Human Rights Institutions, Sovereignty Costs and Democratization

EMILIE M. HAFNER-BURTON, EDWARD D. MANSFIELD AND
JON C.W. PEVEHOUSE*

Why do countries join international human rights institutions, when membership often yields few material gains and constrains state sovereignty? This article argues that entering a human rights institution can yield substantial benefits for democratizing states. Emerging democracies can use the 'sovereignty costs' associated with membership to lock in liberal policies and signal their intent to consolidate democracy. It also argues, however, that the magnitude of these costs varies across different human rights institutions, which include both treaties and international organizations. Consistent with this argument, the study finds that democratizing states tend to join human rights institutions that impose greater constraints on state sovereignty.

Both the number of international human rights institutions and the number of countries participating in these institutions have risen dramatically in recent decades. This development has sparked a heated debate over why states choose to enter institutions that are designed to establish and monitor compliance with human rights standards. States bear what are often referred to as 'sovereignty costs' when they surrender discretion over national policies in order to adhere to the standards set by an international institution.[1] Considerable interest has been expressed in why a government would voluntarily elect to pay the sovereignty costs of participating in a human rights institution – especially accepting the constraints that the institution imposes on how a government treats its citizens – when it seemingly obtains no material gains from membership.

The costs of participation in a human rights institution depend on its design. Institutions characterized by obligation, precision, and delegation – features that are promoted by rule specificity, issue linkage, membership restrictions, formal reporting, monitoring of behavior, and enforcement procedures – place substantial constraints on members' sovereignty.[2] Other human rights institutions, however, impose lower sovereignty costs

[1] For example, see Moravscik 2000, 227.

[2] Abbott and Snidal 2000.

on member states.[3] Human rights institutions are both widespread and heterogeneous. They include United Nations (UN)-sponsored human rights treaties as well as international organizations (IOs) designed to govern how countries treat individuals within their borders. A growing body of research has focused on government ratification of a small number of specific human rights treaties.[4] Yet much less attention has been paid to a larger (and growing) set of IOs that promote, advance, or enforce human rights – or to the variation in the costs to states of participation in such institutions.

We argue that democratizing states have a particular incentive to enter human rights institutions that extract more substantial membership costs. Bearing these costs signals that their commitment to liberal policies and the consolidation of democracy is not 'cheap talk'. Emerging democracies can use these participation costs to help lock in liberal policies. Moreover, democratizing governments often respond to inducements from more established democracies to join such institutions. For all three reasons, these states are particularly likely to accede to human rights institutions that extract substantial participation costs. Stable democracies may also enter these institutions in response to domestic political pressures and in support of broader foreign policy goals, but they have fewer incentives to do so than emerging democracies. Autocracies (and autocratizing countries) have the weakest incentives of any regime type to join high-cost human rights institutions.

Using a new dataset on human rights institutions and an original measure of sovereignty costs, we generate some of the first cross-national evidence on why and when states seek membership in these institutions and how membership varies with institutional design. The results provide strong support for our argument. States engaged in a democratic transition are more likely than other regime types to join human rights institutions that levy extensive sovereignty costs on participants. Stable democracies and stable autocracies are both less likely than democratizing countries to enter into high-cost human rights institutions, although all three types of governments readily enter into low-cost institutions. Our results suggest that democratizing countries have a different motivation for seeking membership in human rights institutions than other countries do.

REGIME TYPE AND HUMAN RIGHTS INSTITUTIONS

We argue that states experiencing a democratic transition are particularly motivated to pay the sovereignty costs associated with membership in human rights institutions, and that they are therefore drawn to institutions that impose especially high costs. Democratizing states are more likely than other states to incur higher sovereignty costs in order to signal that they are not engaging in cheap talk about human rights as well as to lock in domestic political reforms.

For the government of a democratizing country that sincerely wants to consolidate its democratic institutions, joining an international institution that insists its members safeguard the human rights of their citizens has various benefits. Respect for these rights is a keystone of democracy. Joining a human rights institution that extracts high costs enhances the credibility of the government's commitment to democratic reform and sends a credible signal to both domestic and foreign audiences that it is serious about such change. By contrast, mature democracies and dictatorships are less motivated to join

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[3] Cole 2009.
[4] Cole 2005; Goodliffe and Hawkins 2006; Hafner-Burton 2012; Hathaway 2007; Landman 2005; Neumayer 2005; Simmons 2009; Smith-Cannoy 2012; Vreeland 2008.

high-cost institutions because membership infringes on their sovereignty and has few corresponding benefits.

As Moravcsik argues, governments seek binding commitments to human rights institutions, such as the European Convention on Human Rights, when the benefits of reducing uncertainty over future human rights policy exceed the sovereignty costs of membership.[5] Emerging democracies gain most from an external mechanism to help guide domestic policy because they have the strongest incentive to demonstrate that they intend to act democratically in the future – including an avowal to protect human rights. For the government of a democratizing country, the sovereignty costs associated with membership in a human rights institution lock in domestic reforms and reduce the likelihood that these reforms will be rolled back in the future. In contrast, both established democracies and dictatorships tend to oppose binding commitments to human rights.[6] Because established democracies already demonstrate respect for human rights, they are generally reluctant to bear the sovereignty costs of entering human rights institutions. Pressure from domestic interest groups sometimes prompts established democracies to join these institutions, but such governments have fewer incentives to do so than the governments of democratizing countries. And while autocratic governments could potentially benefit from participating in human rights institutions, unless they can be assured that the associated costs will be modest, they also tend to eschew membership.[7]

Although we draw on Moravcsik's argument, his logic applies to a subset of institutions that extract high sovereignty costs by requiring members to surrender discretion over national policies. Not all human rights institutions impose high sovereignty costs on members. These costs vary across institutions, depending on their design. If there is a large degree of uncertainty about enforcement, delegation to an international agent will not tie the hands of government officials and thereby limit their ability to mistreat citizens. As such, we expect that democratizing states will be attracted to human rights institutions that impose high sovereignty costs; but contrary to Moravcsik, we do not expect these states to display a similar tendency to enter low-cost institutions more often than other types of states.

We also depart from Moravcsik by arguing that credible commitments are only one of several possible motivations for new democracies to join human rights institutions. For democratic consolidation to succeed, the public must believe that democratic reforms are genuine.[8] One way a new government can credibly signal its intention to carry through on reform is by joining international institutions.[9] In an emerging democracy in which citizens fear human rights abuses, the government can reassure a nervous public by entering institutions that regulate and monitor citizens' treatment. Moreover, membership in these institutions can signal to other states, multinational firms, and transnational social movements that a new democracy is protecting human rights.[10]

However, the clarity of a signal to support human rights is weakened if states join institutions that impose few costs. Because such institutions lack strong enforcement mechanisms and contain imprecise or minimal obligations, participation sends a less

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[5] Moravcsik 2000.
[6] Moravcsik 2000.
[7] Cole 2009; Landman 2005; Simmons 2009.
[8] Mainwaring 1992.
[9] Pevehouse 2005.
[10] Hawkins 1997.

credible signal of a government's intentions to treat citizens humanely than membership in a higher-cost institution. This is not to say that lower-cost human rights institutions have no inherent value. Joining one can be costly if a government does not intend to abide by the agreement, but participation raises expectations that the government will respect human rights. This is especially true in the case of new democracies, for which being granted membership in an international institution is often a form of global recognition.[11] Moreover, the public in these countries is likely to be aware of such memberships, since participation in more liberal international institutions is a clear break from past authoritarian practice.[12] As Pridham notes in the case of Southern Europe, for example, 'Undoubtedly, the citizens of [Southern Europe] felt gratification over being treated as equals by international partners … We may say that external policy practice has confirmed the credibility of the democratic decision-making structures'.[13] By reneging on international commitments, regardless of whether they are punished by other treaty members, some leaders risk a domestic political backlash.

