Qualified Ratification: Explaining Reservations to International Human Rights Treaties

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ABSTRACT

The legitimacy and role of reservations to international human rights treaties is a heavily contested issue. From one perspective, reservations, understandings, and declarations (RUDs) are a legitimate means to account for diversity and are used predominantly by those countries that take human rights seriously. From an alternative perspective, RUDs are regrettable at best and detrimental to the international human rights regime at worst. The first account predicts that liberal democracies set up more RUDs than do other countries, whereas the competing account holds the opposite, possibly after distinguishing among the group of liberal democracies. This article puts these hypotheses to an empirical test with respect to six core international human rights treaties. The results suggest that the revealed RUD behavior of state parties to the treaties examined is strongly in line with the first perspective, since liberal democracies have more, not fewer, RUDs than do other countries.

1. INTRODUCTION

Reservations, understandings, and declarations (RUDs) allow a country to become a state party to an international treaty in a qualified and contingent manner, exempting itself from certain obligations with which state parties are normally expected to comply. Reservations, understandings, and declarations to international human rights treaties are very

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common[1]—indeed, they are more common than for any other area of international treaty making. Scholars of international law and international relations are deeply divided in their views of the role RUDs play, their legitimacy, and their consequences for the international human rights regime (see, for example, Schabas 1994, 1996; Henkin 1995; Lijnzaad 1995; Bradley and Goldsmith 2000; Tyagi 2000; Swaine 2006).

At the risk of simplification, one can broadly distinguish two competing perspectives on RUDs. From one perspective, RUDs are a legitimate, perhaps even desirable, means of accounting for cultural, religious, or political value diversity across nations. Reservations, understandings, and declarations are set up by those countries that take human rights seriously, foremost the liberal democracies, while other countries need not bother because they have no intention of complying anyway. From the competing second account, however, RUDs are regarded with great concern, if not hostility. This is because of the supposed character of human rights as universally applicable, which is seen as being undermined if countries can opt out of their obligations. The widespread use of RUDs, particularly by focal countries like the United States, or the use of wide-ranging RUDs, which exempt state parties from (almost) any obligation, is regarded as devaluing and undermining the entire project of codifying human rights norms in international treaties. The implication is that the strongest defenders of the international human rights regime will set up fewer RUDs. These are the liberal democracies, or at least a subgroup of liberal democracies.

This article will not analyze the substantive merit of the arguments advanced by the opposing perspectives. Neither will it engage in legal arguments concerning the contested validity of specific RUDs, including the question of who should have the authority to declare a specific RUD to be invalid and what would be the legal consequences of such a finding. The question is hotly debated whether treaty supervisory organisms, the committees often established by such treaties, should be allowed to take on the role of evaluating RUDs (see, for example, Higgins 1997; Redgewell 1997; Baylis 1999; Baratta 2000; Goodman 2002; Korkelia 2002).[2] Instead of analyzing the issue of the legal permissibility of RUDs,

1. This is corroborated by an overview of reservations, understandings, and declarations (RUDs) in six core human rights treaties, provided in the Appendix.

2. The Human Rights Committee of the International Covenant on Civil and Political Rights (ICCPR) has ventured furthest, claiming that it has the right and duty "to determine whether a specific reservation is compatible with the object and purpose of the Covenant" and that the consequence of a negative finding would be that "such a reservation will

the focused aim and original contribution of this article is an empirical analysis of the extent to which the revealed behavior of the ratifying nation-states is compatible with hypotheses that can be derived from the two competing accounts. To my knowledge, this is the first study providing a quantitative analysis of RUDs.

The article is structured as follows: The next section presents the two perspectives on RUDs, from which testable hypotheses are derived. A section on research design explains the measurement of RUDs for the purpose of the empirical analysis and describes the explanatory variables and the estimation technique used. Presentation of the results of the empirical analysis is followed by sensitivity analysis and a concluding section.

2. COMPETING PERSPECTIVES ON RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS TO INTERNATIONAL HUMAN RIGHTS TREATIES

As mentioned, human rights treaties are among the international treaties most heavily subjected to RUDs. Some of the reasons for this are generally applicable to all countries, which might explain why the vast majority of international human rights treaties explicitly allow for RUDs, despite the fact that they could have been drafted in a way as to exclude the possibility of setting up RUDs (McBride 1997; Bradley and Goldsmith 2000; Tyagi 2000). For example, human rights treaties often use vague language that is open to interpretation as to its precise meaning. Reservations, understandings, and declarations help to give a norm the specific meaning a country wishes it to have. More important, in international treaties in other areas, if a state exempts itself from an obligation, it must grant the same exemption to other countries as well, which might not be in its best interest and might explain why, despite the ease of setting up RUDs, they are not more common for these treaties (Parisi and Ševčenko 2002). The deterrent effect of reciprocity does not apply to human rights treaties, however, because it regulates domestic behavior rather than relations among contracting parties, which might explain why RUDs to those treaties are much more frequent than to

generally be severable, in the sense that the Covenant will be operative for the reserving party without benefit of the reservation" (General Comment No. 24 [November 2, 1994], as cited in Korkelia 2002, pp. 449–50). When the committee found a reservation by Trinidad and Tobago to the First Optional Protocol to the ICCPR to be invalid, admitting a petition by a prisoner on death row against the explicit wording of the reservation, Trinidad and Tobago reacted by withdrawing from the protocol altogether (see McGrory 2001).

other international treaties.[3] What I am interested in here, however, is whether there are reasons why countries would systematically differ in their prerogative to set up RUDs.

One perspective on RUDs is broadly based on the notion of a dominance of power and interest in international relations and the role of international law. Countries and their governments as the principal international actors maximize their own utility without regard to the welfare of other actors on the basis of a given set of preferences and subject to constraints of power. Things happen if powerful countries want them to happen. But powerful countries are rarely consistent in their application of human rights standards to their foreign policy, and they are rarely willing to grant human rights questions priority (Krasner 1993; Donnelly 1998; Goldsmith and Posner 2005; Neumayer 2005). Powerful countries rarely employ sanctions—political, economic, military, or otherwise—to coerce other countries into improving their human rights records. Indeed, for the most part, countries take relatively little interest in the extent of human rights violations in other countries, unless one of their own citizens is affected. As a consequence, international human rights regimes are comparatively weak compared with, say, the regimes of finance or trade. No competitive market forces drive countries toward compliance, nor are there strong monitoring and enforcement mechanisms. Monitoring, compliance, and enforcement provisions are nonexistent, voluntary, weak, or deficient (Bayefsky 2001).

According to Goldsmith and Posner (2005), international human rights treaties do not exert any independent effect on the behavior of countries. If governments respect human rights, they do so because it coincides with their interests. The coincidence of interest can be a result of domestic political pressure (as is the case in liberal democracies), the consequence of cooperation (as might be the case when two states have each other's ethnic groups residing in their territories as minorities), or the consequence of external coercion, which will occasionally be applied by powerful states if human rights abuse in less powerful countries

3. One might wonder why the provision allowing other treaty parties to object to an RUD does not deter RUDs. The reason is that few parties ever object, and those who do do so rarely and often inconsistently in the sense of objecting to RUDs by some states but not by others, despite the fact that the RUDs are very similar (Leblanc 1996; Schöpp-Schilling 2004). In addition, an objection practically always ends with a statement that the objection does not constitute an obstacle to the entry into force of the treaty between the two parties. This, together with the fact that international human rights treaty norms almost exclusively regulate the domestic human rights behavior of the ratifying country, means that it is unclear what the objection achieves, if anything.

threatens their interests. Importantly, so the argument goes, countries never respect human rights simply because they feel obliged to comply with international law.

