

# Do Self-Reporting Regimes Matter?

## Evidence from the Convention against Torture

Cosette Creamer & Beth A. Simmons\*

11 February 2015

*Draft. Not for citation.*

### Abstract

Human rights treaty bodies have for many years now been criticized as useless and self-reporting widely viewed as a whitewash. Yet very little research explores what, if any, influence this periodic review process has on governments' implementation of and compliance with treaty obligations. We argue oversight committees may play an important role by providing information for international and domestic audiences. This paper examines the effects of self-reporting and oversight review, using original data on the quality and responsiveness of reports submitted to the Committee Against Torture (CmAT) and a dynamic approach to strengthen causal inference about the effects of the periodic review process on rights practices. We find that the review process in fact does reduce the incidence of torture in self-reporting states. Furthermore, we find that local media attention to the process in Latin American spikes during the review process, consistent with domestic awareness and mobilization made possible by media attention to torture practices and treaty obligations. Thus, this is the first study to present positive evidence on the effects of self-reporting on torture outcomes, contrary to the many studies that assert the process is basically useless.

---

\*Cosette Creamer holds a J.D. from Harvard Law School and is a PhD Candidate in the Department of Government, Harvard University. Beth A. Simmons is the Clarence Dillon Professor of International Affairs in the Department of Government, Harvard University. All inquiries should be directed to: creamer@fas.harvard.edu. For helpful feedback, the authors would like to thank Christopher Fariss, Katerina Linos, Yonatan Lupu, Gerald Neuman, Kathryn Sikkink, Anton Strezhnev, and participants in the WCFIA-HLS International Law- International Relations Workshop, the Conference on the Domestic Politics of International Human Rights Agreements held at the Niehaus Center for Globalization and Governance, Princeton University, and the Human Rights and Constitutionalism thematic working group at the University of Oslo, Faculty of Law and Norwegian Centre for Human Rights. The authors also thank Diana Li and Andrea Ortiz for providing invaluable research assistance, and the Weatherhead Center for International Affairs for providing generous funding to support this research.

## I Introduction

A large scholarly literature seeks to explain why states would voluntarily commit themselves to international obligations regarding treatment of their own citizens, and participate in legal regimes designed to establish and monitor compliance with human rights standards (Hathaway 2003; Simmons 2009). It is evident that formal participation in the international human rights regime is expanding, with participation not limited merely to governments we might expect to be fully committed to human rights protections, such as stable and transitioning democracies or countries with strong domestic traditions of respecting human rights (Conrad 2014; Hafner-Burton 2012: 267-68; Vreeland 62). Despite increased participation, however, the human rights regime continues to suffer from an ‘enforcement problem,’ making its effect on improving practices on the ground questionable. Some scholars argue that UN enforcement has been an utter failure (Posner 2014). But as many have noted, enforcement mechanisms in the human rights context are likely to be indirect, and work through non-governmental actors, transnational organizations, information mechanisms, and domestic institutions (Dai 2014; Dancy and Sikkink 2012).

The primary goal of this paper is to unpack and expand our understanding of these intermediary effects of ratification. What does ratification *do*? What happens, at the domestic and international levels, as a result of treaty ratification that might subsequently impact practices? In particular, we focus on the fact that treaty ratification initiates an iterative and ongoing “constructive dialogue” between a polity and the international human rights regime about state reports on implementation submitted to the treaty monitoring body. Not only is reporting and periodic review a legal obligation within all human rights conventions, it is also the primary international method to generate information and increase transparency about implementation of and compliance with the treaty.

Claims about the importance of information and monitoring in facilitating compliance with international agreements are made on both sides of the spectrum. In the context of human rights treaties, some claim that information—about compliance in particular—is the human rights regime’s primary tool to ensure that states fulfill their obligations (Dai 2007). Others disparage the entire process as a bureaucratic exercise with little to no substantive effect on compliance and further characterize the record of state reporting to treaty bodies as shamefully inadequate (Hafner-Burton 2013). Yet we still know relatively little about this process or its potential influence on states’ actual human rights practices. Case studies are interesting, but to date they have been few in number, limited in geographic scope,

and generally inconclusive about the connection between reporting and rights outcomes (McQuigg 2011). This paper examines the effects of reporting and periodic review within the treaty regime governing torture. Our goal is to shed light on whether and how self-reporting influences human rights outcomes.

Why might we expect self-reporting to influence rights outcomes? Reporting to treaty monitoring bodies initiates a dialogue with international “experts” and as such can contribute to socialization of domestic elites and bureaucrats responsible for human rights practices. It also provides information for domestic audiences who have a stake in their government’s implementation of international agreements. Finally, self-reporting may set in motion bureaucratic routines to gather, authenticate and analyze information that might not have occurred in the absence of the obligation to report. It is even possible that reporting helps to develop an autonomous capacity to self-monitor and self-enforce.

While self-reporting may provide an opening for constructive engagement with the treaty monitoring body, the review process can only be expected to work well if governments take it seriously. For this reason, in evaluating the effect of self-reporting under the Convention against Torture (CAT), we draw on original data on the quality and responsiveness of reports submitted to the regime’s treaty monitoring body: the Committee against Torture (CmAT). A focus on report quality permits us to evaluate the level of states’ engagement with the periodic review process, by analyzing reports not simply as a procedural obligation but as an opportunity for government officials and domestic audiences to learn about and become socialized into the international human rights regime (Keohane, Macedo and Moravcsik 2009).

This paper proceeds as follows. Part II provides a brief summary of the periodic review process and the claims made about this system’s (un)importance. Part III theorizes the mechanisms through which self-reporting and periodic review could theoretically influence a government’s human rights practices. Part IV presents evidence on the direct effect of the history of a country’s engagement with the treaty monitoring body on torture practices. Part V explores one potential mechanism through which reporting could influence outcomes—via domestic political activation and mobilization—and evaluates the extent to which evidence supporting this mechanism exists within Latin American countries. Part VI concludes.

## II The Role of Reporting in the International Human Rights Regime

The legal regime for international human rights was designed to provide accountability through monitoring implementation of treaty obligations as a potential pathway towards eventually improving rights practices. To this end, every major human rights convention establishes an oversight committee, comprised of independent experts nominated and elected by states parties. By virtue of treaty ratification, states must submit to each committee periodic reports on the legislative, judicial, administrative or other measures adopted to give effect to their human rights obligations.<sup>1</sup>

Each treaty monitoring body then considers these reports in the presence of government representatives, through a “constructive dialogue” during which it engages representatives, acknowledges progress made, and identifies areas for improvement. At the conclusion of this dialogue, the committee issues a set of concluding observations containing non-binding recommendations for legislative reforms and other efforts a government should undertake to address shortcomings in its treaty obligations (O’Flaherty 2006: 36). This entire process is known as “periodic review,” with all state reports and committee recommendations made public.

Periodic review was intended to play a central role in encouraging treaty implementation and compliance. As Keller and Ulfstein note, “The main responsibility for the international monitoring of national implementation is . . . entrusted to the UN human rights treaty bodies” (Keller and Ulfstein 2012: 2). Moreover, since it is a mandatory obligation, Kälin refers to the examination of state reports as “the key mechanism established at the universal level to monitor the implementation of treaty obligations by contracting states” (Kälin 2012: 16). But the system is often criticized as inadequate, ineffective and even “in crisis” (Alston and Crawford 2000; Bayefsky 2001). Some point to the professional inadequacies of the “expert” committees (Hafner-Burton 2013: 102). Others note that states—even resource rich, democratic ones—don’t do what they are told to do by the experts (McQuigg 2011).

Moreover, there is a growing sense among critics that the system as a whole is breaking under its own unwieldy weight (Hafner-Burton 2013: 99; Posner 2014). As the body of treaties has grown, so to have the treaty bodies to which states are expected to report.

---

<sup>1</sup>CAT requires states parties to submit an initial report within one year of ratification or accession, and subsequent periodic reports at least every four years. See Article 19(1), CAT.

One result may be reporting fatigue (Hampson 2007; Schöpp-Schilling 2007).<sup>2</sup> As a result, it is common to point out that late and non-reporting is fairly widespread. For example, of the 147 states parties to the CAT in June 2011, thirty (20.4%) had still not submitted their initial report (with Somalia’s initial report the latest at twenty years) and 122 (83%) had between one and five periodic reports overdue.<sup>3</sup>

It is also debatable whether governments take the report drafting process seriously, with reports submitted to the CmAT varying considerably across countries and over time in their structure and quality (Creamer and Simmons forthcoming). Quality reporting requires an institutional capacity to provide factual knowledge of, expertise in and familiarity with the treaty regime and the reporting process, which some states have developed through their National Human Rights Institutions (NHRIs), independent governmental bodies specifically mandated to promote human rights. In fact, the existence of an NHRI significantly increases the probability that a government will submit its CAT report and that the report will be more responsive to CmAT recommendations (Creamer and Simmons forthcoming).

Domestic political characteristics and regional imitation also partly explain (non) submission, with new democratic governments or those that have recently undergone a democratizing transition less likely to report as compared to countries that have not experienced a transition. However, when newly democratizing countries do report, the quality of their reports is exceptionally high (Creamer and Simmons forthcoming). Reporting density within a state party’s region substantially increases a government’s probability of reporting, suggesting that as more neighboring states engage with the CAT regime, the expectation that governments should take their reporting obligations seriously increases.

Understanding why states report, while valuable, provides no indication of whether the reporting regime fulfills its stated purpose—facilitating improved human rights practices and increased compliance (Alston 1997: 20). Critics assert that those most affected by treaty violations—and thus most likely to exert pressure on delinquent or non-compliant states—are rarely aware of the periodic review process, conducted in Geneva far removed

---

<sup>2</sup>Many governments must also provide information on implementation of the prohibition against torture in the context of reporting under the International Covenant on Civil and Political Rights. Given this partly overlapping procedural obligation, states may simply prioritize reporting to the Human Rights Committee over the specialized purview of the CmAT. **UPR.**

<sup>3</sup>The number of parties with overdue reports includes those instances where the Committee has indicated in its concluding observations on the prior report that a revised date of submission (usually in the near future) is permitted. This represents one way in which the Committee has attempted to address both systematic late reporting and its own increased workload, deviating from the periodicity mandated in the Convention.

from domestic media and non-governmental organization (NGO) attention. Hafner-Burton seems to reflect an informal (and untested) consensus among commentators: that “the reports often don’t seem to lead to results that matter” (Hafner-Burton 2013: 100). Others claim that the influence of the reporting and review process is positive, albeit diffuse and indirect, with NGOs, domestic actors, and other governments using the committees’ concluding observations to pressure governments. The following section theorizes the various mechanisms through which we might expect self-reporting and periodic review to improve treaty compliance, before evaluating these claims in the remainder of the paper.

### **III Periodic Review and Substantive Compliance**

Critics of the periodic review process are right about a number of its shortcomings. States neglect to turn in their reports on time, if at all. Those submitted are not all very revealing or self-critical. The oversight committees are swamped and lack the resources to engage seriously. At best, states receive non-binding recommendations that cannot be enforced by the committee, or anyone else for that matter. So why might reporting and CmAT review be associated with better rights practices on the ground?

There are two major ways in which international human rights tend to gain traction domestically: via socialization at the interstate level or political mobilization at the domestic level. The periodic review system has a potential role to play in both of these processes. It represents a critical opportunity to socialize political elites (the “constructive dialogue” with the committee) and it constitutes a regular and public focal point (and source of information) for domestic political mobilization. To our knowledge there exists neither theory nor systematic analysis linking the periodic review process to improved rights practices over time. This section unpacks three potential mechanisms: internal self-assessment and capacity development; socialization; and domestic political activation.

#### **Internal self-assessment and capacity development**

Self-reporting requirements prompt a government to collect and share information about human rights legislation, policies and practices. Even if states are less than forthcoming within their reports, the domestic process of preparing a report could itself promote self-assessment (Kälin 2012: 39; Trindade 2000: 334). Ideally, all administrative bodies responsible for implementing a given treaty are involved in report preparation. In order to

adequately fulfill their reporting duties, governments often “reorganize themselves in ways that may enhance the influence of individuals and bureaucratic units that are more sympathetic to external views,” providing further impetus for examination of the status quo (Keohane, Macedo and Moravcsik 2009: 18). Compiling a report requires a government to engage in a comprehensive review of national legislation and administrative practices, which may reveal previously unnoticed gaps. Because reporting duties help ensure that the state party continuously monitors its human rights situation, they facilitate internal analysis of deficiencies and best practices. Governments that submit reports more frequently and provide high quality reports when they do are more likely to engage in such self-assessment, which may in turn lead to self-enforcement.

