1 Introduction

Over the last two decades, political scientists have increasingly turned their attention to the legalization and judicialization of world politics (Alter, Hafner-Burton and Helfer, 2019; Goldstein et al., 2000) and to the activities of international courts (ICs) (Alter, 2014). Employing large datasets of cases, particularly from the Court of Justice of the European Union (CJEU), the European Court of Human Rights (ECtHR), and the World Trade Organization's Dispute Settlement Mechanism (WTO-DSM), scholars have investigated a number of questions important to the study of judicial politics. Important questions include, but are by no means limited to, the factors influencing IC decision making (Busch and Reinhardt, 2003; Carrubba, Gabel and Hankla, 2008; Voeten, 2008; Larsson and Naurin, 2016), legal mobilization by civil-society actors (Cichowski, 2013, 2016), the strategies ICs use to increase their independence (Lupu and Voeten, 2012; Larsson et al., 2017), the determinants of state compliance with adverse judgments (Hillebrecht, 2014*a*,*b*; Voeten, 2014; Grewal and Voeten, 2015; Stiansen, 2019*a*,*b*), and IC effectiveness more broadly (Helfer and Voeten, 2014; Chaudoin, Kucik and Pelc, 2016). As is evident from these strands of scholarship, studying ICs is not only important in its own right, but also provides opportunities for investigating more general puzzles in the study of judicial politics (Staton and Moore, 2011).

Despite this significant progress, several ICs have been less frequently studied by means of large-n data analysis. In particular, there are few publicly available sources of data on the regional courts located in the Global South, such as the Inter-American Court of Human Rights (IACtHR). Thus, although a number of recent studies have systematically examined the covariates of compliance with IACtHR remedial orders (Hawkins and Jacoby, 2010; Huneeus, 2011; Hillebrecht, 2014*b*; Staton and Romero, 2019), existing

analyses are based only on relatively small subsets of IACtHR cases or focus only on the questions relating to the court's remedial orders and the compliance by respondent states. To the best of our knowledge, the only publicly available quantitative datasets concerning the IACtHR are the data on compliance with 363 remedial orders in 65 judgments made available by Hillebrecht (2014*b*) and the data on compliance with 292 remedial orders from 45 judgments collected by Staton and Romero (2019). While this scholarship has produced many important findings, we believe that further progress can be made by gathering data on a broader set of judgments and variables and by collecting information about different aspects of the IACtHR in a single database allowing scholars to study a variety of research questions.

In this article we introduce a novel database on contentious cases in the IACtHR. Contentious cases are cases brought against states subject to the Court's jurisdiction alleging that the state has violated its human rights obligations. Although the IACtHR may also issue advisory opinions if requested to do so by Organization of American States (OAS) institutions or its member states, handling contentious cases is the main activity of the Court. As of September 2019, the Court had judgments and decisions in 267 distinct contentious cases. Of these, 248 cases have received a judgment on the merits. In addition, the Court has rendered 26 advisory opinions.[1]

Our database covers a larger number of cases and variables than previously available datasets on the IACtHR. It includes decisions on the merits of alleged human rights violations, on remedial orders, and in compliance assessments. In connection with the decisions reached by the IACtHR, we have also included data on dissents and written opinions by individual judges. As measures of the attitudes and positions taken by respondent states

[1] All judgments, decisions and advisory opinions are available from `http://www.corteidh.or.cr/cf/Jurisprudencia2/index.cfm?lang=en`(last retrieved September 25, 2019).

we have gathered information on preliminary objections, acknowledgments of responsibility, and interpretation requests. Finally, we include information about alleged individual or collective victims in each case and *amicus curiae* briefs submitted by third parties. Our database thus allows researchers to track cases through different stages of their proceedings and investigate a range of research questions that have so far received limited scrutiny in systematic empirical research.

Our coding is primarily based on the detailed and systematic case summaries of the IACtHR's judgments produced by the IACHR project at the Loyola Law School, Los Angeles, led by professor Cesare Romano. The coverage of the database is therefore limited to cases for which a case summary has been prepared. The current version of our database covers 201 contentious cases against all the 22 states that have been subject to the jurisdiction of the IACtHR. While our database covers all cases that had received a merits judgment by the end of 2013, the coverage of later cases should be considered a convenience sample and we do not yet include cases in which the merits judgment was rendered after 2016.[2] The database will continue to be expanded to cover all contentious cases, but is already made available to the scholarly community.[3]

The remainder of the article proceeds as follows. Section 2 provides a brief introduction to the politics surrounding the IACtHR, the key questions addressed in the extant literature and how they relate to issues facing scholars of international adjudication more generally, and points out some avenues for further research. Section 3 describes the sources and coding procedures we have used for generating the database. Section 4 gives an overview of how the database is organized and its key variables. In Section 5, we

[2]For cases that received the merits judgment in 2014, 2015, or 2016, our coverage is 84%, 82%, and 28%, respectively.

[3]The current version of the database is available through the Journal of Law and Courts Dataverse

illustrate how the database may be used to gain new insights about the politics of the IACtHR. The final section concludes.

2 Decision making and compliance in the IACtHR

The IACtHR is based in San José, Costa Rica and is one of two institutional bodies set up as part of the Inter-American human rights system established by the OAS, the other being the Inter-American Commission for Human Rights (IACmHR) (e.g. Cavallaro and Brewer, 2008, 778-784). The IACtHR was established in 1979 to interpret and adjudicate alleged violations of the American Convention on Human Rights (ACHR), which entered into force in the preceding year (Posner and Yoo, 2005, 41). The Court has jurisdiction to decide contentious cases brought against states' that have accepted the Court's jurisdiction. Contentious cases may be brought both by other member states and by the IACmHR, but to date all cases have been brought by the IACmHR (Staton and Romero, 2019, 481). 22 states have accepted the jurisdiction of the IACtHR to hear contentious cases[4], although Trinidad and Tobago and Venezuela have later denounced it (in 1998 and 2012, respectively). In addition, the IACtHR may render advisory opinions if requested to do so by any OAS institution or any OAS member state. The type of cases that reach the IACtHR is influenced by the recent political history in the Americas and hence differ in important respects from the typical ECtHR cases. Specifically, a number of cases relate to atrocities during periods of authoritarian rule or by paramilitary groups, to amnesty laws enacted as part of transitions to democracy (Sandholtz and Padilla, 2016), and to

[4]These states are Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad and Tobago, Uruguay, and Venezuela.

crimes committed towards indigenous communities.

A number of institutional and contextual features of the IACtHR make this IC interesting for scholars of judicial politics and international relations. The Court consists of seven judges, who are elected for six-year terms by the OAS General Assembly. The judges may be re-elected once. In addition, respondent states are permitted to appoint *ad hoc* judges to sit on cases if they have no national judges or the national judge has recused herself. While most decisions of the IACtHR are unanimous, the judges may dissent openly to any part of a ruling. Judges are also allowed to write separate opinions, and commonly do so. There is ample room here for studying the effects of such institutional features on judicial behavior and the effectiveness of courts. For example, a question that would be interesting to explore is how the practice of allowing *ad hoc* judges to be appointed by respondent states influences IACtHR decision making and the reception of its judgments. Do these *ad hoc* judges systematically position themselves differently than the other judges in relation to the states that appointed them? How are their votes and opinions perceived by compliance constituencies? The conditions under which IC judges act independently from the states that appoint them, or rather act as "diplomats in robes", is a long-standing question in the literature.

More generally, questions relating to the impact of career considerations for judicial decision-making can fruitfully be addressed in the context of the IACtHR . While some scholarship has shown that judges are responsive to the interest of the states that control their appointment (Voeten, 2008), it is unclear if this is due to selection effects or to judges adjusting their decisions to achieve reappointment. Comparing IACtHR judges' behavior during the first and second terms will help address such questions. In this way, the database may contribute to debates over institutional design of ICs, including the ongoing

negotiations over the establishment of a multilateral investment court. Furthermore, despite the growing literature on open dissents and individual opinions (Lewis, 2006; Bricker, 2017), and the value of such observable indicators for inferring the positions of individual judges (Voeten, 2007, 2008; Hanretty, 2012; Stiansen and Voeten, 2018), we are not aware of any studies that systematically examine patterns of judicial behavior in the IACtHR.

Individual applicants do not have direct access to the IACtHR. Instead, they must petition the IACmHR, which upon receiving the case will determine its admissibility and conduct its own assessment of the case, including if necessary and on-the-ground investigation and oral hearings. The IACmHR will then attempt to facilitate a friendly settlement between the applicant(s) and the respondent state. If the parties cannot agree on a friendly settlement the IACmHR will first issue its own recommendations on how the case should be resolved and only if the state fails to comply with the IACmHR's recommendations may the IACmHR decide to submit the case to the IACtHR for a binding judgment (ACHR, articles 48–51). Thus, contentious cases reach the IACtHR only after an extensive process where it has first been examined by the IACmHR. Similarly to the ECtHR prior to 1998, the IACmHR acts as an important gatekeeper for access to the IACtHR. It is, however, worth noting that a 2001 change in its Rules of Procedure has made submission to the IACtHR its default method for cases where states fail to implement its recommendations (Cavallaro and Brewer, 2008, 780). Still, the filtering that occurs at the IACmHR stage of the proceedings means that a relatively modest number of cases reaches the IACtHR and the allegations that are raised in these cases will tend not to be manifestly ill founded. This situation is markedly different from the situation in courts such as the ECtHR where individual applicants enjoy direct access and thousands

of applications of dubious legal merit reach the Court. Moreover, as noted by Staton and Romero (2019, 481), the IACtHR's docket is "biased towards particularly problematic cases, where there has already been considerable resistance from the defendant state".