What are the implications for RUDs to international human rights treaties? According to Goldsmith and Posner (2005), authoritarian states typically ignore human rights norms codified in international treaties, unless they are coerced or find it otherwise in their interest to respect human rights, which is rarely the case. The low cost of noncompliance means that they can easily ratify such treaties and need not bother setting up RUDs, because they have no intention to comply anyway: "It is no accident that liberal democracies tend to attach many RUDs . . . , while most authoritarian states attach few if any RUDs, and most take out none whatsoever" (Goldsmith and Posner 2005, pp. 127–28). Arthur Rovine (1981, pp. 57–58), then a legal adviser to the U.S. State Department, similarly argues that it is the countries that take human rights seriously that set up a comprehensive set of RUDs, whereas authoritarian regimes often sign and ratify without reservations. Liberal democracies, on the other hand, take human rights treaties seriously. Given that human rights treaties typically set up norms, the purpose of which is to comprehensively and broadly regulate domestic human rights observance by governments rather than relations among nations, they are more intrusive than other treaties. Because liberal democracies take their obligations seriously but, like any other nation-state, want to limit the extent of interference with their sovereignty, they are more likely to set up RUDs to minimize the extent of intrusion.

The second, and competing, perspective is broadly based on the notion that norms, fairness, and legitimacy are equally important as, if not more important than, power and interests in international relations in general and the regimes of international human rights in particular. Most fundamental, proponents of this perspective reject the propositions that only state interests shape the international system and that these interests are built on a stable set of preferences. Instead, they stress that altruism and moral principles heavily affect the advancement of the international human rights regime (Neumayer 2005). The champions and main promoters of the international human rights regime are liberal democracies with a long history of domestic human rights protection,[4] together with transnational actors such as diplomats, nongovernmental organizations

4. A good domestic human rights record lowers the commitment costs for liberal democracies (see Hathaway 2002).

and individual transnational norm entrepreneurs who form a kind of epistemic human rights community (Koh 1996, 1998) or transnational human rights advocacy networks (Risse, Ropp, and Sikkink 1999; Schmitz and Sikkink 2002; Hafner-Burton and Tsutsui 2005). The literature on ratification of international human rights treaties demonstrates that liberal democracies are much more likely to ratify these treaties (early on) than are other countries (Landman 2002; Cole 2005).[5]

Importantly, international regimes can change the preferences of state actors. For example, Finnemore (1996, pp. 5–6) argues that "the international system can change what states *want*" and can change "state action, not by constraining states with a given set of preferences from acting, but by changing their preferences." Franck (1995) argues that countries are more likely to regard treaties as legitimate and are therefore more likely to support and comply with treaties that have been negotiated in a process that even less powerful countries regard as fair. The transnational legal process model of Koh (1996, 1998) suggests that state actors pass through a three-step process of interaction, interpretation, and, finally, internalization of norms codified in international treaties. Related is Goodman and Jinks's (2004) view on how actors become socialized and acculturated into following treaty norms. From their perspective, it is not so much persuasion—a form of rational acceptance—that matters but that regular interactions lead to cognitive and social pressures for state actors to conform with treaty norms. Such often implicit pressures exist in the form of social-psychological benefits of conformity such as the "cognitive comfort" of satisfying social expectations and of being accepted and valued as an insider group member

5. Moravcsik (2000) argues, however, that it is the newly established democracies that are most keen to accept legally binding international obligations. Recognizing that ratification of an international treaty brings with it some constraint on domestic sovereignty, he argues that this cost needs to be balanced against the benefits of ratification, which come from binding future policy makers to the current decision. He contends that newly established democracies have a much larger incentive to accept such constraints, as policy makers regard the imposition of external constraints as a means for stabilizing the recently established democracy and for dispersing domestic political uncertainty: "It follows that 'self-binding' is of most use to *newly established democracies,* which have the greatest interest in further stabilizing the domestic political status quo against nondemocratic threats. We should therefore observe them leading the move to enforce human rights multilaterally, whereas established democracies have an incentive to offer lukewarm support at best" (Moravcsik 2000, p. 220). Simmons (2000), however, finds no evidence for Moravcsik's hypothesis in her quantitative analysis of state acceptance of international human rights treaties.

and in the form of the related costs of nonconformity such as dissonance and shunning.

From this second perspective, RUDs are regrettable at best and destructive to the international human rights regime at worst. If states can opt out of what are meant to be universally applicable, fundamental, and inalienable human rights as they please, then the international human rights regime loses a great deal of its moral appeal. Proponents of this perspective are therefore concerned that the widespread use of RUDs will undermine the regime (Clark 1991; Schabas 1994, 1996), perhaps even ruin it (Lijnzaad 1995).[6]

That is not to say that RUDs are never acceptable. For example, it is recognized that human rights treaties are often aspirational in the sense that they set up norms with which the vast majority of countries cannot comply immediately, even if they wanted to, but that countries are supposed to slowly move toward compliance over time (Chayes and Chayes 1993). Reservations, understandings, and declarations might be acceptable as temporary devices, to be revoked once a country is ready to assume its full obligations (McBride 1997, pp. 121–22). Although it is not very common, countries sometimes do renounce at a later stage RUDs they have previously set up. The Human Rights Committee to the International Covenant on Civil and Political Rights (ICCPR) encouraged countries contemplating ratification of the treaty to make such use of reservations if they could present a plan for the future withdrawal of reservations (Baylis 1999). Furthermore, in exceptional circumstances, RUDs might be acceptable to widen participation if otherwise fewer countries would join or to deepen the treaty if some negotiating parties will accept more demanding norms only because of the knowledge that they can opt out of them at the stage of ratification (Lijnzaad 1995).[7] But these potential advantages always have to be traded off against the

6. Some state parties concur with this view. For example, Sweden objected to RUDs to the International Covenant on Civil and Political Rights by the United States, stating that "reservations of this nature contribute to undermining the basis of international treaty law" (http://untreaty.un.org/sample/EnglishInternetBible/partI/chapterIV/treaty5.asp).

7. An interesting comparison can be drawn to the conventions of the International Labour Organization (ILO) and their eight core or fundamental labor rights conventions in particular. It is commonly accepted state practice that ILO conventions do not allow reservations (Redgewell 1997, p. 399). And yet, if anything, the ratification rate of these conventions is higher than that for the international human rights treaties examined here (International Labour Organization, Ratifications of the Fundamental Human Rights Conventions by Country [http://www.ilo.org/ilolex/english/docs/declworld.htm]).

damage that RUDs inflict on the integrity of the human rights regime, and the default position must be ratification without reservation.