Joining an international institution with a greater capacity for enforcement sends a clearer signal. Although any international commitment has the potential to create groups within society that will monitor the government's behavior and press it to adhere to the agreement, emerging democracies are more likely to prefer making commitments to organizations that extract sizable sovereignty costs. As Hathaway argues, the 'expressive' (signaling) benefits of joining an international institution become attenuated when the 'instrumental' (legal enforcement) possibilities are low.[14] While states gain some utility from signing low-cost human rights treaties, Hathaway shows that the difficulties associated with enforcing the treaties' terms create a pooling equilibrium in which the act of signing such a treaty conveys no information about the intent of the signatories.

Making commitments that have a greater likelihood of being enforced – such as those stemming from membership in institutions that create precise obligations and mechanisms to enforce them – sends a clearer and stronger signal. Whereas scholars often treat establishing credible commitments and signaling as distinct processes, they are intimately related in the human rights realm. Less-credible commitments have low signaling value. If a country wants to make a costly commitment in order to increase the quality of the signal about its future intentions, then it is more likely to do so by joining high-cost human rights institutions, where the possibility of enforcement is greater, rather than by joining low-cost institutions.

The decision to enter a human rights institution – whether an IO or a treaty – is not driven by prospective members alone. There is also a supply side to this process, especially for IOs. Established democracies often provide inducements for emerging democracies to join such institutions, including financial assistance or the promise of future membership in more exclusive international organizations, such as the European Union (EU) or NATO.[15] The EU, for example, all but requires countries to enter various human rights treaties and organizations before being granted membership.

Our expectations regarding emerging democracies are clear. Although we cannot directly observe hand tying, signaling processes, or inducements, we can detect some

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[11] Klebes 1999; Pevehouse 2005.
[12] Pridham 1994.
[13] Pridham 1995, 191.
[14] Hathaway 2002; Hafner-Burton 2005.
[15] Hawkins 2004; Hafner-Burton 2005, 2009; Kelley 2004.

implications of each of these factors. The underlying causal logic for each implies that states experiencing a democratic transition are more motivated to join human rights institutions with high sovereignty costs, and are less motivated to participate in institutions with lower sovereignty costs.

Our expectations about established democracies are less straightforward. Because there is little uncertainty about whether stable democracies will respect human rights, there is less need for them to signal future policy intentions. Domestic remedies also preclude the need for external solutions to problems that arise. Thus there is less reason for established democracies to join human rights institutions of any kind. As sovereignty costs increase, consolidated democracies are even more unlikely to join these institutions.[16]

As a system of governance, however, democracy is not only consistent with respect for human rights, but it also provides opportunities for non-governmental actors to pressure the government.[17] In light of the premium placed on human rights in established democracies, interest groups may well press the government to join human rights institutions. Moreover, various established democracies have made promoting political liberalization and democracy abroad a foreign policy priority.[18] The Clinton, Bush, and Obama administrations have made this goal a pillar of US foreign policy. Indeed, when human rights institutions provide inducements for transitional states to become members, democratic participants often furnish these incentives. And because it is easier to provide these incentives as members of the human rights institution, established democracies *may* join such institutions.

Finally, we expect autocracies to avoid participation in high-sovereignty-cost institutions. These states often use human rights violations as a means to govern and redistribute resources. They have no direct incentive to protect human rights by delegating authority to an international institution that could credibly punish them for violations. Some dictators may join these institutions, feigning interest in human rights, if other linked benefits are large enough to offset the cost of membership. Yet if the cost of participating in these institutions is high, we expect that autocratic leaders will generally eschew membership. However, lower-sovereignty-cost institutions might attract non-democratic states.

In sum, we expect transitional democracies to display a pronounced tendency to join human rights institutions that place high costs on them. Consolidated democracies may also enter these institutions, but they have fewer incentives to do so. Autocracies should also enter less frequently, preferring lower-cost institutions that facilitate cheap talk.

VARIATIONS IN SOVEREIGNTY COSTS

For our purposes, human rights institutions are comprised of treaties concluded under the auspices of the UN as well as both universal and regional international organizations that seek to protect human rights. Although various observers agree that membership in human rights institutions imposes costs on states, some institutions are better than others at generating sovereignty costs.[19] We now turn to a discussion of the factors that affect the magnitude of these costs. We argue that human rights institutions marked by

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[16] Moravscik 2000; von Stein 2005.
[17] Hathaway 2003.
[18] Carothers 1999; Smith 1994.
[19] Cole 2009; Koh 1997; Simmons 2009.

extensive precision, obligation, and delegation impose high sovereignty costs on participants.[20] Other institutions generate fewer sovereignty costs because they have weaker enforcement mechanisms, a lack of institutional capacity, or no formal reporting on human rights conditions in member states. As such, some institutional commitments to human rights, even if spelled out in a charter or agreement, may be cheap talk.

Precision

Institutions extract greater costs when their rules are more precise, since precise rules generally are not subject to interpretation or political maneuvering. Highly determinant rules clearly proscribe certain behaviors, while more general guidelines leave open the possibility of behavior that is inconsistent with the spirit of the commitment.[21] Yet because vague guidelines can be creatively interpreted, it may not be clear whether enforcement is called for.

In the case of human rights, these institutions are more precise when they make specific reference to human rights norms or when protecting human rights is their sole mission.[22] For example, the Inter-American Commission on Human Rights within the Organization of American States (OAS) makes specific references to the Inter-American Convention on Human Rights. Similarly, the Council of Europe draws on the European Convention on Human Rights for its legal authority. Whereas these institutions are highly precise, imprecise institutions make only vague references to the improvement of human rights, with no direct reference to actual human rights law. The League of Arab States and the International Organization for Migration, for example, both pledge to uphold human rights, but offer little specific detail on which rights and what laws or treaties are relevant.

Obligation

Institutions also entail greater sovereignty costs when they create more obligations for members. Obligations are voluntary legal commitments that indicate the 'intent to be legally bound'.[23] Extensive obligation involves unconditional pledges to be bound, whereas little obligation is generated by mere recommendations or an intent to remain unbound by an agreement. The clearer and more binding the commitment, the more a state is obligated to act in a particular manner. Sovereignty costs are higher when these commitments are more binding and explicit, since the state is pledging via a legal instrument.

In terms of obligation, human rights institutions extract sovereignty costs in a variety of ways. First, while every organization and treaty in our sample addresses human rights, they vary in how formally they do so. Institutions extract costs when they explicitly create a formal apparatus to focus on human rights, because such an apparatus improves the odds that commitments to uphold human rights standards will be consistently and explicitly discussed by member states. The Latin American Parliament, for example, is marked by a relatively high level of obligation. It maintains a Commission on Human Rights, Justice, and Prison Policies. The Andean Parliament, by contrast, is characterized

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[20] Abbott and Snidal 2000; Abbott et al. 2000.
[21] Abbott et al. 2000, 415.
[22] Haas 1980.
[23] Abbott et al. 2000, 410.

by a lower level of obligation. It pledges to 'ensure respect for human rights', but there is no formal part of the institution that deals with human rights issues.

Second, institutions create stronger obligations when they establish strict human rights or democracy requirements for membership.[24] Some organizations require countries to meet an existing standard of democratic governance or respect for human rights as a condition of membership. The EU is the most famous in this regard; its *acquis communitaire* reviews applicants to ensure their suitability for membership along many dimensions, including democracy and human rights.[25] In the same vein, the Southern African Development Community (SADC) stipulates that all members should 'enshrine the principles of equal opportunities and full participation of the citizens'.[26] Most of the organizations (and all of the treaties) in our sample, however, do not have explicit membership criteria and therefore create relatively few explicit obligations for participating countries.

Delegation

Institutions characterized by widespread delegation also extract extensive sovereignty costs. Generally, delegation involves vesting third parties (in our case, human rights institutions or non-governmental organizations [NGOs]) with the authority to carry out tasks that could otherwise be performed by states. Among these tasks are dispute settlement, enforcement, and monitoring members' behavior.[27] Delegation increases sovereignty costs through a number of channels, including the creation of monitoring and enforcement mechanisms to which members grant authority in the human rights arena.

