Online Appendix

1 Compliance and Effectiveness

Empirical evidence indicates that compliance and effectiveness capture different concepts (Haglund 2020). Table 1 displays the association between the two concepts using compliance data taken from the Compliance with Human Rights Tribunals (CHRT) Dataset (Hillebrecht 2014), which measures compliance with the European and Inter-American Courts of Human Rights from 2008-2010 (**?**). Compliance is reported in Table 1 as the percentage of total obligations with which states complied in individual cases related to physical integrity rights (PIR) abuses (row 1). The other rows in Table 1 report the percentage of obligations of each type of mandate with which states complied. Obligations related to financial reparations include payment of pecuniary and nonpecuniary damages, as well as costs and expenses. Examples of symbolic measures include public apologies, publishing the judgment, and commemorating victims, while examples of accountability include compliance with obligations to hold perpetrators accountable and (re)open domestic proceedings. Compliance with obligations of measures of non-repetition include changing laws, procedures, and administrative practices. Finally, compliance with individual measures include recovering remains of victims and providing (mental) healthcare for the next of kin, among others.[1] Columns 2 and 4 of Table 1 display the correlation between compliance with various obligations and change in physical integrity rights from the year of the judgment to three years post-judgment according to the Fariss (2014) physical integrity rights index. Columns 3 and 5 of Table 1 display the correlation between compliance with various obligations and the level of respect for physical integrity rights in the year in which compliance was coded.[2]

[1] For more detailed descriptions of the types of compliance mandates, see Hillebrecht (2014), pages 50-51.

[2] Results are robust to correlations among compliance and Cingranelli et al. (2014) data on respect for physical integrity rights. Results are also similar when examining the correlation between compliance and respect for physical integrity rights 1 and 5 years post-judgment.

Table 1 displays several key pieces of information, including 1) the Pearson's correlation coefficient, which indicates the strength of the correlation, 2) a p-value, which indicates the statistical significance of the result ($p < .05$ represents the standard level of significance), and 3) the number of cases in each court used to calculate the correlation. The bold cells in Table 1 represent the cells in which there is a statistically significant association among the variables. However, to determine the strength of the relationship, I turn to the Pearson's correlation coefficient, which ranges -1 to +1, with higher values indicating a stronger correlation. Generally, according to Cohen (1988), a correlation coefficient greater than 0.5 represents a strong correlation, a correlation coefficient less than 0.5, but greater than 0.3 represents a moderate correlation, and a correlation coefficient less than 0.3 represents a small or weak correlation.

In Table 1, there are only no cells with strong correlations and only one cell with a moderate correlation. The moderate correlation is reported in Column 5. The change in respect for physical integrity rights from the year of the judgment to the year in which compliance was recorded is negatively and significantly correlated with symbolic measures (correlation coefficient of -0.3221). Perhaps states use compliance with symbolic measures as political cover for continued rights abuses.

If compliance and effectiveness were correlated strongly, compliance with measures of non-repetition should be most highly associated with greater respect for rights, as measures of non-repetition capture measures designed to prevent the occurrence of abuses in the future. However, compliance with most European and Inter-American court obligations are weakly (and sometimes negatively) correlated with both changes in respect for rights 3 years following a judgment and changes in respect for rights from the time of the judgment to the year in which compliance was coded. The evidence presented in Table 1 does not indicate that studying compliance is not a worthwhile endeavor, as many compliance orders involve remedies for a specific human rights abuse. Instead, future work should explore the processes of compliance and effectiveness jointly, as the relationship may not be as straightforward as an understanding that greater compliance produces executive adoption, administration, monitoring, and enforcement of human rights policy following an adverse regional human rights court judgment.

[Table 1 about here.]

2 Control Variables

I utilize several control variables in the models to account for alternative explanations of respect for physical integrity rights. First, scholars find that economic factors are associated with respect for rights (e.g. Poe and Tate 1994). Good human rights practices may indirectly attract FDI by creating an environment less conducive to political violence, and less politically volatile (Sorens and Ruger 2012), or by creating conditions for human capital development, an arguably valuable resource for a good investment climate (Blanton and Blanton 2007). As a result, I include a variable capturing net foreign direct investment inflows *(FDI)*. In addition to economic aid, Poe and Tate (1994) find that economic development is associated with respect for rights and the models include a measure of logged GDP per capita *(GDP)* taken from the World Bank's *World Development Indicators*.

Second, rather than include an aggregate index capturing various components of democracy, Davenport (2007) suggests disaggregating components of democracy in order to better identify the relationship between political systems and respect for rights. As a result, I include several variables to account for various democratic institutions. The number of *veto* players has been found to be positively associated with respect for rights (Davenport 2007), particularly in the presence of international law, as veto players provide information to the legislative opposition about executive behavior (Lupu 2015). I utilize the *PolCon iii* measure of political constraints developed by Henisz (2002) in the analysis. The measure captures the interaction between political actors and is based on a spatial model that includes several factors, including the presence of effective legislative veto players, the extent to which those veto players are controlled by parties different than the executive's party and the extent to which the majority controlling each veto player is cohesive.

Also, *elections* allow voters to remove elected officials that engage in repression from office (Davenport 2007). I utilize a variable from the VDEM dataset capturing the extent to which elections are free and fair. In addition, freedom of *speech* affords individuals the opportunity to

identify and publicize regional court decisions and place pressure on the state (Conrad and Moore 2010). An ordinal variable capturing freedom of speech is included in the analysis (Cingranelli et al. 2014). Finally, the presence of a national human rights institutions (NHRI) is associated with greater rights protections, particularly in the presence of international legal protections (Welch 2017). As such, the models include a binary variable capturing whether the state has formally established a *NHRI* (Conrad et al. 2013).

Another component of democracy that likely influences executive incentives to engage in human rights policy changes is competitiveness of executive recruitment (*ExecutiveRecruit*). The executive is likely to be more sensitive to the public's valuation of human rights, as well as adherence to regional human rights courts when faced with electoral competition. A variable capturing competitiveness of executive recruitment from the Polity IV dataset is included in the models (Marshall et al. 2011).

Beyond democratic institutions, domestic mobilization is also found to be related to respect for rights (e.g. Simmons 2009; Murdie and Davis 2012). Alter (2014:21) calls civil society actors *compliance supporters* because they can mobilize to induce governmental actors to adhere to a regional court ruling. I include a variable measuring the size of involvement of people in civil society organizations and restrictions on participation *(CS)*, among other factors, retrieved from the VDEM dataset (Coppedge et al. 2016).

Additionally, states seeking to avoid shaming by the regional court and the subsequent costs associated with receiving an adverse decision (including systemic and institutional changes to remedy the violation) use regional court rulings across borders as a signal of future regional court activity (Sikkink 2011). As such, a variable representing the presence of an adverse judgment found by the regional court across borders (related to physical integrity rights) is included *(ECtHR/IACtHR Region)*.

Scholars also note that population size is negatively associated with respect for rights (Poe and Tate 1994), as such I include logged total *Population*, in millions, from the World Bank's *World Development Indicators*. Civil conflict is also found to be negatively associated with rights protec-

tions (Hill and Jones 2014). Data on the occurrence of civil conflict *(Civil War)* are obtained from the Uppsala armed conflict data project (Gleditsch et al. 2002). Tables 2 and 3 display descriptive statistics for all variables included in the models.

3 Descriptive Statistics

Tables 2 and 3 display descriptive statistics for the variables included in the models. The ECtHR renders more judgments than the IACtHR against states largely due to the size of the ECtHR's jurisdiction (47 states) compared to the size of the IACtHR's jurisdiction (20 states). Figure 1 displays the total number of adverse judgments over time. Both courts became more active post-2000; the ECtHR results are robust to models including only years in which the ECtHR is most active (2000-2012) and the IACtHR results are robust to models including only years for which the IACtHR is most active (1998-2012). Both courts also exhibit spatial variation and I estimate models excluding outliers (states with the most adverse judgments) below.

[Tables 2 and 3 about here.]

[Figure 1 about here.]

4 Examining Selection

Research assessing the influence of international human rights law on state behavior has taken seriously the selection problem associated with treaty commitment (Hill 2010; Lupu 2013). Because states self-select into treaties, it is difficult to determine whether international treaties have a causal effect on the behavior of the state (Haglund 2020). That is, changes in state behavior may not be caused by a treaty, but by the fact that states would have taken such actions anyway. Selection would be a problem for these analyses if states that have submitted to the jurisdiction of the European and Inter-American Courts of Human Rights are different from states that have not in important ways. In the European context, all states that are members of the Council of Europe are

subject to the jurisdiction of the ECtHR. The European Convention on Human Rights was adopted within the context of the Council of Europe, and all of the 47 member states are parties to the Convention and under the jurisdiction of the ECtHR. Nearly all European states have acceded to the Council of Europe, with the exceptions being Belarus and Kazakhstan. While the decision to join the Council of Europe places states under the jurisdiction of the ECtHR, member states receive access to an important decision-making body in Europe, assistance in democratic governance, and even a Development Bank. Also, every member of the European Union was first a member of the Council of Europe, meaning those with aspirations to accede to the EU find membership in the Council of Europe to be important. Given that there are only two states that have not acceded to the Council of Europe, drawing comparisons across states under the jurisdiction of the European Court of Human Rights and states not under the jurisdiction of the European Court of Human Rights is difficult. Notorious rights abusers in the Council of Europe (Turkey and Russia) have lower levels of respect for rights and lower levels of democratically-oriented rights than Belarus and Kazakhstan, an indication that states are not selecting into the Council of Europe based on their rights practices or level of democratic consolidation.

Turning to the IACtHR, while there are 35 members of the OAS, currently only 20 members accept the jurisdiction of the Court. The members that have not accepted the jurisdiction of the IACtHR are quite diverse in terms of human rights practices, democratic consolidation, and size.[3] Table 4 displays the average and median levels of physical integrity rights (based on the Cingranelli et al. (2014) physical integrity rights index) for countries that have and have not accepted the jurisdiction of the IACtHR. The Cingranelli et al. (2014) physical integrity rights index ranges 0-8, with higher values indicating greater respect for rights. Table 4 also displays the average and median level of democratically-oriented rights for states under the jurisdiction of the IACtHR

[3]OAS member states that have not accepted the jurisdiction of the IACtHR include: Antigua and Barbuda, Bahamas, Belize, Canada, Cuba, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and Grenadines, Trinidad and Tobago, and the United States. Venezuela denounced the American Convention in 2012. However, the temporal domain of the analysis ends in 2012, and so Venezuela (subject to the jurisdiction of the court in the years included in the analysis) is included in the IACtHR sample.

and states not under the jurisdiction of the IACtHR. Democratically-oriented rights are based on the Cingranelli et al. (2014) empowerment rights index, which includes several democratically oriented rights and ranges 0-14, with higher values indicating greater protections of such rights.[4] In addition, Table 4 displays the mean and median level of democracy for states under the jurisdiction of the IACtHR and those not under the jurisdiction of the IACtHR, using the Polity IV index (Marshall et al. 2011), which ranges -10 to +10, with higher values indicating stronger democratic institutions.