Liberal democracies, as the principal promoters among nation-states of the international human rights regime, would be expected to set up few, if any, RUDs in order to strengthen the persuasive power, integrity, and legitimacy of the regime. Of course, some liberal democracies do not fit the picture, the most notorious example being the United States. Some, like Goodman (2002, p. 546), therefore distinguish among liberal democracies. At one end of the spectrum stands the United States, one of the oldest liberal democracies, which is regarded as applying double standards—namely, wanting to impose international human rights standards on other countries without succumbing to the same standards itself. At the other end is a group of equally well established liberal democracies that do not "engage in this modality of state practice" (of setting up a comprehensive list of RUDs). Goodman singles out Belgium, the Netherlands, and five Nordic states (Denmark, Finland, Iceland, Norway, and Sweden). While acknowledging that these countries also at times set up RUDs, he argues that they are deeply committed to incorporating international human rights treaties in their domestic legal system. As a consequence of being "consistent, rather than double, standard states" (Goodman 2002, p. 546) and standing firmly behind promoting international human rights abroad, they have begun to systematically review other state parties' RUDs and object to the ones they regard as invalid (Goodman 2002, p. 547). Klabbers (2000) similarly sees a "new Nordic approach to reservations to multilateral treaties," mainly, but not exclusively, within the field of human rights. The liberal democracies that are more active in objecting to RUDs of other state parties they regard as invalid would be expected to be less likely to set up RUDs themselves, because both actions will help strengthen the authority and integrity of the international human rights treaty. The absence of reciprocity in international human rights treaties discourages state parties from objecting to RUDs perceived to be invalid, as there are few advantages from objecting and potential disadvantages of upsetting the targeted state whose reservation clause is objected to. Active objectors can therefore be regarded as staunch defenders of the international human rights regime, as they are willing to shoulder some costs for their behavior.

The discussion so far leads to testable hypotheses, which will be put to an empirical test in the remainder of the paper.

Hypothesis 1. If countries behave in accordance with the first perspective, then one would expect that liberal democracies set up a higher number of RUDs than do other countries.

Hypothesis 2. If, instead, countries behave more in accordance with the second perspective, then one would expect that liberal democracies set up a lower number of RUDs.

Hypothesis 3. The second account might want to qualify hypothesis 2 to the effect that only some liberal democracies set up a lower number of RUDs. This group can be either indirectly identified by looking at the revealed objecting behavior of countries to other state parties' RUDs or directly identified as the five Nordic states plus Belgium and the Netherlands.

3. RESEARCH DESIGN

3.1. The Measurement of Reservations, Understandings, and Declarations

To quantify the use of RUDs by state parties to international human rights treaties is a difficult undertaking. It is therefore best to explain in some detail the approach taken here. To be counted, an RUD must fulfill the definition of the term "reservation" in Article 2, paragraph 1(a), of the Vienna Convention on the Law of Treaties, which is as follows: "a unilateral statement, however phrased or named, made by a state, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State." This means that, for example, similar to Goldsmith and Posner (2005), I do not count declarations by the United States to the effect that the human rights treaties are non-self-executing. Such a declaration does not exempt the United States from any obligations, it just means that it requires legislation to implement obligations. Many countries do not have the concept of self-execution of international treaties (Coccia 1985, p. 40). I include not only what state parties officially call reservations but also understandings and declarations if they amount to reservations as defined above, to account for the fact that, as hinted at in the definition of the Vienna Convention, countries sometimes set up a reservation while calling it an

understanding or declaration.[8] I do not count RUDs at the time of signature unless they are confirmed at the time of ratification, accession, or approval, because only the latter acts imply that the country becomes a state party. Similar to Goldsmith and Posner (2005), I conservatively count as one RUD reservations to closely related parts within one article of a treaty or to several articles that are closely related.[9] However, if one reservation reserves against more than one distinct article of the treaty, then this is counted as several RUDs, namely, as many as the articles reserved against.

Very rarely, a country sets up an RUD to protect higher domestic human rights standards. For example, an RUD invoked by some state parties to the Convention on the Rights of the Child is to declare that the country will not recruit anyone below the age of 18 into the armed forces, despite the fact that Article 38 of the convention allows recruitment from the age of 15 onward. Such RUDs were not counted because they extend rather than restrict human rights. I also did not count any RUD that is not related to human rights. For example, the former Communist countries of Eastern Europe, joined by some other states, summarily set up an RUD to Articles 48(1) and 48(3) of the ICCPR, which restricted signature of the covenant to members of the United Nations or its specialized agencies, state parties to the Statute of the International Court of Justice, and states who were invited by the UN General Assembly. The relevant RUD argued that these provisions were of a "discriminatory nature," "contrary to the basic principles of international law," and therefore "incompatible with the object and purpose of the Covenant." Similarly, RUDs by mainly Arab states declaring that their ratification does not imply the recognition of Israel or by China contesting the standing of Taiwan as a sovereign nation-state were not counted.

I do not make a judgment on whether an RUD is legally permissible. Largely following the wording of a judgment rendered by the International Court of Justice on reservations to the genocide convention, the Vienna Convention on the Law of Treaties, which came into force in 1980, states in its Article 19(c) that reservations must not be "incom-

8. Understandings would normally indicate how a state party interprets a certain treaty provision, whereas declarations would normally announce certain policies or intentions toward treaty provisions, particularly those concerned with acceptance of the competence of treaty supervisory bodies to receive and deal with petitions (Leblanc 1996, p. 361).

9. The correlation between the count of RUDs per country presented in Goldsmith and Posner (2005, p. 129) for the ICCPR and my own count is .978.

patible with the object and purpose of the treaty."[10] However, for each RUD it is of course contested whether it is incompatible with the object and purpose of the specific treaty. Other state parties can object to an RUD they regard as not permissible (Vienna Convention on the Law of Treaties, Art. 20), but taking this as the criterion for permissibility would grant any country the final say on this hotly contested issue.[11] This would be highly problematic, given that the vast majority of states never object to RUDs, and in the absence of an objection the reservation is generally presumed to have been accepted by the nonobjecting states (Leblanc 1996).

However, despite refraining from judging the legal permissibility of RUDs, I need to deal with the fact that some countries have worded RUDs that set up a general reservation clause. Although these kinds of reservations have generated much attention, it is important not to dramatize the extent of the problem. They are very rare for treaties other than the women's and children's conventions, and even then the vast majority of reservations are specific. In our sample, none of the state parties to the international covenants have such a general reservation clause in place. As concerns the International Convention on the Elimination of All Forms of Racial Discrimination, Saudi Arabia will not implement any provision that is in "conflict with the precepts of the Islamic *Shariah*." Qatar has a similar reservation in place with respect to the torture convention. Similarly, Brunei, Djibouti, Indonesia, Iran, Mauritania, Qatar, and Saudi Arabia have set up general exemption clauses against all articles in the Convention on the Rights of the Child. Mauritania, Pakistan, and Saudi Arabia have done the same for the Convention on the Elimination of All Forms of Discrimination against Women. Into the same category fall general exemption clauses against articles not in conformity with a country's constitution, as entered, for example, by Tunisia to the women's and children's conventions or by several Caribbean countries to the International Convention on the Elimination of All Forms of Racial Discrimination.