At least partially due the filtering that occurs at the IACmHR stage, the IACtHR ends up finding one or more human rights violations committed by the responding state in a clear majority of cases. However, it is worth noting that once a case reaches the IACtHR, the applicants or their legal representatives may allege additional human rights violations not previously alleged by the IACmHR or vetted by its lawyers. For instance, applicants may argue that the facts of the case constitute a violation of additional articles of the ACHR or that the violation should be recognized with respect to additional victims. Thus, even if the cases that reach the IACtHR are filtered by the IACmHR stage, the IACmHR does not necessarily control which legal questions the IACtHR will consider in a given case. Again, we are not aware of any systematic investigations of factors that may influence whether the IACtHR decides to rule against the respondent state. The lack of attention to the decision-making of the IACtHR is perhaps particularly surprising given the expansive stance it has taken when interpreting human rights provisions, which at times have led to hostile reactions by respondent states. In Section 5, we show how our database can be employed to study IACtHR decision making and how it relates to the Court's political environment.

Three other aspects of IACtHR politics that have so far escaped close empirical scrutiny are the characteristics of the applicants that have their claims heard by the IACtHR, the civil-society actors engaged, and the positions taken by the respondent state during the proceedings of the case. For example, we know little about whether certain types of victims are more likely to have their claims accepted by the IACtHR, or more

likely to have the remedial orders that affect them being complied with. Furthermore, it has been argued that civil-society mobilization is likely to influence compliance (Cavallaro and Brewer, 2008), but there is a lack of studies analyzing the effect of such involvement for the decisions and broader implications of IACtHR judgments. As we discuss in more detail below, our database can be employed to study such questions.

Several studies of the IACtHR focus on compliance with its rulings (Huneeus, 2011; Hillebrecht, 2014*a*; Staton and Romero, 2019). As described by Hawkins and Jacoby (2010), the IACtHR will upon finding one or more human rights violations order a set of remedies it expects the respondent state to implement. The ordered remedies range from monetary compensation for the victim or her family to legislative changes. Since 1996, the IACtHR has developed a practice of monitoring compliance with its judgments (Hawkins and Jacoby, 2010, 37). In special compliance hearings the IACtHR asks both the respondent state, the IACmHR, civil-society organization, and representatives of the applicants to report on the implementation of each remedial order. Based on the information received, the IACtHR will rule on whether the state has complied. For remedial orders without full compliance, the IACtHR continues its monitoring in future hearings (Staton and Romero, 2019, 481-482).

The information from the IACtHR compliance hearings is already being used in empirical research. Using descriptive statistics, Huneeus (2011) shows that the rate of compliance varies between different types of remedies depending on the domestic actor responsible for compliance. Staton and Romero (2019) show how the likelihood of compliance is correlated with the clarity of remedial orders. Combining data from the both the IACtHR and the ECtHR, Hillebrecht (2014*b*) finds that executive constraints correlate positively with compliance in her dataset of both IACtHR and ECtHR cases.

While extant compliance studies provide useful insights concerning the politics of compliance with IACtHR judgments, previous datasets have been constructed to answer specific research questions and can therefore not easily be reused for other purposes. For instance, these datasets contain information about the content of remedial orders and whether they have been complied with, but not other aspects of the Court proceedings such as whether the state has asked for an official interpretation of what the order really entails, whether the state accepted international responsibility for the violation, or whether the remedial order concerns a victim that is a foreign national. This relationship appears to be representative also for most other quantitative datasets on ICs, which tend to be designed to facilitate answering specific research questions rather than offering a general infrastructure for scrutinizing the judicial politics of an IC in question.

By contrast, our multi-user database aims to cover a broad variety of aspects of the cases, from the stage where jurisdiction of the IACtHR is triggered to the phase where compliance with the final remedial order is more or less achieved. We believe that by offering such a general infrastructure, we will be better able to contribute to research about the IACtHR, and ICs more generally, compared to data collections that are tailored towards answering specific research questions.

3 Coding Procedure

Our database provides researchers with variables covering a range of different aspects of IACtHR contentious cases. The database includes information on judical behavior, compliance, the procedure before the Court, violations alleged by the IACmHR and/or the representatives of the applicant and ruled on by the IACtHR, information on the (alleged) victims, preliminary objections filed by the respondent state, and *amicus curiae*

briefs.

To accommodate different research questions, we have coded each variable at the lowest possible level of analysis. For instance, we consider as separate decisions each decision involving either a separate article of the ACHR, or a separate victim, even where closely connected. Users of the database are able to aggregate the data to the level of analysis most appropriate for their specific research questions.

The rich coverage of our database has been greatly facilitated by detailed and systematic case summaries of the IACtHR's judgments compiled by the IACHR project at the Loyola Law School, Los Angeles.[5] The majority of variables and cases in our dataset have been coded based on these summaries. The structured nature of these summaries has made it possible to identify and assess information for each case in a reliable manner.

For information not available in these summaries, we have relied on the full text versions of the relevant judgments and decisions. These documents are available on the IACtHR's website.[6] Particularly, for information related to the IACtHR's compliance hearings, it was generally necessary to consult the primary sources.

Most cases have been coded by a single coder (either the first or the third author). During the initial stages of the coding process, 20 cases were coded by both coders. This exercise revealed high levels of inter-coder reliability. For variables where we identified inconsistences, we implemented more specific coding rules and the same two coders proceeded to code all cases in the database. After completing the first version of a database, we trained a research assistant previously unaffiliated with the project to recode a random sample of 40 cases. This exercise also revealed reasonable levels of inter-coder reliability, further strengthening our confidence in the reliability of the database. More detailed

[5]See `https://iachr.lls.edu/database`.

[6]See `http://www.corteidh.or.cr/index.php/en`.

information about the reliability tests is available in Section B of the online appendix.

Because of our reliance on the case summaries provided by the IACHR project at the Loyola Law School, Los Angeles, our database is currently limited to the cases where a case summary has been prepared. The 201 cases in our database make up 80 per cent of the total number of the 248 contentious cases that the IACtHR had rendered a merits judgments on by September 2019 and all cases that had received a merits decision by the end of 2013. Currently the database does not include any of the cases that received a merits decision after 2016.

We will continue to expand our database as more case summaries are provided.

4 Overview of the Database

The database is organized in 9 tables. Each table has a different unit of analysis and covers aspects of the IACtHR cases that are most accurately measured at this particular level. A set of unique identifiers link the different tables and allow scholars to construct the dataset suited to their research question.

Table 1 provides an overview of the database. For details on individual variables and how they are coded, we refer to the codebook for the database (see section A of the online appendix).

A main table contains information about each contentious case, including the respondent state, the judges involved at the various stages of the proceedings, the key dates of different judgments, and information on requests for interpretation. A case-level ID variable connects the main table to all other tables in the database. In the main table we also include the Correlates of War country code[7] (Singer and Small, 1994) for the respon-

[7] `https://correlatesofwar.org/data-sets/cow-country-codes` (retrieved March 7th, 2020).

Table 1: Overview of the database

Table	Units of analysis	Key variables
Cases	201 contentious cases	Name of the case, name of respondent state, dates of important points in the case proceedings, judges involved at different stages of the proceedings, interpretation requests made by the respondent state
Victims	997 alleged victims	The name of the (alleged) victim, as well as gender, whether the victim is a collective actor or, whether the victim was a national of the respondent state, and who represented the victim
Merits decisions	7192 merits decisions	The alleged violation, the alleged victim, who made the allegation, whether the state acknowledged responsibility, the conclusion reached by the IACtHR, whether the decision was unanimous
Remedial orders	1944 remedial orders	The action ordered by the IACtHR, any deadline set by the IACtHR, whether the order was unanimous
Compliance	2297 assessments on compliance with remedial orders	The remedy concerned, the conclusion reached concerning compliance, judges present in the compliance hearing, date of compliance hearing
Dissents	567 dissenting votes	The dissenting judge, the content and direction of the dissent, the decisions the dissent concerned
Opinions	358 separate, concurring, or dissenting opinions	The judge(s) writing the opinion, the type, content, and direction of the opinion the decisions the opinion concerned
Preliminary objections	287 preliminary objections	Objections raised by the state, the case in which the objections were raised
Amici	425 *amicus curiae* briefs	Names of the actors submitting briefs, and the case in which the briefs were submitted

dent state, which enable users to merge our database with country- or country-date-level datasets frequently employed in political science scholarship.

A second table contains information about the (alleged) victims named in each case. In addition to the name of the victim, we include information on attributes such as gender, whether the victim is a legal or natural person, whether the victim is an individual or a group of unnamed individuals, and whether the victim was a national of the respondent state. We also include information on the victim's legal representative in the IACtHR proceedings. Our database contains a total of 997 unique victims. An ID variable that identifies each unique alleged victim allows users to connect this information to the merits and remedial decisions taken by the Court with respect to the alleged victim.