## **Socialization**

The provision of information from the national to the international level and responding to that information may play a critical role enabling a socialization process that could eventually influence rights practices locally via learning, acculturation, or persuasion. First, the multilateral nature of the treaty regime and the transnational network it engenders enable discussion and sharing of ‘best practices’ to address common implementation and compliance problems (O’Flaherty 2006; Keohane, Macedo and Moravcsik 2009). The treaty body presumably synthesizes these collective experiences into advice or recommendations, expanding the range of options and information available to governments and publics (Keohane, Macedo and Moravcsik 2009: 18). Chayes and Chayes (1993: 303) argue this type of transparency and information provision is central to eliciting compliance and effectiveness (see also Mitchell 1998: 113; Joachim, Reinalda and Verbeek 2008: 11). The periodic review process thus might contribute to improved practices through a mechanism of learning and problem solving, both by government officials and committee members. Through interaction with the treaty body, states get advice about the technical aspects of implementation, various policy options, techniques, or other legal and technical details not previously known or considered. As governments report more frequently, they engage in a greater number of learning opportunities to improve their policies and practices. Similarly, if governments submit high quality reports (providing more details regarding implementation and compliance obstacles), the committee is better able to identify problems and propose solutions, which could contribute to improved torture practices via learning.

Second, treaty bodies regularly identify compliance or implementation shortcomings

within their concluding observations, thereby engaging in a practice of “naming and shaming” by publicizing non-compliance and recommending proposals for reform. This negatively affects a state’s reputation for “good behavior” internationally (Guzman 2002; Keohane 1997) or increases social pressures to comply (Goodman and Jinks 2004, 2013; Risse and Ropp 1999). Reporting also enables acculturation, as “[t]he very process of identifying, describing, and controlling human rights practices helps the diffusion of the human rights discourse through global and local levels” (Goodman and Jinks 2004: 697). On the one hand, reporting may simply be part of the script of modernity expected of states (Wotipka and Ramirez 2008). If states submit transparent reports because they imitate ‘appropriate’ reporting practices, then reporting might not lead to any real normative or substantive change in human rights practices. On the other hand, governments that mimic reporting scripts likely are susceptible to similar acculturation pressures for implementation and compliance. The very act of reporting exposes governments to identified best practices for treaty implementation and compliance, which governments might then adopt because it is expected of good regime members.

Finally, as authoritative bodies believed to have impartial and specialized knowledge and expertise, committees may possess a particular type of normative power to persuade states through their “constructive dialogue” to implement international standards (Barnett and Finnemore 1999). Committees may employ reasoned arguments to persuade elites that that they should comply with their human rights obligations and to do so through what they view as the appropriate methods of implementation (Checkel 2005; Risse 54). At the very least, reporting generates an ongoing dialogue between treaty bodies and government representatives about the meaning of compliance (Chayes and Chayes 1995). Governments that report more frequently likely experience repeated persuasion attempts by the committee. Higher quality reports that provide detailed implementation and compliance information to the committees facilitates committee identification of deficient policies as the focus for persuasion efforts. On average, the frequency and intensity of persuasion attempts experienced by states should lead to improved human rights practices over time, as governments internalize the committees’ normative arguments. In particular, if a persuasion mechanism is at work we should see governments that are more responsive to committee recommendations and that actively engage in their reports with committee concerns demonstrating improved practices over time.



## Political Activation and Domestic Mobilization

Many domestic theories of compliance with international law rely implicitly on the availability of information about government activities and legal obligations. For example, it is possible that knowledge that one's government is publicly committed to comply with a human rights treaty raises domestic groups' expectations that they can demand compliance with such treaties (Simmons 2009). Xinyuan Dai (2007) argues that information produced by international bodies informs domestic audiences about the activities of their governments and whether a government has complied with its international legal obligations. This information allows domestic constituencies to apply electoral pressure on their government in order to hold them accountable.

If a government submits high quality reports about compliance shortcomings and efforts to remedy these, this information raises the expectations of domestic groups that they can legitimately demand these measures be put into practice. The very event of reporting serves to stimulate attention, discussion and perhaps even participation in the process of report drafting. By mobilizing and empowering groups within and outside of government, reporting can have a catalytic effect in promoting internal policy reform. The committee's concluding recommendations provide domestic constituencies with information needed to apply electoral and other forms of political pressure to encourage substantive compliance. Such information facilitates evaluation of a state's treaty compliance, which helps domestic audiences to focus pressure on the government to perform better. Even when states are less than forthright, their reports provide a focal point for non-state actors to assess and criticize the information provided. A formal report submission presents opposition parties or NGOs and other rights constituencies with a convenient and visible occasion and target for mobilization. In this way, even incomplete or inadequately analyzed information is better than none at all.

## IV Evidence: Reporting, Review, and Torture Practices

This section examines how the *process* of periodic review and the *history* of a government's engagement with the CAT regime affect subsequent rights practices. Do states that regularly and promptly submit higher quality reports subsequently engage in less torture or cruel and inhumane treatment than states that fail to submit or submit lower quality reports? Does the degree of government responsiveness to prior Committee recommenda-

tions influence subsequent torture practices? Do states that ‘improve’ in their reporting (in terms of increased timeliness or quality of reports) demonstrate better compliance with the Convention Against Torture?

Self-reporting and periodic review is an ongoing and iterative process with potentially cumulative effects. It was never intended or designed to affect rights practices through a single report submission. Modeling the effects of a single-shot is thus not the best approach to analyzing the dynamic nature of periodic review to the CmAT, since both the act of reporting and the evolving nature of the review process represent treatment variables of interest. For this reason, we adopt a dynamic approach to causal inference to study the effects of a country’s *reporting history* on its human rights practices, applying inverse probability of treatment weighting (IPTW) to marginal structural models (MSM) (Blackwell 2013).

This approach entails two steps. First, we model the decision to report in each year, conditional on the past and past reporting history. Because report submission is a dichotomous decision, we estimate the probability of reporting with a logit model and the parameter vector for the model with a pooled logistic regression, with country-year as the unit of analysis. These estimates form the basis for the estimated weights to be included for each observation within the outcome models in the second step.<sup>4</sup> Under the assumptions of the IPTW estimator, the decision to report is not confounded in the weighted data within the outcome models, conditional on past reporting. In effect, this approach rebalances the sample such that observations with a profile similar to those that never receive the treatment but still report are up-weighted.

Within these weighting models, we include all covariates (potential confounders) we expect to influence both the decision to report and torture practices. We previously found that institutional capacity (existence of an NHRI), an Article 22 declaration accepting the jurisdiction of the CmAT to receive individual complaints, and reporting density within a state party’s region substantially increase a government’s probability of reporting (Creamer and Simmons forthcoming). These variables likely affect a government’s torture practices as well, so we include them and a number of additional time-varying covariates in the weighting model: logged GDP *per capita* and population (as collected by the World Bank);

---

<sup>4</sup>Following Blackwell (2013), we use a slightly different version of the weights, called the stabilized weights, to decrease their variability and increase efficiency. To construct these weights, we obtain predicted probabilities from each model for every unit-period. Then, for each unit, we take the product of those probabilities across time periods and divide to obtain the estimates for fitted standardized weights.

a country’s torture score (as measured by the Cingranelli-Richards (CIRI) Human Rights Database); and its Polity IV score. Finally, we include four binary variables intended to capture relevant domestic political characteristics: whether, since World War II or post-war independence, a country ever scored an 8 or above on the Polity scale (never democratic); whether, since World War II or post-war independence, a country had never scored below an 8 on the Polity scale (stable democracy); whether the country is undergoing or underwent a democratic transition (moving from below an 8 to an 8 or above on the Polity scale); and whether a country had undergone a democratizing transition (+3 or more on the Polity scale) during either of the two previous years. All time-varying covariates are lagged one year.

In addition to these time-varying confounders, we include within the weighting models a set of treatment (reporting) history variables. This permits us to estimate within the second-stage outcome models the average treatment effect of both the single-shot treatment (reporting) and *reporting history* on a government’s human rights practices. For the decision to report, the treatment history variables include: whether a country reported in the previous year;<sup>5</sup> the number of reports previously submitted; and the number of years since the last report due date.<sup>6</sup> All weighting models include year fixed-effects.

Next, we estimate the effects of report submission (the treatment) and the reporting process (treatment history variables) on human rights practices with an ordered probit model that includes the IPT weights. Because we have few priors about when we should expect the reporting process to affect torture practices on the ground, we estimate these effects on a government’s torture score one and two years prior to the year of observation (to assess anticipatory or internal self-assessment effects of reporting), the treatment year, as well as one, two, three and four years following report submission (as significant reforms of legislation and practices identified as deficient often cannot occur instantaneously). All models include a linear (year) time trend.

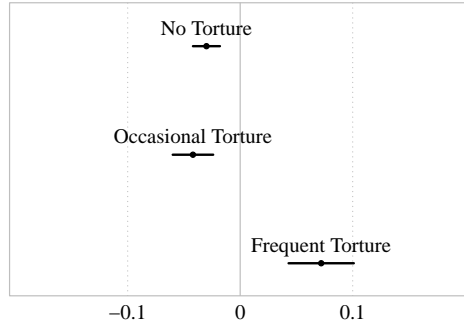
Across all model specifications, the mere act of report submission has no significant effect on torture practices (see Appendix Table A1). However, as Figure 1 demonstrates,

---

<sup>5</sup>This variable likely strongly predicts the non-submission of a report, as countries are only required to submit a report every four years. Although rare, however, there have been a few instances where a country submitted a report two years in a row, usually to catch up on delayed reports.

<sup>6</sup>Following Blackwell (2013) and Cole and Hernan (2008), we conduct a preliminary model check based on the final distributions of the stabilized weights for each year. See Appendix Figure A1. The stabilized weights’ means at each point in time are all close to 1, with their upper bounds relatively low (observations for 2011 largely drop out of the outcome model analyses), indicating we have estimated a set of fairly well-behaved weights.

delayed reporting has a significant negative effect on the probability of observing lower levels of torture. As delay in report submission increases from 1 to 4 years, and all other variables (reporting and reporting history) are held constant at their means, the probability of observing frequent torture within a country increases by a little over seven percent. This implies the reverse as well. Prompt submission decreases the probability of observing higher levels of torture, suggesting that delinquent reporting—and long stretches between report submission—pose a real obstacle to the periodic review process having a positive effect on the ground. It also suggests that *the frequent and iterative nature of the reporting process, rather than the mere act of submitting a single report*, has the long-term potential to lead to improvements in rights practices.



**Figure 1: Effect of Delayed Reporting.**

Simulated estimates of effect of delayed reporting on probability of observing a given level of torture (CIRI Torture Score, two-years after observation-year). The circles represent estimates of the expected effect on the probability of observing a given level of torture as delay in report submission changes from 1 to 4 years, and all other variables are held constant at their means. The lines are 90% confidence intervals. The circles and lines are solid when there is at least 90% confidence of a positive or negative effect. Otherwise, circles are open and lines are dotted. See Appendix for standard regression tables. IPTW balanced on reporting; model includes linear time trend and bootstrapped parameters.

It is not too much of a stretch to view the real treatment as the CmAT’s review and the set of recommendations issued at its conclusion, rather than a state’s report drafting

and submission alone. The length of time between report submission and review has varied considerably over the years, ranging from twenty-six days to a little over three years and averaging 1.23 years. During the first two decades of the CAT’s existence, average delay between reporting and review slowly increased as the Committee’s workload grew, although within recent years it has sought to address this by consolidating reporting requirements for governments with good compliance records.<sup>7</sup> While the process of compiling the report could prompt internal self-assessment (though there is little evidence of that affecting torture practices within the first set of MSMs discussed above), until a government engages in dialogue with the CmAT about the ways in which it is falling short of treaty obligations, few if any external pressures to reform existing laws or practices are generated.