First, shifting responsibility for monitoring compliance with human rights obligations to an institution is one aspect of delegation. Some institutions have a formal committee, subcommittee, working group, or equivalent body inside the organization that is formally charged with human rights reporting. For example, the Agencie de la Francaphonie issues a human rights report on each member every two years. The Commissioner of the Council of the Baltic Sea States also issues regular reports about respect for human rights and civil liberties. Yet many other institutions that attempt to protect human rights do not issue reports on members' treatment of people.

Some institutions also promote frequent interaction over (and discussion of) human rights issues. Institutions that hold regular meetings, or have the ability to call ad hoc meetings on human rights issues, create higher sovereignty costs because they delegate control of this monitoring process to the international institution. For example, the Central European Initiative can call ad hoc meetings at the suggestion of its working groups, and the League of Arab States can convene emergency meetings at the request of its members.

Second, some human rights agreements specifically delegate enforcement of human rights to the international institution and its member states, rather than leaving enforcement as the exclusive purview of states. In particular, the African, Caribbean, and

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[24] Hafner-Burton 2005; Schimmelfennig 2005.

[25] Kelley 2004.

[26] Of course, these principles or conditions may or may not be enforced. We leave this issue for future research and determine sovereignty costs by variations in institutional design. This tack is consistent with studies that define legalization as 'key characteristics of rules and procedures, not in terms of effect' (Abbott et al. 2000, 402).

[27] Abbott et al. 2000, 416.

Pacific Group of States maintains that respect for human rights is an 'essential element' of co-operation and reserves the right to suspend the membership of countries that violate their commitment to human rights. Council of Europe members have also delegated significant enforcement power to that organization in the realm of human rights, since the European Court of Human Rights has the power to overturn domestic laws that it finds objectionable.

Delegating enforcement of the core UN human rights treaties often occurs through optional protocols, which gives international bodies the right to hear complaints from individual citizens of signatory countries. For example, the UN Convention on Civil and Political Rights (CCPR) and the Convention Against Torture (CAT) both contain optional language that, if adopted by a member state, delegates some enforcement and monitoring power to institutions associated with those two agreements. In the extreme, this delegation removes state control from monitoring the agreement. Clearly these institutional features create more obligations for members than institutions that have no formal reporting or monitoring procedure.

Finally, delegation is more extensive if NGOs are formally consulted when institutions take up human rights issues.[28] This increases the likelihood that states violating human rights standards will be publicly reproached by non-governmental third parties over which members have no control; states are much more likely to comply with their international human rights commitments when NGOs have a strong presence and the capacity to mobilize popular support.[29] Of course, human rights institutions vary widely in how much access they give NGOs. For example, the Convention on the Elimination of All Forms of Discrimination's body serves as a broker between national human rights delegations and NGOs. In the realm of international institutions, the African Commission on Human and People's Rights grants observer status to NGOs and reserves the right to consult with NGOs at any point. Many other institutions, however, have little to no role for NGOs.

Thus there is considerable variation in the design of human rights institutions. In the next section, we discuss our sample of human rights institutions and the operationalization of our key theoretical concept of sovereignty costs.

THE DATA

Human Rights Institutions

There is no existing dataset that we can draw on to test our argument. The most extensive dataset on international organizations was compiled by the Correlates of War (COW) Project,[30] but it does not suit our purposes particularly well. Many human rights IOs are emanations – organizations created by other organizations. The COW data, however, excludes all emanations, limiting its usefulness in creating a measure of commitment to human rights-related IOs.

To fill this gap, we identified and coded state membership in organizations that announced an intention to promote, advance or enforce human rights from 1945 to 2000. We identified these organizations by searching the 2000 *Yearbook* of the Union of

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[28] Keck and Sikkink 1998; Risse and Sikkink 1999; Sikkink 1993.
[29] Hafner-Burton and Tsutsui 2005; Neumayer 2005; Simmons 2009.
[30] Pevehouse, Nordstrom, and Warnke 2004.

International Associations (UIA) and examining every IO's stated 'Goals and Aims'.[31] 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 intergovernmental. The UIA included some organizations that consist almost entirely of individual citizens or experts who do not speak for or represent a government. Secondly, we excluded IOs that have rotating memberships. Some emanations from the 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. We are interested only in human rights organizations that states actively decide to join.

Our sample of IOs is heterogeneous with respect to size, region, and scope of the organization's overall mission. For example, the sample includes the Organization for Security and Co-operation in Europe (OSCE), which is the world's largest regional security organization, with fifty-six participating states. Its Office for Democratic Institutions and Human Rights (ODIHR) is active in election observation, democratic development, human rights, tolerance and non-discrimination, and rule of law. Also included is the Organization for Economic Co-operation and Development, which aims to integrate human rights and development. The SADC works to ensure economic well-being, improve standards of living and quality of life, promote freedom and social justice, and foster peace and security for members. The League of Arab States attempts to strengthen political, cultural, economic and social programs among its twenty-two members. It now also monitors implementation of the updated Arab Charter on Human Rights. At first blush, our sample of IOs may seem overly broad. However, even organizations that do not have human rights as a central focus can impose significant sovereignty costs. We return to this issue later when we attempt to measure variations in human rights policies (monitoring, enforcement, etc.) among the institutions in our sample.

An important coding issue is related to international courts: some organizations create treaties and courts to enforce the treaties.[32] For example, the OAS created the American Convention on Human Rights and two organizations to enforce the treaty. The Inter-American Commission on Human Rights investigates violations of individuals' human rights, monitors members' behavior, educates publics and governments on human rights matters, recommends policies to protect human rights, and submits cases of violations for consideration in the Inter-American Court of Human Rights. However, the Court applies

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[31] To insure that our choice of year did not influence our sample, we examined the institutions that the COW IGO project classified as 'dead' between 1945 and 2000. Our search yielded no IGOs that could have been a member of our sample.

[32] In addition, there might appear to be some overlap between human rights IOs and treaties. Each UN treaty creates an organization to help monitor members. The UN International Covenant on Civil and Political Rights, for example, established the Human Rights Committee. In principle, this could be problematic for our analysis, since the treaties create organizations that could, in theory, better generate credible commitments and clearly signal intentions. In practice, however, these attendant organizations do not meet the formal definition of an IO and are not part of our IO dataset. First, these organizations often include both state-sponsored representatives and private citizens. Second, some of the organizations do not convene in regular intervals or meet only after long recesses. Finally, only some treaty members recognize the competence of the monitoring body to consider complaints about treaty violations. Not all members of the treaty recognize the IO's jurisdiction.
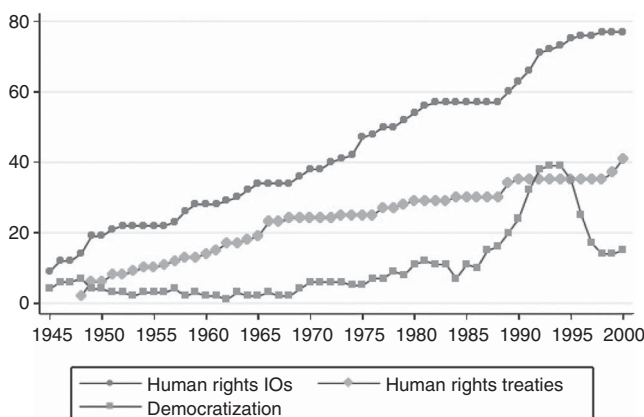
Fig. 1. *Human rights institutions and democratization, 1945–2000*

and interprets the treaty only in countries that accept its jurisdiction. For the purposes of our data, only states accepting jurisdiction are considered members.[33]

We added data on membership in all UN human rights conventions, covenants, and protocols created between 1945 and 2000 to our data on IOs.[34] Our sample of treaties covers a diverse range of issues. For example, the Convention on the Prevention and Punishment of the Crime of Genocide requires state parties to enact the necessary legislation to provide effective penalties for people who commit genocide. Other treaties commit members to eliminate all forms of racial discrimination, prohibit torture, or protect the freedom of association and the right to organize.