[Table 4 about here.]

According to the Cingranelli et al. (2014) physical integrity rights index, for the OAS members that have accepted the jurisdiction of the IACtHR, the average level of respect for physical integrity rights is 4.3 (on a scale ranging 0-8, with higher values indicating greater respect for rights). For those OAS member states that have not accepted the jurisdiction of the IACtHR, the average physical integrity rights score is 6.2 according to the Cingranelli et al. (2014) physical integrity rights index.[5] Further, according to the Cingranelli et al. (2014) empowerment rights index, which includes several democratically oriented rights and ranges 0-14, OAS member states that have not accepted the jurisdiction of the IACtHR score 11.32 on average, while those that have accepted the jurisdiction of the court score a 10.87.[6] These descriptive statistics provide some evidence that states under the jurisdiction of the IACtHR are not more democratic or better rights-respecters than those not under the jurisdiction of the IACtHR.

[4]The Cingranelli et al. (2014) empowerment rights index includes freedom of foreign and domestic movement, freedom of speech, freedom of assembly and association, workers' rights, electoral self-determination, and freedom of religion.

[5]Omitting the United States and Canada, the average physical integrity rights score is 6.0 for OAS members that have not accepted the jurisdiction of the Court.

[6]The (Cingranelli et al. 2014) empowerment rights index includes freedom of foreign and domestic movement, freedom of speech, freedom of assembly and association, workers' rights, electoral self-determination, and freedom of religion.

The selection problem may also manifest as a result of the strategic behavior of regional court judges and the strategic behavior of potential litigants. To my knowledge, there is no research assessing strategic behavior of regional human rights court judges or potential litigants. A rich literature on strategic behavior of domestic court judges suggests that judges may alter their behavior based on an expectation of compliance (Staton and Vanberg 2008) or based on their expectation of government longevity (Helmke 2002). Because regional courts represent supranational bodies with little enforcement authority, perhaps regional court judges may be more likely to render adverse judgments in states where they expect implementation of their judgments as a means to protect the legitimacy of the institution. Similarly, because litigation is costly, potential litigants may be more likely to file petitions where they expect a higher likelihood of implementation domestically. As a result, one might expect more adverse judgments rendered in states where there is a higher likelihood human rights policy change.

To begin, regional court judges and potential litigants may expect a higher likelihood of human rights policy change in states with stronger domestic judiciaries. If this were the case, then adverse judgments and judicial power would be highly correlated. That is, few adverse regional court judgments would be rendered in states with weaker domestic judiciaries. The upper left panels of Figures 2 and 3 show that the ECtHR and the IACtHR render judgments in states with varying levels of judicial power (Linzer and Staton 2015). In fact, the fitted values display a slightly negative relationship, indicating that adverse judgments tend to be rendered more often in states with weaker domestic judiciaries.

Second, regional court judges and potential litigants may expect a higher likelihood of human rights policy change in states with relatively higher levels of respect for rights (Fariss 2014). If adverse judgments are highly correlated with greater respect for rights, then the positive relationship between adverse judgments and respect for rights may be due to strategic behavior on the part of regional court judges or potential litigants. The upper right panels of Figures 2 and 3 show that adverse ECtHR and IACtHR judgments tend to be rendered more often in states with weaker physical integrity protections. Third, perhaps regional court judges and potential litigants expect

a higher likelihood of human rights policy change following an adverse judgment in states with strong democratic institutions. Using the Cingranelli et al. (2014) empowerment rights index as an indicator of democratically-oriented rights, the lower left panels of Figures 2 and 3 show that adverse judgments are rendered more often in states with weaker protections of democratically-oriented rights. Finally, regional court judges and potential litigants may expect a higher likelihood of human rights policy change following an adverse judgment when the state has greater bureaucratic capacity to make such changes. Using the logged GDP per capita as an indicator of capacity, the lower right panels of Figures 2 and 3 show that there is little correlation between capacity and the number of adverse judgments rendered against states. These descriptive analyses suggest that regional court judges are not more likely to render judgments and potential litigants are not more likely to file petitions in states where they expect a relatively higher likelihood of human rights policy change.

[Figures 2 and 3 about here.]

In an effort to further address selection concerns, I conduct an additional robustness check in which I pre-process the data using matching techniques and then estimate the regression models. Doing so allows me to simulate a randomized experiment conditional on the observed covariates (Rubin 1974; Guo and Fraser 2010). The results are largely the same as the main models presented in the manuscript.

To begin, I pre-process the data for the ECtHR and the IACtHR. More specifically, I generate a dichotomous adverse judgment variable, in which an adverse ECtHR or IACtHR judgment takes on a value of 1 if a country received an adverse judgment in a given year (treatment) and 0 otherwise (control). Then, I preform nearest neighbor propensity score matching with the observed covariates included in the main models, yielding a dataset with similar units across the treatment and control groups. Table 5 shows the extent to which the matching exercise created more balance in the datasets across the treatment and control groups. After pre-processing, I estimate regression models described in the main manuscript. Table 6 displays coefficient estimates for the interaction term and constituent terms of interest from the main models. The coefficient estimates remain

largely the same. For both the ECtHR and IACtHR models, the interaction term of interest remains positive and statistically significant at the $p < .10$ significance level. These results, combined with the descriptive statistics above, lend greater support to the hypothesized relationship.

[Tables 5 and 6 about here.]

5 Illustrative Cases: Argentina and Italy

To illustrate the theoretical implications, I consider two countries under the jurisdiction of regional human rights courts, Argentina and Italy (Haglund 2020). Argentina ratified the American Convention on Human Rights in 1984 and has been the recipient of six adverse IACtHR decisions related to physical integrity abuse (in the temporal domain analyzed in this article), one of which includes the 2003 case of *Bulacio v. Argentina*. In 1999, Argentine Federal Police arrested and detained more than 80 individuals, including seventeen-year-old Walter Bulacio, who was subsequently severely beaten at a police station. He was then released with other detainees without criminal charges filed, but died due to complications from the beating. Criminal charges were filed against the police captain in Argentine courts, but after a number of delays, no definitive judgment was ever rendered. The case of *Bulacio v. Argentina* reached the IACtHR in 2003 and the IACtHR found that the state had violated Article 4 (right to life), Article 5 (right to humane treatment), and Article 7 (right to personal liberty), among a number of other articles. The IACtHR ordered the state, among a number of other reparations orders, to investigate and punish those responsible. The state complied with the obligation and re-opened the investigation into the victim's detention and death. The Supreme Court overturned an appeal judgment whereby the criminal action brought against a defendant for the aggravated illegal imprisonment of Walter Bulacio was dismissed under the statute of limitations.

The theory elaborated in the article suggests that the Argentine Supreme Court's actions can be explained by domestic judicial incentives to implement the regional court order, including the incentive to maintain public support for the court. Following the Argentine democratic transition in

the 1980s, elected presidents such as Carlos Menem, maintained substantial control over the judicial branch. Following Menem's election in 1989, the president expanded the Supreme Court from five to nine members, and chose the four new justices. The Senate then approved the nominated justices during a secret parliamentary session in which the opposition was not invited. The judicial branch underwent substantial changes in the 2000s, when the Argentine Supreme Court gained independence from the executive branch. In 2003 (following the removal of Menem from power), the Supreme Court underwent a number of important reforms, including reforms to the Judicial Council, which oversees the promotion and impeachment of justices. Judicial reforms included the removal or resignation of many of Menem's justices, substantial reforms to the nomination procedure, and a reduction in the number of justices.

The left panel of Figure 4 illustrates the substantial growth in judicial power in Argentina from the 1980s to the present. The solid line represents Argentina's judicial power score, the dashed line represents the median score for the region, and the vertical line represents the year in which IACtHR ruled against Argentina in the Walter Bulacio case. The left panel of Figure 4 shows that judicial power in Argentina was below the median judicial power score for the region throughout the 1990s, however, beginning with the reforms in 2003, judicial power grew above the median for the region. The theoretical implication in this article suggests that as judicial power grows, the executive *expects* a greater likelihood of judicial implementation, and as a result, is more likely to adhere to the ruling through administration, monitoring, and enforcement of human rights policy. The right panel of Figure 4 illustrates the change in Argentina's respect for physical integrity rights over time, which represents an outcome of executive policy (an outcome observed following an executive decision to adopt, administer, monitor, and enforce human rights policy). Figure 4 displays substantial improvements in physical integrity rights over this time period, particularly following the Bulacio v. Argentina case in 2003.

On the other hand, consider Italy, a state that ratified the European Convention on Human Rights in 1955 and has been one of the largest recipients of adverse judgments from the ECtHR (including 49 adverse decisions related to physical integrity in the European temporal domain

analyzed in this article). In the case of *Saadi v Italy*, the ECtHR found Italy in violation of its obligations under Article 3 of the European Convention, prohibiting the return or extradition of individuals to states where they faced a risk of torture, inhuman or degrading treatment. In this particular case, Nassim Saadi, a Tunisian national in Italy on a residence permit, was arrested on suspicion of involvement with international terrorism in 2002. Saadi was convicted *in abstentia* of membership in a terrorist organization and incitement to terrorism and subsequently sentenced to 20 years imprisonment. In 2006, a Deportation Order was issued by the Minister for the Interior stating that Saadi was threatening national security as a result of his active role in a terrorist organization in Italy. Saadi applied for political asylum, claiming to be at risk of torture and political and religious reprisals if returned to Tunisia. His application for asylum was deemed inadmissible on the ground that he represented a danger to national security.

Saadi lodged an application against Italy with the ECtHR, claiming that his deportation would represent a violation of the European Convention, including exposing him to a risk of ill-treatment and torture under article 3. Italy sought assurances from the the government of Tunisia that the victim would not be subjected to torture or inhumane treatment. Diplomatic assurances were provided by the Tunisian government (with references made to Tunisian domestic laws and accession to international treaties), but the ECtHR did not find them to qualify as adequate assurance. In 2008, the Grand Chamber of the ECtHR found Italy in violation of Article 3 of the European Convention. Further, following the Saadi case, in 2009, the Second Chamber of the ECtHR unanimously found Italy in violation of article 3 of the ECHR in *Ben Khemais v. Italy*, another case involving deportation of a Tunisian citizen. Unlike the case of Saadi, Ben Khemais was deported to Tunisia before the ECtHR could issue its judgment, making the likelihood of compliance with the ECtHR order low.

