( t+1 \).10 As discussed in Section 4, we create four separate counts of human rights IOs based on each issue area, leading to four different dependent variables.

The first explanatory variable is our predicted level of compliance generated from the estimates in Table 1. Each issue area has its own set of estimated compliance levels. This variable is measured in \( t-1 \) so as to allow for some temporal lag between compliance behavior and decisions to enter or leave human rights IOs. Note that because the coefficient on this variable is an estimate of an estimate, its standard error is estimated inconsistently. To rectify this situation, we bootstrap the estimate from our original estimates 500 times to get a better idea of the correct standard error. Doing so indicated that there was very little difference in our bootstrapped standard error from the original estimate, giving us some confidence in our second-stage estimate.

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9 To date, we have only estimated this model using the IO sample. Our next step is to replicate this section using the sample of treaties and protocols as the dependent variable.

10 This includes IOs in which state \( i \) is an associate member. We exclude IOs where the state is an observer.
To control for possible “ceiling” or “floor” effects in human rights regime membership, we introduce variables specific to each dependent variable and to both treaties and IOs. As a state participates in a growing number of human rights organizations, the marginal benefit of joining another one may decline. Further, the number of possible human rights IOs that a state does not belong to declines as it joins more organizations. As such, \( \# \text{Human Rights IOs} \) may be inversely related to the change in IO membership. Alternatively, this relationship may be direct. States that participate in a large number of IOs may be “joiners,” predisposed to enter as many international institutions as possible, even if those IOs work in the same substantive issue area (Mansfield and Pevehouse 2006). Conversely, states that belong to few human rights IOs may have an aversion to joining such organizations. Because this same logic may apply across IO and treaty commitments, we also introduce \( \# \text{Human Rights Treaties} \), measuring the number of human rights treaties that state \( i \) is a member of in year \( t \). Again, both of these variables vary by issue area type across each model.

To assess the effects of domestic governance type on participation in human rights institutions, we include \textit{Democratization}, \textit{Autocratization}, and \textit{Regime Type}. All of these measures us the 21-point index drawn from the updated Polity IV data set (Gleditsch 2009). Previous studies have defined states as democratic if they score greater than 6 on this index in a given year, \( t \), and they have defined states with a score less than -6 as autocratic. States with scores ranging from -6 to 6 are considered anocratic. \textit{Democratization} equals 1 if, between year \( t-5 \) and year \( t \), a state makes a fundamental change in a democratic direction: from an autocracy to either an anocracy or a democracy, or from an anocracy to a democracy (Mansfield and Snyder 2005). \textit{Autocratization} equals 1 if a state makes a transition in an autocratic direction: from a democracy to either an anocracy or an autocracy, or from an anocracy to an autocracy. We expect the coefficient of \textit{Democratization} to be positive, since past studies have shown that
new democracies are more likely to join international regimes (Mansfield and Pevehouse 2006). We expect this coefficient to be larger than that of Autocratization.

To ensure that the influence of Democracization and Autocratization are not just a reflect of the higher and lower values on the democracy scale of these states, we add Regime Type to this model to independently control for the level of democracy in year $t-1$, apart from any transition to or away from democracy that has taken place in the last five years.

To analyze the effects of compliance on membership in human rights regimes, it is crucial that we control for other factors that may prompt states to enter or exit these regimes. Four such factors are political. First, Dispute is the number of Militarized Interstate Disputes (MIDs) involving state $i$ that are ongoing in year $t$, based on the MID 3.0 data (Ghosn and Palmer 2003). Participants in a human rights regime may be reluctant to grant membership to a state involved in interstate disputes, since its belligerence could adversely affect the regime. Moreover, if there is a perceived tradeoff between security and respect for individual liberty during times of conflict, it is unlikely that states would prioritize membership in an institution that demands respect for human rights. Second, we also include a trend (Year) in the model to ensure that any observed relationship between state governance type and human rights institutions does not stem from the spread of both democracy and international institutions over time (Huntington 1991; Jaggers and Gurr 1995; Pevehouse, Nordstrom, and Warnke 2004).