Figure 1 shows a time series of the human rights institutions that comprise our sample as well as the yearly number of democratic transitions, both of which we describe later. There is clear evidence of a rise in the number of such institutions from 1945 to 2000. The number of democracies in the world has steadily risen during this period as well, triggered by the beginning of the 'third wave' of democratization in the early 1970s and the collapse of the Soviet bloc.[35]

Sovereignty Costs

There is no agreed upon way of measuring the sovereignty costs that a human rights institution imposes on member states. Only one empirical study that we are aware of has developed such a measure. Cole gauges the extent of a state's obligation to human rights treaties by the state's level of membership – signing a treaty incurs a weaker obligation than ratifying – and the treaty's level of surveillance for monitoring compliance.[36] His study applies to three UN treaties. In an initial effort to design a more generalizable measure of institutional sovereignty costs that applies to both treaties and IOs, we code

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[33] This is akin to the International Court of Justice, in which only states accepting universal jurisdiction are coded as members.
[34] von Stein 2012.
[35] Huntington 1991.
[36] Cole 2009.

each institution in our sample based on the following ten indicators of precision, delegation and obligation.

Precision:

1. Is human rights the only issue (1) or is the institution multi-issue (0)? Institutions were coded as having human rights as the only issue in instances when all of the multiple issues center on human rights (for example, the institution's mission is democracy, human rights, and rule of law).
2. Any formal institution that focuses on human rights (1) or not (0)? Does a specific committee, subcommittee, working group, or equivalent focus on human rights? Also coded 1 if the entirety of the institution focuses on human rights.
3. Are human rights rules specific references to law (1) or general (0)? Coded as 0 if the institution only refers to human rights in very general terms. Coded as 1 if it makes a specific reference to a convention or treaty.

Delegation:

4. Does the institution engage in formal reporting (1) or not (0)? Institutions that had human rights-specific reporting or an annual report (general report) that included extensive coverage of human rights issues are coded as 1.
5. Does the institution hold annual meetings on human rights (1) or not (0)?
6. Does the institution have the ability to call ad hoc meetings (1) or not (0)? Meetings must have the ability to focus on human rights or human rights-related issues.
7. Are NGOs formally consulted (1) or not (0)? Coded as 1 if there are co-operative efforts or if an N60 is accorded observer-status.

Obligation:

8. Is there a built-in enforcement mechanism (1) or not (0)? Coded as 1 if a member state can be removed from the institution if it violates human rights, or if a court or similar body can rule in relation to human rights violations.
9. Does formal membership include a human rights requirement (1) or not (0)? Coded as 0 if documents mention 'promotion of human rights' as important to the institution, but states can join without meeting this criteria in advance.
10. Does formal membership include a democracy requirement (1) or not (0)? Coded as 0 if documents mention 'promotion of democracy' as important to the institution, but states can join without meeting this criteria in advance.

The first three items are included in order to assess the concept of precision: how clear are commitments to uphold human rights, and are those commitments grounded in specific international laws? Items 4–7 are included to capture the concept of delegation: how much power (that would normally reside at the state level) to monitor or gather information is given to the international institution (or related actors such as NGOs)? The final three items help measure obligation by addressing the expectations of enforcement prior to and after accession. Clearly, this is not an exhaustive list of the institutional design characteristics that affect sovereignty costs, and design features that tend to raise sovereignty costs may not always increase the actual costs borne by members. Nonetheless,

there is ample reason to expect these ten characteristics to play a crucial role in shaping sovereignty costs. Focusing on them will allow us to take a useful first cut at the important task of measuring these costs.

The complete list of fifty-seven IOs and thirty-six treaties in our sample, together with the sovereignty-cost score for each institution, is available in the online appendix.[37] For each state, we code sovereignty costs in the year it accedes to a human rights institution. In all other years, sovereignty costs are assigned a value of 0. In any year when a given state joins more than one institution, we calculate the sum of the sovereignty cost scores of the institutions it entered.[38] For each institution, a higher score reflects greater precision, delegation, and obligation – and therefore higher sovereignty costs.[39]

For example, the League of Arab States scores a 2 on our sovereignty cost index. It receives one point due to the Permanent Arab Committee for Human Rights, a formal institution created to monitor member states' respect for human rights. It receives another point for its ability to call ad hoc meetings to discuss human rights or humanitarian situations within member states. It is coded 0 on each of the remaining eight categories described above. To take another illustration, the OSCE score an 8 on our sovereignty cost index. It has a permanent body to deal with human rights issues (1 point); it regularly publishes human rights reports concerning member states (1 point); holds several meetings each year to discuss human rights issues (1 point); can hold ad hoc meetings to address these issues (1 point); allows NGO consultation regarding human rights (1 point); conditions membership on the human rights behavior of its members (1 point); provides political enforcement for human rights standards (1 point); and finally, obligates member states to act consistently with the UN Charter, the UN Declaration of Human Rights and any UN Covenants that members states have signed (1 point).

To take an example from our treaty sample, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) is coded as having a sovereignty cost score of 6. It receives one point each for its sole focus on human rights, the presence of a permanent internal institution dealing with human rights (the Committee on the Elimination of Discrimination Against Women), frequent meetings regarding human rights, the ability to call ad hoc meetings concerning human rights, the status given NGOs to consult with the Committee and the requirement of reporting on implementation efforts for members. If a state has joined CEDAW's first optional protocol, its sovereignty score would be higher (by 1 point) for the year a state acceded to that protocol.

We expect a positive relationship between democratization and our measure of weighted institutional memberships, since emerging democracies should seek membership in higher-sovereignty-cost institutions. Note that within our sample of treaties, we code all but two optional protocols as though they are independent institutions.[40] Moreover, sometimes these protocols have higher sovereignty costs associated with them than the

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[37] A treaty must have entered into force by 2000 to be included in our sample.

[38] It is possible, then, that a state joining several very low-cost IOs could receive the same score as a state joining one high-cost IO. This is not common in our data, however. Moreover, the correlation between the number of IOs joined and the sovereignty cost score is very high ($r = 0.93$).

[39] We also estimate the models using the mean and maximum (rather than the sum) of the sovereignty cost score when a country joined more than one institution in a given year. Our results are nearly identical to those presented below.

[40] Note that usually, the decision to adopt a protocol is conditional on the decision to join the original treaty from which it stems. An exception is the United States and its membership in the optional protocols

treaties themselves. For example, the CAT optional protocol establishes a system of regular visits by independent international and national bodies to investigate allegations of torture in member states. If new democracies hope to create sovereignty costs through the UN treaty system, for example, we would expect them to sign these high-cost protocols. Thus we treat the decisions to accede to a treaty and to its related protocols as independent.

There are three exceptions to our optional protocol coding. In two instances, we treat optional protocols (to CEDAW and the first CCPR) as expanding the competence of the original treaty body that monitors member compliance. We treat declarations under Articles 21 and 22 of the CAT in a similar manner. In these cases, the expanded powers involve receiving and considering complaints from individuals or groups within its jurisdiction. Therefore in the year a state ratifies either of the two optional protocols or agrees to adhere to either of the optional CAT articles, their sovereignty-cost score is augmented by one point on our 0 to 10 scale.