Again, a theoretical implication in the article is that domestic judicial power influences executive incentives adopt, administer, monitor, and enforce human rights policy. However, in the case of Italy, the domestic judiciary is relatively weak, the Italian judicial system is largely ineffective (as evidenced in the substantial number of cases before the ECtHR involving the excessive

length of judicial proceedings). In fact, Italy has developed a reputation for being the state with the worst record for repeat cases before the ECtHR (Hillebrecht 2014:122). Italian politicians have long criticized the Italian judicial system as highly politicized; in fact, facing multiple corruption allegations and trials, former Prime Minister Berlusconi claimed that the judiciary possessed unbalanced political power that was used to target him for over a decade beginning in the mid-1990s.[7] Media interest in corruption has declined since the mid-2000s, largely as a result of a "saturation effect," and media attention has turned to alleged political biases of "left-oriented" judges resulting in increased public interest in the alleged political bias of the judiciary and decreasing public interest in the Italian judiciary's anti-corruption agenda (Vannucci 2009:241-49). Public opinion of the domestic judiciary has subsequently declined and legislative measures are being pursued to limit judicial efforts to combat anti-corruption (Vannucci 2009:253). Consistent with the arguments made in the article, the weak domestic judiciary in Italy fails to generate executive incentives to adopt, administer, monitor, and enforce human rights policy in response to adverse regional human rights court decisions, in fact Hillebrecht (2014:124) claims, "there appears to be very little interest or incentive on anyone's part to fully comply with the tribunal's rulings...there are still 8.7 million cases pending in Italy." The left panel of Figure 5 displays the judicial power score for Italy. The solid line represents Italy's level of judicial power over time. The dashed line represents the median judicial power score for the region. The vertical reference line references the year of the *Saadi v. Italy* judgment. The figure shows that during this time, Italy's national judiciary was relatively ineffective and weak. The right panel of Figure 5 displays Italy's physical integrity rights score over time, which is representative of executive policy. Italy's level of respect for physical integrity rights declines in the two years following the *Saadi v. Italy* judgment, with only a slight improvement in 2011-2012.

While the cases in Argentina and Italy are illustrative of the theoretical implications presented in the article, in combination with the quantitative analyses, there is evidence supportive of the role of domestic politics in the effectiveness of regional human rights courts. Together this evidence

[7] See `http://news.bbc.co.uk/2/hi/europe/4007441.stm` for more on Berlusconi's claims.

supports the argument that regional human rights court effectiveness (executive adoption, administration, monitoring, and enforcement of human rights policy) occurs in expectation of domestic judicial implementation, which is more likely to occur when the domestic judiciary is relatively powerful.

[Figures 4 and 5 about here.]

6 Alternative Dependent Variable and Lagged Dependent Variable Models

In the article, a lagged dependent variable is not included in the models because the dependent variable is based on estimates generated from a latent variable model in which the human rights scores for a particular country-year are dependent on the value of the same country in the previous year. Table 7 shows that the results are robust to an alternative specification of the dependent variable, the Cingranelli et al. (2014) physical integrity rights index. The CIRI physical integrity rights index includes four types of rights abuses, torture, disappearance, extrajudicial killing, and political imprisonment. It ranges 0-8 with higher values representing greater respect for rights. I also include a lagged physical integrity rights index variable. I estimated both linear regression models (including varying intercepts and standard errors clustered on country), given the large number of categories on the dependent variable, as well as random effects ordered logit models with standard errors clustered on country. Table 7 displays results from the linear regression models in columns 1 and 3, and the results from the random effects ordered logit specification in columns 2 and 4. The key variables of interest remain statistically significant, with the exception of the random effects ordered logit specification for the ECtHR, in which the key interaction term just fails to achieve statistical significance. Although we may be somewhat less confident in the European Court finding here, the statistically significant result remains in various others model specifications.

[Table 7 about here.]

7 Accounting for Outliers

In the European sample, two countries receive the highest number of adverse ECtHR decisions: Turkey and Russia. The mean number of adverse ECtHR decisions related to physical integrity in a year is around 1, however, the mean number of adverse ECtHR decisions in Turkey and Russia are around 8 and 12 respectively. In order to demonstrate that the results are not being driven by Turkey and Russia, both of which have many cases, relatively low judicial power and respect for rights, I estimate models excluding these two countries. Models excluding Turkey and Russia from the sample are displayed in Column 2 of Table 8. While the parameter estimate for the key variable of interest reported in column 1 (ECtHR*Judiciary) is not significant using the two-tailed test of significance, it is significant using the one-tailed significance test.

Also, the European sample consists of a number of countries with very high judicial power scores (.97 or better on a 0-1 scale). In order to ensure that the results are not driven by countries with very powerful judiciaries adhering to the few regional court orders they receive in a given year, a model excluding Luxembourg, Denmark, Iceland, and Norway is estimated as a robustness check. The results from this model are reported in Column 3 of Table 8. The results are robust to the exclusion of these countries, indicating that the results are not driven by countries with the most powerful judiciaries implementing regional court decisions when they receive an adverse decision from the ECtHR. This result also lends support to the alternative claim that the results are not being driven by countries with more vibrant legal cultures generating more cases because individuals are more likely to file petitions in these states. The results are robust to the exclusion of states where individuals enjoy a legal culture supportive of human rights litigation. In addition, as I note in the main article, von Staden (2018) finds that three European states exhibit near perfect compliance (Denmark, Sweden, and Norway). In order to ensure that the near perfect compliance by these states is not driving the results (e.g. greater effectiveness), I estimate an additional model excluding these three states from the sample. The results are displayed in Column 4 of Table 8 and are robust to the exclusion of these three states.

Finally, in the Inter-American Court model presented in the article, Barbados and Suriname

are excluded from the analysis, given that they both have small populations (less than one million). Countries with small populations are found to be associated with better respect for rights largely as a matter of probability. In countries with large populations, there are a greater number of occasions on which human rights violations can occur (Henderson 1993; Poe and Tate 1994). A large population also increases the likelihood of scarcity and dissent, which is associated with more repression (Davenport 2007). Given these findings and the significant outliers that Barbados and Suriname present, they are excluded from the models in the paper. However, a model including Barbados and Suriname is estimated for robustness. Table 9 displays results from the IACtHR model and the results are robust to the inclusion of these countries.

[Table 8 about here.]

8 Incorporating Uncertainty into the Models

The dependent variable of interest (respect for human rights) and the judicial power variable both come from latent variable measurement models. To estimate the models in the article, the mean from the posterior distribution of the latent variable measurement models for physical integrity rights and judicial power is examined. However, a Bayesian model allows for the incorporation of the uncertainty (variance) associated with the latent variable estimates directly into the model. As a robustness check, I estimated Bayesian hierarchical linear models, incorporating the uncertainty from the latent variable estimates, as well as random intercepts. These models were estimated via MCMC simulation with JAGS (Plummer 2004) in conjunction with the R2JAGS package (Yu-Sung and Yajima 2013). I simulated two Markov chains for 300,000 iterations, discarding the first 20K iterations from each chain and assessed convergence with visual diagnostics, including trace plots of the path of the Gibbs sampler runs, as well as density estimates for the β parameters from the MCMC simulation. Density plots for the interaction and constituent terms are shown in Figure 6 for the ECtHR model and Figure 7 for the IACtHR model. In Figure 6 and Figure 7, b1 represents the interaction term, b2 represents the count of adverse regional court decisions in each

country-year and b3 represents domestic judicial power. The unimodality of the density estimates indicate evidence of convergence.[8]

[Figures 6 and 7 about here.]

In Bayesian analysis, the model simulates effects by drawing a large number of simulations from the posterior distribution, allowing for description of the posterior empirically with the simulated values. Bayesian inference and hypothesis testing involves utilizing descriptions of the posterior as evidence of an effect. Table 10 presents characteristics of the posterior distribution. The mean value of the posterior distribution is reported for each country in addition to a quantile-based 90% probability interval (credible interval) from the posterior distribution for each variable. The probability interval indicates that 90% of the posterior probability distribution estimates are within the interval presented. In other words, the interval indicates the region of the parameter space where the probability of covering the parameter is 90%. Observing a positive mean parameter estimate indicates that the estimates reported in the article are robust to the Bayesian model specification and lends support to the hypothesis examined in the article. The mean estimate and credible intervals for both the ECtHR and IACtHR are positive, indicating additional support for the hypothesis.

[Table 10 about here.]

9 Disaggregated Model Results

In the article, I conducted a disaggregated analysis examining the influence of adverse ECtHR judgments related to torture (Article 3) on the right to be free from torture. Full model results are displayed in Table 11.

[Table 11 about here.]

[8]While not reported, the R-Hat values indicate mixing of the chains, with values closer to 1.000 demonstrating better model convergence. The R-Hat values for the variables of interest (interaction and constituent terms) are all 1.001.

10 Accounting for Variation in Government Leadership

In the article, the models account for static institutional differences across states. However, dynamic changes in leadership may also influence whether the executive has incentives to adopt and implement comprehensive human rights policy. In order to account for these possible changes within a government, I estimate models controlling for the election cycle. More specifically, the models include binary control variables for the presence of an executive election and the presence of a legislative election. Elections might generate incentives for the executive and legislators to focus on rights-related issues, as elected officials seek public support for re-election. Two variables from the VDEM dataset are included to account for the presence of executive and legislative elections (Coppedge et al. 2016). The results from these models are reported in Table 12, and the key variables of interest largely remain unchanged. As for variation in government leadership variables, the only variable to achieve statistical significance is the presence of executive elections in the Inter-American Court model and the relationship is negative. While Table 12 reports results controlling for the presence of an election in a particular year, the models are also robust to examining the role of the election cycle, that is, controlling for the year before the election and the year after an election as well.

[Table 12 about here.]

11 Change Dependent Variable Results

The independent variables are lagged one year in the article, which captures a change in the level of respect for rights from the year of the judgment to the year following the judgment. The lagged variable captures changes in the level of respect from one year to the next, relative to states with varying counts of adverse decisions and levels of judicial power. The substantive effects (marginal effect plots) in the article show that by setting adverse decisions to 1 and examining the level of respect for rights *in the year after the adverse court decision*, states with higher values of judicial power have higher levels of respect for rights.

However, models were estimated with an alternative dependent variable, change in value of respect for rights from the year in which the adverse judgment occurred to the year following the judgment. The dependent variable examined in these models is an ordinal change variable. The ordinal variable is based on the CIRI physical integrity rights index and captures the magnitude of change in the physical integrity rights index from one year to the next. This variable ranges from -4 to 3 in the ECtHR model and from -4 to 6 in the IACtHR model. I estimate random effects ordered logit models. Table 13 presents the results from these models. The key interaction term of interest is positive and significant in both models, indicating that adverse regional court decisions are associated with positive changes in respect for rights (from the previous year) when domestic judicial power is relatively high. Interestingly, the constituent term for judicial power is negative in both models, but fails to achieve statistical significance. Nevertheless, the positive and significant parameter estimate on the interaction term lends support to the hypothesis in the article. Models were also estimated using changes in the Fariss (2014) measure of respect for physical integrity rights and the main results are robust to the use of this measure.

[Table 13 about here.]

12 Models with Fixed Effects

Models in the article are estimated with random effects, specifically random intercepts. The random effects model allows me to incorporate cross-sectional and within-unit variation. While there is within unit variation in respect for rights, there is also substantial heterogeneity across countries, which is why I rely on a random effects estimation in the analysis. Random effects models are also efficient because they only estimate a variance parameter rather than N-1 additional parameters. However, in order to account for within-unit changes empirically, as a robustness check, I estimate the models from the original manuscript with fixed effects. Fixed effects model results are displayed in Table 14. Results are robust to this specification for the IACtHR. The parameter estimate for the ECtHR model is positive, but only achieves statistical significance when using the

less stringent one-tailed test of significance.