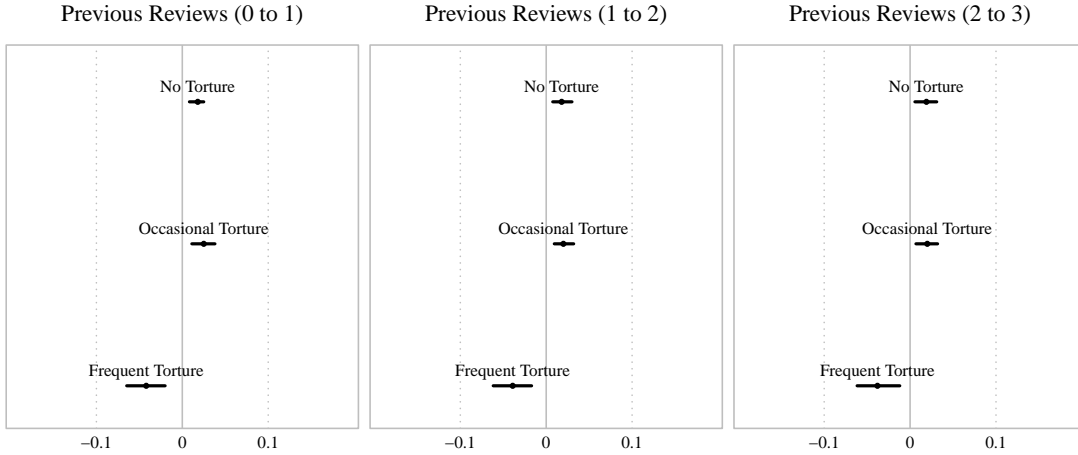
To evaluate whether this is the case, we re-estimate a set of weighting models with CmAT review as the treatment of interest. These models include the same time-varying confounders as the reporting-treatment weighting models, but replace report-specific with review-specific treatment history variables: whether the country had engaged in the in-person CmAT review in the previous year; the number of CmAT reviews received by country; and the number of years since the last review.<sup>8</sup>

We estimate the effects of CmAT review and review history on a government’s torture score one and two years prior to the year of review (to assess anticipatory effects of the in-person review), the treatment year, as well as one, two, three and four years following review (again, as changes in legislation and practices in response to CmAT recommendations typically cannot occur immediately). All models include a linear (year) time trend. As with reporting, the single-shot CmAT review has no significant effect on torture practices across all model specifications (see Appendix Table A2). Yet, as Figure 2 demonstrates, the number of times a country previously engaged in CmAT review significantly increases the probability that it will engage in less torture. Although statistically significant, the substantive effect of additional constructive dialogues is not that large, with each additional review decreasing the probability of observing frequent torture within a country by around four percent. Still, this suggests that it is the continuing constructive dialogue with the Committee and not merely the number of reports submitted that has the potential to positively affect rights practices on the ground.

---

<sup>7</sup>In order to expedite review, the CmAT also began sending lists of issues to governments following report submission, to which the government responds in writing prior to in-person review.

<sup>8</sup>See Appendix Figure A2 for a preliminary model check based on final distributions of stabilized weights for each year.



**Figure 2: Effect of Additional Constructive Dialogues.**

Simulated estimates of effect of number of previous CmAT reviews on probability of observing a given level of torture (CIRI Torture Score, two-years after observation-year). The circles represent estimates of the expected effect on the probability of observing a given level of torture as the number of previous reviews changes from 0 to 1, 1 to 2, and 2 to 3, and all other variables are held constant at their means. The lines are 90% confidence intervals. The circles and lines are solid when there is at least 90% confidence of a positive or negative effect. Otherwise, circles are open and lines are dotted. See Appendix for standard regression tables. IPTW balanced on treatment of CmAT review; model includes linear time trend and bootstrapped parameters.

To summarize, governments that promptly submit reports and that engage in more dialogue with the CmAT are more likely to subsequently engage in less torture over time. These findings largely hold for weighting and outcome models that additionally include report quality and responsiveness as treatment history covariates.<sup>9</sup> While the very fact of reporting may provide an opening for constructive engagement with the treaty monitoring body, the review process can only be expected to work well if governments take it seriously. To capture report quality, we coded every submitted report along four dimensions: implementation, compliance, responsiveness, and inclusion of data. Treaty bodies

<sup>9</sup>See Appendix Figures A3 and A4 for preliminary model checks based on final distributions of stabilized weights for each year, including report quality history and report responsiveness history as treatment-history variables.

have requested that state reports include information on changes in law and administrative procedures (*Implementation*) and concrete practices on the ground relevant to treaty obligations (*Compliance*). Most have expressly requested statistical information on outcomes relevant to treaty obligations (*Data*). Within our coding scheme, a report’s *Quality* represents the extent to which a government provided information and was transparent and forthcoming about shortcomings along these three dimensions. “Constructive dialogue” implies responsiveness; therefore every subsequent periodic report was also coded for how responsive a country was to the Committee’s concluding observations on their previous report (*Responsiveness*).<sup>10</sup>

When controlling for the average quality and responsiveness of past reports, the finding that delayed submission increases the probability of observing higher torture scores holds, with the substantive effect remaining largely the same (see Appendix A3). On the other hand, additional CmAT reviews no longer significantly and positively affect rights practices (see Appendix A4).<sup>11</sup> Including report quality and responsiveness history variables within the weighting models also permits us to say something about their causal effect on torture practices. When balanced on year of report submission, a government’s past responsiveness scores significantly and positively affect its rights practices (Figure 3). Every additional one-unit improvement in past responsiveness scores decreases the probability of observing frequent torture within a country by around four percent. In surprising contrast, past quality scores significantly and negatively affect a government’s rights practices (Figure 3). A two-unit improvement in past report quality scores increases the probability of observing frequent torture within a country by around five percent.

However, when balanced on year of CmAT review, a government’s average quality scores (including for the report under review) have no discernable effect on rights practices (Figure 4 and Appendix Table A4). Average responsiveness scores (including for the report under review) continue to significantly and positively affect a government’s rights practices (Figure 4 and Appendix Table A4). Every additional one-unit improvement in a government’s average responsiveness score decreases the probability of observing frequent torture within a country by close to ten percent. This provides strong support for the conclusion

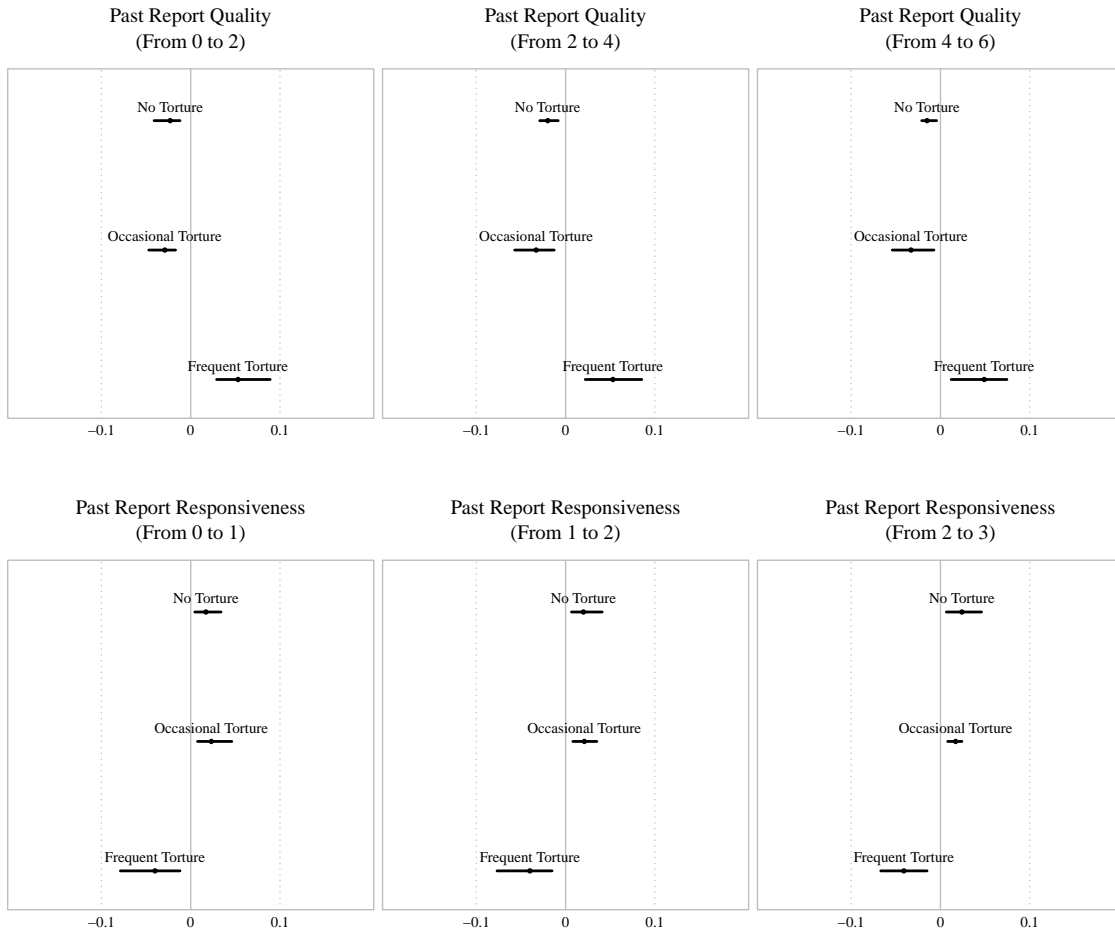
---

<sup>10</sup>Appendix A5 provides an overview of the instrument used to code each report to the CmAT along these four dimensions. For a more detailed discussion of the coding of report quality and responsiveness, see Creamer and Simmons forthcoming.

<sup>11</sup>When the linear time trend (years CAT regime in existence) is replaced by a country-varying time trend that measures the years a country has been a member of the CAT regime, however, the strong positive effect of additional reviews holds.

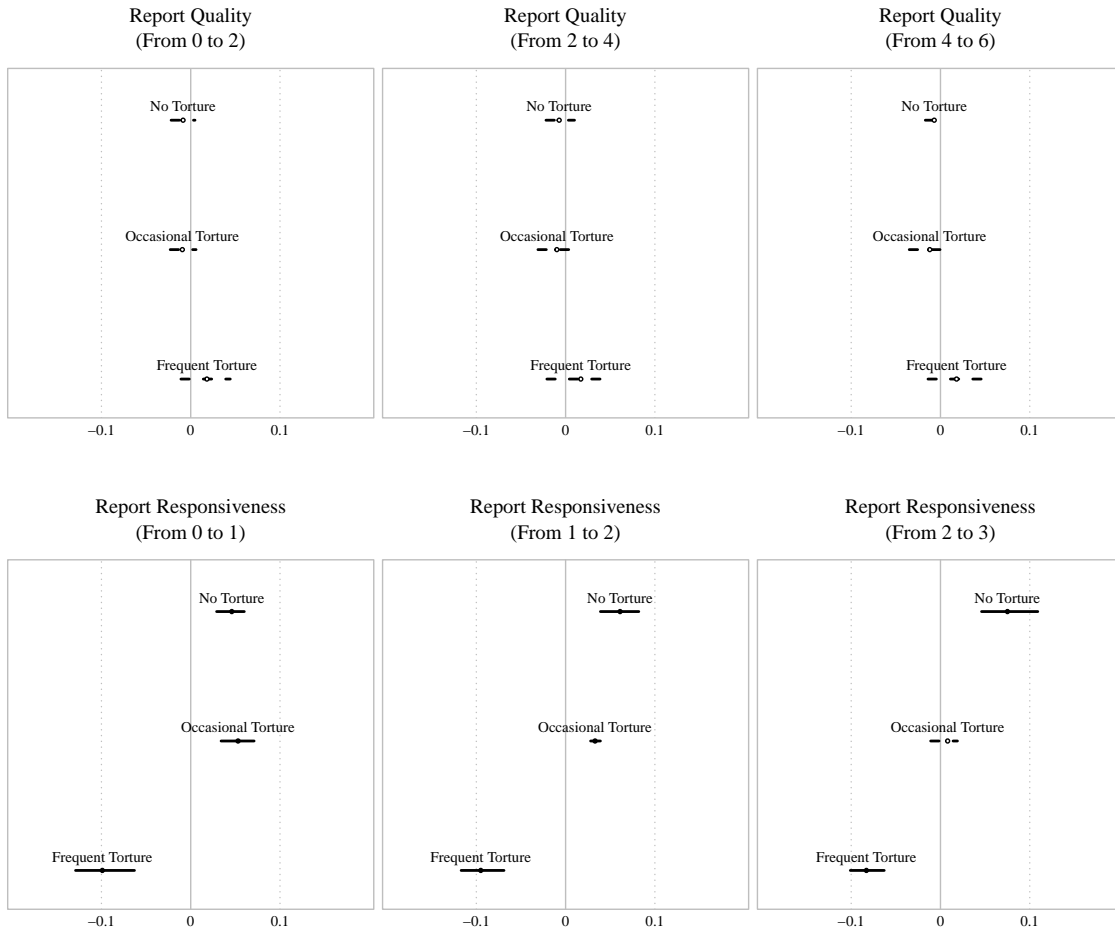
that it is the constructive dialogue with the CmAT—as an ongoing process—which holds the potential to improve rights practices on the ground. This is particularly true when a government engages with and responds to the CmAT’s concluding observations on its prior reports, thereby increasing the quality of the dialogues engendered by the periodic review process.





**Figure 3: Effect of Past Report Quality and Responsiveness.**

Simulated estimates of effect of average past report quality and responsiveness scores on the probability of observing a given level of torture (as measured by the CIRI Torture scale, two-years after observation-year). The circles in the first row represent estimates of the expected effect on the probability of observing a given level of torture, as the average quality score of past reports changes from 0 to 2, 2 to 4, and 4 to 6, with all other treatment and treatment history variables held constant at their means. The circles in the second row represent estimates of the expected effect on the probability of observing a given level of torture, as the average responsiveness score of past reports changes from 0 to 1, 1 to 2, and 2 to 3, with all other treatment and treatment history variables held constant at their means. The lines are 90% confidence intervals. The circles and lines are solid when there is at least 90% confidence of a positive or negative effect. Otherwise, circles are open and lines are dotted. See Appendix for standard regression tables. IPTW balanced on treatment of reporting; model includes linear time trend and bootstrapped parameters.