Three tables include information on the decisions reached by the IACtHR on merit decisions, remedial orders, and compliance. 200 of the 201 cases included in our dataset include merits decisions.[8] To accommodate different research questions, we have disaggregated the different tables as much as possible. For instance we include each decision involving either a separate article of the ACHR or a separate victim as separate entries. Disaggregating the merit decisions in this manner yields a total of 7192 decisions. Of these, 6318 found a human rights violation on the part of the respondent state. 427 decisions found a non-violation, while 447 were decisions not to rule on a particular allegation. Each decision can easily be connected to an alleged victim using the victim-level ID variable. A decision-level ID variable facilitates connecting each decision to associated remedial orders, separate opinions, and dissenting votes.

A total of 1944 remedial orders were rendered in 194 cases in our dataset. The remedial

[8]The only exception is the case of *Alfonso Martín del Campo Dodd v. Mexico* in which the IACtHR decided they could not exercise jurisdiction over the case as the alleged violation had occurred prior to Mexico accepting the IACtHR's jurisdiction.

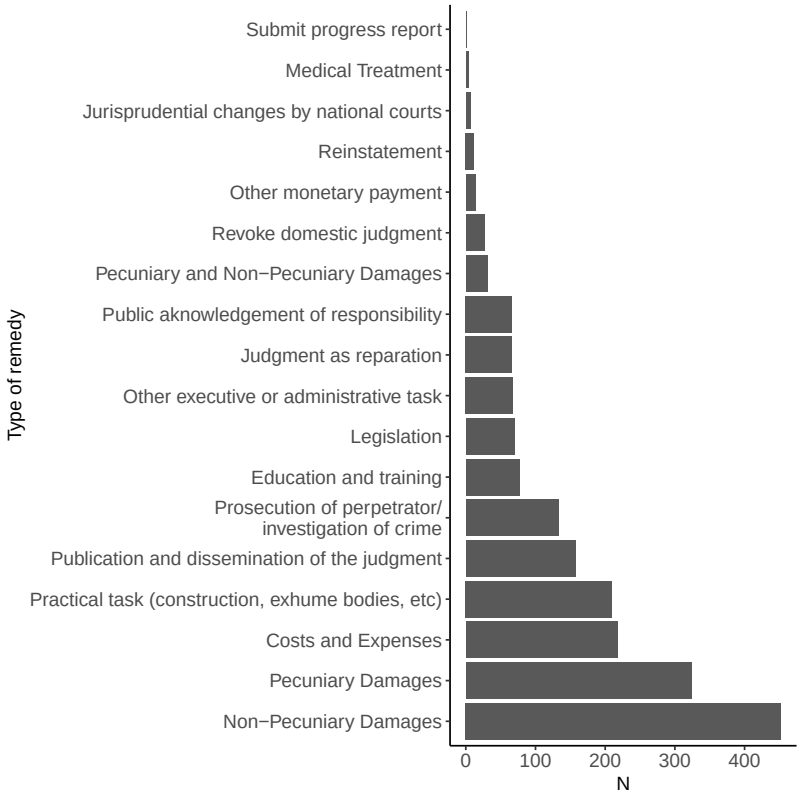

Figure 1: Remedial orders

orders concern different types of actions required by the respondent state. We include both specific descriptions of each remedial order and a 16-category categorization of the remedy types. We include 16 different categories in order to preserve sufficiently nuance to allow users of the data to easily create their own categorizations of remedial orders based on our categories. The 16 categories were defined after an initial pilot coding and were designed to follow the Court's own description of the different remedies as close as possible. In contrast to extant datasets (e.g. Hillebrecht, 2014*b*), we therefore employ different categories for different types of monetary compensations. Still, we found that some aggregation was necessary. For instance, the Court may order a varity of different practical tasks, such as reforming prisons (see e.g. *Boyce et al. v. Barbado*) and "implementing a housing program"(see e.g.). As the Court's description of such measures will necessarily depend on idiosyncratic features of the case, we found that some aggregation was necessary. The

categories "Practical task" and "Other executive or administrative task" are therefore relatively broad and include a variety of different remedies. Because, we also include the description of the ordered remedy, users of the database are able to re-categorize these remedial orders according to their specific needs.

When aggregating different tasks, we have aimed to accommodate the existing categorizations employed in the literature. For instance, Huneeus (2011) categorizes remedies according to the branch of government involved in their implementation, Hillebrecht (2014*a*) distinguishes between "financial reparations", "symbolic measures", "retrials and accountability", "measures of non-repetition", and "individual measures" and finds that compliance politics vary depending on the type of task. In developing our 16 categories, we have sought to ensure that researchers will be able both to reconstruct such categorization from extant scholarship or construct new categorizations more suited to their specific research interests. In Section C of the online appendix, we compare our data to the "Compliance with Human Rights Tribunals (CHRT) Dataset" published by Hillebrecht (2014*a*,*b*) and illustrate how we can use our 16-category categorization of orders to replicate her five-category categorization. This exercise also demonstrates that while our coding is consistent with the already available data, our database offers considerable more nuance and detail.

The number of orders falling within each type is displayed graphically in Figure 1. As the figure shows, the most common types of remedial orders concern pecuniary and non-pecuniary damages. Part of the reason for the relatively large number of monetary orders is that we code instances in which different applicants are awarded specific amounts as different remedial orders. While this approach may inflate the number of remedial orders, the disaggregated measurement allows for exploring questions such as how awards are

influenced by the type of human rights violations identified, or by attributes of the victim (as Altwicker-Hàmori, Altwicker and Peters (2016) have recently explored in the ECtHR context). The figure also shows that the type of measures required by the IACtHR differs from what is typically required to comply with ECtHR judgments (as coded by Stiansen and Voeten, 2017). In particular, orders for domestic courts to change jurisprudence or to revoke decisions are relatively infrequent, while a large number of remedial orders concern practical tasks (such as exhumation of victims) and investigation and prosecution of alleged perpetrators. Such differences may be expected to influence how compliance politics unfold (Huneeus, 2011). The remedies table includes the ID variables from the decisions and victims tables and the remedial orders can thus be connected to specific merits decisions and victims. A remedy-level ID variable allows merging data concerning each remedial order with data concerning compliance, separate opinions, and dissenting votes.

A final set of decisions in our database concern the compliance hearings that the IACtHR hold to monitor the implementation of their remedial orders. We code the decisions reached at each compliance hearing according to a four-category categorization. The four categories are "full compliance", "partial compliance", "non-compliance", and "unclear status/insufficient information provided by the respondent state". The latter conclusion is often reached by the IACtHR in cases where the respondent state has not supplied evidence of compliance. In Section C of the online appendix, we compare our coding to the compliance data made available by Hillebrecht (2014*a*,*b*). We show that while there is considerable agreement on coding of orders having been fully complied with, our database offers more detail on the exact status of orders not yet complied with. Moreover, collect data from all compliance hearings, it is possible to measure compliance

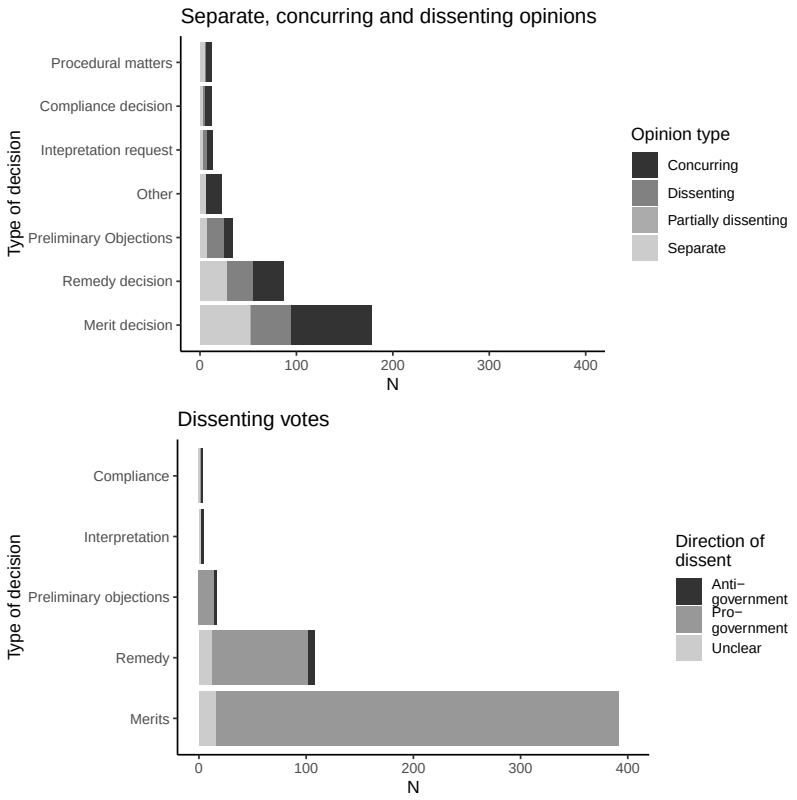

Figure 2: Opinions and dissenting votes

at different points in time rather than only at the end of the process.

Two tables in our dataset allow researchers to study the behavior of individual judges. One table includes information about instances in which judges voted against a decision. Such dissents may concern different types of decisions, including merits decisions, remedial orders, compliance decisions, interpretation requests, and preliminary objections. A second table includes information on opinions written by individual judges. As for the dissenting votes, the written opinions may concern various aspects of the case and may be concurring, dissenting, or separate. In addition to the decisions affected by each opinion, we have coded whether they can be considered to be aligned with or opposed to the interests of the respondent state. When an opinion or dissenting vote concern more than one decision we have coded separate entries.