A STATISTICAL MODEL OF HUMAN RIGHTS INSTITUTIONS

To test our hypothesis about the influence of democratization on human rights institutions, we estimate the following model:

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\begin{aligned}
\text{Joining HR Institution} = {} & \gamma_0 + \gamma_1 \text{Democratization} + \gamma_2 \text{Autocratization} \\
& + \gamma_3 \text{Stable Democracy} + \gamma_4 \text{Stable Anocracy} \\
& + \gamma_5 \text{\#Human Rights Institutions} + \gamma_6 \text{\#IOs} + \gamma_7 \text{Dispute} \\
& + \gamma_8 \text{Year} + \gamma_9 \text{Hegemony} + \gamma_{10} \text{Former Communist} \\
& + \sum_{i=11}^{16} \gamma_i \text{Region} + \varepsilon_1
\end{aligned} \tag{1}
$$

$$
\begin{aligned}
\text{Sovereignty Costs} = {} & \beta_0 + \beta_1 \text{Democratization} + \beta_2 \text{Autocratization} + \beta_3 \text{Stable Democracy} \\
& + \beta_4 \text{Stable Anocracy} + \beta_5 \text{\#Human Rights Institutions} + \beta_6 \text{Dispute} \\
& + \beta_7 \text{Year} + \beta_8 \text{Hegemony} + \beta_9 \text{Independence} + \beta_{10} \text{Former Communist} \\
& + \sum_{i=11}^{16} \beta_i \text{Region} + \varepsilon_2
\end{aligned} \tag{2}
$$

In this study, the unit of analysis is the country-year. We simultaneously address each state's decision about whether to enter human rights institutions (Equation 1) and the sovereignty costs associated with those institutions (Equation 2). This is essential because past research has shown that democratizing states are more likely to join international institutions writ large.[41] Thus we want to separate the general decision to join an institution from the decision to join a particular type of institution.

(F'note continued)

on the Convention on the Rights of the Child. While the United States is a member of both optional protocols, it has not ratified the main treaty instrument.

[41] Mansfield and Pevehouse 2006.

Therefore the dependent variable in the first stage (*Joining HR Institution*) is the log of the odds that country i will join a human rights institution in year t. This variable is coded as 1 if a state joins a human rights institution in a given year, or 0 otherwise.[42]

The second-stage dependent variable (*Sovereignty Costs*) is the sovereignty costs associated with any human rights institution that state i accedes to in year t. If state i joins multiple human rights institutions in a given year, the sovereignty-cost scores are summed across these institutions. If a state does not join a human rights institution in year t, its sovereignty-cost score for that year is 0.[43]

To measure each state's regime type, we use a twenty-one-point index drawn from an updated version of the Polity IV dataset. The index ranges from 10 for the most democratic states to -10 for the most autocratic ones.[44] Previous studies have defined states as democratic if they score greater than 6 on this index in a given year, t. They have defined states with a score of less than -6 as autocratic. States with scores ranging from -6 to 6 are considered anocratic. Initially, we use these thresholds to create five indicator variables that measure regime change and stability over each five-year period.

In both equations, *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.[45] *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. *Stable Democracy* equals 1 if a state remains democratic between years t-5 and t. *Stable Anocracy* equals 1 if a state remains anocratic during this interval, and *Stable Autocracy* equals 1 if a state remains autocratic during the interval. We exclude *Stable Autocracy*, which is arbitrarily designated the reference category. Consequently, the coefficients of the first four variables reflect the impact of each type of regime relative to being a stable autocracy. We expect the coefficient of *Democratization* to be positive in Equation 2, since our argument is that states experiencing a democratic transition are especially likely to enter human rights institutions that impose higher sovereignty costs on members. We also expect this coefficient to be larger than the coefficients of *Autocratization*, *Stable Democracy*, and *Stable Anocracy*.

Membership in any particular human rights institution is undoubtedly related to the existing set of institutions to which a state is a member. To this end, we control for possible 'ceiling' or 'floor' effects in such membership. As a state participates in a growing number of human rights institutions, the marginal benefit of joining another one may

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[42] This includes IOs in which state i is an associate member. We exclude IOs in which the state is an observer. Associate members generally take part in most IO functions yet may not be fully approved for full membership, while observers usually lack voting power and only consult on IO operations.

[43] It is possible that a state could join an institution with a sovereignty cost score of 0, thus conflating not joining a human rights institution with joining a low-cost institution. Although this is rare in the data, we re-estimate the models including an indicator variable for these cases. The variable itself never achieves statistical significance and has no substantive effect on the other estimates. In addition, we re-estimate Equation 2 after including only cases in which a state joins a human rights institution and adding a variable that controls for the probability of joining a human rights institution (the predicted probability from a probit estimation of Equation 1). The estimates of that model are very similar to the estimates found below.

[44] Gleditsch 2004; Jaggers and Gurr 1995; Marshall 2004.

[45] Mansfield and Snyder 2005.

decline. Further, the number of human rights institutions that a state does not belong to declines as it joins more organizations and treaties, thereby reducing the number of institutions that it could enter. As such, *#Human Rights Institutions* may be inversely related to the change in institutional memberships and sovereignty costs. Alternatively, this relationship may be direct. States that participate in a large number of human rights institutions may be 'joiners', predisposed to enter as many of these institutions as possible.[46] Conversely, states that belong to few human rights institutions may have an aversion to joining more.

It is also possible that 'ceiling' effects or the propensity to be a 'joiner' are not limited to human rights institutions, but apply to international institutions more generally. If, for example, joiners are attracted to all types of international institutions, then states that belong to a large number of these institutions (regardless of the issue areas they cover) might display a propensity to enter human rights institutions. Similarly, states may join so many institutions that they hit a natural ceiling on the number of institutions in which they can fruitfully participate. To address this possibility, we also introduce *#IOs* in the first stage of the model, a count of the total number of international organizations that state i is a member of in year t.[47] The information used to generate this count is taken from the COW IGO data.[48]

It is also crucial that we control for other factors that may prompt states to enter human rights institutions or influence their decisions about which institutions to join. 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.[49] Members of a human rights institution may be reluctant to grant membership to a state involved in interstate disputes, since its belligerence could adversely affect the institution. Moreover, if there is a perceived trade-off between national security and respect for individual liberties during times of conflict, it is unlikely that states would give priority to joining an institution that demands respect for human rights. This is especially likely to be true if the institution in question is intrusive (and thus generates higher sovereignty costs). Finally, if democratization is related to disputes, then it is important to account for MIDs in order to avoid any omitted variable bias.[50]

Second, we include a trend (*Year*) in both model stages to ensure that any observed relationship between state regime type and human rights institutions does not stem from the spread of both democracy and international institutions over time.[51] In addition, since the number of high-sovereignty-cost institutions has increased over time, this variable will also guard against spurious findings with regard to sovereignty costs. Third, *Hegemony* measures the relative size of the largest state in the international system and is included in

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[46] Mansfield and Pevehouse 2008.
[47] We add this variable only to the first stage of the model, since there is no reason to think that general membership in IOs should influence both the decision to join institutions and the type of those institutions. Later, we also add a measure of the percentage of possible human rights institutions that could be joined by a state – a number that excludes institutions that a state could not join for reasons of geography. This new variable is not statistically significant and does not influence our initial estimates.
[48] Pevehouse, Nordstrom, and Warnke 2004.
[49] Ghosn and Palmer 2003.
[50] Mansfield and Snyder 2002.
[51] On time and regime type, see Huntington 1991; Jaggers and Gurr 1995. On time and international institutions, see Pevehouse, Nordstrom, and Warnke 2004.

both stages. It is operationalized as the share of global military capabilities controlled by the largest state in the system (in this analysis, the United States) in year t, using the COW Material Capabilities data.[52] Past research has linked hegemony to the formation of international organizations.[53] Furthermore, the hegemon during the period covered here – the United States – often emphasized the need for countries to strengthen human rights and supported the establishment of various human rights bodies.

Fourth, *Independence* is the number of years state i has been an independent nation-state as of year t, based on the date of independence furnished by the COW Project.[54] Many newly independent states attempt to join international institutions early in their existence. There is also evidence that the time that has elapsed since independence is associated with transitions to democracy, suggesting that the variable should be included in our model to avoid conflating the influences of political independence and democratization.[55] It is included in the second stage of the model because it is likely that recently independent states will be more sensitive to the degree of sovereignty costs rather than their presence or absence, given the general desire of these states to join international institutions.