**Figure 4: Effect of Report Quality and Responsiveness.**

Simulated estimates of effect of average report quality and responsiveness on the probability of observing a given level of torture (as measured by the CIRI Torture scale, two-years after observation-year). The circles in the first row represent estimates of the expected effect on the probability of observing a given level of torture, as the average quality score of past reports (including the report under review) changes from 0 to 2, 2 to 4, and 4 to 6, with all other treatment and treatment history variables held constant at their means. The circles in the second row represent estimates of the expected effect on the probability of observing a given level of torture, as the average responsiveness score of past reports (including the report under review) changes from 0 to 1, 1 to 2, and 2 to 3, with all other treatment and treatment history variables held constant at their means. The lines are 90% confidence intervals. The circles and lines are solid when there is at least 90% confidence of a positive or negative effect. Otherwise, circles are open and lines are dotted. See Appendix for standard regression tables. IPTW balanced on treatment of CmAT review; model includes linear time trend and bootstrapped parameters.

## V Reporting on torture in Latin America: the external dialogue in domestic media

As the previous section demonstrated, prompt and frequent engagement with the CAT regime and continuous constructive dialogue with the CmAT significantly improve governments' torture practices. Yet identifying these effects tells us little about the mechanisms through which such international dialogue influences domestic practices. What might account for the strong and significant findings of the previous section?

As developed within Section III, there are at least three plausible pathways from reporting to practice. The first involves developing the internal capacity to collect and analyze information by the state bureaucracy itself. It is possible self-reporting is a first step toward self-enforcement. If this were true, it might not even be necessary for the oversight committee to respond; reporting alone could lead to more information, enhanced transparency, internal discussions about improvements, and eventually self-implementation of torture bans and safeguards. While a possibility, the evidence for such a direct reporting effect is not strong. There is little measurable improvement in torture practices associated with reporting. But there is evidence of improvement (with a lag) associated with CmAT review and issuance of recommendations. This is suggestive of a mechanism that highlights *the dialogue*—not simply reporting, but justification, review, shadow reporting, recommendation making, and the provision of further information where it is wanting—as stimuli to policy change.

While it is entirely possible that this dialogue facilitates improved outcomes through intra-elite socialization or acculturation (the second pathway), we hypothesize, consistent with some of the existing literature, that this form of procedural compliance mobilizes domestic demands for closer scrutiny of and improvement to torture laws and practices (the third pathway). One type of evidence for domestic political activation and mobilization would be the spread of discussion about the CAT periodic review process to the general public. For this mechanism to be at work, we would expect the process to be publicly *visible* (Kälin 2012: 41). If elite dialogues at the international level work because they become broadly politically relevant at the local level, we should observe their footprint in public discussions and debate.

To evaluate whether this is the case, we turn to an analysis of local media. We focus on Latin America, since this is a region in which one might expect international law and processes to have some influence. Moreover, although torture has historically been a serious

issue in this region, in comparison to other parts of the world Latin American governments have a moderate to reasonably good record of reporting (see Appendix Table A5). Combined with its history of relatively democratic institutions, active civil society, and meaningful press freedom, Latin America is a strong candidate to investigate the potential for the periodic review process to acquire some level of publicity and focus public attention on torture practices. If the reporting process has had a hand in mobilizing support for CAT compliance, we would expect to see some evidence of the conversation in important press outlets throughout the region.

For these reasons, we searched the major local press outlets throughout Latin America for awareness and discussion of the reporting and review process. For each of the sixteen countries examined,<sup>12</sup> we identified the top three newspapers (by circulation).<sup>13</sup> It was not possible to search electronically all three outlets for all years since the CAT entered into force, but in each case we searched as many years as possible from CAT inception to the present, supplementing with information from the Foreign Broadcast Information Service (FBIS) for earlier years. Using five specific combinations of search terms in Spanish and Portuguese,<sup>14</sup> we collected all articles mentioning the Convention Against Torture, the CmAT, and/or the periodic review process. We only collected articles about the target country for each search, excluding those about the treaty or process generally, and obligations of, or recommendations relating to, other states. That is, we only collected and coded articles published by a newspaper within and about the reporting state. We did not collect media stories for states prior to their ratification of the CAT, but we did search for them regardless of whether a state had in fact met its reporting obligation(s).

Each article was then coded for whether it mentioned the focal state's CAT obligations, its relations with the CmAT, and/or the reporting and review process specifically. If participation within the CAT regime or the 'constructive dialogue' with the CmAT is invisible domestically, we would expect little to no reference to any of these topics in the local press. But if such dialogue matters to domestic audiences, we should see a spike in press references, followed by a somewhat higher degree of attention to CAT and the CmAT

---

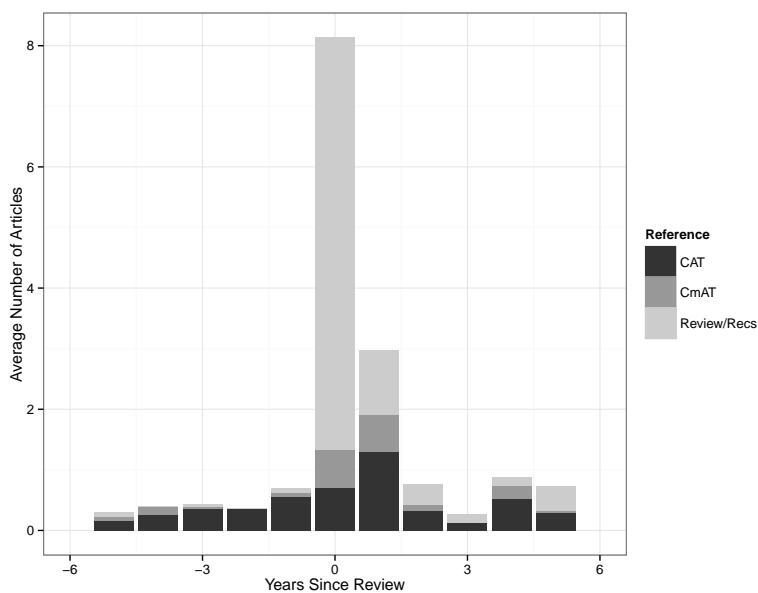
<sup>12</sup>The countries for which a searchable media database existed include: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guyana, Honduras, Mexico, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela. No reliable and searchable databases could be located for: Cuba or Panama. Searches for Guatemala still ongoing.

<sup>13</sup>We identified these using [www.pressreference.com](http://www.pressreference.com), supplemented with queries to regional and country experts or citizens.

<sup>14</sup>Translated equivalents of: 'convention against torture,' 'Committee against torture,' 'committee' + 'torture,' 'convention' + 'torture,' and 'torture.'

during or after the review year.

The media evidence is very consistent with the hypothesis that the conversations initiated by the periodic review process between Latin American governments and the CmAT have had important reverberations in the local (national) press throughout much of the region. Figure 5 demonstrates strong evidence of a spike in attention by the local press to the review process in particular during the reporting year (0) for each state. For the year in which a government appears before the CmAT, we were able to document an average of seven articles in each state that covered the process. Moreover, attention to the CmAT continued after the formal review was concluded. In the year following review, the press continued to report on the recommendations issued by the committee, but also covered CAT obligations generally much more than was the case in the pre-reporting years. Even if we do not include year  $t+1$  in our calculations, references to the CAT and periodic review are noticeably more numerous than was the case prior to year  $t-1$ .



**Figure 5: Domestic Media Coverage of Torture in Latin America.**

Figure indicates the number of domestic newspaper articles that reference the Convention against Torture (CAT), the Committee against Torture (CmAT) or the in-person periodic review before the CmAT and/or the concluding observations and recommendations issued by the CmAT (Review/Recs). Total articles within each country’s searchable time period were summed and averaged over fifteen Latin American countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela. Articles are centered around the year of review (0).

Figure 6 takes a closer look at four states. Mexico and Venezuela top the totals with more than thirty articles in their respective national presses the year of their CAT review. The press in Mexico in particular sustained interest in the implications of the review process in the following year. Mexico's first three reports were submitted in a relatively timely manner, with delays of at most a month (August 1988, July 1992, and June 1996). Mexico's fourth report was submitted over two years late (December 2004), but was of considerably higher quality (6/6) and much more responsive (3/3). Its 5th and 6th reports were consolidated by the Committee, which Mexico submitted a little over three months late in April 2011 (again high quality and responsiveness). In every case, the CmAT responded to the Mexican reports, often praising Mexico on areas of progress (for example, efforts to train law enforcement relating to torture prohibitions and human rights protections in general), and making increasingly detailed recommendations for better implementation and compliance.<sup>15</sup> A recurring theme of this dialogue was the need for Mexico to give much more attention to detention policies and practices, and in particular the extensive use of pre-charge detention practices, at both the state and federal levels.

Given such intense interactions, it is not surprising that the Mexican press has mentioned the CmAT extensively over the years. Since 2005, when systematic electronic search became possible for the major Mexican papers, *El Universal*—Mexico's moderate left paper—has published twenty-one articles that referenced the CAT in some way. Eleven of these referenced the CmAT, of which eight were specifically about the periodic review process or CmAT recommendations. Again, we see the media coverage clustered in time around the CmAT's list of recommendations. For example, *El Universal* covered the CmAT's critical questioning of the Mexican representative during the periodic review of November 2006.<sup>16</sup> Follow-up articles noted CmAT (and other) pressures on Mexico to address homicides and disappearances of women in Ciudad Juarez.<sup>17</sup> A flurry of press reports covered CmAT review of Mexico's report in 2012, covering the content of the report in detail<sup>18</sup> and discussing concerns raised by civil society organizations as well.<sup>19</sup>

Slightly to the political right and aimed more squarely at an elite business audience (though still decidedly independent and often critical of the government), *La Reforma* pub-

---

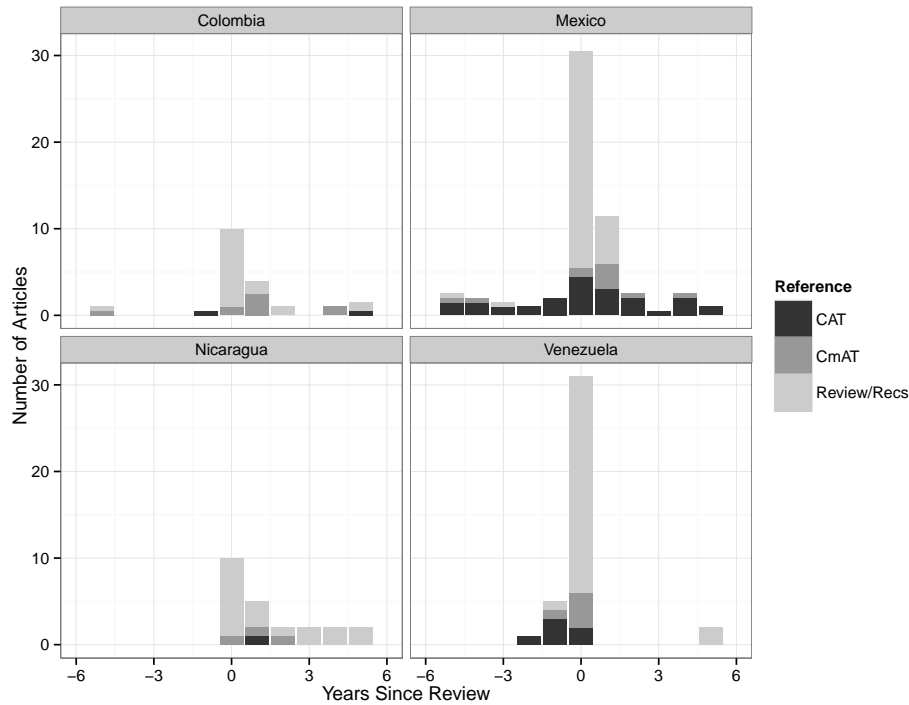
<sup>15</sup>In response to Mexico's combined 5th and 6th report (2012), the CmAT appears to have made at least 56 recommendations.

<sup>16</sup>*El Universal*, "Aceptan que hay tortura y solo un consignado," 9 November 2006.

<sup>17</sup>*El Universal*, "Las 300 recomendaciones contra feminicidios," 16 December 2007.

<sup>18</sup>*El Universal*, "Mexico presentara ante ONU informe sobre tortura," 30 October 2012.

<sup>19</sup>*El Universal*, "Cuestionan impunidad en tortura," 31 October 2012.