How to treat these general reservation clauses? To count them as one reservation would be misleading, because they do not reserve against

10. Similar language is often explicitly included in the drafting of human rights treaties.

11. For a discussion of the legal permissibility of RUDs in specific human rights treaties, see, for example, Schabas (1996) and Leblanc (1996) for the Convention on the Rights of the Child, Cook (1989) and Clark (1991) for the Convention on the Elimination of All Forms of Discrimination against Women and Lijnzaad (1995), and Gardner (1997) and Ziemele (2004) for various human rights treaties.

merely one article or even a subclause of an article as do other reservations. Below, I follow two alternative strategies. First, one could argue that because such reservations reserve, in effect, against any and every article of the treaty, the country has set up reservations to all articles in the treaty. Following this strategy calls for counting as many RUDs as there are articles to the treaty for the relevant countries. Second, one could argue that such reservations render it questionable whether the country can be regarded as a state party at all. After all, what is a ratification worth if the country reserves the right to exempt itself from any and every article contained therein? Following this alternative strategy implies treating countries with such reservations in place as equivalent to countries that have refused to ratify the treaty in question at all.

Data on ratification and reservations were taken from the United Nations Treaty Collection,[12] supplemented by information from the United Nations High Commissioner for Human Rights[13] and various issues of the UN *Treaty Series* (United Nations, 1946–2005). I look at the following six international human rights treaties that are open to universal membership and are considered to represent the core international human rights instruments by the Office of the United Nations High Commissioner for Human Rights:

1. The International Covenant on Civil and Political Rights (ICCPR) opened for signature and ratification December 16, 1966, after almost 2 decades of negotiations, entered into force March 23, 1976, and had 154 state parties as of June 29, 2005. This "most ambitious human rights treaty" (Bradley and Goldsmith 2000, p. 329) covers both civil rights and personal integrity rights. Civil rights typically refer to such rights as freedom of speech, freedom of assembly and association, and freedom of religious expression. Personal integrity rights typically refer to such rights as freedom from unlawful and political imprisonment, freedom from torture, freedom from unlawful physical or other harm, freedom from cruel and inhumane treatment, and the right to a fair trial.

2. The International Covenant on Economic, Social and Cultural Rights (ICESCR) opened for signature and ratification December 16, 1966, after the same delay in negotiation as the ICCPR, entered into force January 3, 1976, and had 151 state parties as of August 16, 2005.

12. United Nations, Chapter IV. Human Rights (http://untreaty.un.org/sample/EnglishInternetBible/partI/chapterIV/chapterIV.asp).

13. Office of the United Nations High Commissioner for Human Rights, International Law (http://www.ohchr.org/english/law/index.htm).

Economic, social, and cultural rights refer to such rights as labor rights, social security and protection rights, the right to education, and the right to participate in cultural life. The provision of these rights is widely regarded as contingent on the state of economic development (Rehman 2003, p. 106), which is why state parties are required to "take steps . . . with a view to achieving progressively the full realization of the rights" (Art. 2(1)) rather than expected to guarantee these rights immediately.

3. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) opened for signature and ratification December 21, 1965, entered into force January 4, 1969, and had 170 state parties as of August 16, 2005. The ICCPR already prohibits discrimination, inter alia on the grounds of race, in the provision of the rights specified therein. The ICERD goes further in prohibiting all racial discrimination "which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise . . . of human rights and fundamental freedoms" (Art. 1(1)). State parties are required to prohibit not only discriminatory acts but also racist organizations (Art. 4).

4. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) opened for signature and ratification December 10, 1984, entered into force June 26, 1987, and had 139 state parties as of June 29, 2005. Being more detailed and specified in its requirements than the ICCPR, it bans torture under all circumstances. State parties can prosecute foreign offenders even if the offense took place outside its jurisdiction if the victim is a national of the state or if it holds the offender under its jurisdiction and does not extradite the suspect (Art. 5), which Hawkins (2004) hails as a major breakthrough for universal jurisdiction in cases of gross human rights violations.

5. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) opened for signature and ratification March 1, 1980, entered into force September 3, 1981, and had 180 state parties as of March 18, 2005. It calls for the elimination of discrimination against women, including measures aimed at modifying "social and cultural patterns" (Art. 5(a)). It covers a wide range of civil, political, economic, social, and cultural rights, with the most contested rights relating to women's representation in public life and provisions requiring the elimination of discrimination against women in all matters relating to family and marriage relations.

6. The Convention on the Rights of the Child (CRC) opened for

signature and ratification November 20, 1989, entered into force September 2, 1990, and had 192 state parties as of June 29, 2005. It reiterates a number of civil, political, economic, social, and cultural rights contained in other human rights treaties, confirming that they also apply to children. It also contains a number of rights specifically relating to children, such as rights providing protection against abuse, exploitation, and maltreatment and rights relating to their recruitment into armed forces and their treatment in armed conflicts. The most contested rights relate to issues of adoption and the freedoms of expression, association, and religion of children.

The Appendix provides an overview of RUDs to these treaties at the time of ratification, with a cutoff date of 2001. The CEDAW and the CRC are the most heavily reserved treaties in terms of number of countries with RUDs.[14] In terms of number of RUDs, the ICCPR and the CRC top the list. The countries with the highest number of RUDs summed across all six treaties are the United Kingdom and the United States, but the latter is a state party to only half of the treaties.

3.2. Explanatory Variables

Liberal democracy is central to the hypotheses to be tested. But what does it mean and how to measure it? Let us start with democracy. At the risk of oversimplification, democracy is mainly about free and fair elections, competitive recruitment of the executive, and decision making according to majority or qualified majority rules (Munck and Verkuilen 2002). Liberal democracy is a special kind of democracy, however. In the words of Donnelly (1999, p. 620), it is "a very specific kind of government in which the morally and politically prior rights of citizens and the requirement of the rule of law limit the range of democratic decision-making." How to measure liberal democracy? Within political science, the Polity IV measure (Marshall, Jaggers, and Gurr 2003) is by far the most popular measure of democracy. This index is based on expert judgment on aspects of institutionalized democracy and autocracy, derived from criteria concerning the competitiveness and openness of executive recruitment, the constraints on the chief executive, and the regulation and competitiveness of political participation. My measure of democracy ranges from 0 (least democratic) to 20 (most democratic).

With the inclusion of criteria concerning the constraints on the chief

14. Note that in Table A1, while being counted as one reservation, general reservation clauses are indicated as such.

executive, the variable Polity captures aspects of the extent of liberalness of democracy. However, the constraints are limited to the executive and institutional measures. An index of political constraints developed by Henisz (2000) goes further on both accounts and is therefore added as a further variable. Building on a simple spatial model of political interaction, the index makes use of the structure of independent political actors with veto power over policy change, namely, the executive as well as, where existent, the lower and upper legislative chambers, the judiciary, and subfederal units. Each additional effective veto player constrains political choices but at a diminishing rate. The index goes beyond mere institutional constraints, however, by using information on party composition of the political actors. Heterogeneity of party preferences across actors is positively correlated with political constraints. The final scores of the measure of political constraints used in the estimations range from zero, which indicates total political discretion, to one, which would indicate maximum constraint on policy change.