Third, Major Power is a dichotomous variable coded 1 if state $i$ is considered a great power in year $t$ by the COW Project (Singer and Small 1994). Major powers are likely to create and join human rights regimes more frequently than weaker states because major powers use these institutions to consolidate their influence (Ikenberry 2000). Fourth, Independence is the number of years state $i$ has been an independent nation-state as of year $t$, based on the date of

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11 During the period covered in the analysis, the great powers were China, France, Great Britain, Russia/Soviet Union, the United States, and since 1991, Japan and Germany.
independence furnished by the COW Project (Gleditsch and Ward 1999). At least one study of
IO membership has argued that the length of time since statehood shapes a country’s propensity
to enter international organizations (Shanks, Jacobson, and Kaplan 1996). There is also
evidence that the time that has elapsed since independence correlates with transitions to
democracy, suggesting that the variable should be included in our model to avoid conflating the
influence of political independence and democratization (Pevehouse 2005).

In addition, many former communist states expressed a desire to join Western
organizations after the Cold War, including those focused on human rights. To this end, we
introduce an indicator variable, Former Communist, which equals 1 for states that were
communist at some point during the post-World War II era, beginning in the year after the
communist government fell. In addition, because many human rights IOs are regional, patterns
of membership may be similar within geographic regions (Shanks, Jacobson, and Kaplan 1996).
We therefore add regional indicator variables to this second stage model. Finally, \( \varepsilon \) is a
stochastic error term.

To estimate the model of organizational memberships, we use ordinary least squares.
Tests of statistical significance are based on panel-corrected standard errors, which account for
heteroskedastic disturbances and contemporaneous correlation across each panel (Beck and Katz
1995). We do not adjust for autocorrelation in the data, since we found little evidence of an
autoregressive data generating process.

The results of these models can be found in Table 2. Note that Predicted Compliance is
statistically significant for each human rights issue. For Political Rights and Civil Liberties the
variable is positive, indicating that higher predicted values on the compliance score leads to an
increase in the average change in number of IOs. Given the coding of these two compliance
variables, this means that states predicted to have worse compliance attempt to join more
organizations.

The same conclusion is reached when examining Physical Integrity and Worker Rights. In both cases, Predicted Compliance is statistically significant and its sign suggests that states with worse predicted compliance join more human rights-related IOs (recall that lower values on these two compliance measures indicate worse compliance).

Putting this result together with our first stage estimate of compliance leads to an interesting dynamic regarding IOs. States with worse compliance record seem to be drawn to international organizations – an indication that there are important selection dynamics occurring as states decide which organizations to join. Yet, these human rights-related IOs do seem to improve state compliance, based on the first-stage model. Thus, a story seems to emerge whereby states who do not have outstanding human rights records join IOs and these IOs improve their compliance with human rights standards. We would argue that this is strong evidence that these organizations can induce changes in state behavior.

These models also hold constant a number of factors that could explain these findings. Note that the number of existing treaties and human rights organizations are controlled for in the second stage analysis. Indeed, Human Rights IOs is consistently positive and statistically significant in all four sets of estimates, suggesting that states who are members of more IOs tend to join even more. The comparable finding for Human Rights Treaties is only statistically significant in one set of estimates (column 3: Physical Integrity).

Similarly, we control extensively for the influence of regime type and transitions. In each model, the estimate of Democratization is positive and statistically significant indicating that democratizing countries have higher average changes in their human rights IO portfolio.\(^{12}\) Regime Type is consistently positive – more democratic countries join more IOs – yet it is

\(^{12}\) In addition, Democratization is statistically different from Autocratization in each of the four estimates.
statistically different than zero in only two of the four sets of estimates. Other control variables of note include Former Communist which is consistently of the expected sign and highly statistically significant, as well as Dispute which also takes on the expected sign and is significant in three of four sets of estimates.

These second-stage findings on predicted compliance are robust to model specification, including removing the democratic transition variables from the second stage, removing the measures of IO and treaty involvement from the creation of the first stage instrument, and removing the lagged endogenous variable from the creation of the instrument.

6. Conclusion

While this has only been a first cut at the question of compliance and membership in human rights institutions, we feel it has shed some light on our puzzle. Contrary to our initial expectations, expected compliance in all four areas of human rights we examined positively correlates with predicted changes in human rights organizations. This suggests that states who do not protect and promote human rights are comparatively more likely to join human rights organizations. Yet, our initial analysis of compliance suggests that these same organizations are likely to improve human rights behavior over time.