Figure 2 displays the frequencies of different types of decisions that judges have writ-

ten separately about (the upper panel) or have been subject to dissenting votes (lower panel). Most opinions and dissenting votes concern the merits decisions, but there is also a considerable number of both dissents and opinions that concern remedial orders. The upper panel also shows that when judges write separately, they write concurring or separate opinions more often than dissenting opinions. What role the concurring and separate opinions play in IACtHR politics is therefore an important question for future research. Of the dissenting votes, almost all are in favour of the respondent state, reflecting the fact that most decisions of the IACtHR tend to find a violation or impose a remedial order.

The final two tables in our database include information on preliminary objections raised by the respondent state and *amicus curiae* briefs submitted by third parties. For preliminary objections we code each separate issue raised by the respondent state as a separate objection. This approach yields a total of 287 distinct objections raised in 112 different cases. In the application below, we illustrate how this information may be employed to measure state resistance against a particular case. Our data also allow investigating what type of preliminary objections are most frequently raised by respondent state and if the type of preliminary objections have changed over time. By inspecting our data, we found that more than 65 per cent of the violations concerned alleged failures to exhaust remedies, challenges to the jurisdiction of the Court, or challenges against the activities of the Commission prior to the case being submitted to the Court. The remaining objections are more diverse, but include for instance claims that the Court or specific judges are biased.

Figure 3 displays the share of judgments containing different types of preliminary objections by time period. As the Figure shows, the share of judgments containing at least one preliminary objection was somewhat greater during the 1980s and 1990s than

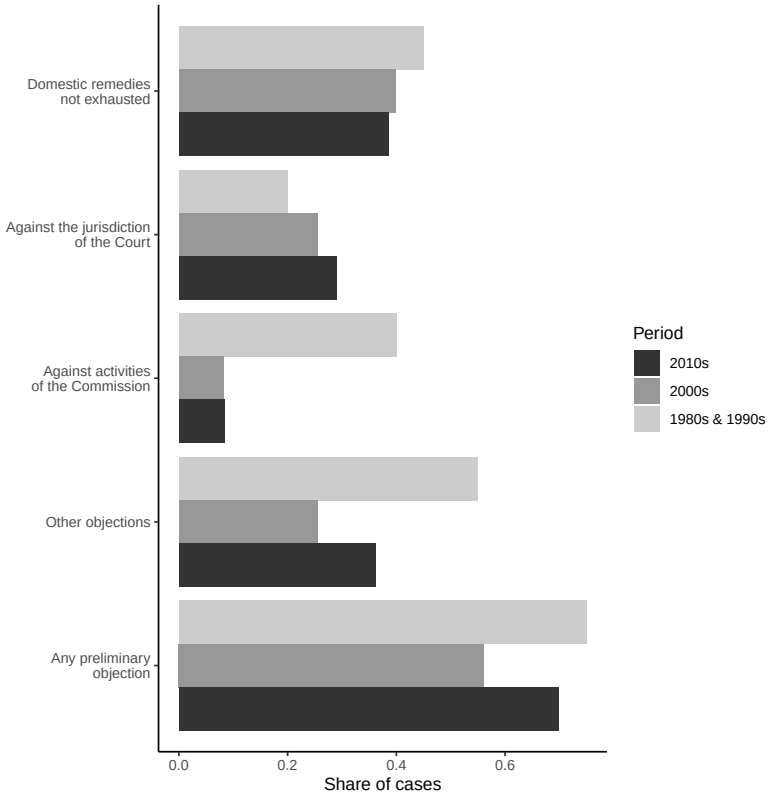

Figure 3: Share of judgments containing preliminary objections

in later decades. In this first period of the Court's history, there is moreover a greater share of judgments containing claims that the Commission had acted improperly prior to submitting the case to the Court and relatively more of idiosyncratic objections in the "other" category. By contrast, the share of cases in which the respondent state complains that the Court lacks jurisdiction or that domestic remedies have not been exhausted have been more stable over time, although the later type of objection was also somewhat more frequent in the 1980s and 1990s than later. We leave for future research to investigate whether these changes reflect strategic adaptations by respondent states or other types of changes in the relationship between the Court and the states subject to its jurisdiction.

Similarly, we include each actor submitting a brief as a separate entry in the *Amici* table, yielding a total of 418 *amici* in 77 different cases. Although the information we record about each brief is limited to the name of the *amicus curiae* and the case in

which it is submitted, the information in this table may be used for a variety of purposes. First, this table enabling studying which type of cases tend to attract the participation of civil society and other third party actors similar to the studies conducted by Cichowski (2013, 2016) in the context of the ECtHR and by Squatrito (2018) in the context of the WTO DSM. Particularly when comparing with the ECtHR, our data shows that third-party briefs are relatively common in the IACtHR, making this an important case to study for scholars of civil-society engagement with ICs. As we record the name of each *amicus curiae* researcher will be able both to track repeat players and add additional about each actor. Second, researchers may use the *Amici* table together with other tables in the database to track the impact of third-party participation on judicial and societal impact. For instance, Cavallaro and Brewer (2008, 792-793) argue that the involvement of civil-society actors in IACtHR cases promote subsequent compliance with remedial orders. This hypothesis is consistent with broader theories highlighting the importance of civil-society mobilization for generating compliance with international law (Simmons, 2009). Yet, in a sample of 292 remedial orders from 45 cases, Staton and Romero (2019) find no evidence that participation by non-governmental organizations is associated with compliance. Our data allow for a more comprehensive test of this hypothesis. In other contexts, the number of third-party briefs has similarly been used a proxy for the political salience of a case (Vanberg, 2005). Below, we show how our *amicus curiae* data may be employed in models of judicial decision-making.

5 Application: Political Signals and IACtHR Decisions

Our dataset has already been used to study how judicial dissent influences compliance (Naurin and Stiansen, 2020). In this section, we show how our database can be employed to address another central question in judicial politics: the extent to which judicial decision-making correlates with the interests of respondent states. Whether judges are concerned only with legal merits of claims or whether they are also influenced by concerns of non-compliance, override, or other forms of court curbing tactics from responding governments has been central to the study of other domestic and international courts (Vanberg, 2001, 2005, 2015; Carrubba, Gabel and Hankla, 2008; Clark, 2011; Larsson and Naurin, 2016), but has not yet been studied systematically in the IACtHR context. Providing such analysis is of particular interest due to claims that the IACtHR has developed its case law without giving much attention to the interests of the states within its jurisdiction (Neuman, 2008; Sandholtz, 2017)

To investigate how decisions of the IACtHR is influenced by its political environment, we combine data on merits decisions with two indicators of the respondent state's response to the proceedings. As a measure of resistance from the state, we consider whether it raised preliminary objections. Preliminary objections offer a way for respondent states to resist cases brought against them and to avoid a hearing on the merits in inadmissible cases. For instance, in 1993 the IACtHR dismissed the case of *Cayara v. Peru* – concerning the unlawful execution of disappearance of forty persons – after Peru objected that the IACmHR had failed to submit the case to the IACtHR within the time limit (Pasqualucci, 1999, 4-5). Although preliminary objections clearly can serve legiti-

mate purposes, Pasqualucci (1999, 13) show that in the Inter-American system they also "seem to be filed primarily as delay tactic. An example of such tactics occurred in the *Neira Alegría Case*, in which Peru [..] raised several groundless preliminary objections." In this case, Peru had asked the IACmHR for an extension of the time period before the cases was submitted to the IACtHR, only to later use this extension as the basis for an objection that the case had been submitted to late. In addition to potentially delaying cases before the Court, we posit that the time and effort states invest in raising this type of objections may serve as a signal that the respondent state is strongly opposed to the case. The presence and number of preliminary objections may thus be used as a proxy for state resistance. This measurement strategy is similar to the use of government briefs as a signal of their preferences, and possibly their willingness to defy or overrule the rulings of the CJEU (Carrubba, Gabel and Hankla, 2008; Larsson and Naurin, 2016) and the German Constitutional Court (Krehbiel, 2016).

While states can signal their discontent through submitting preliminary objections, they sometimes also acknowledge responsibility for certain violations. A notable aspect of the Inter-American system is that once the jurisdiction of the IACtHR is triggered, the Court continues to have jurisdiction over the case even if one or both parties wishes to withdraw the case. (Pasqualucci, 2012, 175). Even developments such as a shift in government leads to the respondent state no longer contesting the allegations, the IACtHR will therefore render a judgment. Considerable time may have passed between the alleged violation and the case reaching the IACtHR and the government currently in power in the respondent state may therefore not necessarily have strong vested interests in opposing all cases. For 34 per cent of the merits decisions in our database, the respondent state had acknowledged responsibility for the alleged violation either fully or partially. For 26

per cent decisions, the respondent state had accepted full responsibility.