[Table 14 about here.]

13 ECtHR and Judgment Importance

The ECtHR models in the article include adverse ECtHR judgments from key cases and judgments of level 1 and level 2 importance. I omit judgments of level 3 importance because according to the ECtHR, they are of little legal interest and generally only apply existing case-law. Although I do not expect the novelty of the judgment to impact effectiveness, there may be diminishing returns as the ECtHR renders a large number of level 3 judgments. To more formally examine this relationship between level 3 judgments and respect for rights conditional on judicial power, I estimate two additional models. In the first, the adverse ECtHR judgment variable includes all adverse judgments (key cases, and judgments of level 1, level 2, and level 3 importance). In the second model, the adverse ECtHR judgment variable includes only level 3 judgments. The results are displayed in Table 15. The interaction terms are positive and statistically significant. However, marginal effects, displayed in Figure 8, show little significant effect. That is, the results in Figure 8 show that the presence of an adverse judgment of level 3 importance is not substantively associated with greater respect for rights as judicial power grows and this effect is particularly muted when I only include judgments of level 3 importance.

[Table 15 and Figure 8 about here.]

14 ECtHR Procedural and Substantive Violations

The independent variable in the main ECtHR models represents a count of the number of adverse ECtHR judgments involving physical integrity rights abuses, including both substantive and procedural violations of the ECHR. Substantive violations directly call the state out for engaging in a

physical integrity rights abuse, while procedural violations can include the ineffective adminstration of justice related to a physical integrity rights violation. The Convention requires, for example, that there should be effective official investigations of abuses, and investigations should be capable of leading to the identification and punishment of those responsible (Reidy 2002). Because procedural violations are often associated with ineffective or improper administration of justice, one might expect that procedural violations are less likely to be associated with improvements in physical integrity rights practices. In the article, I suggest that procedural violations may be associated with deterrence of future human rights abuses because they can *indirectly* call the state out for human rights policy failures, that if changed, will lead to better human rights practices. In fact, Reidy (2002) notes that effective investigations of allegations of torture and inhuman treatment are necessary because "otherwise the general legal prohibition of torture and inhuman and degrading treatment would, despite its fundamental importance, be ineffective in practice and it would be possible in some cases for agents of the State to abuse the rights of those within their control with virtual impunity." (40).

However, empirically assessing variation across procedural and substantive violations is inherently difficult as, to my knowledge, reliable data do not exist classifying ECtHR judgments as substantive or procedural violations of specific articles of the ECHR. The HUDOC database sometimes provides this information in the case details (under conclusions), noting if a violation involved the substantive or procedural aspect of an article, but this information is inconsistent. For example, sometimes the case details will indicate that the state has violated Article 3, with no additional information and sometimes the case details will note that the state violated Article 3 - procedural aspect. As a result of these inconsistencies, I coded data on substantive and procedural violations of one article of the ECHR - Article 3. To do so, I searched for every key case, level 1, and level 2 violation of Article 3 of the ECHR from 1980-2012 (the spatial domain analyzed in the article). I read the legal summary and/or press release to obtain information on the nature of the Article 3 violation. When a legal summary or press release were unavailable or did not provide sufficient information, I read through the text of the judgment. I coded substantive violations as

violations of obligations not to engage in prohibited behavior (e.g. torture or inhuman treatment) and procedural violations as violations involving the carefulness of procedure and availability of effective remedy. Oftentimes, though not always, procedural violations of Article 3 include an Article 13 violation (in conjunction with Article 3). Article 13 provides a right to effective remedy before a national authority for anyone whose rights have been violated under the convention. I found that many judgments involving Article 3 represent violations of both the substantive and procedural aspects of Article 3, that is, a substantive violation occurred and the state failed to provide an effective remedy. In all, I coded 153 substantive violations of Article 3 and 88 procedural violations of Article 3.

I then estimated two models in which the primary independent variable of interest in the first model represented an interaction of at least one adverse ECtHR judgment involving a substantive violation of Article 3 and judicial power and the independent variable of interest in the second model represented an interaction of at least one adverse ECtHR judgment involving a procedural violation of Article 3 and judicial power. I utilize the Linzer and Staton (2015) latent measure of domestic judicial power. The independent variables are lagged one year. The dependent variable in the model captures respect for the right to be free from torture and comes from the Cingranelli et al. (2014) dataset, where a zero represents frequent torture, a one represents occasional torture, and a two indicates that torture is not practiced/unreported. All control variables are the same as those in the analyses in the article.[9]

Given the nature of the dependent variable, I estimate an ordered logistic regression model. Table16 displays parameter estimates and standard errors from the models. The results show that adverse ECtHR judgments involving substantive violations of Article 3 are positively and significantly related to freedom from torture and inhuman treatment and adverse ECtHR judgments involving procedural violations of Article 3 are positively, but insignificantly related to freedom from torture and inhuman treatment. This suggests that we can be less confident that procedural violations effectively deter future human rights abuses, at least to the same extent as substantive

[9] A lagged dependent variable is included as well.

violations.

Substantive results are displayed in Figure 9. More specifically, I plot the marginal predicted probability of no torture and some torture in the year following the receipt of at least one adverse ECtHR judgment finding a substantive violation of Article 3 of the ECHR (top row) and following the receipt of at least one adverse ECtHR finding a procedural violation of Article 3 of the ECHR (bottom row), across values of judicial power.[10] To create the plots, all other variables in Figure 9 are set to their mean or mode (for binary or ordinal variables).

The upper and lower left panels of Figure 9 show that at low levels of judicial power, the probability of not practicing torture in the year following an adverse ECtHR judgment related to a substantive and procedural violation of Article 3 is around 0. However, at high levels of judicial power (0.9-1.0), the probability of not practicing torture in the year following the finding of a substantive violation of Article 3 by the ECtHR is around 0.8 and the probability of not practicing torture in the year following the finding of a procedural violation of Article 3 by the ECtHR is around 0.6. The upper and lower right panels of Figure 9 display the probability of occasional torture. At low levels of judicial power, the probability of practicing torture occasionally in the year following an adverse ECtHR substantive Article 3 judgment is around 0.6, however, at high levels of domestic judicial power, the predicted probability of practicing torture occasionally in the year following a ECtHR substantive violation of Article 3 is lower (around 0.2). The effects are more muted when it comes to procedural violations. At low levels of judicial power, the probability of practicing torture occasionally in the year following an adverse ECtHR procedural Article 3 violation is around 0.8, and at high levels of judicial power, the probability of occasional torture is around 0.5.

[Table 16 and Figure 9 about here.]

[10] I only plot the predicted probability for values of judicial power ranging 0.3 - 1.0 because the mean in the sample is around 0.8, and there are few country-years at 0 - 0.29.

References

Alter, K. J.. (2014) *The New Terrain of International Law: Courts, Politics, Rights*. Princeton: Princeton University Press.

Blanton, Shannon Lindsey and Robert G. Blanton. (2007) What Attracts Foreign Investors? An Examination of Human Rights and Foreign Direct Investment. *The Journal of Politics* 69(1):143–155.

Cingranelli, D. L., D. L. Richards, and K. C. Clay. (2014) The Cingranelli-Richards (CIRI) Human Rights Dataset. Available at: `http://www.humanrightsdata.org`.

Cohen, J.. (1988) *Statistical Power Analysis for the Behavioral Sciences*. New York, New York: Lawrence Erlbaum Associates.

Conrad, C. R., J. H. R. DeMeritt, W. H. Moore, and R. Welch. (2013) *National Human Rights Institutions (NHRI) Institutional Data Project: (Beta) Coding Rules*. National Human Rights Institutions Data Project, Charlotte, Denton, and Tallahassee. Data available at: `http://psci.unt.edu/~demeritt/nhri/The_National_Human_Rights_Institutions_(NHRI)_Data_Collection_Project.html`.

Conrad, C. R. and W. H. Moore. (2010) What Stops the Torture? *American Journal of Political Science* 54(2):459 – 476.

Coppedge, M., J. Gerring, S. Linberg, S. E. Skaaning, J. Teorell, D. Altman, M. Berhard, M. S. Fish, A. Glynn, A. Hicken, C. H. Knutsen, K. McMann, P. Saxton, D. Pemstein, J. Staton, B. Zimmerman, R. Sigman, F. Andersson, V. Mechkova, and F. Miri. (2016) *V-Dem Codebook v6.* V-Dem Project.

Davenport, C.. (2007) *State Repression and the Domestic Democratic Peace*. New York: Cambridge University Press.

Fariss, C. J.. (2014) Respect for Human Rights has Improved Over Time: Modeling the Changing Standard of Accountability. *American Political Science Review* 108(2):297–318.

Gleditsch, P. Wallensteen, N. and, M. Erikson, M. Sollenberg, and H. Strand. (2002) Armed Conflict, 1945-99: A New Dataset. *Journal of Peace Research* 39(5):615–637.

Guo, Shenyang and Mark W. Fraser. (2010) *Propensity Score Analysis: Statistical Methods and Applications*. Los Angeles: Sage.

Haglund, Jillienne. (2020) *Regional Courts, Domestic Politics, and the Struggle for Human Rights*. Cambridge: Cambridge University Press. Forthcoming.

Helmke, Gretchen. (2002) The Logic of Strategic Defection: Court–Executive Relations in Argentina Under Dictatorship and Democracy. *American Political Science Review* 96(02):291–303.

Henderson, C.. (1993) Population Pressures and Political Repression. *Social Science Quarterly* 74:322–333.

Henisz, Witold J.. (2002) The institutional environment for infrastructure investment. *Industrial and Corporate Change* 11(2):355–389.

Hill, D. W.. (2010) Estimating the Effects of Human Rights Treaties on State Behavior. *Journal of Politics* 72(4):1161–1174. ISSN 0022-3816.

Hill, D. W. and Z. M. Jones. (2014) An Empirical Evaluation of Explanations for State Repression. *American Political Science Review* 108(3):661–687.

Hillebrecht, C.. (2014) *Domestic Politics and International Human Rights Tribunals*. Cambridge: Cambridge University Press.

Linzer, D. A. and J. K. Staton. (2015) A Global Measure of Judicial Independence. *Journal of Law and Courts* 3(2):223–256.

Lupu, Y.. (2013) The Informative Power of Treaty Commitment: Using the Spatial Model to Address Selection Effects. *American Journal of Political Science* 57(4):912–925.

Lupu, Y.. (2015) Legislative Veto Players and the Effects of International Human Rights Agreements.

Marshall, M., K. Jaggers, and T. Gurr. (2011) *Polity IV Project: Political Regime Characteristics and Transitions, 1800-2010. Data Users' Manual*. Center for Systemic Peace. `http://www.systemicpeace.org/inscr/p4manualv2012.pdf`.

Murdie, A. and D. Davis. (2012) Shaming and Blaming: Using Events Data to Assess the Impact of Human Rights INGOs. *International Studies Quarterly* 56(1):1–16.