Fifth, many former communist states expressed a desire to join Western organizations after the Cold War, including those focused on human rights. This tendency is not at odds with our argument, but we need to ensure that these cases are not driving any observed correlation between democratization and membership in human rights institutions or between democratization and the desire to choose high-sovereignty-cost institutions. To this end, we introduce *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.[56] We therefore add regional indicator variables to the model.[57] In the first stage of the model, we also add a count of the years since joining any human rights institution to help account for temporal dependence in accession decisions.[58] Finally, each model contains a stochastic error term.

Descriptive statistics for the variables analyzed in this article are presented in Table 1. To estimate both stages of the model, we use a zero-inflated negative binomial specification. This zero-inflated count model allows for the simultaneous estimation of the decision of whether to enter a human rights institution (Equation 1) and the level of sovereignty costs accepted (Equation 2). Tests of statistical significance are based on standard errors that are clustered by country.[59]

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[52] Singer 1987; Singer, Bremer, and Stuckey 1972.
[53] Keohane 1984.
[54] Gleditsch and Ward 1999.
[55] Pevehouse 2005.
[56] Shanks, Jacobson, and Kaplan 1996.
[57] 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).
[58] Beck, Katz, and Tucker 1998.
[59] A Vuong test confirms the appropriateness of the zero-inflated negative binomial specification rather than a typical negative binomial specification. Although the model is estimated simultaneously, we refer to the 'stages' of the model for ease of exposition – the first stage as the choice of joining an IO, the second stage as the level of sovereignty costs incurred.

TABLE 1   *Descriptive Statistics*

Variable	N	Mean	SD	Max	Min
Sovereignty Costs	6,157	2.25	4.54	0	65
Sovereignty Costs*	6,157	1.89	3.55	0	35
Sovereignty Costs-IOs	6,157	1.07	3.45	0	55
Sovereignty Costs-Treaties	5,813	1.25	2.89	0	26
#Human Rights Instit.	6,157	19.77	12.44	0	60
#Treaties	5,813	11.59	7.26	0	31
#Human Rights IOs	6,157	8.84	5.87	0	31
Democratization	6,157	0.09	0.29	0	1
Autocratization	6,157	0.06	0.24	0	1
Stable Democracy	6,157	0.30	0.46	0	1
Stable Anocracy	6,157	0.20	0.40	0	1
Dispute	6,157	0.64	1.28	0	27
Hegemony	6,157	0.19	0.05	0.14	0.38
Year	6,157	1977.64	14.55	1945	2000
Independence	6,157	53.14	47.55	0	184
Former Communist	6,157	0.03	0.17	0	1
#IOs	6,157	46.29	20.75	0	130
Human Rights Rating	3,135	2.50	1.13	1	5
Net ODA	3,881	5.02	8.27	−5.76	92.3

*Sovereignty cost scores for non-emanations only.

RESULTS

Table 2 presents the initial estimates of our models. The coefficient estimates in Column 1 refer to accession (the first-stage model), while the coefficient estimates in Column 2 refer to sovereignty costs (the second-stage model). Because we are using a zero-inflated estimation procedure, the coefficient estimates in Column 1 represent the probability of non-accession (that is, an observed value of 0), rather than the typical discrete outcome model that estimates the probability of a positive outcome. Thus negative coefficients represent an increased probability of joining a human rights institution. As such, it is not surprising that the coefficient estimate of *Democratization* in the table's first column is negative. Yet this estimated coefficient is not statistically distinguishable from any of the other regime-type coefficients or the reference category, which indicates that there is no pronounced difference between regime types in their propensity to join human rights institutions.[60]

    There are, however, very stark differences in the extent to which various regime types are drawn to institutions marked by extensive sovereignty costs. In Column 2, the estimated coefficient of *Democratization* is positive, statistically significant, and three times the size of any other regime-type coefficient. Moreover, these differences are highly statistically significant in the case of *Autocratization*, *Stable Anocracy*, and *Stable Democracy* ($\chi^2 = 11.26$, $p < 0.01$; $\chi^2 = 7.44$, $p < 0.01$; $\chi^2 = 15.62$, $p < 0.01$, respectively). States that have recently undergone a democratic transition display a greater tendency to enter higher-sovereignty-cost human rights institutions than any other type of country. These effects are substantively large. Based on our estimates, a state transitioning to

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[60] On the surface, this finding seems at odds with Mansfield and Pevehouse (2008), but because this coefficient estimate is derived from a simultaneous model that adjusts for the level of sovereignty costs in the IO or treaty, it is not directly comparable to the findings from that study.

TABLE 2   *Estimates of the Determinants of Human Rights Institutions Membership*

Variable	Core model		Robustness checks		
	Accession	*Sovereignty Cost*	*No Emanations*	*HR Ratings*	*Net ODA*
Democratization	−0.120	0.293***	0.213***	0.264***	0.224***
	(0.078)	(0.079)	(0.078)	(0.089)	(0.090)
Autocratization	−0.036	−0.045	−0.070	−0.097	−0.109
	(0.084)	(0.088)	(0.084)	(0.131)	(0.100)
Stable Democracy	−0.074	0.040	−0.011	−0.108	−0.088
	(0.050)	(0.050)	(0.046)	(0.081)	(0.068)
Stable Anocracy	−0.041	0.098*	0.093*	0.136**	0.093
	(0.058)	(0.050)	(0.049)	(0.068)	(0.057)
#HR Institutions	−0.029***	0.005	0.004	0.005	−0.003
	(0.003)	(0.003)	(0.003)	(0.003)	(0.004)
#IOs	−0.002	–	–	–	–
	(0.001)				
Dispute	0.008	−0.051***	−0.026**	−0.023	−0.050***
	(0.010)	(0.012)	(0.011)	(0.020)	(0.019)
Year	0.027***	0.001	−0.001	−0.038***	−0.010*
	(0.003)	(0.003)	(0.002)	(0.006)	(0.005)
Hegemony	1.612*	0.140	−0.117	−15.543***	−9.554***
	(0.867)	(0.656)	(0.576)	(2.848)	(2.756)
Independence	–	0.0004	−0.00002	0.0005	−0.0003
		(0.0003)	(0.0003)	(0.0005)	(0.001)
Former Communist	−0.566***	0.395***	0.223***	0.435***	0.354***
	(0.145)	(0.095)	(0.086)	(0.094)	(0.116)
Human Rights Rating	–	–	–	−0.019	–
				(0.027)	
Net ODA	–	–	–	–	0.058**
					(0.028)
Constant	−52.064***	−0.842	2.773	78.844***	23.588**
	(6.657)	(5.693)	(4.849)	(11.653)	(11.159)
ln(α)	−0.645***		−1.054***	−0.920***	−0.854***
	(0.071)		(0.071)	(0.102)	(0.094)
Observations	6,157		6,157	3,135	3,881
Number of countries	173		173	164	146
χ^2 Tests					
Democratization vs. *Autocratization*	0.63	11.26***	8.17***	7.59***	8.32***
Democratization vs. *Stable Democracy*	0.39	15.62***	12.21***	23.27***	13.75***
Democratization vs. *Stable Anocracy*	0.90	7.44**	2.53*	2.48*	2.48*

Note: zero-inflated negative binomial estimation (with panel-corrected standard errors in brackets). Only second-stage estimates are shown in Columns 3–5. Estimates of regional fixed effects are excluded to save space. *significant at 10 per cent; **significant at 5 per cent; ***significant at 1 per cent. One-tailed tests are conducted for the χ^2 tests and the estimated coefficient of Democratization in the final four columns; two-tailed tests are conducted in all other cases.

democracy selects institutions that impose roughly double the sovereignty costs of those selected by other countries.[61]

It is noteworthy that there are few differences among the remaining regime types. The estimated coefficients of *Stable Democracy* and *Stable Anocracy* are not statistically different from each other, although *Stable Anocracy* is distinguishable from the reference category. *Autocratization* is negative and not statistically distinguishable from the reference category.

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[61] For the baseline prediction, we set all continuous variables at their mean, and we set *Former Communist* and all regional indicator variables to zero (with Africa as the reference category).