Whereas preliminary objections may persuade the IACtHR to not rule against the respondent state, acknowledgments of responsibility can be expected to have the opposite effect. If the Court seeks to promote human rights reform but to avoid adverse political reactions from respondent state, violation findings may be particularly likely when the state has accepted responsibility. A state that has already accepted responsibility for an alleged human rights violation is unlikely to react to a violation ruling by criticizing or otherwise punishing the Court. Moreover, the acceptance of responsibility may signal to the Court that it deals with an amenable government that would welcome the political cover (Allee and Huth, 2006) that a violation judgment might provide for promoting human rights reforms. Our second indicator of the position taken by the respondent state response is therefore whether the state acknowledged responsibility for the specific violation.

Table 2 reports results from four hierarchical logistic regression models estimated on all individual merits decisions in our database. The dependent variable in all models is whether the IACtHR found a violation. The four models include different operationalizations of the two indicators of the position of the respondent state. Model 1 includes the square root of the number of preliminary objections raised by the state.[9] Model 2 includes a binary indicator of whether the state raised *any* preliminary objections. Model 3 includes a dummy for whether the respondent state partially or fully acknowledged responsibility for the alleged violation. Finally, Model 4 includes a dummy for whether the state acknowledged full responsibility.

[9]Taking the square root accounts for how the marginal effect of one additional objection is likely to be decreasing. This measure is preferable to a logarithmic transformation, due to the existence of observations with zero objections.

Table 2: The Decision-Making of the IACtHR: Multilevel logistic regressions

	Model 1	Model 2	Model 3	Model 4
$\sqrt{\text{Number of preliminary objections}}$	-0.68^{*}			
	(0.27)			
At least one preliminary objection		-1.31^{**}		
		(0.47)		
State acknowledged partial or full responsibility			2.83^{***}	
			(0.41)	
State acknowledged full responsibility				2.56^{***}
				(0.45)
Only alleged by victim's representatives	-3.95^{***}	-3.95^{***}	-3.80^{***}	-3.94^{***}
	(0.23)	(0.23)	(0.23)	(0.23)
In relation to obligation to give domestic effect	0.24	0.24	0.26	0.25
	(0.19)	(0.19)	(0.20)	(0.20)
Number of *amici* briefs	-0.04	-0.04	-0.03	-0.03
	(0.04)	(0.04)	(0.04)	(0.04)
Collective victim	0.00	0.02	-0.18	-0.03
	(0.28)	(0.28)	(0.29)	(0.28)
Intercept	4.32^{***}	4.47^{***}	3.16^{***}	3.33^{***}
	(0.39)	(0.41)	(0.30)	(0.30)
AIC	3120.56	3118.98	3069.01	3087.70
BIC	3175.60	3174.02	3124.06	3142.75
Log Likelihood	-1552.28	-1551.49	-1526.51	-1535.85
Number of decisions	7191	7191	7191	7191
Number of cases	199	199	199	199
Number of respondent states	22	22	22	22
Variance of case intercept	8.08	7.98	8.12	8.24
Variance of respondent state intercept	0.00	0.00	0.00	0.00

$^{***}p < 0.001$, $^{**}p < 0.01$, $^{*}p < 0.05$, $^{\dagger}p < 0.1$

We control for a set of possible confounders, measured in different tables of the database. First, we control for whether the violation was only alleged by the victim's representatives or whether it was also supported by the IACmHR. Allegations not supported by the IACmHR are less likely to be accepted by the IACtHR and may also be expected to be more controversial. Secondly, we control for whether the violation was alleged in relation to the obligation to give domestic legal effect to the ACHR. Such allegations imply a more systematic violation than when the allegation only relates to the individual applicant(s). Thirdly, we control for the salience of the case to non-governmental actors by including a count of the number of *amicus curiae* briefs submitted in the case. Finally, we control for whether the victim was a collective actor, such as an indigenous group, or whether it was an individual person.[10] To account for the hierarchical data structure, all models include random intercepts for the case, the ACHR article concerned, and the respondent state.

Model 1 investigates the relationship between the number of preliminary objections and the IACtHR's propensity to find a violation. Since the presence of any objections from the state might be more important than the number of distinct objections, Model 2 considers instead whether at least one objection was raised. In line with our expectation, the relevant coefficients in both models are negative and statistically significant. There is thus evidence that the IACtHR is less likely to find a violation if the respondent state has submitted preliminary objections.

Models 3 and 4 consider whether the IACtHR is more likely to find violations when

[10]We have also estimated models where we control for the level of human rights protection offered in the respondent state, using the latent human rights protection scores provided by Fariss (2014). These models produce very similar results but drop the more recent observations due to the shorter temporal coverage on this variable.

the respondent state has acknowledged responsibility for the alleged violation. Model 3 includes a dummy variable for whether the state acknowledged either partial of full responsibility. Model 4 includes a dummy for whether the state acknowledged full responsibility. Acknowledgements of responsibility are coded at the level of the allegations and may therefore be even more informative than preliminary objections about the respondent state's position on specific allegations made in the case. Both Model 3 and Model 4 show a strong and highly significant relationship between such acknowledgements and the IACtHR finding a violation. There is thus strong evidence that the IACtHR becomes more likely to rule against the respondent state when it has acknowledged some responsibility for the alleged violation.

In conclusion, this brief analysis suggests that there is a relationship between how state governments respond to allegations made before the IACtHR and the conclusions reached by the judges. These findings can be interpreted in different ways. One interpretation, at least concerning the link between states' acceptance of responsibility and subsequent violation findings, is that the respondent state and the IACtHR judges tend to evaluate the legal merit of claims brought before the IACtHR in a similar fashion. With respect to the preliminary objections which primarily concern jurisdictional and procedural issues and which have been rejected by the IACtHR in cases that reach the merits stage, this interpretation may be less credible. Another interpretation is that IACtHR is sensitive to signals from the respondent state. Even if the state's preliminary objections – alleging for instance that the one of more the Court's judges are biased or that the applicants have not gone to sufficient lengths in exhausting domestic remedies – are without legal merits, they may serve as powerful signals to the Court that a violation ruling is likely to provoke adverse political reactions. By contrast, if a state has formally acknowledged

its international responsibility for a human rights atrocity, the Court may conclude that a violation ruling is not likely to provoke political reactions. In any case, our analysis indicates a robust correlation between the positions taken by the respondent states and the conclusions reached by the IACtHR.

6 Conclusion

This article has introduced a new database on contentious cases decided by the IACtHR. Covering a wide range of variables, the database provides opportunities for investigating a range of previously unexplored research questions. We have illustrated how this database can be used to investigate decision making in the IACtHR. Our analysis shows that the outcomes of IACtHR merits decisions correlate with positions taken by the respondent state at early stages of the case proceedings. The data is now made available for use by the research community.

References

Allee, Todd L. and Paul K. Huth. 2006. "Legitimizing dispute settlement: International legal rulings as domestic political cover." *American Political Science Review* 100(02):219–234.

Alter, Karen, Emilie M. Hafner-Burton and Laurence R. Helfer. 2019. "Theorizing the Judicialization of International Relations." *International Studies Quarterly* 63(3):449–463.

Alter, Karen J. 2014. *The New Terrain of International Law: Courts, Politics, Rights.* Princeton, NJ: Princeton University Press.

Altwicker-Hàmori, Szilvia, Tilmann Altwicker and Anne Peters. 2016. "Measuring Violations of Human Rights: An Empirical Analysis of Awards in Respect of Non-Pecuniary Damage Under the European Convention on Human Rights." *Heidelberg Journal of International Law* 76:1 – 51.

Bricker, Benjamin. 2017. "Breaking the Principle of Secrecy: An Examination of Judicial Dissent in the European Constitutional Courts." *Law & Policy* 39(2):170–191.

Busch, Marc L. and Eric Reinhardt. 2003. "Developing countries and general agreement on tariffs and trade/world trade organization dispute settlement." *Journal of World Trade* 37(4):719–735.

Carrubba, Clifford J., Matthew Gabel and Charles Hankla. 2008. "Judicial behavior under political constraints: Evidence from the European Court of Justice." *American Political Science Review* 102(04):435–452.

Cavallaro, James L. and Stephanie Erin Brewer. 2008. "Reevaluating regional human rights litigation in the twenty-first century: The case of the Inter-American Court." *American Journal of International Law* 102(4):768–827.

Chaudoin, Stephen, Jeffrey Kucik and Krzysztof Pelc. 2016. "Do WTO Disputes Actually Increase Trade?" *International Studies Quarterly* 60(2):294–306.

Cichowski, Rachel. 2013. "Mobilisation, litigation and democratic governance." *Representation* 49(3):321–332.

Cichowski, Rachel A. 2016. "The European Court of Human Rights, Amicus Curiae, and Violence against Women." *Law & Society Review* 50(4):890–919.

Clark, Tom S. 2011. *The Limits of Judicial Independence*. Cambridge University Press.

Fariss, Christopher J. 2014. "Respect for human rights has improved over time: Modeling the changing standard of accountability." *American Political Science Review* 108(02):297–318.

Goldstein, Judith, Miles Kahler, Robert O Keohane and Anne-Marie Slaughter. 2000. "Introduction: Legalization and world politics." *International organization* 54(03):385–399.

Grewal, Sharanbir and Erik Voeten. 2015. "Are New Democracies Better Human Rights Compliers?" *International Organization* 69(02):497–518.

Hanretty, Chris. 2012. "Dissent in Iberia: The ideal points of justices on the Spanish and Portuguese Constitutional Tribunals." *European Journal of Political Research* 51(5):671–692.