**Figure 6: Domestic Media Coverage of Torture in Latin America.**

Indicates the number of domestic newspaper articles that reference the Convention against Torture (CAT), the Committee against Torture (CmAT) or the in-person periodic review before the CmAT and/or the concluding observations and recommendations issued by the CmAT (Review/Recs). References are averaged over the number of CmAT reviews (CAT reports) undertaken by each country within its searchable time period. References are centered around the year of review (0).

For Colombia and Mexico, the searchable period is 1995–present, and covered 3 CmAT reviews for each country. For Nicaragua, the searchable period is 2009–present, and covered 1 CmAT review. For Venezuela, the searchable period is 1998–present, and covered 3 CmAT reviews.

lished thirty-one articles referencing the CAT since 1995. Thirteen of these mentioned the CmAT, and eleven were specifically on the periodic review process or CmAT recommendations.<sup>20</sup> Many were critical of the government or explicitly highlighted the differences between the government’s and ‘shadow’ reports.<sup>21</sup> *La Prensa*—with a wider circulation but with a reputation toward the more sensational—published fifteen articles referencing the CAT in some way since 2011, the first year for which systematic electronic search is

<sup>20</sup> *La Reforma*, “Ve ONU en Mexico tortura sistematica,” 24 May 2003; “Espera Mexico dictamen del CAT,” 26 October 2012; “Priva impunidad en casos de tortura,” 3 November 2012; “Pide la ONU abolir arraigo,” 24 November 2012.

<sup>21</sup> *La Reforma*, “Denuncian que persiste la tortura en Mexico,” 28 April 1997.

possible. Fourteen of these articles reference the CmAT, all of which commented on the periodic review process and/or CmAT recommendations. Among these are articles that are both highly critical,<sup>22</sup> as well as some that mention the CmAT's praise and examples of official progress.<sup>23</sup> Several articles link domestic discussions of specific reforms with recommendations of the CmAT.<sup>24</sup>

In Venezuela, media attention appears to have fallen off drastically after review years, but note that in this case twenty-five articles reported on the recent 2014 review (combining Venezuela's third and fourth reports); thus, follow-on coverage is effectively right-censored. Venezuela does not appear to have adhered to any specific reporting schedule. Two years elapsed between their first and second report, and then a dozen passed before Venezuela was heard from again. *El Universal* reported that the government had not complied with the recommendations of the CmAT in 1999, but it was the lone article we were able to find which noted the government's delinquent reporting.<sup>25</sup> The CmAT and the periodic review process remained virtually invisible in the media until 2014, when the government's combined 3rd and 4th reports were under examination and some twenty-five articles covered the review. The pages of both *El Universal* (a somewhat conservative, business-oriented newspaper) and *El Nacional* (slightly more to the left) were saturated with news of the proceedings, reporting on claims and counter-claims. Since Venezuela had not undergone review in a dozen years, many articles were simply explanatory,<sup>26</sup> but others reported on the questions put to the government.<sup>27</sup> Shadow reports, church criticisms, and other critical voices were represented.<sup>28</sup> Many articles covered the view from the government as well, justifying plans for public safety<sup>29</sup> and criticizing some of the evidence presented in shadow reports—especially relating to government actions against 'violent' demonstrations earlier in the year—as 'baseless allegations.'<sup>30</sup> Plenty of editorial comment thought that

---

<sup>22</sup>*La Prensa*, "En Mexico crecio la tortura y el Estado la tolera, denuncian ONGs," 28 November 2012

<sup>23</sup>*La Prensa*, "Niega PGR que haya politica del Estado para la commission del delito de tortura," 3 November 2012.

<sup>24</sup>See for example: *La Prensa*, "Mexico se compromete a erradicar la tortura," 10 December 2012; "Desde 2002 el mundo reclama a Mexico por El arraigo," 15 April 2013.

<sup>25</sup>*El Universal*, "Detener primero Averiguar después," 16 May 1999.

<sup>26</sup>*El Universal*, "Naciones Unidas evaluará al país por lucha contra tortura," 29 September 2014; "Presentarán casos de tortura y trato cruel ante comisión de la ONU," 3 November 2014.

<sup>27</sup>*El Universal*, "Comité contra la Tortura exigio explicaciones sobre los colectivos," 7 November 2014.

<sup>28</sup>*El Universal*, "Gobierno y activistas debatirán sobre la tortura en la ONU," 6 November 2014; "Tortura ante la ONU," 9 November 2014.

<sup>29</sup>*El Universal*, "En la ONU critican existencia de grupos civiles armados," 8 November 2014.

<sup>30</sup>*El Universal*, "MP exhorta a la ONU a despreocuparse por presunta violación a Afiuni," 7 November 2014; "Rangel Ávalos: Venezuela debe evaluar su posición ante comités de la ONU," 16 November 2014.



the government and police had a lot to answer for within the review process.<sup>31</sup>

Nicaragua appears to display a pattern opposite to Venezuela's, and in this case we have a problem of left-censoring, since both of that country's major national newspapers, *El Nuevo Diario* and *La Prensa*, were only searchable from 2009, the year of Nicaragua's first and only CmAT review.<sup>32</sup> Many of the articles that reference the CAT regime are highly critical; uncharacteristically, several of them link the CmAT with the view that Nicaragua's 2006 ban on abortions under all circumstances is in violation of its obligations under the CAT.<sup>33</sup> About a dozen of the articles graphed in Figure 6 for Nicaragua center around women's issues, in particular, the state's draconian abortion laws.

Press reports in Colombia exhibit the pattern we would expect to observe if the reporting process matters to domestic audiences: a spike in the year of review, strong attention the following year, and then moderate sustained attention that exceeds pre-review levels thereafter. Colombia has submitted four reports to the CmAT, each one more overdue than the previous one, with their most recent submission in 2008. Early press searches using FBIS pre-1995 yielded no references to the CAT or the reporting process, but *El Tiempo* has a prolific history of publicizing the reporting and response process over the last twenty years. It has published eighteen articles on the CAT, fourteen of which made specific mention of CmAT recommendations for Columbia, criticizing the state in particular on out-of-control security forces,<sup>34</sup> practices by the military that amount to torture,<sup>35</sup> and the failing judicial system.<sup>36</sup> It also reported on the CmAT's tough criticism of Colombia in its review of the 4th report (2009).<sup>37</sup> Other news sources were more difficult to search systematically, but there is still evidence they covered the periodic review process as well. When dialogue over Colombia's 5th report became quite drawn out between 2008

---

<sup>31</sup> *El Nacional*, "Comité contra la Tortura exigió explicaciones sobre los colectivos," 7 November 2014; *Últimas Noticias*, "Comité de la ONU: Situación del sistema penitenciario venezolano es 'una tragedia'," 28 November 2014.

<sup>32</sup> Although Nicaragua was one of the first countries to sign the CAT in 1985, it did not complete the ratification process until July of 2005, with its first report due in 2006 and submitted in 2007.

<sup>33</sup> *El Nuevo Diario*, "Estado de Nicaragua violenta a las mujeres," 27 May 2009; "Plantón de mujeres en la CSJ," 29 May 2009.

<sup>34</sup> *El Tiempo*, "Combatir más la tortura le pide naciones unidas a Colombia," 14 December 1995.

<sup>35</sup> *El Tiempo*, "A la ONU le preocupan medidas del presidente," 28 November 2003.

<sup>36</sup> *El Tiempo*, "Debate por efecto de extradición de ex jefes 'paras' a E.U. en ley de Justicia y Paz," 26 November 2009.

<sup>37</sup> *El Tiempo*, "ONU alerta por impunidad en casos de tortura en Colombia," 20 November 2009; "Comité contra la Tortura crítico 'chuzadas'," 21 November 2009; "De Sur a Sur ¡Renuncia, Virginia!," 23 November 2009; "Debate por efecto de extradición de ex jefes 'paras' a E.U. en ley de Justicia y Paz," 26 November 2009.

and 2012, references to the CAT became more common. An article in *El Spectator* in August 2011 explicitly publicized the reporting process and criticized the information that the government had forwarded to the Committee.<sup>38</sup> Similar to Argentina (below), in 2014 the Colombian press cited CmAT's criticism of Taser use in relation to their use by the Bogota police force.<sup>39</sup>

Several other states demonstrate similar patterns to those graphed in Figure 6. In Argentina, we were able to locate some fifteen articles in *La Nacion* (from 2004 to the present) and ten in *Clarín* (from 1997 to the present) that referenced torture. Ten of these articles referenced the CmAT, and twelve discussed the process of periodic review or the CmAT's specific torture recommendations. These are Argentina's two most important papers, well respected, and with significant circulation.<sup>40</sup> The timing of these articles is consistent with the mobilizing power of review and dialogue rather than the internal capacity development mechanism: they are clustered in years just after Argentina's reports are discussed before the CmAT and recommendations issued (1997/98, 2004/05, and 2010). Examples include articles about the CmAT's criticisms of prison conditions (2004) and its 2010 disapproval of Taser-type weapons as a violation of bodily integrity rights.<sup>41</sup> The Committee's concluding observations and recommendations were not completely ignored, as some critics have asserted; rather, they have repeatedly made the news, which is consistent with mounting public pressure to comply with expert interpretations of the Torture Convention.

The Chilean press has also reported on the periodic review process under the CAT, highlighting the reporting process within days after Chile's reports were examined by the Committee. In May 2009—two days after CmAT's review of Chile's report—*La Tercera* reported on an exchange between the International Federation of Human Rights and the government about Chile's compliance with international standards and obligations under the CAT.<sup>42</sup> In 2010, CmAT recommendations that Chile reform its anti-terrorism law were noted in *El Mercurio*.<sup>43</sup>

---

<sup>38</sup>*El Spectador*, "Baja nota en examen sobre tortura en Colombia," 24 August 2011.

<sup>39</sup>*El Spectador*, "En Concejo de Bogota tambien critican a Policia por utilizacion de pistolas Taser," 29 July 2014.

<sup>40</sup>World Association of Newspapers and News Publishers, *World Press Trends, Country Report: Argentina* (2010).

<sup>41</sup>Respectively: *La Nacion*, "El gobierno ratifico el protocolo de la ONU contra la tortura," 17 November 2004; *La Nacion*, "Cuestionan un arma de la policia portena," 26 January 2010.

<sup>42</sup>*La Tercera*, "Federación de DDHH acusa 'rebajas en exceso' de penas a crímenes de lesa humanidad en Chile," 7 May 2009; "Ministerio de Justicia refuta dichos de federación de DDHH sobre tortura en Chile," 7 May 2009.

<sup>43</sup>*El Mercurio*, "Relator de la ONU reitera llamado para reforma a Ley Antiterrorista," 25 September

Paraguay turned in four reports, and has received a lot of advice from the CmAT, but it has proved difficult to access news media coverage systematically until quite recently. When the CmAT discussed the fourth report in 2011, however, there was fairly significant coverage (nine articles). Some predominantly praise the government's policies,<sup>44</sup> while others are more critical. Similar to the cases of Argentina and Colombia, one article noted that the use of Tasers, for example, is considered torture by the CmAT. Another points to a shadow report on the treatment of indigenous persons in Paraguay.<sup>45</sup> Quite unusual, but similar to Nicaragua, setbacks in sexual and reproductive rights are also mentioned.<sup>46</sup> Several articles point out the litany of deficiencies and accusations against the Paraguayan authorities, especially the police and the widespread practice of preventive detention.<sup>47</sup> Overall, Paraguay represents a case of dense media coverage concentrated right around the time of CmAT review and recommendations.

Cases of far less coverage of the CmAT review process included Brazil, Ecuador, Peru and Bolivia. Brazil has generally been far less cooperative than Argentina with the CmAT, submitting its first report a decade late (in 2000) and it has yet to submit its second one (originally due in 1994). The media has pretty much ignored the lone set of recommendations by the CmAT, although there were indirect references to the recommendation to ratify the Optional Protocol authorizing individual complaints,<sup>48</sup> as well as criticism of Brazil's reporting delinquency.<sup>49</sup> In Ecuador, within the past decade, we could find seven articles in *El Universo* that mention the CAT and four that specifically covered the review process and CmAT recommendations. An article in November 2010 discusses the detailed questions Ecuador faced with respect to treatment of indigenous people and the weakness of the judicial system in handling torture cases.<sup>50</sup> Another discussed the CmAT's criticism of treatment of Colombian refugees in Ecuador by the security forces of both countries.<sup>51</sup> *El Comercio* in late 2005 covered Ecuador's shortcomings as listed by the CmAT, but also

---

2010.

<sup>44</sup>For example, *La Nacion*, "Paraguay presentó Informe sobre derechos humanos," 4 November 2011; *ABC Color*, "Valoran iniciativas a favor de los DD.HH.," 6 November 2011.

<sup>45</sup>Respectively, *ABC Color*, "La polémica pistola eléctrica," 21 October 2011; "Indígenas sufren maltratos y torturas, afirma Codehupy," 4 November 2011.