It is marginally significantly different from *Stable Anocracy* ($\chi^2 = 2.66$, $p = 0.103$), but not from *Stable Democracy*. Thus our initial analysis suggests that democratizing countries are more likely to join human rights institutions with higher sovereignty costs than other states are, and that few differences exist among these other states.

Turning to the control variables, the coefficient estimates are quite mixed across the two stages of the model. For example, while a higher number of memberships in human rights institutions (*#Human Rights Institutions*) promotes accession to other human rights institutions (accession/first stage), it has little bearing on the size of sovereignty costs accepted by new members. Further, states are increasingly likely to join additional human rights institutions as they gain membership in a growing number of IOs (*#IOs*).[62] This estimate, however, barely misses achieving statistical significance ($p = 0.104$).

Military disputes have little bearing on the choice to join these institutions, but do influence the sovereignty costs accepted by states that do join, as the estimate of *Dispute* is negative and highly statistically significant in the second stage of the model.[63] As hegemony wanes, states are more likely to join human rights institutions, possibly to lock in human rights standards and monitoring in the event that the hegemon (the United States, for this analysis) continues to falter. Yet waning hegemony has no influence on the sovereignty costs states are willing to accept. Finally, *Former Communist* states are especially likely to join human rights institutions and accept higher sovereignty costs.

ROBUSTNESS CHECKS

Our initial results indicate that democratizing states are drawn to human rights institutions that impose high sovereignty costs on members, but that these costs have little bearing on the human rights institutions that other regime types enter. However, it is important to ensure that our findings are not an artifact of how we measured regime type. To this end, we replace *Stable Democracy* and *Stable Anocracy* with *Regime Type*, which is state *i*'s score at time *t* on the twenty-one-point index of regime type that we described earlier. This approach will allow us to determine whether democratization influences the decision to join human rights institutions, after accounting for each state's institutional makeup in the year the decision is made. Note that when analyzing the effects of democratization and autocratization in these models, the reference category is now the combination of all stable regime types.

The results, which are omitted to conserve space, indicate that the coefficient estimate of *Democratization* is positive and statistically significant. Controlling for a state's regime type in year *t*, emerging democracies are more likely than autocratizing countries to enter human rights organizations ($\chi^2 = 7.60$, $p < 0.01$). Democratization also continues to have a strong substantive impact on the level of sovereignty costs accepted: the predicted level of these costs is twice as large for states that have undergone a democratic transition than for other states.[64]

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[62] Mansfield and Pevehouse 2008.

[63] Adding another measure of conflict – one for civil war – has little bearing on our results. The estimate of the measure of civil war (taken from PRIO; Gleditsch et al. 2002) is not statistically significant in either stage of the model. This result, along with the estimates discussed in the next section, are available in the online appendix.

[64] Again, we set *Former Communist* and all regional indicators to zero. All other variables are set to their means.

Next, we remove some human rights IO emanations from our sample of institutions. Membership in certain emanations is automatic when a state enters the parent organization. Including these emanations in our sample is entirely appropriate, since governments understand that the decision to join the parent IO is also a decision to join the emanation, and that these emanations involve the promotion or protection of human rights. Nonetheless, to make sure this coding procedure does not influence our results, we re-estimate our model after excluding membership in these automatic emanations.

As shown in the third column of Table 2, the estimated coefficient of *Democratization* is positive and statistically significant.[65] In addition, this estimate is statistically different from that of every other regime type analyzed here. The coefficient estimate of *Democratization* is smaller than in our previous analysis, but this is not unexpected. These automatic emanations can be viewed as another measure of sovereignty costs. States joining the OSCE, for example, recognize that they are also becoming members of ODIHR. Both of these institutions may serve to lock in the democratization process. Having different institutions embedded within an organization can increase the likelihood that it will enforce conditionality, investigate backsliding, or otherwise increase the sovereignty costs associated with membership.

We also address the possibility that our findings about institutions are driven by the EU, which has a long-standing commitment to human rights and several emanations that promote norms of justice. After removing all EU (or previously European Community) members from the sample, the coefficient estimate of *Democratization* in the sovereignty cost stage of the model is roughly equal to that of our initial estimates. It also remains positive, statistically significant and statistically different from the coefficient estimate for every other regime type indicator. Thus our results (which are omitted to conserve space) are not an artifact of the EU.

We also need to ensure that our findings are not undermined by omitted variable bias. One possible source of such bias is that a state's desire to protect human rights (or join institutions generally) could be linked to its transition toward democracy by a variable that causes both phenomena. Past research has linked economic wealth to both IO membership rates and transitions to democracy.[66] Consequently, we include *Development*, which is country i's per capita gross domestic product in year t, in both stages of our model and then re-estimate the model.[67]

The results (also omitted to conserve space) indicate that including *Development* has little bearing on our previous results. The estimated coefficient of *Development* is positive and statistically significant in the first stage of the model, indicating that wealthier states are less likely to join human rights institutions (although the substantive effect is small). *Development* is positive in the second stage of the model, but does not achieve statistical significance. Most important for our purposes, however, is that the coefficient estimate of *Democratization* in the second stage remains positive and statistically significant (at the 0.01 level) and is statistically different than the coefficient estimates of *Autocratization* ($\chi^2 = 10.35$, $p < 0.01$), *Stable Democracy* ($\chi^2 = 13.29$, $p < 0.01$) and *Stable Anocracy* ($\chi^2 = 5.28$, $p < 0.05$).[68]

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[65] For this and the remaining models, we show only the second-stage (sovereignty cost) estimates. The first-stage estimates are very similar across each additional set of estimates.

[66] On economic wealth and IO membership rates, see Shanks, Jacobson, and Kaplan 1996. On economic wealth and transitions to democracy, see Burkhart and Lewis-Beck 1994; Huntington 1991, 37.

[67] Data on per capita gross domestic product are taken from Heston, Summers, and Aten (2002).

[68] We exclude *Development* from the base model because missing data for this variable reduces our sample size.

Another possible source of omitted variable bias, highlighted by Hathaway, is that a state's existing record of human rights protection might affect its entrance into human rights institutions.[69] For instance, states with relatively poor human rights records may not wish to join a human rights institution, especially one that has the potential to generate high sovereignty costs. Moreover, if democratic or democratizing countries are more likely to respect human rights, this could have a confounding effect in our model. A state's record of respect for human rights could account for the observed relationships between democratization and democracy, on the one hand, and changes in human rights institution membership, on the other.

To address this possibility, we introduce a yearly measure of each state's respect for human rights into our initial models. This five-point index is constructed using annual data published by Amnesty International and measures the extent of murder, torture, forced disappearance, and political imprisonment in a given country.[70] As shown in the fourth column of Table 2, this new variable is not statistically significant in the second stage of our model (or in the first stage, which is omitted to conserve space). These results indicate that the extent of a state's repression does not influence changes in its portfolio of human rights institutions.[71] As such, human rights practices do not seem to influence membership patterns in human rights institutions, contrary to what some studies suggest.[72] More importantly, none of the regime type coefficient estimates vary in any meaningful way from the original estimates. The coefficient estimate of *Democratization* is positive and statistically different from the reference category, *Stable Democracy*, *Stable Anocracy*, and *Autocratization*.[73]

Another potentially important omitted variable is foreign aid, since donor countries (especially democracies) could use such assistance to pressure states to democratize and join human rights institutions.[74] To address this issue, we introduce *Net ODA* to both stages of our model. This variable measures net development assistance received by state i in year t.[75]

As shown in Column 5 of Table 2, the estimated coefficient of *Net ODA* is positive and statistically significant in the second stage of the model (it is not statistically significant in the first stage), indicating that recipients of greater development assistance join human

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[69] Hathaway 2007.

[70] Coding details are available from Hafner-Burton and Tsutsui (2005). Human rights data are available for a limited sample of states, which reduces the sample size of our analyses. Substituting a similar measure constructed from State Department human rights reports yields nearly identical results. On the State Department measure, see Poe and Tate (1994).