Liberal democracies, as defined above, respect human rights. If so, then of course liberalness can also be measured by the extent of respect for human rights directly. Unfortunately, data constraints mean that I do not have a good measure for the specific human rights covered by each treaty examined. I am not aware of a good measure of economic and social rights for the ICESCR or of the extent of racial discrimination for the ICERD. For the other treaties I use (proxy) variables, defined as follows: For the ICCPR, I use two separate measures of civil rights and personal integrity rights. To measure civil rights, I employ the civil liberties index published by Freedom House (2004), available from 1972 onward. It is based on surveys among experts assessing the extent to which a country effectively respects civil liberties, subsumed under the headings of freedom of expression and belief, associational and organizational rights, rule of law, and personal autonomy and individual rights. I reverse the original index such that it runs on a 1 (worst) to 7 (best) scale. As my measure of personal integrity rights, I combine the two Purdue Political Terror Scales (PTSs), available from 1980 onward (Gibney 2005). One of the two PTSs is based on a codification of country information from Amnesty International's annual human rights reports. Analogously, the other scale is based on information from the United States Department of State's Country Reports on Human Rights Practices. The simple average of the two scales was used for the present study. If one index was unavailable for a particular year, the other one was used for the aggregate index. The index is then reversed, such that

it runs on a scale from 1 (worst) to 5 (best). Data are taken from Gibney (2005). For the CAT, I use a measure of the use of torture from Cingranelli and Richards (2004), who derive their measure from information contained in the U.S. State Department's Country Reports on Human Rights Practices. A value of 0 signals frequent practice of torture, 1 indicates occasional practice, and 2 means that torture is not practiced. I call the resultant variable Absence of Torture. Also from Cingranelli and Richards (2004) comes a measure of women's rights relevant to the CEDAW, covering a wide range of economic, political, and social rights of women (for details on codification, see Cingranelli and Richards 2004). It runs from 0 (no rights) to 3 (full rights). For the CRC, I have no comprehensive measure of children's rights. In its absence, I use the non-labor-force participation rate of 10- to 14-year-olds. This variable, Child Nonlabor Participation, is equal to 100 minus the labor force participation rate, which is typically used as a proxy variable for the existence of child labor (Neumayer and De Soysa 2005) and is likely to be correlated with violations of general children's rights.

To account for the argument advanced by Goodman (2002, p. 546) that some democracies are "consistent, rather than double, standard states" with respect to international human rights treaties, I follow two strategies. First, I create a dummy variable for the seven countries singled out. However, this strategy fails to account for the countries that fall somewhere in between (Goodman [2002, p. 549], explicitly mentions Australia, Canada, Switzerland, and, arguably, India). It is therefore employed only in sensitivity analysis. My second strategy uses information on the revealed objecting behavior of countries, to be included in the main estimations. It measures the number of state parties to whose RUDs a country has lodged an objection (RUD Objections). This exploits the argument by Goodman (2002) and Klabbers (2000) that consistent states do not shy away from objecting to RUDs by other states if they regard them as invalid, because such objections are necessary to give credence to the international human rights regime. Information on the number of objections lodged to other countries' RUDs is taken from the same source as for RUDs themselves.

Some countries set up RUDs when treaty norms are in actual or perceived conflict with state religion or long-established cultural patterns and traditions. The RUDs by predominantly Muslim countries to the CEDAW and the CRC have been particularly prominent in this respect.[15]

15. With respect to the Convention on the Elimination of All Forms of Discrimination

I control for this by the percentage population share of Muslims, taken from La Porta et al. (1999), included for these two treaties only. One could argue, of course, that these countries set up many RUDs not because they are predominantly Muslim but because they tend to be authoritarian. For this reason, I check in sensitivity analysis how the results for my main hypotheses are affected by dropping this variable.

One might wonder whether per capita income should be a control variable, which might have an ambiguous effect on RUDs. On the one hand, poorer countries might set up more RUDs to provisions in human rights treaties that would incur financial costs (Tyagi 2000). However, countries often justify their RUDs, and very few RUDs are justified on the ground of insufficient resources or relate to provisions that have clear financial implications. On the other hand, richer countries might have more legally literate and legally capable human rights interest groups, which might induce governments to take out more RUDs to protect them from being taken to court for a perceived failure to implement a treaty obligation. I do not include per capita income mainly for two interrelated reasons. First, per capita income is highly correlated with democracy (.58), political constraints (.66), and human rights measures (.74 with civil rights, .58 with personal integrity rights, .51 with absence of torture, .63 with women's rights, and .71 with the non-labor-force participation of children). Including per capita income in addition to these variables leads to multicollinearity problems in the estimations. Second, the theoretical reasons for including democracy, political constraints, and human rights measures are stronger; hence, they are included and income is not.

3.3. Estimation Technique

Naturally, we can observe RUDs only for countries that have become state parties to international human rights treaties. I therefore restrict the analysis to state parties. The dependent variable is the number of RUDs from ratification until the end year of the sample (2001), since state parties sometimes revoke RUDs after ratification. To adjust for the fact that observations of the same country over time are not independent of each other, I use standard errors that are both robust and clustered on countries. Put simply, all observations from one country over time

against Women, Schöpp-Schilling (2004, p. 37) speculates that if non-Muslim countries continue slowly withdrawing some of their reservations, then "the issue of reservations . . . may become a predominantly Muslim issue in the future."

are taken as one superobservation for the purposes of calculating standard errors, which ensures that standard errors are not artificially low. Because the dependent variable is a discrete, always positive count variable, ordinary least squares (OLS) is, strictly speaking, inappropriate as regression technique, because its underlying distributional assumption is that of a normally distributed continuous variable. I therefore use negative binomial regression, but results are substantively the same if OLS regression is used instead.

4. RESULTS

Before results from the multivariate analysis are reported, Table 1 presents some basic statistics of average number of RUDs by groups of countries that have ratified the treaties. For Polity, Political Constraints, and, where applicable, the human rights and Islam measures, I group countries into those state parties below and above the median value. Applying the same criterion to the remaining variables makes no sense, because the median of RUD Objections is always zero for all treaties and the final variable is a dummy variable. For these two variables, I therefore compare values of zero with those above zero (one for the dummy variable). For all treaties, those state parties above the median value of Polity and Political Constraints have a higher average number of RUDs in place. The same is true for state parties above the median of the human rights measures, with the exception of parties to the CEDAW and the CAT. This provides tentative evidence that countries behave more in accordance with the first hypothesis than the second one. The same is true when RUD Objections is examined. For all treaties, parties who have lodged objections to other parties' RUDs have themselves, on average, more RUDs in place than those who have never objected. Only the dummy variable for the Nordic countries plus Belgium and the Netherlands provides evidence that is at least partly in accordance with the second perspective. This group of countries has, on average, more RUDs than the other state parties to the ICCPR, the ICESCR, and the CRC but fewer to the ICERD, the CAT, and the CEDAW.