Plummer, M.. (2004) JAGS: Just Another Gibbs Sampler. `http://mcmc-jags.sourceforge.net/`.

Poe, S. and C. N. Tate. (1994) Repression of Personal Integrity Rights in the 1980's: A Global Analysis. *American Political Science Review* 88:853–872.

Reidy, Aisling. (2002) The Prohibition of Torture: A guide to the Implementation of Article 3 of the European Convention on Human Rights.

Rubin, Donald B.. (1974) Estimating Causal Effects of Treatments in Randomized and Nonrandomized Studies. *Journal of Educational Psychology* 66(5):688–701.

Sikkink, K.. (2011) *The Justice Cascade*. New York: W.W. Norton & Company.

Simmons, B. A.. (2009) *Mobilizing for Human Rights: International Law in Domestic Politics*. New York: Cambridge University Press.

Sorens, Jason and William Ruger. (2012) Does Foreign Investment Really Reduce Repression? *International Studies Quarterly* 56(2):427–436.

Staton, Jeffrey K. and Georg Vanberg. (2008) The Value of Vagueness: Delegation, Defiance, and Judicial Opinions. *American Journal of Political Science* 52(3):504—519.

Vannucci, A.. (2009) The Controversial Legacy of 'Mani Pulite': A Critical Analysis of Italian Corruption and Anti-Corruption Policies. *Bulletin of Italian Politics* 1(2):233–64.

von Staden, Andreas. (2018) *Strategies of Compliance with the European Court of Human Rights: Rational Choice with Normative Constraints*. Philadelphia: University of Pennsylvania Press.

Welch, R.. (2017) National Human Rights Institutions: Domestic Implementation of International Human Rights Law. *Journal of Human Rights* 16(1):96–116.

Yu-Sung, S. and M. Yajima. (2013) R2jags Package: Using R to Run 'Jags'. `http://cran.r-project.org/web/packages/R2jags/R2jags.pdf`.

Table 1: Strength of Association between Compliance and Effectiveness

Percent Complied	ECtHR PIR (Three Year Change)	ECtHR PIR (Year Coded)	IACtHR PIR (Three Year Change)	IACtHR PIR (Year Coded)
Total	0.0231	0.1495	-0.0202	0.0154
	(0.8350)	(0.2006)	(0.8660)	(0.9164)
	N = 84	N = 745	N = 53	N = 49
Financial Reparations	0.0134	0.1399	0.0567	0.0367
	(0.9285)	(0.3830)	(0.6958)	(0.8088)
	N = 47	N = 41	N = 50	N = 46
Symbolic Measures	0.0639	0.1260	-0.2364	**-0.3221**
	(0.6914)	(0.4573)	(0.1531)	**(0.0632)**
	N = 41	N = 37	N = 38	N = 34
Accountability	-0.0132	0.0035	-0.1689	-0.2373
	(0.9535)	(0.9879)	(0.2790)	(0.1403)
	N = 22	N = 21	N = 43	N = 40
Non-repetition	-0.0011	0.1692	-0.0491	-0.0311
	(0.9940)	(0.2903)	(0.7897)	(0.8753)
	N = 46	N = 41	N = 32	N = 28
Individual Measures	0.1063	0.1283	-0.0820	-0.1809
	(0.6129)	(0.5795)	(0.6199)	(0.2982)
	N = 25	N = 21	N = 39	N = 35

NOTES: Pearson's correlation coefficients, p-values, and sample size displayed. Bolded values indicate statistical significance (but not strength of relationship).

Table 2: European Court of Human Rights Sample

	Mean	Median	Std. Dev.	Range
ECtHR (t-1)	1.02	0	3.58	0 - 47
ECtHR Regional Count (t-1)	0.936	0.243	0.244	0 - 1
Judiciary (t-1)	0.803	0.906	0.212	0.099 - 0.995
Veto (t-1)	0.428	0.447	0.500	0 - 0.72
Speech (t-1)	1.44	1	0.562	0 - 2
Elections (t-1)	0.873	0.959	0.187	0 - 0.995
ExecutiveRecruit (t-1)	2.87	3	0.377	1 - 3
FDI (logged) (t-1)	0.828	0.903	1.38	-6.52 - 6.11
NHRI (t-1)	0.504	1	.500	0 - 1
CS (t-1)	0.830	0.877	0.159	0.182 - 0.990
GDP (logged) (t-1)	9.43	9.59	1.15	5.77 - 12.17
Population (logged) (t-1)	1.65	2.01	2.02	-3.74 - 4.99
Civil War (t-1)	0.071	0	0.257	0 - 1
Repression	1.79	1.63	1.27	-1.65 - 4.71

Table 3: Inter-American Court of Human Rights Sample

	Mean	Median	Std. Dev.	Range
IACtHR (t-1)	0.203	0	0.580	0 - 4
IACtHR Regional Count (t-1)	0.628	1	0.483	0 - 1
Judiciary (t-1)	0.545	0.483	0.213	0.074 - 0.959
Veto (t-1)	0.360	0.380	0.155	0 - 0.69
Speech (t-1)	1.40	1	0.544	0 - 2
Elections	0.722	0.792	0.222	0 - .986
ExecutiveRecruit (t-1)	2.69	3	0.625	0 - 3
FDI (logged) (t-1)	0.671	0.827	1.17	-6.12 - 2.86
NHRI (t-1)	0.612	1	0.488	0 - 1
CS (t-1)	0.748	0.760	0.150	0.065 - 0.961
GDP (logged) (t-1)	7.92	7.92	0.899	5.49 - 9.96
Population (logged) (t-1)	2.07	2.02	1.51	-1.36 - 5.30
Civil War	0.169	0	0.375	0 - 1
Repression	0.174	0.163	1.09	-2.13 - 2.65

Table 4: Descriptive Statistics for States Under Jurisdiction of IACtHR

	IACtHR Jurisdiction	No IACtHR Jurisdiction	Omit U.S. & Canada
Physical Integrity Rights (Mean)	4.42	6.11	5.96
Physical Integrity Rights (Median)	5	6	6
Empowerment Rights (Mean)	11.11	11.51	11.28
Empowerment Rights (Median)	11	13	13
Polity (Mean)	7.11	6.02	4.03
Polity (Median)	8	9	7.5

Table 5: Propensity Score Balance

	Before Matching		After Matching	
	Mean Treated	Mean Control	Mean Treated	Mean Control
Adverse ECtHR Judgments	0.500	0.236	0.477	0.392
n	529	251	238	238
Adverse IACtHR Judgments	0.311	0.127	0.311	0.307
n	378	69	69	69

NOTES: Estimated average propensity score for adverse ECtHR and IACtHR judgments variables for the treated and control groups for each model. The estimated propensity scores are presented before and after data preprocessing with matching to show the extent to which balance occurs.

Figure 1: Temporal Variation in Court Judgments

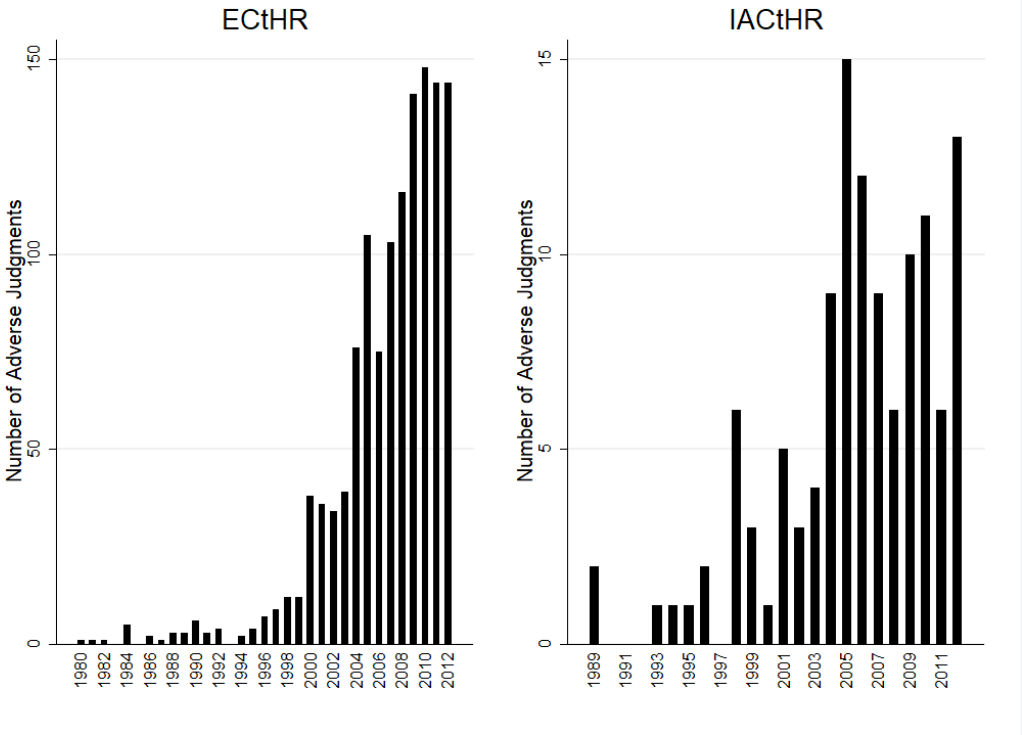
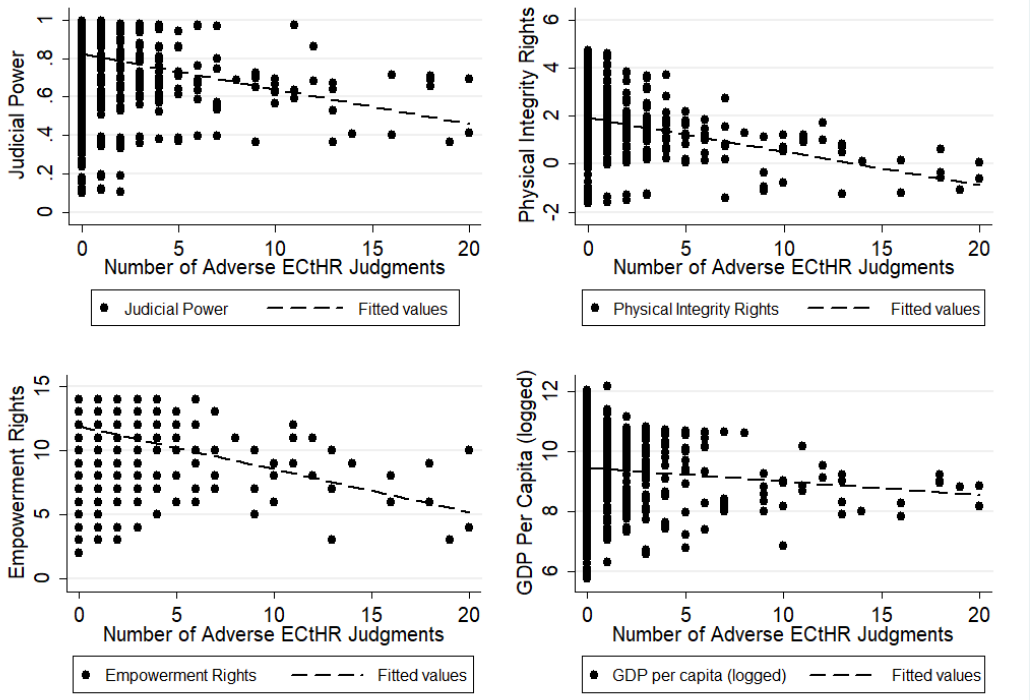


