

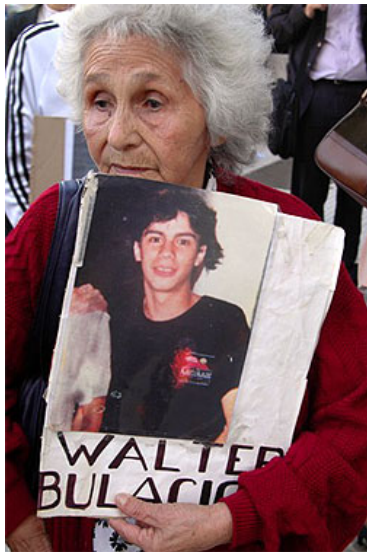
# Generating Executive Incentives: The Role of Domestic Judicial Power in International Human Rights Court Effectiveness

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## An Example from the Inter-American Court



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- Recent work highlights the wide variation in state response to international legal commitments as mediated by domestic institutions.

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Theory needs to focus on domestic actors: the executive and other actors who could threaten the executive's hold on power.



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  - Raises shaming costs for evasion

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- Bayesian hierarchical linear regression model

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  - Physical Integrity Rights: includes torture, political imprisonment, extrajudicial killing, and disappearance; ranges from 0 to 8, with higher values indicating greater respect for rights (CIRI 2010).
  - $InternationalCourtRuling_{t1} \rightarrow RespectforRights_{t2} \rightarrow Effectiveness = Respect_{t2} - Respect_{t1}$

# Key Independent Variables

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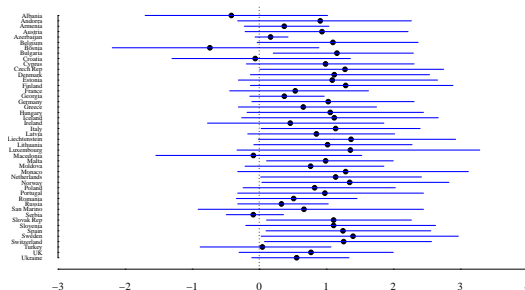
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# Influence of Adverse International Court Judgment and Powerful Judiciary on Physical Integrity Rights

## European Court of Human Rights

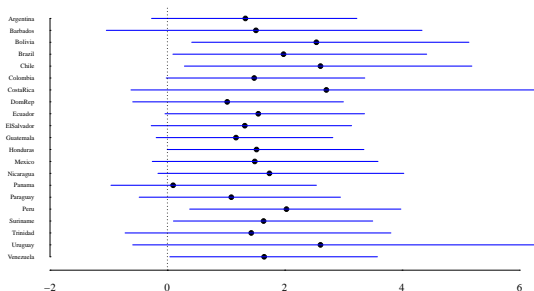


- Parameter estimates shown as dots. Quantile-based 90 percent probability intervals shown as lines. Parameter estimates indicate the association between adverse ECtHR decision and physical integrity rights as domestic judicial power rises (from 0 to mean value of each country).



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## Inter-American Court of Human Rights



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# Implications and Conclusions

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- Contrary to the conventional wisdom, both the ECtHR and the IACtHR influence state behavior.
- Despite the great diversity in which these legal bodies operate, both the ECtHR and the IACtHR have similar influences on respect for rights.
- Focus should be on the incentives of various actors within the state, most notably the executive, to adhere to adverse international court decisions.

● Questions?