Clearly, being derived from simple bivariate relationships, the information in Table 1 does not provide conclusive evidence because variables might have an effect contingent on controlling for other variables that is different from the bivariate effect. Also, to keep Table 1 simple, I have

Table 1. Average Number of Reservations, Understandings, and Declarations (RUDs) for Groups of Countries That Have Ratified International Human Rights Treaties

	Democracy		Political Constraints		Human Rights		RUD Objections		Nordic Country Dummy		% Muslim	
	Below Median	Above Median	Below Median	Above Median	Below Median	Above Median	0	>0	0	1	Below Median	Above Median
ICCPR (personal integrity rights)	.24	2.32	.24	2.24	.36	2.09	.83	5.12	1.07	5.16		
ICCPR (civil rights)					.19	2.02						
ICESCR	.18	.54	.16	.55			.36	.49	.35	.7		
ICERD	.36	.44	.35	.44			.41	.59	.46	.12		
CAT	.26	.44	.29	.5	.39	.38	.35	.43	.38	.17		
CEDAW	.74	1.04	.66	1.16	1.17	.85	.73	1.72	.88	.38	.51	1.18
CRC	.7	.87	.55	1.09	.4	1.21	.73	1.37	.74	1.83	.61	.93

Note. ICCPR = International Covenant on Civil and Political Rights; ICESCR = International Covenant on Economic, Social and Cultural Rights; ICERD = International Convention on the Elimination of All Forms of Racial Discrimination; CAT = Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; CEDAW = Convention on the Elimination of All Forms of Discrimination against Women; and CRC = Convention on the Rights of the Child.

not yet analyzed whether the differences are statistically significant. It will become clear from the following multivariate analysis, however, that the basic message is upheld. I start with results for the ICCPR in columns 1 and 2 of Table 2. Column 1 includes Personal Integrity Rights, whereas column 2 includes Civil Rights as a regressor. The results suggest that the effect of democracy as measured by the Polity score is not consistent. Depending on whether Personal Integrity Rights or Civil Rights are included in the regressions, countries with a higher Polity score have either no different number or possibly a lower number of RUDs in place. In contrast, the effects of the other variables are consistent across the two sets of regressions. Countries with greater respect for human rights, whether measured by personal integrity rights or civil liberties, and those with greater political constraints have set up more RUDs. Interestingly, countries that object more to RUDs by other countries have themselves higher (rather than lower) numbers of RUDs in place. In column 3, I address the ICESRC. Countries with greater political constraints have more RUDs; nothing else matters. The ICERD is the first treaty for which I need to deal with general reservation clauses. In column 4, I exclude countries with general reservation clauses from the sample, whereas in column 5, they are included in the sample but treated as if they had reserved against all articles in the treaty. With the first strategy, countries with a higher Polity score have fewer and countries with greater political constraints have more RUDs in place. Only RUD Objections is marginally significant with the expected negative sign, but none of the other explanatory variables are statistically significant when the second strategy is employed.

In Table 3, I move to the more recent international human rights treaties. I start with the CAT, for which results are reported in column 1.[16] Countries with greater political constraints have a higher number of RUDs in place; none of the other variables is statistically significant. In columns 2 and 3, I address the CEDAW, employing the two strategies for dealing with several countries' general exception clauses. Whichever strategy is employed, countries with greater political constraints and a higher share of Muslim population have more RUDs in place. None of the other variables matter. Political constraints and Islam exert a similar

16. Qatar has a general reservation clause in place but is not included in the sample because of a lack of data on the variable that measures the presence of torture. Excluding this variable and employing the two strategies for dealing with Qatar's general exception clause fully confirms the result that countries with greater political constraints have more RUDs, while nothing else matters.

Table 2. Estimation Results for the Older Core International Human Rights Treaties

	ICCPR (1)		ICCPR (2)		ICESCR (3)		ICERD (4)		ICERD (5)	
Democracy	−.010	(.27)	−.092*	(2.14)	−.000	(.00)	−.060*	(2.35)	.060	(1.12)
Political Constraints	2.765^{+}	(4.47)	2.635**	(3.91)	1.937*	(2.45)	1.883**	(3.18)	−.682	(.47)
Personal Integrity Rights	.382*	(2.09)								
Civil Rights			.517**	(3.82)						
RUD Objections	.166*	(2.26)	.169*	(2.23)	−.110	(.54)	.160	(.50)	−.671^{+}	(1.80)
Constant	−2.773**	(3.81)	−2.659**	(4.75)	−1.870**	(3.81)	−1.093**	(4.95)	−.015	(.03)
Observations	1,944		2,290		2,352		3,130		3,268	
R^2	.33		.34		.05		.03		.02	

Note. The dependent variable is the number of reservations, understandings, and declarations (RUDs). Estimation is via negative binomial regression. Robust standard errors (in parentheses) are adjusted for clustering on countries. In column 4, countries with general reservation clauses are dropped from the sample, whereas in column 5 they are included but are treated as if reserving against all articles of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). ICCPR = International Covenant on Civil and Political Rights; ICESCR = International Covenant on Economic, Social and Cultural Rights.

$^{+}$ Significant at the .1 level

* Significant at the .05 level.

** Significant at the .01 level.

Table 3. Estimation Results for the More Recent Core International Human Rights Treaties

	CAT (1)		CEDAW (2)		CEDAW (3)		CRC (4)		CRC (5)	
Democracy	−.051	(1.29)	.037	(1.06)	.033	(.93)	−.005	(.12)	−.066*	(2.41)
Political Constraints	1.669*	(2.30)	1.557**	(2.60)	1.637**	(2.67)	2.389**	(3.91)	1.524*	(2.20)
Absence of Torture	−.165	(.88)								
Women's Rights			.273	(.85)	.347	(1.10)				
Child Nonlabor Participation							.060**	(3.43)	.095**	(4.83)
RUD Objections	−.100	(.48)	−.055	(1.29)	−.056	(1.29)	.025	(.49)	.020	(.40)
% Muslim			.025**	(5.21)	.034**	(6.11)	.022**	(3.76)	.044**	(7.40)
Constant	−.866+	(1.90)	−2.260**	(3.60)	−2.411**	(3.79)	−7.698**	(4.83)	−9.219**	(5.93)
Observations	1,085		1,949		1,975		1,487		1,560	
R^2	.02		.16		.19		.16		.17	

Note. The dependent variable is the number of reservations, understandings, and declarations (RUDs). Estimation is via negative binomial regression. Robust standard errors (in parentheses) are adjusted for clustering on countries. In columns 2 and 4, countries with general reservation clauses are dropped from the sample, whereas in columns 3 and 5 they are included but treated as if reserving against all articles of the treaty in question. CAT = Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; CEDAW = Convention on the Elimination of All Forms of Discrimination against Women; CRC = Convention on the Rights of the Child.

+ Significant at the .1 level

* Significant at the .05 level.

** Significant at the .01 level.

effect on the CRC, for which results are reported in columns 4 and 5. The difference is that countries with greater rights protection for children, as approximated by the non-labor-force participation rate for children, have more RUDs in place, whereas the measure of women's rights was insignificant for the CEDAW. Democracy has a negative effect on RUDs, but only if the second strategy for dealing with countries' general exception clauses is used.