We plan to add more tests concerning membership questions in our sample of 44 human rights treaties to see if the same logic emerges from that sample. If poor compliance predicts more accession to human rights treaties, we would suggest that this is indeed bad news all around: since treaties seem to have only negative consequences (or no consequences at all) for human rights compliance, a similar finding on membership (poor compliance encourages joining) would lead to a “spiral” of non-compliance. Non-compliant states are more likely to sign treaties, and these treaties have no short-term influence on their behavior. While we hesitate
to speculate about this potential finding, we would note that it is consistent with significant empirical evidence to date regarding UN treaties.

In sum, the bad news about compliance is not bad news about cooperation. And indeed, the good news we find about cooperation could well have long-term positive implications for the nature of compliance in the area of human rights.
### TABLE 1. ESTIMATES OF THE DETERMINANTS OF HUMAN RIGHTS BEHAVIOR

<table>
<thead>
<tr>
<th>Variable</th>
<th>Political Rights</th>
<th>Civil Liberties</th>
<th>Phys. Integrity</th>
<th>Worker Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lagged Behavior</td>
<td>3.273***</td>
<td>3.746***</td>
<td>0.968***</td>
<td>1.979***</td>
</tr>
<tr>
<td></td>
<td>(0.141)</td>
<td>(0.108)</td>
<td>(0.037)</td>
<td>(0.114)</td>
</tr>
<tr>
<td>#IOs</td>
<td>-0.074***</td>
<td>-0.046***</td>
<td>0.032</td>
<td>0.104***</td>
</tr>
<tr>
<td></td>
<td>(0.015)</td>
<td>(0.017)</td>
<td>(0.021)</td>
<td>(0.030)</td>
</tr>
<tr>
<td>#Treaties</td>
<td>0.042**</td>
<td>0.045***</td>
<td>-0.055***</td>
<td>-0.128</td>
</tr>
<tr>
<td></td>
<td>(0.019)</td>
<td>(0.017)</td>
<td>(0.016)</td>
<td>(0.132)</td>
</tr>
<tr>
<td>Regime Type</td>
<td>-0.048***</td>
<td>-0.053***</td>
<td>0.035***</td>
<td>-0.080***</td>
</tr>
<tr>
<td></td>
<td>(0.015)</td>
<td>(0.012)</td>
<td>(0.011)</td>
<td>(0.012)</td>
</tr>
<tr>
<td>Trade (log)</td>
<td>-0.072</td>
<td>-0.072</td>
<td>0.170**</td>
<td>0.089</td>
</tr>
<tr>
<td></td>
<td>(0.060)</td>
<td>(0.060)</td>
<td>(0.069)</td>
<td>(0.077)</td>
</tr>
<tr>
<td>pcGDP (log)</td>
<td>-0.321***</td>
<td>-0.279***</td>
<td>0.203</td>
<td>0.049</td>
</tr>
<tr>
<td></td>
<td>(0.100)</td>
<td>(0.100)</td>
<td>(0.125)</td>
<td>(0.149)</td>
</tr>
<tr>
<td>Population (log)</td>
<td>0.046</td>
<td>0.067</td>
<td>-0.407***</td>
<td>-0.196**</td>
</tr>
<tr>
<td></td>
<td>(0.051)</td>
<td>(0.052)</td>
<td>(0.072)</td>
<td>(0.077)</td>
</tr>
</tbody>
</table>

| Observations      | 3991             | 3989            | 2556            | 2587          |
| Number of countries| 162              | 162             | 151             | 151           |
| Log-likelihood    | -2587.08         | -2508.97        | -1341.55        | -1724.96      |

Ordered logit (clustered standard errors in brackets). Estimates of regional fixed-effects and cut points are excluded to save space. Likelihood ratio tests reject the null hypothesis that the region effects should be excluded.

significant at 10%; ** significant at 5%; *** significant at 1%; all tests two-tailed.
### Table 2. Estimates of the Determinants of IO Membership Changes