Hawkins, Darren and Wade Jacoby. 2010. "Partial Compliance: A comparison of the European and Inter-American Courts of Human Rights." *Journal of International Law & International Relations* 6(1):35–85.

Helfer, Laurence R. and Erik Voeten. 2014. "International courts as agents of legal change: evidence from LGBT rights in Europe." *International Organization* 68(01):77–110.

Hillebrecht, Courtney. 2014*a*. *Domestic politics and international human rights tribunals: the problem of compliance*. Cambridge: Cambridge University Press.

Hillebrecht, Courtney. 2014*b*. "The power of human rights tribunals: Compliance with the European Court of Human Rights and domestic policy change." *European Journal of International Relations* 20(4):1100–1123.

Huneeus, Alexandra. 2011. "Courts Resisting Courts: Lessons from the Inter-American Court's Struggle to Enforce Human Rights." *Cornell International Law Journal* 44(3):493–533.

Krehbiel, Jay N. 2016. "The politics of judicial procedures: The role of public oral hearings in the German constitutional court." *American Journal of Political Science* 60(4):990–1005.

Larsson, Olof and Daniel Naurin. 2016. "Judicial Independence and Political Uncertainty. How the Risk of Override Impacts on the Court of Justice of the EU." *International Organization* 70(2):377–408.

Larsson, Olof, Daniel Naurin, Mattias Derlén and Johan Lindholm. 2017. "Speaking Law to Power The Strategic Use of Precedent of the Court of Justice of the European Union." *Comparative Political Studies* 50(50):870–907.

Lewis, Meredith Kolsky. 2006. "The Lack of Dissent in WTO Dispute Settlement." *Journal of International Economic Law* 9(4):895–931.

Lupu, Yonatan and Erik Voeten. 2012. "Precedent in international courts: A network analysis of case citations by the European court of human rights." *British Journal of Political Science* 42(02):413–439.

Naurin, Daniel and Øyvind Stiansen. 2020. "The Dilemma of Dissent: Split Judicial Decisions and Compliance With Judgments From the International Human Rights Judiciary." *Comparative Political Studies* 53(6):959–991.

Neuman, Gerald L. 2008. "Import, export, and regional consent in the Inter-American Court of Human Rights." *European journal of international law* 19(1):101–123.

Pasqualucci, Jo M. 1999. "Preliminary objections before the Inter-American Court of Human Rights: legitimate issues and illegitimate tactics." *Virgina Journal of International Law* 40(1):1–114.

Pasqualucci, Jo M. 2012. *The practice and procedure of the Inter-American Court of Human Rights*. Cambridge University Press.

Posner, Eric A. and John C. Yoo. 2005. "Judicial independence in international tribunals." *California Law Review* 93(1):1–74.

Sandholtz, Wayne. 2017. Expanding Rights: Norm Innovation in the European and Inter–American Courts. In *Expanding Human Rights: 21st Century Norms and Governance*, ed. Alison Brysk and Michael Stohl. Cheltenham and Northampton: Edward Elgar Publishing pp. 156–176.

Sandholtz, Wayne and Mariana Rangel Padilla. 2016. "Law and Politics in the Inter-American System: The Amnesty Cases." *Unpublished manuscript prepared for presentation at the World Congress of the International Political Science Association, 23 – 28 July, 2016, Poznan, Poland* .

Simmons, Beth A. 2009. *Mobilizing for human rights: international law in domestic politics*. Cambridge University Press.

Singer, J David and Melvin Small. 1994. "Correlates of war project: International and civil war data, 1816-1992 (ICPSR 9905).". Ann Arbor, MI: Inter-University Consortium for Political and Social Research.

Squatrito, Theresa. 2018. "Amicus Curiae Briefs in the WTO DSM: Good or Bad News for Non-State Actor Involvement?" *World Trade Review* 17(1):65–89.

Staton, Jeffrey K and Alexia Romero. 2019. "Rational Remedies: The Role of Opinion Clarity in the Inter-American Human Rights System." *International Studies Quarterly* 63(3):477–491.

Staton, Jeffrey K. and Will H. Moore. 2011. "Judicial power in domestic and international politics." *International Organization* 65(03):553–587.

Stiansen, Øyvind. 2019*a*. "Delayed but not derailed: legislative compliance with European Court of Human Rights judgments." *The International Journal of Human Rights* 23:1221–1247.

Stiansen, Øyvind. 2019*b*. "Directing Compliance? Remedial Approach and Compliance with European Court of Human Rights Judgments." *British Journal of Political Science* pp. 1–9.

Stiansen, Øyvind and Erik Voeten. 2017. "The Georgetown/PluriCourts European Court of Human Rights Database.". On file with authors.

Stiansen, Øyvind and Erik Voeten. 2018. "Backlash and Judicial Restraint: Evidence from the European Court of Human Rights.". Working paper available at SSRN. **URL:** *https://ssrn.com/abstract=3166110 (accessed November 24, 2018).*

Vanberg, Georg. 2001. "Legislative-judicial relations: A game-theoretic approach to constitutional review." *American Journal of Political Science* 45(2):346–361.

Vanberg, Georg. 2005. *The politics of constitutional review in Germany.* Cambridge University Press.

Vanberg, Georg. 2015. "Constitutional Courts in Comparative Perspective: A Theoretical Assessment." *Annual Review of Political Science* 18:167–185.

Voeten, Erik. 2007. "The politics of international judicial appointments: evidence from the European Court of Human Rights." *International Organization* 61(04):669–701.

Voeten, Erik. 2008. "The impartiality of international judges: Evidence from the European Court of Human Rights." *American Political Science Review* 102(04):417–433.

Voeten, Erik. 2014. "Domestic Implementation of European Court of Human Rights Judgments: Legal Infrastructure and Government Effectiveness Matter: A Reply to Dia Anagnostou and Alina Mungiu-Pippidi." *European Journal of International Law* 25(1):229–238.

Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

Supplementary Materials for "Law and Politics in the Inter-American Court of Human Rights. A New Database on Judicial Behavior and Compliance in the IACtHR"

Øyvind Stiansen Daniel Naurin Live Standal Bøyum

May 10, 2020

A Codebook

This codebook describes the database on *Judicial Behavior and Compliance in the Inter American Court of Human Rights (IACtHR)*. The database includes information about IACtHR judgments that have reached the stage of a merits judgments and contains information about the procedure before the Court, alleged violations of the American Convention of Human Rights, judicial votes, separate opinions, the outcomes of merits decisions, remedial orders, compliance, information about victims, preliminary objections filed by the respondent state, and *amicus curiae* briefs.

The main data source is the detailed and systematic case summaries of the IACtHR's judgments that the Loyola Law School, Los Angeles team, under the leadership of Prof. Cesare Romano, has produced (https://iachr.lls.edu/database). These reports include information about the cases, brief summaries of the arguments made by the Inter American Commission of Human Rights (the Commission) and the IACtHR, preliminary objections, amicus curiae briefs, votes and dissenting opinions, remedies decided and evaluations made on compliance. The case summaries cover cases from 1988 (first judgment

of the Court) to 2016. To date, The Loyola Law School, Los Angeles has produced 201 case summaries to date, which means that this is also the number of cases in our database. The database is currently complete for all cases that received their merits judgment by the end of 2013, but must for later cases be considered a convenience sample.

In some instances we have also supplemented the case summaries from Loyola Law School, Los Angeles with information from the Court's original documents on the judgments that are available from the Court's own web page (`http://www.corteidh.or.cr/index.php/en`). For example, when a judge dissents from the majority of the judges, we have consulted the original documents to find out what part of the judgment the judge dissented against.

The database is organized into 9 different tables. Below follows explanation of the variables and specific coding instructions for each of the tables.

Cases

The following variables are measured on the case level and contain basic information about the case, its procedure before the Court, and the judges participating in the different stages of the proceedings. The cases are the units of analysis in this part of the database. The variable CaseID can be used to merge this table with all other tables in the database. The Correlates of War country code for the respondent state is included to allow users to merge our data with other dataset containing information at the country or country-date level.

Preprint (not copyedited or formatted).
Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

Table A1: Codebook for Cases table

Variable name	**Variable description**	**Coding instructions**
CaseID	The ID variable for the cases. The units of analysis in this part of the data.	Automatically generated ID variable
CaseTitle	The title of the case	The title as it is written in the official judgments
RespondentState	The state that the Commission has alleged violations against, and that is the respondent in the case.	The name of the respondent state as a string variable (chosen from a drop-down menu).
COWcode	The Correlates of War country code for the respondent state.	Numeric country code (automatically generated)
DatePetition	The date the petition is submitted to the Commission	dd.mm.yyyy
DateSubmission	The date when the Commission submitted the case to the Court	dd.mm.yyyy
DateMeritsRuling	The date the Court issued its judgment on the Merits	dd.mm.yyyy
JudgesInMeritsHearing	The judges participating in the Judgment on the merits	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court.
AdhocJudgesInMeritHearing	Is there an *ad hoc* judge participating in the judgment?	The name of the *ad hoc* judge, or "Not relevant" if there is no *ad hoc* judge in the judgment. Chosen from a drop-down menu
RecusingJudgeInMeritsHearing	A judge might recuse himself/herself from the judgment. This is most usually the case if a judge's nationality is the same as the respondent state	Judge name chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no recusing judges in the judgment.
AbstainingJudgeInMeritsHearing	A judge might abstain from participating in the judgment because of "reasons beyond his/her control"	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no abstaining judges in the judgment.