5. SENSITIVITY ANALYSIS

In sensitivity analysis,[17] I replaced the variable that measures objections to other state parties' RUDs by a dummy variable for the Nordic countries plus Netherlands and Belgium, identified by Goodman (2002). The dummy variable is negative and statistically significant only for the ICERD and insignificant otherwise. Results for the other explanatory variables are hardly affected by the substitution of variables. Dropping the variable for Muslim population share from the regressions in Table 2 hardly affects the results for the remaining variables for the CEDAW. This suggests that the variable for Muslim population share captures a genuine effect and is not merely picking up some of the effect that belongs to the democracy, political constraints, and human rights measures.[18]

If one were to restrict the analysis to the year of ratification by each state party and therefore discard any subsequent country years, then the number of observations of course shrinks dramatically, and standard errors no longer need to account for country clusters because each country enters the regressions with only one observation. Results are generally similar in terms of statistical significance and coefficient sign, however.

If the error terms of the ratification stage and the stage in which the ratifying countries set up RUDs are correlated with each other, then the estimations reported so far can be biased. To explore this, I reran the estimations in Tables 2 and 3 applying Heckman's (1979) maximum-likelihood sample selection estimator with robust and clustered errors. This estimator is not without problems, however. To begin, the estimation of this model is much helped by the existence of a variable that affects the stage of treaty ratification but not the number of RUDs set

17. Results are not reported but are available from the author on request.

18. However, for the CRC and for column 5 only, Child Nonlabor Participation is left as the only variable statistically significantly different from zero if the variable for Muslim population share is dropped, with a positive coefficient sign as in the main estimations.

up. Unfortunately, it is very difficult to find a variable that fulfills the exclusion restriction, and any chosen variable is always open to contestation. For the ratification stage, I used the same set of explanatory variables. For the exclusion restriction, I took the number of international governmental organizations to which a country belongs as reported in Pevehouse, Nordstrom, and Warnke (2004). The idea is that countries that are more strongly integrated into the international system of international governmental organizations are more likely to ratify international human rights treaties but should not be any more or less likely to set up RUDs once they ratify. The exclusion restriction works well—the variable is statistically significant at the ratification stage for all the treaties examined.[19] Unfortunately, however, the Heckman estimator failed to converge (the log pseudolikelihood is not concave) for both estimations relating to the CAT and one of two estimations each for the ICERD and the CEDAW. Sample selection models can still be estimated in these cases, but only with Heckman's (1979) two-step estimator, and standard errors are then neither robust to heteroscedasticity nor adjusted for clustering on countries and therefore are unreliable. In all cases, where Heckman's maximum likelihood can be applied, results are very much in line with the estimation results reported above. This suggests that these results are not biased by failing to take into account the ratification stage.

6. CONCLUSION

This article has put forward opposing and testable hypotheses concerning the RUD behavior of state parties to international human rights treaties. The empirical analysis of the six core treaties on balance provides evidence for the first perspective: liberal democracies generally have more, not fewer, RUDs in place than other countries. Distinguishing among the group of liberal democracies does not provide any more evidence for the second, competing, perspective either. The group of five Nordic countries plus the Netherlands and Belgium does not have fewer RUDs in place than other countries. Nor was consistent evidence found that would support the view that countries that are more active in objecting to other state parties' RUDs have themselves systematically lower

19. Wald tests of the independence of equations of the ratification and the RUD stages suggest that the Heckman estimator is truly needed only for the ICCPR, the ICESCR, and the ICERD, because for these the hypothesis of independent equations is rejected.

RUDs in place. Clearly, then, even countries that object to RUDs of other state parties do not seem to object to the institution of RUDs as such. If so, they would also set up fewer RUDs themselves. Rather, they seem to object to specific RUDs by other state parties, which they regard as illegitimate or invalid.

Clearly, the results of this article's analysis do not imply that those who are concerned that the widespread use of RUDs in international human rights treaties is detrimental to the regime, if perhaps only in the long run, are wrong. This may or may not be the case. What we can conclude, however, from the results reported here is that liberal democracies behave in a way that would suggest that they themselves regard RUDs as a perfectly legitimate means for qualifying ratification. If RUDs really are very damaging to the international human rights regime, then the challenge is to explain why liberal democracies, the supposed champions and promoters of this very same regime, engage more extensively in RUDs than other countries.

Analyzing RUDs to international human rights treaties cannot solve the substantive debate concerning the legitimacy, role, and consequences of RUDs. But it can and should inform this debate, which up to now seems to have been largely ignorant of the systematic factors that drive the revealed RUD behavior of state parties. It is hoped that the analysis provided here represents a step in this direction.

APPENDIX

Table A1. Reservations, Understandings, and Declarations (RUDs) to Core International Human Rights Treaties in 2001

	ICCPR	ICESCR	ICERD	CAT	CEDAW	CRC	Sum of All Treaties
Sum of RUDs, all countries	175	60	63	41	139	157	635
Number of countries with RUDs	43	25	39	26	53	57	243
Number of state parties	143	144	160	124	167	187	925
Share of state parties with RUDs	30.07	17.36	24.38	20.97	31.74	30.48	25.83[a]
Country:							
Afghanistan	0	0	1	2		0	3
Albania	0	0	0	0	0	0	0
Algeria	2	4	0	0	5	4	15
Andorra					0	2	2
Angola	0	0			0	0	0
Antigua and Barbuda			(2)	0	0	0	2
Argentina	1	0	0	0	1	3	5
Armenia	0	0	0	0	0	0	0

Table A1. *continued*

	ICCPR	ICESCR	ICERD	CAT	CEDAW	CRC	Sum of All Treaties
Australia	3	0	1	0	2	1	7
Austria	9	0	1	2	1	2	15
Azerbaijan	0	0	0	0	0	0	0
Bahamas			(2)		4	1	7
Bahrain			1	1		0	2
Bangladesh	3	6	0	1	2	2	14
Barbados	1	3	(1)		0	0	5
Belarus	0	0	0	1	0	0	1
Belgium	7	2	1	0	2	5	17
Belize	3		0	0	0	0	3
Benin	0	0	0	0	0	0	0
Bhutan					0	0	0
Bolivia	0	0	0	0	0	0	0
Bosnia and Herzegovina	0	0	0	0	0	1	1
Botswana	2		0	1	0	1	4
Brazil	0	0	0	0	1	0	1
Brunei						(4)	4
Bulgaria	0	0	0	0	0	0	0
Burkina Faso	0	0	0	0	0	0	0
Burundi	0	0	0	0	0	0	0
Cambodia	0	0	0	0	0	0	0
Cameroon	0	0	0	0	0	0	0
Canada	0	0	0	0	0	3	3
Cape Verde	0	0	0	0	0	0	0
Central African Republic	0	0	0		0	0	0
Chad	0	0	0	0	0	0	0
Chile	0	0	0	3	0	0	3
China		1	1	2	1	1	6
Colombia	0	0	0	0	0	0	0
Comoros					0	0	0
Congo, Democratic Republic of	0	0	0	0	0	0	0
Congo, Repupblic of	1	0	0		0	0	1
Costa Rica	0	0	0	0	0	0	0
Cote d'Ivoire	0	0	0	0	0	0	0
Croatia	0	0	0	0	0	1	1
Cuba			1	0	1	1	3
Cyprus	0	0	0	0	0	0	0
Czech Republic	0	0	0	0	0	0	0
Denmark	5	1	0	0	0	1	7
Djibouti					0	(1)	1
Dominica	0	0			0	0	0
Dominican Republic	0	0	0		0	0	0
Ecuador	0	0	0	1	0	0	1
Egypt, Arab Republic of	1	1	1	0	4	2	9
El Salvador	0	0	0	0	1	0	1
Equatorial Guinea	0	0			0	0	0
Eritrea		0	0		0	0	0
Estonia	0	0	0	0	0	0	0
Ethiopia	0	0	0	0	1	0	1
Fiji			5		1	0	6
Finland	3	0	0	0	0	0	3
France	8	3	3	1	6	3	24