Table 6: Coefficient Estimates for Models Using Treatment Matched Datasets

ECtHR	Coefficient Estimate	Standard Error
ECtHR*Judiciary (t-1)	0.060*	(0.042)
ECtHR (t-1)	-0.049*	(0.029)
Judiciary (t-1)	1.41**	(0.311)
IACtHR	**Coefficient Estimate**	**P-Value**
IACtHR*Judiciary (t-1)	0.665*	(0.423)
IACtHR (t-1)	-0.347*	(0.213)
Judiciary (t-1)	-0.306	(0.544)

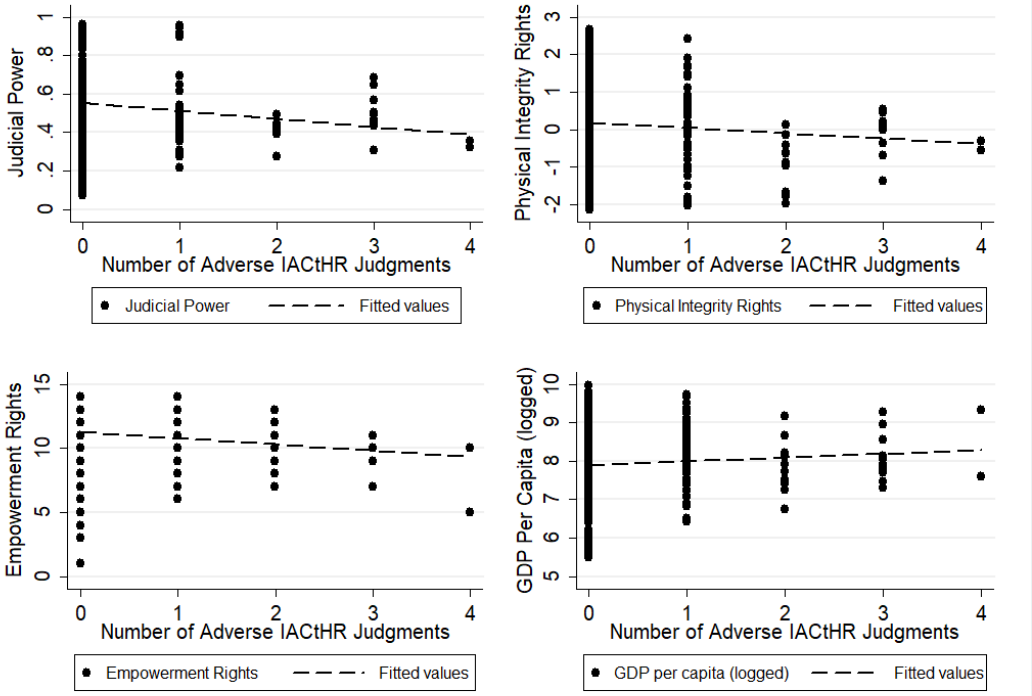
NOTES: Coefficient estimates and standard errors for the primary variables of interest in the model (adverse ECtHR and IACtHR judgments).Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. One-tailed significance tests reported.

Figure 2: ECtHR Judgments by Judicial Power, Respect for Rights, Democratic Rights, and Capacity



NOTES: Dashed line displays fitted values.

Figure 3: IACtHR Judgments by Judicial Power, Respect for Rights, Democratic Rights, and Capacity



NOTES: Dashed line displays fitted values.

Figure 4: Judicial Power and Physical Integrity Rights in Argentina

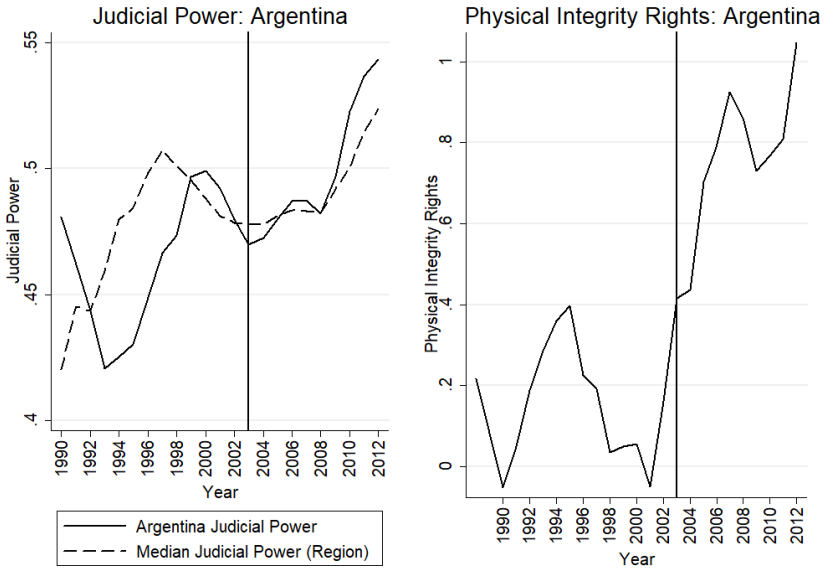


Figure 5: Judicial Power and Physical Integrity Rights in Italy

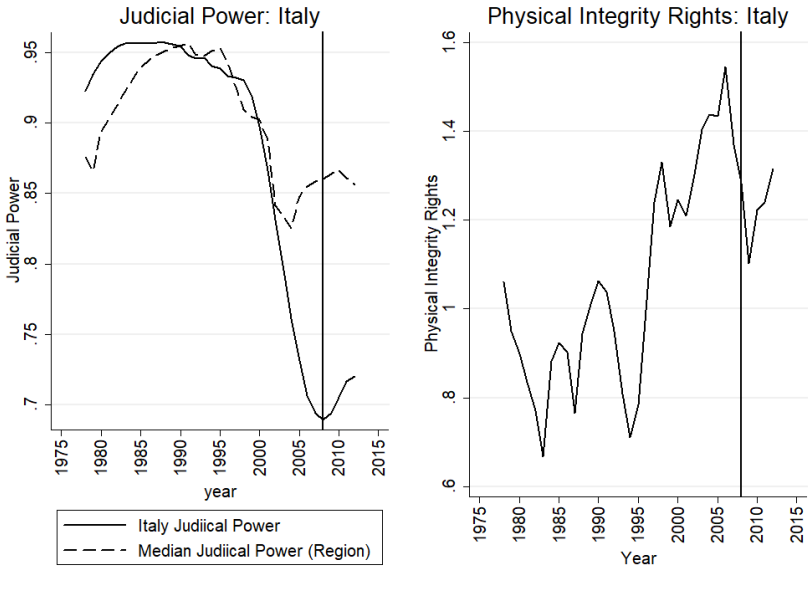


Table 7: Alternative Dependent Variable Model Results

	ECtHR (linear)	ECtHR (Ordered Logit)	IACtHR (linear)	IACtHR (Ordered Logit)
ECtHR*Judiciary (t-1)	0.103**	0.082		
	(0.038)	(0.100)		
IACtHR*Judiciary (t-1)			1.97***	3.33***
			(0.430)	(0.683)
ECtHR (t-1)	-0.093***	-0.079*		
	(0.019)	(0.063)		
IACtHR (t-1)			-0.920***	-1.61***
			(0.244)	(0.391)
ECtHR Region (t-1)	-0.161	-0.590		
	(0.139)	(0.434)		
IACtHR Region (t-1)			-0.070	-0.288**
			(0.105)	(0.147)
Judiciary (t-1)	1.81***	6.13***	1.05*	3.68**
	(.403)	(1.22)	(0.635)	(1.53)
FDI (logged) (t-1)	0.021	-0.091	-0.017	0.026
	(0.027)	(0.068)	(0.053)	(0.104)
Veto (t-1)	0.215	-0.240*	-0.413	-0.967
	(0.265)	(0.782)	(0.359)	(0.648)
ExecutiveRecruit (t-1)	-0.231	-0.580	0.036	0.018
	(0.156)	(0.438)	(0.139)	(0.235)
Speech (t-1)	0.011	-0.028	0.101	0.133
	(0.061)	(0.198)	(0.117)	(0.177)
NHRI (t-1)	0.036	0.171	0.199*	0.625*
	(0.089)	(0.304)	(0.102)	(0.346)
Elections (t-1)	-0.085	-0.778	1.10**	1.08
	(0.308)	(1.07)	(0.472)	(0.906)
CS (t-1)	2.70***	6.37***	-0.321	-0.542
	(0.580)	(1.10)	(.441)	(0.948)
GDP (logged) (t-1)	-0.133**	-0.452**	0.024	-0.003
	(0.060)	(0.217)	(0.106)	(0.257)
Population (logged) (t-1)	-0.067*	-0.342**	-0.500***	-0.933**
	(0.038)	(0.140)	(0.101)	(0.227)
Civil War (t-1)	-0.790***	-1.32*	-0.980***	-2.28***
	(0.297)	(0.682)	(0.330)	(0.635)
Physint (t-1)	.0446***	.0829***	0.444***	0.612***
	(0.070)	(0.181)	(0.074)	(0.151)
R^2	.759		.713	
Log-Likelihood		-780.75		-579.52
N	747	747	404	404

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Two-tailed significance tests reported.

Table 8: ECtHR Models Excluding Outliers

	ECtHR (excl. Turkey/Russia)	ECtHR (excl. high judicial power)	ECtHR (excl. high compliance)
ECtHR*Judiciary (t-1)	0.069	0.046*	.046*
	(0.054)	(0.026)	(.026)
ECtHR (t-1)	-0.042	-0.023	-0.023
	(0.036)	(0.015)	(0.015)
ECtHR Region (t-1)	-0.012	-0.004	0.006
	(0.034)	(0.037)	(0.037)
Judiciary (t-1)	0.066	0.049	0.019
	(0.536)	(0.521)	(0.525)
Veto (t-1)	-0.025	-0.089	-0.087
	(0.183)	(0.200)	(0.205)
FDI (logged) (t-1)	-0.006	-0.008	-0.008
	(0.018)	(0.019)	(0.021)
Speech (t-1)	0.021	-0.017	-0.013
	(0.064)	(0.052)	(0.054)
Elections (t-1)	0.686	0.541*	0.535
	(0.458)	(0.353)	(0.354)
ExecutiveRecruit (t-1)	0.242*	0.154	0.160
	(0.145)	(0.151)	(0.152)
CS (t-1)	0.275	0.504	0.488
	(0.423)	(0.379)	(0.394)
NHRI (t-1)	0.228***	0.239***	0.237***
	(0.076)	(0.069)	(0.072)
GDP (logged) (t-1)	0.204***	0.189**	0.188**
	(0.077)	(0.071)	(0.072)
Population (logged) (t-1)	-0.103	-0.243**	-0.241**
	(0.078)	(0.103)	(0.103)
Civil War (t-1)	0.051	-0.069	-0.068
	(0.094)	(0.120)	(0.120)
Constant	-1.82**	-1.26**	-1.26**
	(0.559)	(0.607)	(0.609)
R^2	.548	.604	.588
ρ	.809	.770	.772
N	741	725	695

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Two-tailed significance tests reported. While the parameter estimate for ECtHR*Judiciary (t-1) in column 2 is not statistically significant using the two-tailed test of significance, it is significant using the one-tailed significance test.

