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978-1-107-04022-9 - Domestic Politics and International Human Rights Tribunals:

The Problem of Compliance

Courtney Hillebrecht

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DOMESTIC POLITICS AND INTERNATIONAL HUMAN RIGHTS TRIBUNALS

International politics has become increasingly legalized over the past fifty years, restructuring the way that states interact with each other, with international institutions, and even with their own constituents. Perhaps the area subjected to the most intense restructuring has been human rights. The rise of the international legalization of human rights now makes it possible for individual constituents to make human rights claims against their governments at international courts such as the European and Inter-American Courts of Human Rights. This book brings together theories of compliance from international law, human rights, and international relations to explain the increasingly important phenomenon of states' compliance with human rights tribunals' rulings. The central argument of the book is that compliance with international human rights tribunals' rulings is an inherently domestic affair. It posits three overarching questions: first, why do states comply with human rights tribunals' rulings? Second, how does the compliance process unfold, and what are the domestic political considerations around compliance? Third, what effect does compliance have on the protection of human rights? This book answers these questions through a combination of quantitative analyses and in-depth case studies from Argentina, Brazil, Colombia, Italy, Portugal, Russia, and the United Kingdom.

Dr. Courtney Hillebrecht is an assistant professor in the Department of Political Science at the University of Nebraska–Lincoln. Her research focuses on human rights, international relations, and international law. Hillebrecht's work has been published in *Human Rights Quarterly*, *Human Rights Review*, *The Journal of Human Rights Practice*, and *Foreign Policy Analysis*. She is the editor of a forthcoming volume on states' responses to human security crises and is beginning work on a new project on the effect of international criminal accountability on ongoing violence.

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For Carrick, Nola, and Willa

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THE PROBLEM OF COMPLIANCE

COURTNEY HILLEBRECHT

University of Nebraska–Lincoln



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Acronyms

ACmHPR	African Commission on Human and Peoples’ Rights
ACtHPR	African Court on Human and Peoples’ Rights
AICHR	ASEAN Intergovernmental Commission on Human Rights
ASEAN	Association of South East Asian Nations
AU	African Union
AUC	United Auto-Defense Forces of Colombia
CAR	Central African Republic
CDS-PP	Conservative Centrist Democratic-Popular Party
CEJIL	Center for Justice and International Law
CHRT Dataset	Compliance with Human Rights Tribunals Dataset
CM	Committee of Ministers
COE	Council of Europe
DRC	Democratic Republic of the Congo
ECtHR	European Court of Human Rights
EU	European Union
FARC	Revolutionary Armed Forces of Colombia
FREPASO	Front for a Country in Solidarity
FTA	Free Trade Agreement
GDP	Gross Domestic Product
GEE	Generalized Estimating Equation
HRA	Human Rights Act
HRTs	Human Rights Tribunals
HRW	Human Rights Watch

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IACmHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
ICC	International Criminal Court
IRSIG-CNR	Research Institute on Judicial Systems, National Research Council
JCHR	Joint Committee on Human Rights
JPL	Justice and Peace Law
MP	Member of Parliament
NGO	Nongovernmental Organization
OAS	Organization of American States
OAU	Organization of African Unity
OHCHR	Office of the High Commissioner for Human Rights
PJ	Peronist Justice Party (Partida de Justica)
PSD	Social Democratic Party
TPIMs	Terrorism Prevention and Investigation Measures
UCR	Radical Civic Party
USAID	United States Agency for International Development

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