<sup>46</sup>*ABC Color*, "Un año de retrocesos en materia de los derechos sexuales," 22 December 2011.

<sup>47</sup>*ABC Color*, "Preocupan al Comité de ONU denuncias sobre torturas," 26 November 2011.

<sup>48</sup>*O Globo*, "Lula cria comitê para combater a tortura no Brasil," 26 July 2006.

<sup>49</sup>*Folha de Sao Paulo*, "Direitos Humanos: Lula assina decreto que cria comitê de combate à tortura," 27 July 2006.

<sup>50</sup>*El Universo*, "ONU pide a Ecuador reforzar tipificación de la tortura," 9 November 2010.

<sup>51</sup>*El Universo*, "ONU pide a Ecuador eliminar requisito sobre pasado judicial," 19 November 2010.

took the opportunity in March of 2006 to deflect criticism toward the United States for its torture in Guantanamo.<sup>52</sup>

Peru has had superficial but improving engagement with the CmAT over time. Peru's reporting quality improved noticeable from the 1990s to the 2000s, although their reports tended to be a couple of years late, to the point that it became necessary to combine reports in 2012 in order to 'catch up.' In line with the changing nature of CmAT review, its recommendations became more numerous and explicit over time as well. Despite this, we found only five references to the CmAT review process in the Peruvian press. Three were in 2006 when the 4th report was under examination; all were found in *Peru.21* (founded in 2002) and were largely explanatory, discussing the content of the government reports and the Committee's recommendations. Two articles covered review of the combined 5th and 6th reports in 2012, noting the CmAT's criticism of deplorable prison conditions in Peru.<sup>53</sup> Next door, Bolivia has turned in only two reports (the second seven years late, but of higher quality than the first). Four media articles have mentioned the CmAT, with the three in *El Deber* the most explicit about the 2013 periodic review, including the Committee's specific recommendations.<sup>54</sup> One is highly critical of the fact that human rights were in retreat in Bolivia and used the CmAT recommendations to bolster demands for changes in the penal code to conform to the CAT.<sup>55</sup>

We found little to no evidence of coverage of CmAT dialogue in some of the smaller states in Latin America. In Guyana, for example, domestic media could only be searched systematically from 2009. While a couple articles reference the CAT, none mention the reporting process. Guyana has turned in only one report, in 2006, which was reviewed the same year. Panama is similar: it submitted three reports over the course of the late 1980s and 1990s, but of low quality and Committee feedback was minimal (amounting to a paltry three recommendations over a decade). We were not able to retrieve any press articles on the CmAT process involving Panama, Costa Rica (submitted two reports), and El Salvador (two reports). Uruguay has turned in three reports since ratifying the CAT in 1988, but we could find only one article in the major media that mentioned the CmAT review process, noting criticism of the government and in particular identifying the

---

<sup>52</sup> *El Comercio*, "No tiene derecho," 20 March 2006.

<sup>53</sup> *Peru.21*, "ONU pide al Perú que evalúe cierre de los penales de Yanamayo y Challapalca," 23 November 2012; Ojo, "ONU ordena a Peru cerrar dos cárceles," 24 November 2012.

<sup>54</sup> *El Deber*, "ONU pide a Bolivia tipificar delito de tortura conforme a ley internacional," 31 May 2013; "Tóásó se queja en la CIDH y la ONU exige ley contra la tortura," 1 June 2013.

<sup>55</sup> *El Deber*, "Aumentan torturas y abusos a manos de policías y militares," 8 September 2014.

NHRI as the source of some of the information mentioned within the critical Committee review.<sup>56</sup> Guatemala had a strong reporting record (a total of five separate reports) and plenty of compliance recommendations to digest (twenty-seven from the most recent review alone), but we could find only one article that mentioned the CmAT review process. That article covers Committee criticisms, but also evinces some government confusion about the process.<sup>57</sup> Honduras, however, has only turned in one report, but when it was discussed by the CmAT in 2009, the press coverage was significant: we found five references in three different publications touching on issues from violence in prisons to torture at the hands of the armed forces.<sup>58</sup> Interestingly, one extensive and critical article identifies the CmAT review as a “constructive dialog” and states that failure to comply with the UN recommendations exposes Honduras to “moral sanction.”<sup>59</sup>

This review of the media suggests that the causal mechanism linking the reporting process to domestic information, awareness and eventual mobilization is highly plausible. The press records for Latin America generally demonstrate the expected spike in reporting within local news media around the time the CmAT reviews government reports and issues its recommendations for how a country can improve its implementation of and compliance with the treaty. Interestingly, we found little publicity when reports were actually submitted. Certainly, there is a good deal of variance across countries. Larger states, such as Mexico, tend to have higher capacity media organizations able to cover UN processes of all kinds. And yet the media in some polities that possess similar capacities, such as Brazil, fail to do so. Somewhat surprisingly, press coverage was fairly critical of the state in several cases in which democratic institutions overall are somewhat weak (Venezuela, for example). But it is clear that the periodic review processes under the Torture Convention have not gone unnoticed within the region. On the contrary, in many cases, and indeed on average, newspapers have given the process of review and CmAT recommendations the kind of airing one would expect for the process to mobilize domestic pressures for change.

---

<sup>56</sup> *El País*, “INAU respaldará al Sirpa tras duro informe de ONU,” 25 May 2014. There are several articles on other aspects of UN monitoring and oversight in *El País*, but this is the only one specifically on the CmAT. See for example “Plan de Mujica viola convenios,” 12 August 2012; “Consejos al sistema uruguayo,” 19 June 2011; and “Consejos al sistema uruguayo,” 25 May 2010.

<sup>57</sup> *Siglo Veintiuno*, “Comité contra la Tortura revisa caso de Guatemala,” 6 May 2006.

<sup>58</sup> *La Tribuna*, “ONU denuncia abusos en las detenciones preventivas en Honduras,” 6 May 2009; “Piden desengavetar la Ley Penitenciaria,” 6 June 2009; *El Heraldo*, “Los hondureños viven aterrorizados por violencia,” 6 May 2009.

<sup>59</sup> *El Heraldo*, “ONU conoce de tratos inhumanos,” 14 May 2009.

## VI Conclusion

Criticisms of the reporting and review process of the various human rights treaty bodies are far more common than rigorous assessments of their actual consequences. While we do not dispute there are weaknesses in the reporting system, the evidence presented here is a striking contrast to the bulk of the literature on state interactions with expert human rights treaty bodies. We have found evidence to suggest that dialogue between state representatives and international experts may indeed generate new ideas, advice and pressure for change in practice. The dialogue engendered through self-reporting may well have been important to making improvements on the ground that reduced the pervasiveness of torture in a number of countries (indeed, on average). Importantly, we found evidence that, controlling for the average quality and responsiveness of past reports (which could perhaps be construed as a measure of decidedly mixed state enthusiasm for the process), delayed submission increases the probability of observing higher torture scores holds, while interacting sooner rather than later reduces noticeably that probability. As anyone would expect, the shift in the probability of torture due to dialogue is not massive, but it is all the more believable for its modest size.

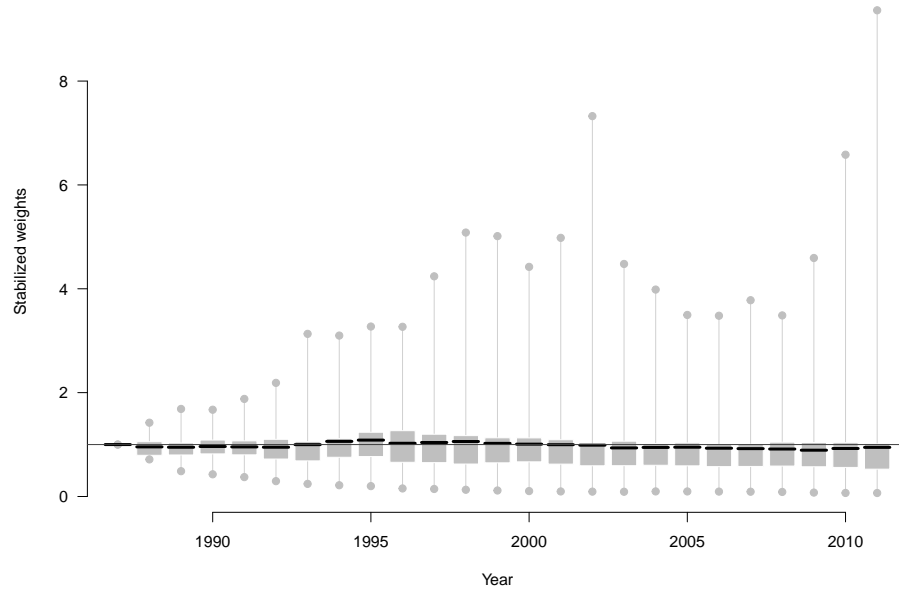
It is very important as well to stress what we did *not* find. We found evidence that interactive histories are important to such improvements; modeling one-shot effects proved useless. The number, the density, and the timing of dialogue are crucial to the process of rights improvements. This is certainly far more realistic a finding than to expect last year's conversation with the experts to yield one-shot effects in the following year or so. We also found that *iterative* and *interactive* histories are key: reporting *per se* does not produce the same results as a more intense back-and-forth between governments and the committee. Review histories had a causal influence on the probability of frequent torture; reporting histories alone did not. This suggests there are limits to self-assessment, and potential for constructive engagement.

One reason for this finding is that the review process gains a domestic audience through the national media. Far from finding that no one pays attention to this process outside the halls of Geneva, it turns out that in Latin America at least the review process literally piques (or peaks, as in Figures 5 and 6) the media's, and potentially the public's, interest. The national media in this region is replete with discussions and debates about what governments are telling the experts, how shadow reports shape the conversations, what CmAT has asked, and how governments have responded. There is plenty of official excuse-making

going on, but a surprising amount of criticism as well. These patterns are consistent with a theory that treaties matter because discussing human rights engages interested domestic publics, who are in a better position, armed with legal rights and better information, to hold their governments accountable.

We hasten to add that the reporting regime is not a comprehensive solution to the world's worst human rights abuses. For one thing, we have only examined states that have ratified the CAT; even among the ratifiers it has proved impossible to coerce a meaningful conversation out of unwilling states. Constructive dialogue only has effects when it actually takes place. That said, the results of this research suggest that the reporting and review system should be supported rather than disparaged. We agree with the critics who point out the problems of stretched resources and redundant processes. But a look at the evidence suggests that self-reporting and receiving recommendations has an important causal role to play in starting conversations that reverberate domestically and open possibilities for change.

# Appendix



**Figure A1: Stabilized weights over the years by predicting (year of) reporting.**

The black lines are the yearly means, the gray rectangles are the yearly inter-quartile ranges, and the thin gray lines denote the range of the weights. These weights appear well behaved as their means are close to 1.

Model includes as treatment-history variables: reporting in the previous year; number of previous reports; years since report due. Model includes as time-varying covariates: logged GDP *per capita* and total population; Polity IV score; CIRI Torture score; regional reporting density (as percentage); and a set of indicator variables capturing: existence of an NHRI; Article 22 declaration; never democratic; stable democracy; a democratic transition; and a political transition in a democratizing direction (+3 on the polity scale). All time-varying covariates lagged one year. Year fixed effects included. Estimates obtained with robust standard errors.