Table 9: IACtHR Model Including Outliers (Barbados &Suriname)

	IACtHR
IACtHR*Judiciary (t-1)	0.582***
	(0.224)
IACtHR (t-1)	-0.223*
	(0.129)
Judiciary (t-1)	2.13***
	(0.668)
IACtHR Region (t-1)	0.201***
	(0.054)
FDI (logged) (t-1)	0.053
	(0.047)
Veto (t-1)	-0.560**
	(0.205)
ExecutiveRecruit (t-1)	-0.026
	(0.079)
Speech (t-1)	0.070**
	(0.032)
Elections (t-1)	-0.355
	(0.544)
CS (t-1)	0.246
	(0.446)
NHRI (t-1)	0.354**
	(0.141)
GDP (logged)	0.294***
	(0.102)
Population (logged)	-0.448***
	(0.084)
Civil War	-0.701***
	(0.214)
Constant	-2.23***
	(0.639)
R^2	.777
ρ	.402
N	424

NOTES: Parameter estimates and standard error reported. Statistical significance: ***$p < .01$, **$p < .05$, *$p < .10$. Two-tailed significance tests reported.

Figure 6: ECtHR Density Plot

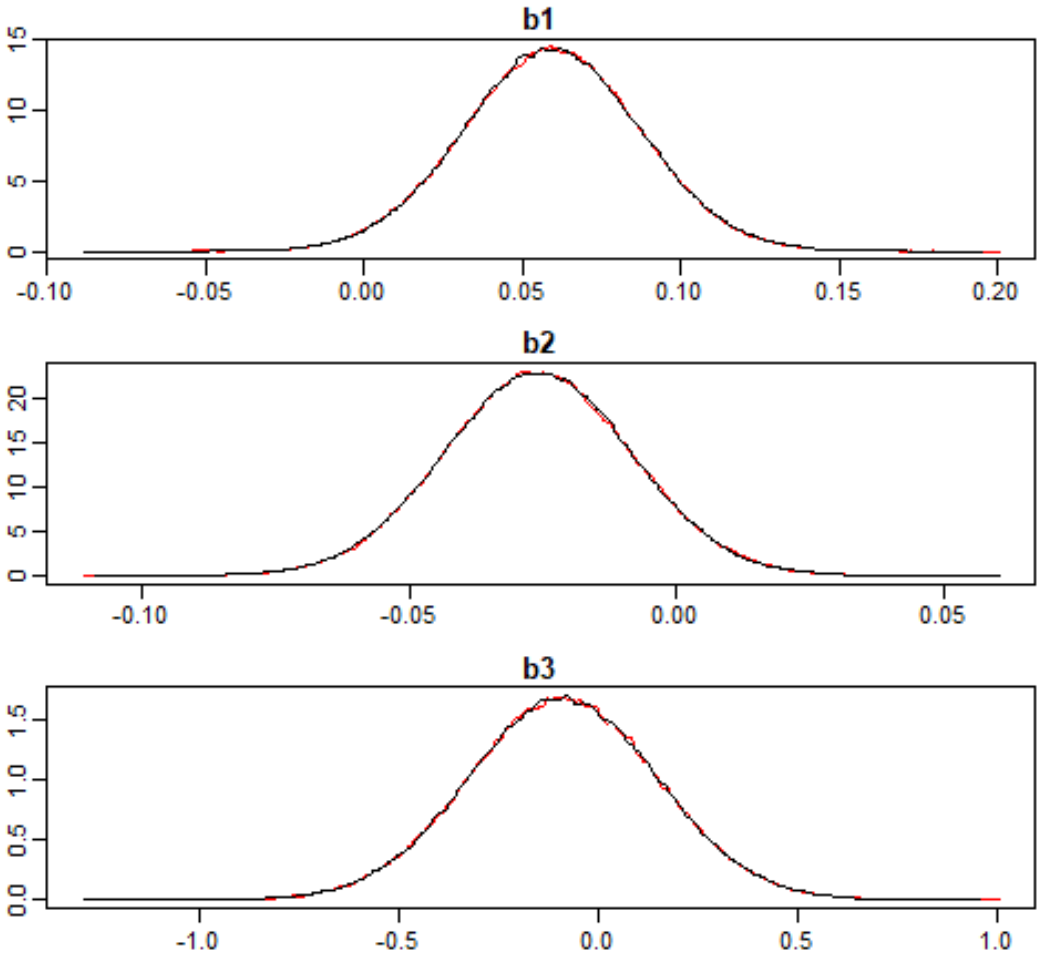


Figure 7: IACtHR Density Plot

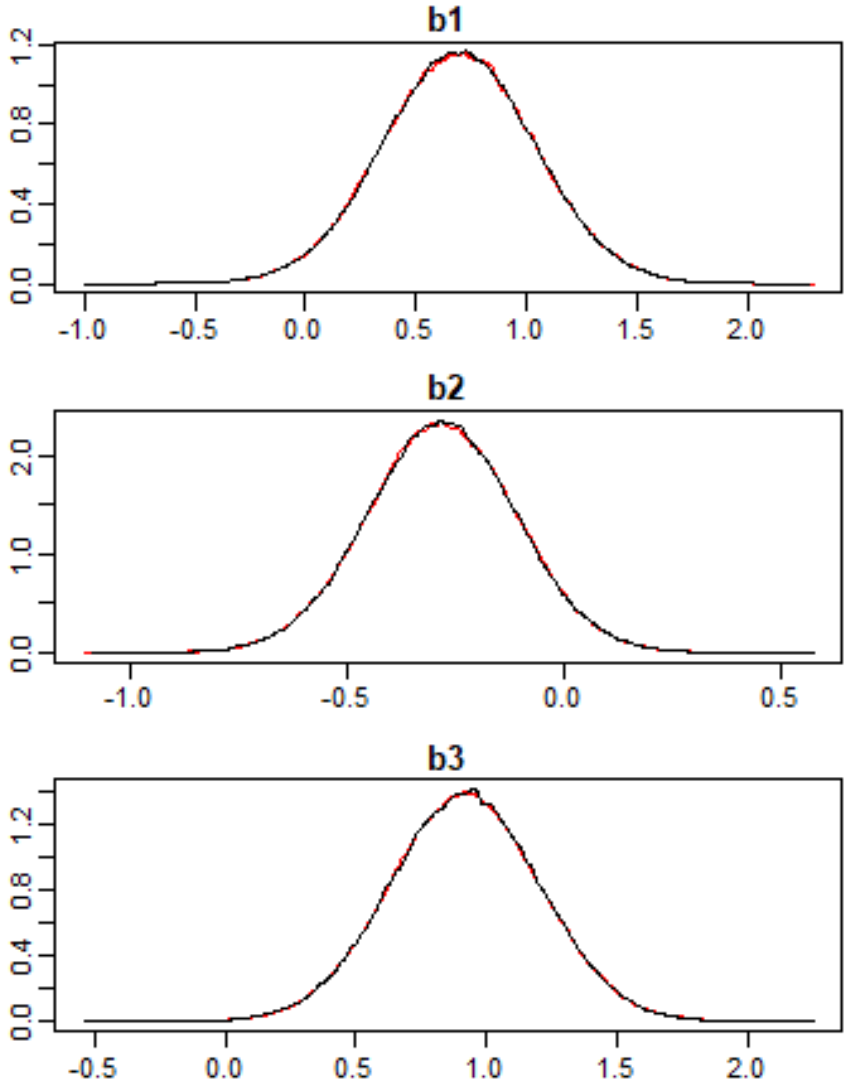


Table 10: Bayesian Linear Model Results (Mean Estimate and 90% Credible Intervals Reported)

	ECtHR	IACtHR
ECtHR*Judiciary (t-1)	0.063	
	(0.017, 0.108)	
IACtHR*Judiciary (t-1)		0.694
		(0.130, 1.26)
ECtHR (t-1)	-0.030	
	(-0.059, -0.002)	
IACtHR (t-1)		-0.282
		(-0.566, 0.000)
ECtHR Region (t-1)	-0.055	
	(-0.160, 0.050)	
IACtHR Region (t-1)		0.176
		(0.085, 0.267)
Judiciary (t-1)	-0.530	0.917
	(-0.913, -0.149)	(0.444, 1.39)
FDI (logged) (t-1)	-0.005	0.053
	(-0.035, 0.024)	(0.010, 0.096)
Veto (t-1)	-0.301	-0.629
	(-0.575, -0.025)	(-0.937, -0.323)
ExecRecruit (t-1)	0.151	0.022
	(0.003, 0.300)	(-0.082, 0.126)
Speech (t-1)	-0.017	0.074
	(-0.078, 0.043)	(-0.004, 0.152)
Elections (t-1)	0.467	-0.498
	(0.044, 0.892)	(-0.964, -0.032)
CS (t-1)	0.233	0.352
	(-0.374, 0.837)	(-0.269, 0.982)
NHRI (t-1)	0.301	0.281
	(0.201, 0.401)	(0.126, 0.438)
GDP (logged) (t-1)	0.160	0.277
	(0.095, 0.224)	(0.138, 0.417)
Population (logged) (t-1)	0.673	-0.077
	(0.201, 1.144)	(-0.771, 0.614)
Civil War	-0.005	-0.806
	(-0.153, 0.144)	(-0.999, -0.612)
DIC	833.8	523.5
N	780	424

Table 11: Disaggregated Model results (Torture)

	ECtHR (Torture)
ECtHR*Judiciary (t-1)	3.07***
	(1.06)
ECtHR (t-1)	-2.27**
	(0.926)
ECtHR Region (t-1)	-0.759**
	(0.326)
Judiciary (t-1)	2.61***
	(0.854)
FDI (logged) (t-1)	-0.043
	(0.088)
Veto (t-1)	0.067
	(1.17)
ExecRecruit (t-1)	-0.464
	(0.330)
Speech (t-1)	0.033
	(0.198)
Elections (t-1)	0.747
	(1.09)
CS (t-1)	2.45*
	(1.33)
NHRI (t-1)	-0.115
	(0.260)
GDP (logged) (t-1)	0.136
	(0.183)
Population (logged) (t-1)	-0.200*
	(0.109)
Civil War (t-1)	-1.06**
	(0.440)
Torture (t-1)	1.92***
	(.217)
Log Likelihood	-472.98
N	747

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported. ECtHR model just fails to achieve statistical significance at the p <.10 level and two-tailed test of significance.