DateRemediesHearing	The date the Court issued its judgment on Reparations and Costs. The judgment on the merits and the judgment on reparation and cost may not be on the same date. This is especially the case for the Court's early judgments. This is not always clear in the case summaries. If unclear, we consulted the IACtHR judgments.	dd.mm.yyyy
JudgesInRemediesHearing	The judges participating in the Judgment on the Reparation and Costs.	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court.
AdhocJudgesInRemediesHearing	Is there an *ad hoc* judge participating in the judgment?	The name of the *ad hoc* judge, or "Not relevant" if there is no *ad hoc* judge in the judgment. Chosen from a drop-down menu
RecusingJudgesInRemediesHearing	A judge might recuse himself/herself from the judgment. This is usually the case if a judge is a national of the respondent State	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no recusing judges in the judgment.
AbstainingJudgesInRemediesHearing	A judge might abstain from participating in the judgment because of "reasons beyond his/her control"	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no abstaining judges in the judgment.
InterpretationRequest	Did the respondent state, the Commission and/or the representatives of the victims ask for an interpretation of the Court's judgment(s)?	Select one or more of the following options: "By Respondent State" "By Victims' representatives" "By Commission" "No"

InterpretationGranted	The Court can rule the interpretation request inadmissible or admissible. We use the alternative "not relevant/no request" when there has been no request for interpretation of the judgment	Select one of the following options: "Admissible" "Not admissible" "Not relevant/no request"
InterpretationSubject	What was the subject of the interpretation request? To categorize the subject of the interpretation request, we read the section "Interpretation and Revision of the Judgment" in the Loyola Law School, Los Angeles case summaries.	Select one or more of the following options: "Composition of court" "Assessment of evidence" "Preliminary objections" "Merits decision" "Remedy decision" "Compliance decision" "Other" "Not relevant"
JudgesInInterpretationHearing	The judges participating in the interpretation hearing. It is not always clear from the Loyola Law School, Los Angeles Case summaries who are the participating judges in the interpretation hearing. We therefore consulted the original Court documents to find this information.	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court.
AdhocJudgesInInterpretationHearing	Was there an *ad hoc* judge in the interpretation hearing?	The name of the *ad hoc* judge, or "Not relevant" if there is no *ad hoc* judge in the judgment. Chosen from a drop-down menu
RecusingJudgesInInterpretationHearing	A judge might recuse himself/herself from the interpretation hearing. This is most usually the case if the judge's nationality is the same as the respondent state	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no recusing judges in the judgment.

Preprint (not copyedited or formatted).
Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

AbstainingJudgesInInterpretationHearing	A judge might abstain from participating in the judgment because of "reasons beyond his/her control"	Vector of judge names chosen from a drop-down menu of all judges that have been members of the Court or "Not relevant" if there are no abstaining judges in the judgment.
AcceptInternationalResponsibility	Did the State accept international responsibility?	Select one of the following option: "Yes" "Partly" "No" "Unclear"

Victims

The following variables are measured at the level of the alleged victim. The VictimID variable allows merging this table with the table containing data on merits decisions. CaseID allows merging with other tables in the database.

Table A2: Codebook for Victims table

Variable name	**Variable description**	**Coding instructions**
VictimID	The units of the analysis in this part of the data	Automatically generated ID variable
CaseID	The case that the victim is part of	ID variable from the Case table
VictimName	Name of the victim(s) in the case.	Name of the victim(s) in the case as a character string.
CollectiveVictim	When the victims are a group, and the individuals are not identified, we code these groups as collective victims. For example, when the victims are a group of indigenous people, an organization, or when the victims are a family. Often, the next of kin of the victims are listed as victims in the judgment. In these cases, we code the next of kin collectively and code them as a collective victim.	Select one of the following options: "Yes" "No" "Unclear"
NaturalPerson	Yes, if the victim is a person, no if the victim is an organization.	Select one of the following options: "Yes" "No" "Unclear"
Female	Is the victim male or female? When we have coded the victims as collective victims, we always code this variable as "unclear".	Select one of the following options: "Male" "Female" "Unclear"
CitizenOfRespondentState	Is the victim a citizen of the respondent state? Often, the nationalities of the victims are not specified. In these cases, we code "No info".	Select one of the following options: "Yes" "No" "No info"
RepresentedBy	Who represented the victims?	Name of the representative(s) of the alleged victims as a character string.

Merits decisions

The following variables are measured at the level of merits decisions. Decisions are treated as distinct if they involve a different article of the American Convention or a different alleged victim. DecisionID can be used to merge with data on Remedial orders. VictimID can be used to merge with data concerning alleged victims. CaseID can be used to merge with other tables in the database.

Table A3: Codebook for Merits table

Variable	**Variable description**	**Coding instructions**
DecisionID	The units of analysis in this part of the data	Automatically generated ID variable
CaseID	The case that we can connect the decisions to	ID variable from Case table
VictimID	Who is the victim(s) in this case? Here we connect the victims to the alleged violations.	ID variable from Victims table
AllegedViolationArticleACHR	What article(s) of the American Convention is allegedly violated.	Chosen from drop-down menu of articles of the American Convention
AllegedInRelationTo	Often the alleged violated article(s) are in relation to other articles. If the alleged violated article(s) are not alleged in relation to other articles, we do not code anything here.	Chosen from drop-down menu of articles of the American Convention
AllegedBy	Is it the Commission, Representatives of the applicants, both, or "none of the above" that alleged the violation against the respondent state?	Selection one of the following options: "Representatives of the applicants" "Both" "Not alleged by Commission or representatives"
DecisionOutomce	The IACtHR decision concerning this specific alleged violation for this specific victim	"Violation", "No violation", or "Did not rule on"
Unanimous	Did the Court rule unanimously or not?	Select one of the following options: "Yes" "No"
AcknowledgedByState	Did the respondent State acknowledge responsibility for the alleged violations? We only use the category "refuse" when the State explicitly says that it refuses to acknowledge responsibility for the alleged violation. If there is no information on whether the State acknowledges or refuses responsibility for the alleged violation(s), we code "No info".	Select one of the following options: "Yes", "Partly" "Refuse" "No info"

Remedial orders

The units of analysis are remedial orders. All data concern the judgment on "Reparations and Costs" of the relevant case. RemedyID allows merging this table with data on compliance to track the implementation of each remedial order. DecisionID allows merging with the merits decisions. CaseID can be used to merge with all other tables in the database.

For the MeasureType2 variable, we classify the remedial orders according to the following rules:

- **Legislative changes:** If the State must implement some kind of legislative changes. For example, if the State must make something illegal through law.
- **Prosecution of perpetrator(s)/investigation of crime:** If the State should investigate the crime, or identify, Prosecute, and Punish Those Responsible for the crime.
- **Revoke domestic judgment:** If the Court orders the State to revoke previous domestic judgments.
- **Jurisprudential changes by national courts:** If the Court orders the State to change their jurisprudential practice.
- **Publication/dissemination of the judgment:** If the Court orders the State to publish the judgment or parts of the judgment in for example the newspaper or on the radio.
- **Public acknowledgement of responsibility:** If the Court orders the State to publicly acknowledge responsibility for the violations identified by the case.
- **Practical task (construction, exhume bodies, etc.):** If the Court orders the State to do a practical task. Examples: build a school, provide medical treatments for the victims, build a monument, etc.
- **Education or training programs:** We use this category if the Court orders the State to educate or train state officials. For example, when the Court orders the

State to educate or train the military to respect international doctrines.

- **Judgment as reparation:** When the judgment itself can be considered as reparation.
- **Reinstatement:** If the Court orders the State to reinstate the victim(s)' positions
- **Other forms of executive or administrative action:** If the State has to change administrative or executive practice.
- **Pecuniary damages:** If the Court orders the State to compensate the victim for pecuniary damages.
- **Non-pecuniary damages:** If the Court orders the State to compensate the victim for non-pecuniary damages.
- **Pecuniary and Non-Pecuniary Damages:** If the Court orders the State to compensate the victims for both pecuniary and non-pecuniary damages, and it does not specify which part of the sum should be compensation for pecuniary damages, and which part of the sum should be compensation for non-pecuniary damages.
- **Cost and expenses:** If the Court orders the State to compensate the victims or the representatives of the victims for costs and expenses.
- **Other monetary payments:** We use this alternative if we cannot classify the monetary payments as pecuniary damages, non-pecuniary damages or costs and expenses.

Table A4: Codebook for Remedial Orders table

Variable	**Description of variable**	**Coding instructions**
RemedyID	The units of analysis in this part of the data	Automatically generated ID variable
CaseID	The case relevant for the remedial order	ID variable from the case table
DecisionID	The relevant merits decision(s)	ID variable from the merits decisions table
MeasureType1	The title of the remedial order	The title of the remedial order as a string variable
MeasureType2	We categorize the reparations into several categories (see further description in the main text).	Select one of the following categories from a drop-down menu: "Legislative change" "Prosecution of perpetrator(s)/ investigation of crime" "Revoke domestic remedy" "Jurisprudential change by national Courts" "Publication/ dissemination of the judgment" "Public acknowledgment of responsibilities" "Practical task" "Education and training programs" "Judgment as reparation" "Reinstatement" "Other forms of executive or administrative action" "Pecuniary damages" "Non-pecuniary damages" "Pecuniary and non-pecuniary damages" "Cost and expenses" "Other monetary payments"
AmountAwarded	How much money the victim was awarded by the Court in American dollars	The monetary sum in American dollars entered as a number. Leave empty if no money was awarded as part of this remedial order.