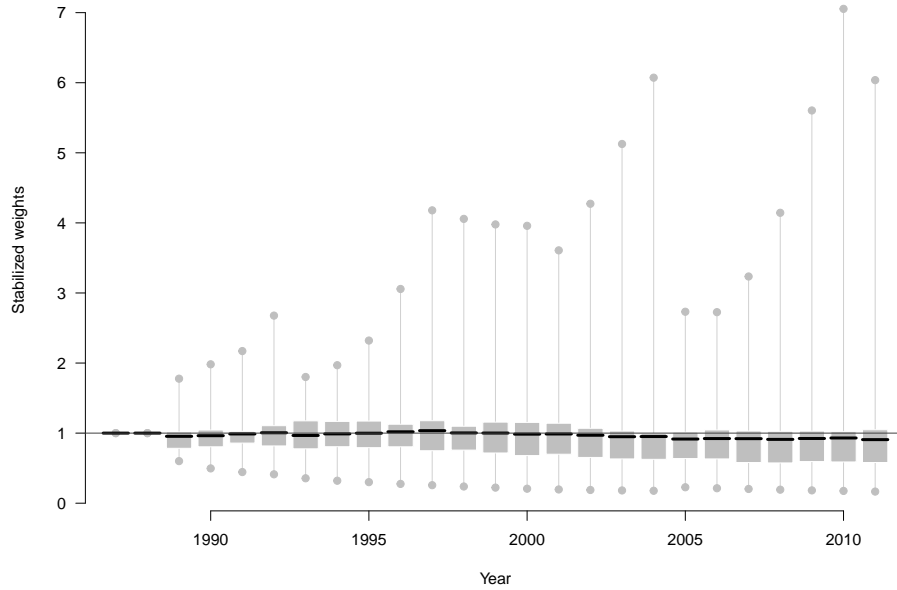
<i>CIRI Torture Score:</i>							
	t-2	t-1	t	t+1	t+2	t+3	t+4
Report Submission (year = t)	-0.045 (0.090)	-0.046 (0.089)	0.099 (0.094)	-0.063 (0.090)	0.142 (0.094)	0.040 (0.097)	-0.013 (0.095)
Number of Previous Reports	0.009 (0.027)	-0.013 (0.024)	-0.022 (0.028)	-0.018 (0.030)	-0.017 (0.031)	-0.030 (0.034)	-0.034 (0.036)
Years Late (from year due)	0.044*** (0.012)	0.041*** (0.010)	0.037*** (0.012)	0.052*** (0.013)	0.058*** (0.014)	0.056*** (0.015)	0.050*** (0.016)
Reported in Previous Year	0.025 (0.090)	0.194** (0.094)	0.053 (0.092)	0.215** (0.095)	0.199** (0.097)	0.134 (0.098)	0.036 (0.103)
Observations	2,119	2,127	2,000	1,875	1,748	1,622	1,498

*Note:*

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

**Table A1: Effect of Reporting and Reporting History on Torture (CIRI)**

Ordered Probit coefficient values reported, with robust standard errors in parentheses. The dependent variable is a reversed CIRI Torture Scale, with 2 = frequent torture; 1 = occasional torture; and 0 = no torture. All models include a linear time trend (years CAT regime in existence). Models including year fixed-effects provide similar results.



**Figure A2: Stabilized weights over the years by predicting (year of) CmAT Review (with CIRI Torture Data).**

The black lines are the yearly means, the gray rectangles are the yearly inter-quartile ranges, and the thin gray lines denote the range of the weights. These weights appear well behaved as their means are close to 1.

Model includes as treatment-history variables: review in the previous year; number of previous CmAT reviews; years since last review. Model includes as time-varying covariates: logged GDP *per capita* and total population; Polity IV score; CIRI Torture score; regional reporting density (as percentage); and a set of indicator variables capturing: existence of an NHRI; Article 22 declaration; never democratic; stable democracy; a democratic transition; and a political transition in a democratizing direction (+3 on the polity scale). All time-varying covariates lagged one year. Year fixed effects included. Estimates obtained with robust standard errors.

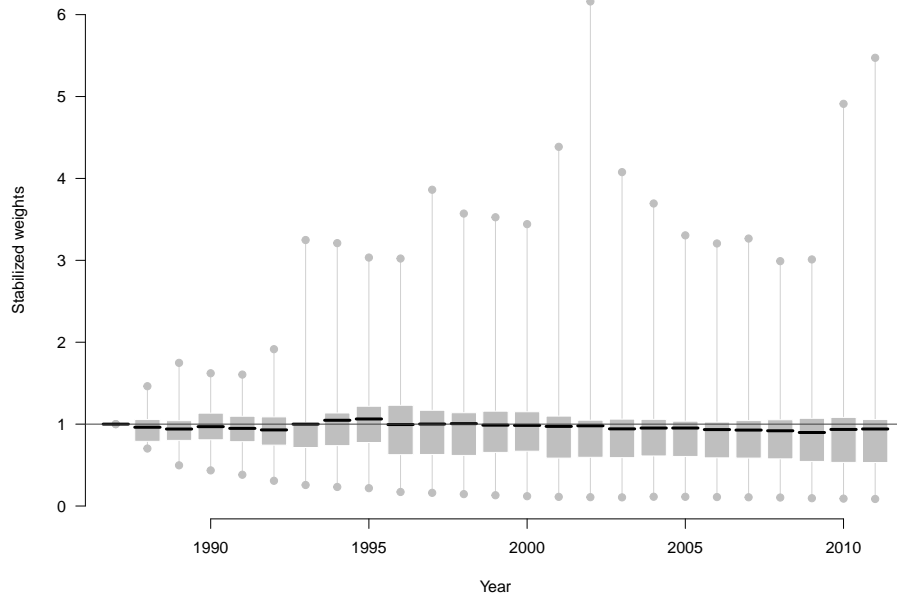
<i>CIRI Torture Score:</i>							
	t-2	t-1	t	t+1	t+2	t+3	t+4
CmAT Review (year = t)	-0.115 (0.090)	-0.090 (0.089)	-0.053 (0.087)	-0.053 (0.092)	-0.110 (0.096)	-0.141 (0.094)	-0.182* (0.098)
Number of Previous Reviews	-0.223*** (0.036)	-0.245*** (0.038)	-0.235*** (0.041)	-0.225*** (0.042)	-0.223*** (0.045)	-0.180*** (0.047)	-0.168*** (0.051)
Years since Last Review	-0.010 (0.012)	-0.004 (0.012)	0.005 (0.013)	0.009 (0.013)	0.010 (0.014)	0.004 (0.015)	0.002 (0.016)
Reviewed in Previous Year	0.098 (0.097)	0.133 (0.092)	0.158 (0.098)	0.106 (0.092)	0.052 (0.103)	-0.049 (0.105)	0.093 (0.112)
Observations	2,119	2,127	2,000	1,875	1,748	1,622	1,498

*Note:*

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

**Table A2: Effect of CmAT Review and Review History on Torture**

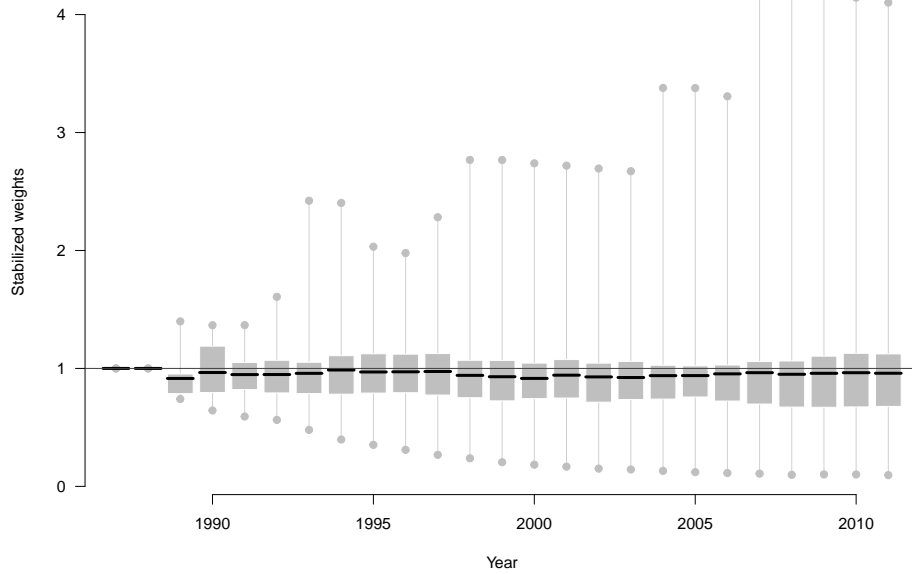
Ordered Probit coefficient values reported, with robust standard errors in parentheses. The dependent variable is a reversed CIRI Torture Scale, with 2 = frequent torture; 1 = occasional torture; and 0 = no torture. All models include a linear time trend (years CAT regime in existence). Models including year fixed-effects provide similar results.



**Figure A3: Stabilized weights over the years by predicting (year of) reporting. Includes average report quality and responsiveness.**

The black lines are the yearly means, the gray rectangles are the yearly inter-quartile ranges, and the thin gray lines denote the range of the weights. These weights appear fairly well behaved as their means are close to 1, though less so than weights excluding report quality and responsiveness history.

Model includes as treatment-history variables: reporting in the previous year; number of previous reports; years since report due; report quality history; and report responsiveness history. Quality and responsiveness history variables represent the average quality and responsiveness scores of past reports up to, but not including, the score for a report submitted in a given year. Model includes as time-varying covariates: logged GDP *per capita* and total population; Polity IV score; CIRI Torture score; regional reporting density (as percentage); and a set of indicator variables capturing: existence of an NHRI; Article 22 declaration; never democratic; stable democracy; a democratic transition; and a political transition in a democratizing direction (+3 on the polity scale). All time-varying covariates lagged one year. Year fixed effects included. Estimates obtained with robust standard errors.



**Figure A4: Stabilized weights over the years by predicting (year of) CmAT Review. Includes average report quality and responsiveness.**

The black lines are the yearly means, the gray rectangles are the yearly inter-quartile ranges, and the thin gray lines denote the range of the weights. These weights appear fairly well behaved as their means are close to 1, though less so than weights excluding report quality and responsiveness history.

Model includes as treatment-history variables: review in the previous year; number of previous CmAT reviews; years since last review; report quality history; and report responsiveness history. Quality and responsiveness history variables represent the average quality and responsiveness scores of past reports up to and including the score for a report under review. Model includes as time-varying covariates: logged GDP *per capita* and total population; Polity IV score; CIRI Torture score; regional reporting density (as percentage); and a set of indicator variables capturing: existence of an NHRI; Article 22 declaration; never democratic; stable democracy; a democratic transition; and a political transition in a democratizing direction (+3 on the polity scale). All time-varying covariates lagged one year. Year fixed effects included. Estimates obtained with robust standard errors.

<b>REPORT QUALITY</b>	
<b>Implementation</b>	
<ul style="list-style-type: none"> <li>➤ 0 = only positive information about laws, policies and programs relevant to treaty obligations</li> <li>➤ 1 = mostly positive information about laws, policies and programs relevant to treaty obligations</li> <li>➤ 2 = positive information, but explicitly and fairly systematically acknowledges shortcomings in implementation</li> </ul>	
<b>Compliance</b>	
<ul style="list-style-type: none"> <li>➤ 0 = no mention of compliance</li> <li>➤ 1 = includes only positive information about compliance outcomes relevant to treaty obligations</li> <li>➤ 2 = mostly positive information about compliance outcomes relevant to treaty, some discussion of shortcomings and future goals</li> <li>➤ 3 = positive information, but explicitly acknowledges shortcomings in compliance outcomes relevant to treaty obligations</li> </ul>	
<b>Data</b>	
<ul style="list-style-type: none"> <li>➤ 0 = report does not provide meaningful data/statistics (information about outcomes relevant to treaty obligations)</li> <li>➤ 1 = report does provide meaningful data/statistics (information about outcomes relevant to treaty obligations)</li> </ul>	
<b>REPORT RESPONSIVENESS</b>	
<ul style="list-style-type: none"> <li>➤ 0 = does not acknowledge or respond to any concerns of the treaty body or only makes passing reference to committee concerns and provides vague response</li> <li>➤ 1 = responds to questions posed by the treaty body (largely related to requests for information)</li> <li>➤ 2 = acknowledges some concerns of the treaty body regarding compliance, but largely justifies current policies and efforts</li> <li>➤ 3 = extensively acknowledges concerns of the treaty body and develops programs and approaches to meet concerns</li> </ul>	

**Figure A5: Coding scheme for CAT Report Quality and Responsiveness.**

<i>CIRI Torture Score:</i>							
	t-2	t-1	t	t+1	t+2	t+3	t+4
Report Submission (year = t)	-0.034 (0.089)	-0.009 (0.090)	0.111 (0.091)	-0.048 (0.088)	0.175** (0.094)	0.027 (0.095)	0.018 (0.094)
Number of Previous Reports	0.016 (0.032)	0.00002 (0.034)	-0.009 (0.029)	-0.004 (0.036)	-0.007 (0.038)	-0.019 (0.040)	-0.014 (0.044)
Years Late (from year due)	0.041*** (0.011)	0.037*** (0.011)	0.034*** (0.012)	0.049*** (0.013)	0.053*** (0.013)	0.054*** (0.014)	0.049*** (0.015)
Report Quality History	0.059*** (0.019)	0.061*** (0.019)	0.063*** (0.019)	0.058*** (0.021)	0.065*** (0.022)	0.060*** (0.023)	0.061** (0.024)
Responsiveness History	-0.071* (0.040)	-0.085** (0.040)	-0.086** (0.042)	-0.090** (0.044)	-0.103** (0.047)	-0.094* (0.050)	-0.110** (0.055)
Reported in Previous Year	0.012 (0.092)	0.151 (0.092)	0.004 (0.091)	0.201** (0.096)	0.125 (0.097)	0.113 (0.098)	-0.007 (0.105)
Observations	2,119	2,127	2,000	1,875	1,748	1,622	1,498

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

**Table A3: Effect of Reporting and Reporting History (including Report Quality and Responsiveness) on Torture (CIRI)**

Ordered Probit coefficient values reported, with robust standard errors in parentheses. The dependent variable is a reversed CIRI Torture Scale, with 2 = frequent torture; 1 = occasional torture; and 0 = no torture. All models include a linear time trend (years CAT regime in existence). Models including year fixed-effects provide similar results.