Table 12: Linear Model Results (Accounting for Variation in Government Leadership)

	ECtHR	IACtHR
ECtHR*Judiciary (t-1)	0.044*	
	(0.027)	
IACtHR*Judiciary (t-1)		0.565**
		(0.219)
ECtHR (t-1)	-0.021	
	(0.016)	
IACtHR (t-1)		-0.215*
		(0.127)
ECtHR Region (t-1)	-0.008	
	(0.033)	
IACtHR Region (t-1)		0.199***
		(0.052)
Judiciary (t-1)	-0.020	2.18***
	(0.510)	(0.673)
FDI (logged) (t-1)	-0.006	0.055
	(0.018)	(0.047)
Veto (t-1)	-0.068	-0.555***
	(0.181)	(0.208)
ExecRecruit (t-1)	0.168	-0.026
	(0.153)	(0.083)
Speech (t-1)	0.027	0.072**
	(0.061)	(0.032)
Elections (t-1)	0.503	-0.412
	(0.352)	(0.564)
CS (t-1)	0.443	0.270
	(0.383)	(0.461)
NHRI (t-1)	0.231***	0.356**
	(0.074)	(0.144)
GDP (logged) (t-1)	0.209**	0.294**
	(0.073)	(0.107)
Population (logged)	-0.242**	-0.436***
	(0.108)	(0.088)
Civil War	-0.057	-0.700***
	(0.119)	(0.214)
Executive Election Year	0.028	-0.047*
	(0.018)	(0.028)
Legislative Election Year	0.009	0.021
	(0.012)	(0.022)
R^2	.636	.775
ρ	.803	.486
N	780	424

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported.

Table 13: CIRI Physical Integrity Rights Change DV (Ordered Logit Model Results)

	ECtHR	IACtHR
ECtHR*Judiciary (t-1)	0.187***	
	(0.061)	
IACtHR*Judiciary (t-1)		1.47**
		(0.652)
ECtHR (t-1)	-0.125***	
	(0.035)	
IACtHR (t-1)		-0.710**
		(0.308)
ECtHR Region (t-1)	-0.251	
	(0.349)	
IACtHR Region (t-1)		-0.265
		(0.185)
Judiciary (t-1)	0.251	0.725
	(0.377)	(0.520)
FDI (logged) (t-1)	-0.018	0.062
	(0.044)	(0.069)
Veto (t-1)	0.158	-0.345
	(0.544)	(0.433)
ExecRecruit (t-1)	-0.019	-0.138
	(0.177)	(0.140)
Speech (t-1)	-0.202	-0.228
	(0.130)	(0.195)
Elections (t-1)	-1.09*	0.516
	(0.562)	(0.428)
CS (t-1)	1.65***	0.018
	(0.521)	(0.738)
NHRI (t-1)	-0.078	0.046
	(0.089)	(0.110)
GDP (logged) (t-1)	-0.050	0.174**
	(0.092)	(0.089)
Population (logged) (t-1)	-0.023	-0.254***
	(0.045)	(0.075)
Civil War	-0.237	-0.371
	(0.310)	(0.273)
Repression (t-1)*Time	-0.001	0.007
	(0.007)	(0.007)
Repression (t-1)	-0.076	-0.641***
	(0.153)	(0.151)
Time	0.007	0.010
	(0.018)	(0.019)
Log Likelihood	-969.311	-658.42
N	747	404

NOTES: Parameter estimates and standard error reported. Statistical significance: ***$p < .01$, **$p < .05$, *$p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported.

Table 14: Linear Model Results (Fixed Effects)

	ECtHR	IACtHR
ECtHR*Judiciary (t-1)	0.033	
	(0.025)	
IACtHR*Judiciary (t-1)		0.536**
		(0.255)
ECtHR (t-1)	-0.012	
	(0.014)	
IACtHR (t-1)		-0.202
		(0.146)
ECtHR Region (t-1)	0.0002	
	(0.033)	
IACtHR Region (t-1)		0.131*
		(0.069)
Judiciary (t-1)	-0.507	2.24***
	(0.594)	(0.717)
FDI (logged) (t-1)	-0.012	0.060
	(0.019)	(0.050)
Veto (t-1)	-0.109	-0.484*
	(0.181)	(0.249)
ExecRecruit (t-1)	0.257	-0.024
	(0.180)	(0.101)
Speech (t-1)	0.032	0.080**
	(0.057)	(0.031)
Elections (t-1)	0.334	-0.537
	(0.323)	(0.672)
CS (t-1)	0.050	0.276
	(0.431)	(0.533)
NHRI (t-1)	0.231***	0.260
	(0.082)	(0.184)
GDP (logged) (t-1)	0.183**	0.198
	(0.072)	(0.138)
Population (logged) (t-1)	0.458	0.453
	(0.481)	(0.851)
Civil War	-0.006	-0.644**
	(0.106)	(0.237)
R^2	.945	.901
N	780	424

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported. Models estimated with N-1 countries, including 45 countries in the European sample and 18 countries in the Inter-American sample. The United Kingdom is omitted in the ECtHR model and Argentina is omitted in the IACtHR model as baseline categories.

Table 15: ECtHR Model Results (Level 3 Importance Judgments Included)

	ECtHR (All Judgments)	ECtHR (Level 3 Judgments Only)
ECtHR*Judiciary (t-1)	0.019**	0.025***
	(0.007)	(0.008)
ECtHR (t-1)	-0.010**	-0.013**
	(0.004)	(0.005)
ECtHR Region (t-1)	-0.005	-0.003
	(0.034)	(0.034)
Judiciary (t-1)	0.018	0.023
	(0.518)	(0.522)
FDI (logged) (t-1)	-0.007	-0.006
	(0.018)	(0.018)
Veto (t-1)	-0.064	-0.064
	(0.182)	(0.182)
ExecutiveRecruit (t-1)	0.163	0.162
	(0.151)	(0.151)
Speech (t-1)	0.026	0.023
	(0.061)	(0.061)
Elections (t-1)	0.523	0.510
	(0.357)	(0.357)
CS (t-1)	0.416	0.464
	(0.385)	(0.393)
NHRI (t-1)	0.232***	0.232***
	(0.073)	(0.073)
GDP (logged) (t-1)	0.209***	0.212***
	(0.073)	(0.072)
Population (logged) (t-1)	-0.246**	-0.242**
	(0.106)	(0.103)
Civil War (t-1)	-0.076	-0.081
	(0.121)	(0.114)
R^2	.636	.642
N	780	780

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported.

Figure 8: Predicted Marginal Influence of an Adverse ECtHR Judgments (Level 3 Importance) across Domestic Judicial Power (90% CIs)

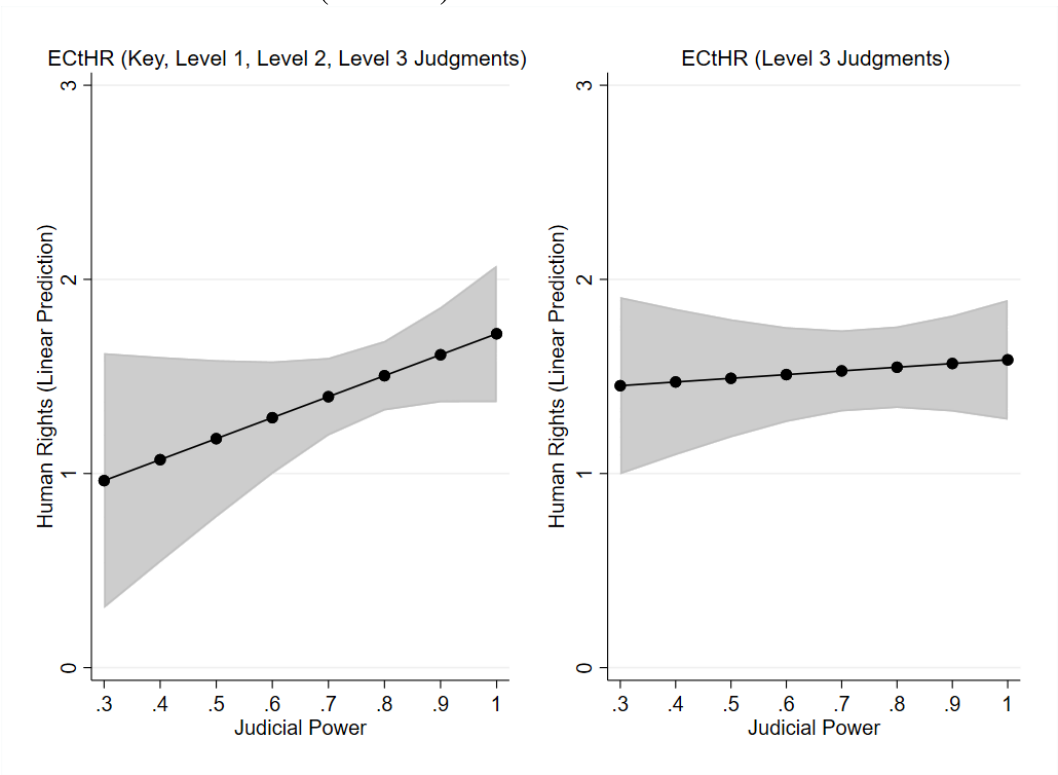


Table 16: ECtHR Model Results - Substantive and Procedural Violations

	Substantive	Procedural
ECtHR*Judiciary (t-1)	4.03***	0.139
	(1.18)	(1.38)
ECtHR (t-1)	-3.09***	-0.396
	(1.04)	(1.06)
ECtHR Region (t-1)	-1.27***	-1.21***
	(0.300)	(0.305)
Judiciary (t-1)	2.47***	3.08***
	(0.878)	(0.864)
FDI (logged) (t-1)	0.031	0.038
	(0.085)	(0.088)
Veto (t-1)	0.248	0.307
	(1.21)	(1.20)
ExecRecruit (t-1)	-.480	-0.581*
	(.315)	(0.342)
Speech (t-1)	0.025	0.022
	(0.192)	(0.192)
Elections (t-1)	0.725	0.701
	(1.08)	(1.10)
CS (t-1)	2.32*	2.26*
	(1.33)	(1.36)
NHRI (t-1)	-0.053	-0.065
	(0.264)	(0.265)
GDP (logged) (t-1)	0.195	0.178
	(0.171)	(0.172)
Population (logged) (t-1)	-0.200*	-0.182*
	(0.108)	(0.109)
Civil War (t-1)	-1.21***	-1.21***
	(0.441)	(0.453)
Torture (t-1)	1.87***	1.86***
	(0.214)	(0.215)
R^2	0.413	0.409
N	747	747

NOTES: Parameter estimates and standard error reported. Statistical significance: $***p < .01$, $**p < .05$, $*p < .10$. Models estimated with clustered standard errors on country. Two-tailed significance tests reported.

Figure 9: Predicted Probability of Substantive and Procedural Violations of Article 3 of ECHR (Freedom from Torture) across Judicial Power on Torture (90% CIs)