<table>
<thead>
<tr>
<th>Variable</th>
<th>Political Rights</th>
<th>Civil Liberties</th>
<th>Phys. Integrity</th>
<th>Worker Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pred. Compliance</td>
<td>0.010***</td>
<td>0.007**</td>
<td>-0.014*</td>
<td>-0.026***</td>
</tr>
<tr>
<td></td>
<td>(0.003)</td>
<td>(0.003)</td>
<td>(0.007)</td>
<td>(0.009)</td>
</tr>
<tr>
<td>#IOs</td>
<td>0.033***</td>
<td>0.037***</td>
<td>0.035**</td>
<td>0.026*</td>
</tr>
<tr>
<td></td>
<td>(0.010)</td>
<td>(0.011)</td>
<td>(0.015)</td>
<td>(0.015)</td>
</tr>
<tr>
<td>#Treaties</td>
<td>0.037</td>
<td>0.030</td>
<td>0.065***</td>
<td>-0.015</td>
</tr>
<tr>
<td></td>
<td>(0.038)</td>
<td>(0.038)</td>
<td>(0.024)</td>
<td>(0.108)</td>
</tr>
<tr>
<td>Regime Type</td>
<td>0.007*</td>
<td>0.002</td>
<td>0.002</td>
<td>0.007***</td>
</tr>
<tr>
<td></td>
<td>(0.004)</td>
<td>(0.003)</td>
<td>(0.003)</td>
<td>(0.002)</td>
</tr>
<tr>
<td>Democratization</td>
<td>0.137***</td>
<td>0.146***</td>
<td>0.102***</td>
<td>0.078**</td>
</tr>
<tr>
<td></td>
<td>(0.047)</td>
<td>(0.045)</td>
<td>(0.031)</td>
<td>(0.030)</td>
</tr>
<tr>
<td>Autocratization</td>
<td>-0.049</td>
<td>-0.026</td>
<td>-0.049</td>
<td>-0.008</td>
</tr>
<tr>
<td></td>
<td>(0.041)</td>
<td>(0.039)</td>
<td>(0.042)</td>
<td>(0.033)</td>
</tr>
<tr>
<td>Dispute</td>
<td>-0.019**</td>
<td>-0.014</td>
<td>-0.024**</td>
<td>-0.017**</td>
</tr>
<tr>
<td></td>
<td>(0.010)</td>
<td>(0.009)</td>
<td>(0.010)</td>
<td>(0.007)</td>
</tr>
<tr>
<td>Year</td>
<td>-0.028**</td>
<td>-0.023</td>
<td>-0.041***</td>
<td>-0.009</td>
</tr>
<tr>
<td></td>
<td>(0.012)</td>
<td>(0.015)</td>
<td>(0.012)</td>
<td>(0.007)</td>
</tr>
<tr>
<td>Major Power</td>
<td>-0.061</td>
<td>-0.076</td>
<td>-0.014</td>
<td>-0.058</td>
</tr>
<tr>
<td></td>
<td>(0.057)</td>
<td>(0.055)</td>
<td>(0.062)</td>
<td>(0.047)</td>
</tr>
<tr>
<td>Independence</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td></td>
<td>(0.000)</td>
<td>(0.000)</td>
<td>(0.000)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>Former Communist</td>
<td>0.454***</td>
<td>0.407***</td>
<td>0.303***</td>
<td>0.245***</td>
</tr>
<tr>
<td></td>
<td>(0.138)</td>
<td>(0.122)</td>
<td>(0.091)</td>
<td>(0.092)</td>
</tr>
<tr>
<td>Constant</td>
<td>54.637**</td>
<td>45.490</td>
<td>80.752***</td>
<td>18.283</td>
</tr>
<tr>
<td></td>
<td>(23.482)</td>
<td>(28.356)</td>
<td>(23.110)</td>
<td>(13.209)</td>
</tr>
</tbody>
</table>

**Observations** 3499 3498 2190 2217  
**Number of countries** 162 162 151 151  
**$\chi^2$** 66.71*** 52.56*** 129.63*** 75.60***  

Ordered logit (clustered standard errors in brackets). Estimates of regional fixed-effects and cut points are excluded to save space. Likelihood ratio tests reject the null hypothesis that the region effects should be excluded.  
* significant at 10%; ** significant at 5%; *** significant at 1%
References