Table A1. *continued*

	ICCPR	ICESCR	ICERD	CAT	CEDAW	CRC	Sum of All Treaties
Gabon	0	0	0	0	0	0	0
Gambia	1	0	0		0	0	1
Georgia	0	0	0	0	0	0	0
Germany	4	0	0	1	1	5	11
Ghana	0	0	0	0	0	0	0
Greece	0	0	0	0	0	0	0
Grenada		0			0	0	0
Guatemala	0	0	0	0	0	0	0
Guinea	1	0	0	0	0	0	1
Guinea-Bissau		0			0	0	0
Guyana	2	0	(1)	0	0	0	3
Haiti	0		0		0	0	0
Honduras	0	0		0	0	0	0
Hungary	0	0	0	0	0	0	0
Iceland	4	0	0	0	0	2	6
India	3	6	1		4	1	15
Indonesia			2	2	1	(8)	13
Iran, Islamic Republic of	0	0	0			(1)	1
Iraq	0	0	0		4	1	5
Ireland	5	2	1		3	0	11
Israel	1	0	1	2	3	0	7
Italy	6	0	2	0	0	0	8
Jamaica	0	0	(1)		1	0	2
Japan	1	4	1	0	0	3	9
Jordan	0	0	0	0	4	3	7
Kazakhstan			0	0	0	0	0
Kenya	0	1	0	0	0	0	1
Kiribati						4	4
Korea, Democratic Republic of	0	0			3	0	3
Korea, Republic of	2	0	0	0	1	3	6
Kuwait	3	4	1	2	4	2	16
Kyrgyz Republic	0	0	0	0	0	0	0
Lao PDR			0		0	0	0
Latvia	0	0	0	0	0	0	0
Lebanon	0	0	1	0	4	0	5
Lesotho	0	0	0		2	0	2
Liberia			0		0	0	0
Libya	0	0	1	0	2	0	3
Liechtenstein	6	0	0	0	1	3	10
Lithuania	0	0	0	0	0	0	0
Luxembourg	4	0	0	1	2	5	12
Macedonia, FYR	0	0	0	0	0	0	0
Madagascar	0	1	1		0	0	2
Malawi	0		0	0	0	0	0
Malaysia					6	8	14
Maldives			0		2	2	4
Mali	0	0	0	0	0	1	1
Malta	6	1	2	0	6	0	15
Marshall Islands						0	0
Mauritania			0		(1)	(1)	2
Mauritius	0	0	0	0	3	1	4
Mexico	4	1	0	0	0	0	5

Table A1. *continued*

	ICCPR	ICESCR	ICERD	CAT	CEDAW	CRC	Sum of All Treaties
Micronesia, Federated States of						0	0
Moldova	0	0	0	0	0	0	0
Monaco		8	2			2	12
Mongolia	0	0	0		0	0	0
Morocco	0	0	1	1	5	1	8
Mozambique	0		1	0	0	0	1
Myanmar					1	0	1
Namibia	0	0	0	0	0	0	0
Nepal	0	0	(3)	0	0	0	3
Netherlands	8	0	0	1	0	6	15
New Zealand	4	1	0	1	1	0	7
Nicaragua	0	0	0		0	0	0
Niger	0	0	0	0	6	0	6
Nigeria	0	0	0	0	0	0	0
Northern Mariana Islands						0	0
Norway	4	1	0	0	0	0	5
Oman						5	5
Pakistan			0		(2)	0	2
Palau						0	0
Panama	0	0	0	1	0	0	1
Papua New Guinea			(1)		0	0	1
Paraguay	0	0		0	0	0	0
Peru	0	0	0	0	0	0	0
Philippines	0	0	0	0	0	0	0
Poland	0	0	0	2	0	5	7
Portugal	0	0	0	0	0	0	0
Qatar			0	(1)		(1)	2
Romania	2	0	0	0	0	0	2
Russian Federation	1	0	0	0	0	0	1
Rwanda	0	1	1		0	0	2
Samoa					0	1	1
San Marino		0				0	0
Sao Tome and Principe						0	0
Saudi Arabia			(2)	2	(3)	(1)	8
Senegal	0	0	0	0	0	0	0
Seychelles	0	0	0	0	0	0	0
Sierra Leone	0	0	0	0	0	0	0
Singapore					5	(8)	13
Slovak Republic		0	0	0	0	0	0
Slovenia	0	0	0	0	0	1	1
Solomon Islands		0	0			0	0
Somalia	0	0	0	0			0
South Africa	0		0	1	0	0	1
Spain	0	0	0	0	1	1	2
Sri Lanka	0	0	0	0	0	0	0
St. Kitts and Nevis					0	0	0
St. Lucia			0		0	0	0
St. Vincent and the Grenadines	0	0	0		0	0	0
Sudan	0	0	0			0	0
Suriname	0	0	0		0	0	0
Swaziland			0			1	1

Table A1. *continued*

	ICCPR	ICESCR	ICERD	CAT	CEDAW	CRC	Sum of All Treaties
Sweden	3	1	0	0	0	0	4
Switzerland	8	0	0	0	3	5	16
Syrian Arab Republic	0	0	1			4	5
Tajikistan	0	0	0	0	0	0	0
Tanzania	0	0	0		0	0	0
Thailand	4	1			2	2	9
Togo	0	0	0	0	0	0	0
Tonga			2			0	2
Trinidad and Tobago	8	1	0		1	0	10
Tunisia	0	0	0	0	(4)	(6)	10
Turkey				1	5	3	9
Turkmenistan	0	0	0	0	0	0	0
Uganda	0	0	0	0	0	0	0
Ukraine	1	0	0	1	0	0	2
United Arab Emirates			0			4	4
United Kingdom	13	4	2	0	6	4	29
United States	16		7	6			29
Uruguay	0	0	0	0	0	0	0
Uzbekistan	0	0	0	0	0	0	0
Vanuatu					0	0	0
Venezuela	1	0	0	0	1	3	5
Vietnam	0	0	1		1	0	2
Yemen, Rep.	0	0	2	0	1	0	3
Yugoslavia, FR (Serbia/ Montenegro)	0	0	0	0	0	0	0
Zambia	0	1	0	0	0	0	1
Zimbabwe	0	0	0		0	0	0

Note. A blank cell means that the country had not ratified by 2001. An entry in parentheses indicates that the country has a general reservation clause in place, counted as one RUD for this table. ICCPR = International Covenant on Civil and Political Rights; ICESCR = International Covenant on Economic, Social and Cultural Rights; ICERD = International Convention on the Elimination of All Forms of Racial Discrimination; CAT = Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; CEDAW = Convention on the Elimination of All Forms of Discrimination against Women; CRC = Convention on the Rights of the Child.

[a] Average value.

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