[71] We also analyze a measure of physical integrity rights coded by Cingranelli and Richards (2010) and the Freedom House (2012) Political Rights and Civil Liberty indices. Substituting these measures of human rights for the Amnesty International measure yields no major differences in our estimate of *Democratization* in the sovereignty cost stage of the model. In both cases, we use *Regime Type* instead of the indicator variables for stable regime type due to multicollinearity problems with these alternate measures and the stable regime-type variables.

[72] Hathaway 2003.

[73] We also examined the interaction between *Democratization* and the measure of state repression and found no evidence that this interaction helps to explain either the decision to join human rights institutions or the level of sovereignty costs accepted by new member states. There is also no evidence that the interaction between *Stable Democracy* and the measure of state repression helps explain accession or sovereignty costs incurred by new members. This is true whether we use the Amnesty International or the Cingranelli and Richards (2010) measure.

[74] Wright 2009.

[75] Aid data is taken from the Word Development Indicators (World Bank 2012). Data is expressed in billions of dollars.

TABLE 3   *Estimates of the Determinants of Human Rights Treaty and IO Membership*

	Second-stage estimates	
Variable	HR IOs	HR treaties
Democratization	0.283**	0.120*
	(0.102)	(0.081)
Autocratization	0.042	−0.061
	(0.097)	(0.102)
Stable Democracy	−0.022	−0.086
	(0.059)	(0.056)
Stable Anocracy	0.036	−0.011
	(0.071)	(0.064)
#HR IOs | *Treaties*	0.025**	0.015***
	(0.007)	(0.005)
Dispute	−0.006	−0.039***
	(0.022)	(0.013)
Year	−0.005	0.004
	(0.004)	(0.004)
Hegemony	1.646**	−2.878**
	(0.733)	(1.255)
Independence	0.0006	−0.0002
	(0.0004)	(0.0004)
Former Communist	0.216	0.150
	(0.131)	(0.105)
Constant	11.960*	−6.066
	(7.039)	(7.672)
$\ln(\alpha)$	−0.861	−1.031***
	(0.102)	(0.086)
Observations	6,157	5,813
Number of countries	173	166
χ^2 Tests		
Democratization vs. *Autocratization*	2.94**	2.16*
Democratization vs. *Stable Democracy*	9.24***	8.67***
Democratization vs. *Stable Anocracy*	6.09***	2.34*

Note: zero-inflated negative binomial count estimation (with panel-corrected standard errors in brackets). Only the second-stage estimates are shown. Estimates of regional fixed effects are excluded to save space. *significant at 10 per cent; **significant at 5 per cent; ***significant at 1 per cent. One-tailed tests are conducted for χ^2 tests and the estimated coefficient for *Democratization*; two-tailed tests are conducted in all other cases.

rights institutions marked by comparatively larger sovereignty costs. Nonetheless, including this variable has little effect on *Democratization*. The coefficient estimate of *Democratization* remains positive, statistically significant, and significantly different from the other regime-type measures. Thus while foreign aid appears to play a role in the type of human rights institutions that recipient states join, this relationship has no bearing on the influence of democratization.[76]

A final source of possible omitted variable bias is NGOs. Recall that as a part of our sovereignty cost measure, we determine whether NGOs can play a formal role in the

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[76] We also include the interaction between each regime type variable and *Net ODA*, but the coefficient estimates of these interaction terms are not statistically significant individually. The same is true of our measure of NGOs, which we discuss next. There is no case in which the interaction between it and any of the four regime type variables is statistically significant in the second stage of the model.

IO or treaty. It is possible, however, that NGOs could play a more direct role in both promoting human rights *and* promoting membership in international institutions. We therefore add *NGOs* – a measure of the number of NGOs active in a state in a given year – to both stages of our model.[77]

The estimates of this new model (omitted to conserve space) are remarkably similar to our base model. *NGOs* does not achieve statistical significance in either stage of the model. Moreover, its inclusion does not alter our previous findings: *Democratization* is positive, statistically significant, and statistically different from the other measures of regime type. Consequently, NGOs do not appear to exert an independent impact on accession to human rights institutions; nor do they influence the relationship between democratization and such institutions.

Finally, we separate our sample into treaties and IOs. Our argument is that a critical factor in a country's decision to join a human rights institution is whether the institution is designed to impose sovereignty costs. These costs vary across both treaties and IOs. However, membership rules for treaties and IOs differ. Many treaties offer open enrollment, while many IOs are selective about which countries they admit. To determine whether there are observable differences between joining treaties and IOs, we re-estimate our core empirical model twice: once including membership and sovereignty-cost decisions for IOs only, and once for these same decisions involving international human rights treaties. Table 3 presents the second-stage estimates of these two different models.

Column 1 of Table 3 presents the estimates for the sample of IOs. These results are very similar to our core findings: the estimated coefficient of *Democratization* is positive and significantly different from the reference category and from each of the other regime-type variables.[78] Substantively, *Democratization* continues to have a large impact, increasing the sovereignty costs accepted by a state entering an IO by over 70 per cent.

Turning to the estimates of the treaty sample, found in Column 2 of Table 3, the results are substantively consistent, although somewhat weaker than our original estimates. The coefficient estimate of *Democratization* is statistically significant and statistically distinguishable from every other measure of regime type. Yet the substantive effect of a democratic transition is smaller for treaties than IOs. *Democratization* in the treaty sample increases the sovereignty costs accepted by a state by only about 30 per cent, less than half the impact it has on IOs. While these results might suggest that organizations provide stronger incentives for newly democratized states to commit to human rights than treaties, we are hesitant to draw this conclusion. Since some treaties create related IOs to deal with human rights issues, it is hard to draw a bright line between these institutional forms. Nonetheless, these results show that both IOs *and* treaties that are characterized by higher sovereignty costs tend to attract newly democratic states, and that this trend is more pronounced for IOs.

In sum, our results show that democratizing states accept higher sovereignty costs than other types of regimes. This holds while simultaneously controlling for the choice to enter a human rights institution in the first place. Stable anocracies also tend to accept higher

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[77] This variable is taken from Hafner-Burton and Tsutsui (2005). It measures the number of NGOs that report at least one member in each country in the *Yearbook of International Organizations*. Some years are missing from the middle of time series of NGO data. We apply linear interpolation to those years to fill in missing data.

[78] We note that the sample size is smaller in the treaty model, because the first year of treaty accession is 1948 rather than 1945.

sovereignty costs than stable democracies or autocratizing countries, but these differences are rarely statistically significant.

CONCLUSIONS

The rise of international human rights institutions has spawned a vigorous debate in the fields of international relations and international law. Many observers contend that these institutions create strong legal and normative structures that heavily shape state behavior, and thus that they tend to attract members that seek better (or already protect) human rights. Others hold that these institutions are often inconsequential and thus widely attract members that intend to violate human rights. This article engages the debate by exploring what types of states join what types of institutions. By developing a new dataset of human rights organizations to complement existing data on human rights treaties, and mapping variation in the sovereignty costs associated with participation, we tested several propositions concerning what provides the impetus for state membership in human rights institutions.

Arguments drawing on the logics of credible commitments, signaling, and inducements all lead us to expect that transitions to democracy will spur states to join human rights institutions that have substantial participation costs. In this article, we generated what we believe to be the first index of sovereignty costs associated with membership in human rights institutions. Our analysis of this measure yields substantial support for our argument that democratizing states are more likely than all other states to join higher-sovereignty-cost institutions, even when controlling for their underlying propensity to join any human rights institutions.

We have avoided the issue of whether high-cost human rights institutions improve respect for human rights in signatory states, but our analysis likely bears on that topic. Because of the significant possibility for selection (non-random treatment) effects, efforts to estimate compliance must begin with a serious effort to explicate why states join human rights institutions in the first place. A crucial consideration in this accession decision is domestic regime change. Democratizing states have reason to join particular types of human rights institutions, namely those that will provide the costliest (and therefore clearest) signal of intent to comply with human rights rules and standards. We believe our findings are important not only for those wanting to know which states join human rights institutions, but also for those asking to what end states join them.

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