<i>CIRI Torture Score:</i>							
	t-2	t-1	t	t+1	t+2	t+3	t+4
CmAT Review (year = t)	-0.017 (0.088)	0.052 (0.082)	0.098 (0.092)	0.037 (0.095)	0.033 (0.098)	-0.027 (0.095)	-0.035 (0.104)
Number of Previous Reviews	0.007 (0.033)	-0.007 (0.028)	-0.001 (0.036)	-0.016 (0.037)	-0.017 (0.040)	-0.013 (0.042)	-0.015 (0.045)
Years since Last Review	-0.004 (0.011)	-0.0008 (0.011)	0.003 (0.012)	0.004 (0.012)	0.003 (0.013)	0.0003 (0.014)	-0.001 (0.015)
Reviewed in Previous Year	0.055 (0.095)	0.080 (0.094)	0.056 (0.098)	0.049 (0.100)	-0.015 (0.103)	-0.044 (0.109)	0.063 (0.116)
Report Quality History	0.009 (0.018)	0.016 (0.019)	0.009 (0.020)	0.017 (0.020)	0.023 (0.020)	0.015 (0.022)	0.014 (0.024)
Report Responsiveness History	-0.206*** (0.040)	-0.228*** (0.039)	-0.243*** (0.041)	-0.242*** (0.042)	-0.251*** (0.045)	-0.232*** (0.048)	-0.248*** (0.053)
Observations	2,119	2,127	2,000	1,875	1,748	1,622	1,498

Note:

\*p<0.1; \*\*p<0.05; \*\*\*p<0.01

**Table A4: Effect of CmAT Review and Review History (including Report Quality and Responsiveness) on Torture (CIRI)**

Ordered Probit coefficient values reported, with robust standard errors in parentheses. The dependent variable is a reversed CIRI Torture Scale, with 2 = frequent torture; 1 = occasional torture; and 0 = no torture. All models include a linear time trend (years CAT regime in existence). Models including year fixed-effects provide similar results.

Table A5: CAT Periodic Review in Latin America

Report Number	Date Due	Date Submitted	Date Examined	Quality Score	Responsiveness Score	Publications Searched
<b>Argentina</b>						
1	June 1988	Dec 1988	Nov 1989	2	n/a	0
2	June 1992	June 1992	Nov 1992	0	0	0
3	June 1996	Sep 1996	Nov 1997	3	0	1
4	June 2000	July 2002	Nov 2004	6	3	2
5 & 6	June 2008	Not submitted				2
<b>Bolivia</b>						
1	May 2000	May 2000	May 2001	1	n/a	0
2	May 2004	Oct 2011	May 2013	5	3	4
<b>Brazil</b>						
1	Oct 1990	May 2000	May 2001	6	n/a	2
2	Oct 1994	Not Submitted				2
<b>Chile</b>						
1	Oct 1989	Sep 1989	Nov 1989	1	n/a	0
2	Oct 1993	Feb 1994	Nov 1994	3	0	0
3 & 4	Oct 1997	Feb 2002	May 2004	3	0	0
5	Oct 2005	Feb 2007	May 2009	3	1	2
6	May 2013	Not submitted				
<b>Colombia</b>						
1	Jan 1989	April 1989	Nov 1989	2	n/a	0
2	Jan 1993	August 1995	Nov 1995	3	0	1
3	Jan 1997	Jan 2002	Nov 2003	6	0	1
4	Jan 2001	Not submitted				1
5	Jan 2005	Jan 2008	Nov 2009	6	2	2
<b>Costa Rica</b>						
1	Dec 1994	Aug 2000	May 2001	6	n/a	0
2	Dec 1998	May 2006	May 2008	5	0	1
3	June 2012	Not Submitted				1
<b>Ecuador</b>						
1	April 1989	June 1990	Nov 1990/1	0	n/a	0
2	April 1993	April 1993	Nov 1993	4	2	0
3	April 1997	June 2003	Nov 2005	6	3	2
4, 5, 6	April 2009	Aug 2009	Nov 2010	6	3	2
<b>El Salvador</b>						
1	July 1997	July 1999	May 2000	5	n/a	0
2	July 2001	July 2007	Nov 2009	5	0	1
3	Nov 2013	Not submitted				
<b>Guatemala</b>						
1	Feb 1991	Nov 1994	Nov 1995	3	n/a	0
2	Feb 1995	Feb 1997	May 1998	6	0	0
3	Feb 2000	Jan 2000	Nov 2000	6	3	0
4	Feb 2003	Dec 2003	May 2006	6	3	2
5 & 6	Feb 2011	Jan 2012	May 2013	5	3	3
<b>Guyana</b>						
1	June 1989	June 2006	Nov 2006	1	n/a	0
2	Dec 2008	Not submitted				2
<b>Honduras</b>						
1	Jan 1998	April 2008	May 2009	4	n/a	3
2	May 2013	Not submitted				
<b>Mexico</b>						
1	June 1988	Aug 1988	April 1989	0	n/a	0
2	June 1992	July 1992	Nov 1992	3	0	0
3	June 1996	June 1996	April 1997	3	0	1
4	June 2000	Dec 2004	Nov 2006	6	3	2
5 & 6	Dec 2010	April 2011	Nov 2012	6	3	3
<b>Nicaragua</b>						
1	Aug 2006	June 2007	April 2009	6	n/a	2
2	May 2013	Not submitted				2
<b>Panama</b>						
1	Sep 1988	Jan 1991	April 1991	0	n/a	0
2	Sep 1992	Sep 1992	April 1993	0	0	0
3	Sep 1996	May 1997	May 1998	0	0	0
4	Sep 2000	Not Submitted				
<b>Paraguay</b>						
1	April 1991	Jan 1993	Nov 1993	2	n/a	0
2	April 1995	July 1996	May 1997	3	0	0
3	April 1999	June 1999	May 2000	3	0	0
4, 5, 6	April 2011	Oct 2010	Nov 2011	6	0	3
<b>Peru</b>						
1	Aug 1988	Nov 1992	Nov 1994	0	n/a	0
2	Aug 1993	Jan 1997	May 1998	2	2	0
3	Aug 1997	Dec 1998	Nov 1999	3	0	0
4	Aug 2001	Nov 2004	May 2006	6	3	2
5 & 6	Aug 2009	July 2011	Nov 2012	6	1	3
<b>Uruguay</b>						
1	June 1988	June 1991	Nov 1991	1	n/a	0
2	June 1992	March 1996	Nov 1996	3	3	0
3	June 1996	Sep 2012	April 2014	6	0	0
<b>Venezuela</b>						
1	Aug 1992	July 1998	April 1999	5	n/a	1
2	Aug 2000	Sep 2000	Nov 2002	1	3	1
3 & 4	Aug 2004	Sep 2012	Nov 2014			3



## References

- Alston, Philip. 1997. "Effective Functioning of Bodies Established Pursuant to United Nations Human Rights Instruments: Final report on enhancing the long-term effectiveness of the United Nations human rights treaty system." UN Doc. E/CN/4/1997/74, Annex.
- Alston, Philip and James Crawford. 2000. *The Future of UN Human Rights Treaty Monitoring*. Cambridge University Press.
- Barnett, Michael N. and Martha Finnemore. 1999. "The Politics, Power and Pathologies of International Organizations." *International Organization* 53(4):699–732.
- Bayefsky, Anne. 2001. *The UN Human Rights Treaty System: Universality at the Crossroads*. Kluwer Law International.
- Blackwell, Matthew. 2013. "A Framework for Dynamic Causal Inference in Political Science." *American Journal of Political Science* 57(2):504–520.
- Chayes, Abram and Antonia Handler Chayes. 1993. "On Compliance." *International Organization* 47(2):175–205.
- Chayes, Abram and Antonia Handler Chayes. 1995. *The New Sovereignty: Compliance with International Regulatory Agreements*. Harvard University Press.
- Checkel, Jeffrey T. 2005. "International Institutions and Socialization in Europe: Introduction and Framework." *International Organization* 59(4):801–826.
- Cole, Stephen R. and Miguel A. Hernan. 2008. "Constructing Inverse Probability Weights for Marginal Structural Models." *American Journal of Epidemiology* 168(6):656–664.
- Conrad, Courtney R. 2014. "Divergent Incentives for Dictators: Domestic Institutions and (International Promises Not to) Torture." *Journal of Conflict Resolution* 58(1):34–67.
- Creamer, Cosette and Beth A. Simmons. forthcoming. "Ratification, Reporting and Rights: Quality of Participation in the Convention against Torture." *Human Rights Quarterly*.
- Dai, Xinyuan. 2007. *International Institutions and National Policies*. Cambridge University Press.

- Dai, Xinyuan. 2014. "The Conditional Effects of International Human Rights Institutions." *Human Rights Quarterly* 36(3):569–589.
- Dancy, Geoff and Kathryn Sikkink. 2012. "Ratification and Human Rights Prosecutions: Toward a Transnational Theory of Treaty Compliance." *NYU Journal of International Law and Politics* 44(2):751–790.
- Goodman, Ryan and Derek Jinks. 2004. "How to Influence States: Socialization and International Human Rights Law." *Duke Law Journal* 54(3):621–703.
- Goodman, Ryan and Derek Jinks. 2013. *Socializing States: Promoting Human Rights through International Law*. Oxford University Press.
- Guzman, Andrew. 2002. "A Compliance-Based Theory of International Law." *California Law Review* 90(6):1823–1887.
- Hafner-Burton, Emilie M. 2012. "International Regimes for Human Rights." *Annual Review of Political Science* 15(1):265–286.
- Hafner-Burton, Emilie M. 2013. *Making Human Rights a Reality*. Princeton University Press.
- Hampson, Françoise J. 2007. "An Overview of the Reform of the UN Human Rights Machinery." *Human Rights Law Review* 7(1):7–27.
- Hathaway, Oona A. 2003. "The Cost of Commitment." *Stanford Law Review* 55(3):1821–1862.
- Joachim, Jutta, Bob Reinalda and Bertjan Verbeek, eds. 2008. *International Organizations and Implementation: Enforcers, Managers, Authorities?* Routledge.
- Kälin, Walter. 2012. Examination of State Reports. In *UN Human Rights Treaty Bodies : Law and Legitimacy*, ed. Helen Keller and Geir Ulfstein. Cambridge University Press pp. 16–72.
- Keller, Helen and Geir Ulfstein, eds. 2012. *UN Human Rights Treaty Bodies : Law and Legitimacy*. Cambridge University Press.
- Keohane, Robert. 1997. "International Relations and International Law: Two Optics." *Harvard International Law Journal* 38(2):487–502.

- Keohane, Robert, Stephen Macedo and Andrew Moravcsik. 2009. "Democracy-Enhancing Multilateralism." *International Organization* 63(1):1–31.
- McQuigg, Ronagh. 2011. "How Effective Is the United Nations Committee against Torture?" *European Journal of International Law* 22(3):813–828.
- Mitchell, Ronald B. 1998. "Sources of Transparency: Information Systems in International Regimes." *International Studies Quarterly* 42(1):109–130.
- O’Flaherty, Michael. 2006. "The Concluding Observations of United Nations Human Rights Treaty Bodies." *Human Rights Law Review* 6(1):27–52.
- Posner, Eric A. 2014. *The Twilight of Human Rights Law*. Oxford University Press.
- Risse, Thomas. 54. "Let’s Argue!": Communicative Action in World Politics." *International Organization* 1(1-39).
- Risse, Thomas and Steve C. Ropp. 1999. International Human Rights Norms and Domestic Change: Conclusions. In *The Power of Human Rights : International Norms and Domestic Change*, ed. Thomas Risse, Steve C. Ropp and Kathryn Sikkink. Cambridge University Press.
- Schöpp-Schilling, Hanna Beate. 2007. "Treaty Body Reform: the Case of the Committee on the Elimination of Discrimination Against Women." *Human Rights Law Review* 7(1):201–224.
- Simmons, Beth A. 2009. *Mobilizing for Human Rights : International Law in Domestic Politics*. Cambridge University Press.
- Trindade, Antônio Augusto Cançado. 2000. Reporting in the Inter-American System of Human Rights Protection. In *The Future of UN Human Rights Treaty Monitoring*. Cambridge University Press.
- Vreeland, James Raymond. 62. "Political Institutions and Human Rights: Why Dictatorships Enter into the United Nations Convention against Torture." *International Organization* 1(65-101).

Wotipka, Christine Min and Francisco O. Ramirez. 2008. World Society and Human Rights: An Event History Analysis of the Convention on the Elimination of All Forms of Discrimination against Women. In *The Global Diffusion of Markets and Democracy*, ed. Beth A. Simmons, Frank Dobbin and Geoffrey Garrett. Cambridge University Press.