Preprint (not copyedited or formatted).
Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

Deadline	Did the Court set a deadline for the implementation of the remedy?	Select one of the following options from a drop-down menu: "Yes" "No"
LengthDeadlineMonths	Time frame allowed before implementation of the remedy ordered by the Court	Time frame in number of months. Leave empty if no deadline was set.
Unanimous	Was the Court's decision on the remedy unanimous? We consult the Court's original documents on the judgments for this information.	Select one of the following options from a drop-down menu: "Yes" "No"

Compliance

The units of analysis are compliance decisions defined as decisions taken with respect to a particular remedial order at a particular compliance hearing. Because compliance decisions are nested within compliance hearings and some variables are constant at the level of the compliance hearings, we include an ID variable for the compliance hearing (ComplianceHearingID) in addition to the ID variable for the compliance decisions (ComplianceDecisionID). RemedyID can be used to merge with the table of remedial orders. CaseID can be used to merge with other variables in the database.

Table A5: Codebook for Compliance table

Variable	**Variable description**	**Coding instructions**
ComplianceDecisionID	ID variable for the compliance decisions, which are the units of analysis for this table	Automatically generated ID variable
ComplianceHearingID	ID variable for the compliance hearings that compliance decisions are nested in.	Automatically generated ID variable
CaseID	The case the compliance hearing is part of	ID variable for the case
DateHearing	The date the Court monitors the state's compliance with the Court's rulings	dd.mm.yyyy
JudgesInComplianceHearing	The judges that participated in the Compliance monitoring. This information is not available in the Loyola Law School, Los Angeles case summaries. We therefore look up the Court's original documents on compliance monitoring to gather this data. There are never any ad hoc judges.	Chosen from a drop-down menu of all judges that have been on the Cour
RecusingJudgesInComplianceHearing	A judge might recuse himself/herself from the compliance monitoring. This is usually the case if a judge is a national of the respondent state	Chosen from a drop-down menu of all judges that have been on the Cour relevant" if there are no judges that recused themselves.
AbstainingJudgesInComplianceHearing	A judge might abstain from participating in the compliance monitoring because of "reasons beyond his/her control"	Chosen from a drop-down menu of all judges that have been on the Cour relevant" if there are no abstaining judges in the compliance hear
RemedyID	The remedyID that the compliance decision concerns.	The RemedyID that has been given in the remedy data

ComplianceStatus	Did the Court find that the State fully complied, partly complied or did not comply (pending compliance) with the Court's rulings? If the Court lacks information on the State's compliance with the judgment, we have coded "unclear".	Select one of the following options: "Full compliance" "Partial compliance" "Pending compliance" "Unclear" Code the exact conclusion reached by the court. In particular, "Partial compliance" should only be used when the Court explicitly reaches this conclusion.
Unanimous	Did the Court unanimously decide on the State's compliance status with the Court's judgment? It is often not specified in the Loyola Law School, Los Angeles case summaries or in the Court's original documents whether the judges ruled unanimous or not. If unspecified, we code "no info". However, if a judge had a dissenting, concurring or separate opinion, this is specified in both the case summaries and the Court's original documents.	Select one of the following options: "Yes" "No" "No info"

Dissents

The dissents table contains information about dissenting votes, defined as votes against any type of majority ruling. The units of analysis are the dissenting votes. The judge names can be used to merge with other judge data. DecisionID, RemedyID, Compliance-HearingID, and PreliminaryObjectionID can be used to merge with data concerning the decision the dissenting judge voted against (depending on the type of vote). CaseID can be used to merge with other tables in the database.

Table A6: Codebook for Dissents table

Variable	**Variable description**	**Coding instructions**
DissentD	The unit of analysis for the dissent data, i.e. the dissenting votes.	Automatically generated ID variable
CaseID	The case that the judge-vote is part of	ID variable from the case table
JudgeName	Name of the judge who voted against the majority	Name of judge from a dropdown menu of all judges sitting on the case.
TypeVote	In which part of the case did the Judge vote against the majority? "Merits" if the Judge voted against the majority that an article should/should not be considered as violated, or should not be ruled on. "Remedy" if the Judge voted against the majority's decision on the judgment on reparation and costs. "Compliance" if the Judge voted against the majority's decision on the status of the State's compliance with remedies. "Interpretation" if the Judge's votes against the majority's decision to find the interpretation request admissible/inadmissible. "Preliminary objection" if the Judge voted against the majority's decision that they support or object the State's preliminary objection.	Select one of the following options; "Merits" "Remedy" "Compliance" "Interpretation" "Preliminary objections"

VotingDirection	Did the Judge vote in favor of the respondent State or not?	Select one of the following options: "pro government" "anti government" "Unclear"
DecisionID	The judgment on the merits that the vote concerned.	The DecisionID that has been given under the merits/alleged violation data
MeritVoteDirection	Did the Judge vote that an article should be considered violated, not violated, or should not be ruled upon? We code "not relevant" if the judge's vote did not concern the judgment on merits.	Select one of the following options: "Violation" "No violation" "Not rule on" "Not relevant"
RemedyID	The remedy ordered by the majority of the Court that the vote concerned.	The RemedyID that has been given under the remedy data
RemedyVoteDirection	Did the Judge vote that he/she was against or in favor of a remedy? We code "not relevant" if the judge's vote did not concern the judgment on reparations and costs.	Select one of the following options: "For this remedy" "Against this remedy" "Not relevant"
ComplianceHearingID	The judgment on the State's compliance status that the vote concerned.	The ComplianceHearingID that has been given under the compliance hearing data
ComplianceVoteDirection	Did the Judge vote that the State has fully complied, partly complied or not complied with the Court's judgment? We code "not relevant" if the judge's vote did not concern the judgment on compliance monitoring.	Select one of the following options: "Full compliance" "Partial compliance" "Pending compliance" "Not relevant"
PreliminaryObjectionID	The judgment on the preliminary objection that the vote concerned.	The PreliminaryObjectionID that has been given under the preliminary objections data

Preprint (not copyedited or formatted).
Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

PreliminaryObjectionsDirection	Did the Judge vote that he/she support or reject the State's preliminary objection? We code "not relevant" if the judge's vote did not concern the judgment on preliminary objections.	Select one of the following options: "Support objection" "Rejects objection" "Unclear" "Not relevant"

Opinions

The opinions table contains information about separate, concurring, and dissenting opinions authored by IACtHR. The opinions may concern one or more decisions taken by the Court. The units of analysis are the opinions. DecisionID, RemedyID, ComplianceHearingID, and PreliminaryObjectionID can be used to merge with data concerning the decision that the opinion pertains to.

Table A7: Codebook for Opinions table

Variable	**Variable description**	**Coding instructions**
OpinionID	ID variable for the opinions, which are the units of analysis in this table.	Automatically generated ID variable
CaseID	The case the opinion is part of.	ID variable from Case table
DecisionID	Connects the opinion to a specific merits decision	ID variable from Merits table
RemedyID	Connects the opinion to a specific remedy	ID variable from the Remedies table.
ComplianceHearingID	Connects the opinion to a specific compliance hearing	ID variable from the compliance hearing table
PreliminaryObjectionID	Connects the opinion to a specific preliminary objection	ID variable from the Preliminary objections table
JudgeName	Name of the judge with a separate, concurring or dissenting opinion	Name of judge selected from a dropdown menu.
OpinionType	Is the opinion a separate opinion, concurring opinion, or dissenting opinion? In cases where an opinion is partly concurring and partly dissenting, separate entries should be created.	Select one the following options: "Separate" "Concurring" "Dissenting"
OpinionSubject	What is the subject of the opinion?	Select one or more of the following options: "Merits" "Remedy" "Compliance" "Interpretation request" "Procedural matters" "Preliminary objections"

Direction	Is the opinion in favor (pro government) or disfavor (anti-government) of the interests of the respondent State? If the judge's opinion is not concerning the respondent State behavior, but for example what should be the context of international doctrines, we code that the opinion as "neutral".	Select one of the following options: "Pro government" "Anti-government" "Neutral" "Unclear"
MeritsDirection	Does the judge's opinion say that the concerned article is violated, not violated or should not be ruled upon? Even though the Judge voted with the majority in the Court, the Judge could still have a different opinion than the majority of the Court. The Judge could also have an opinion on how an article in the Convention should be interpreted in general, and not say anything about whether the State violated this article or not. In these cases we code "not relevant". We also use the alternative "not relevant" if the judge's opinion did not concern the judgment on merits.	Select one of the following options: "Violation" "No violation" "Not rule on" "Not relevant"
RemedyDirection	Does the Judge say that he/she supports the remedy or rejects the remedy order by the Court? We use the alternative "not relevant" if the Judge's opinion did not concern the judgment on reparation and costs.	Select one of the following options: "For this remedy" "Against this remedy" "Unclear" "Not relevant"
ComplianceDirection	Did the judge find that the State complied fully, partly or did not comply with the Court's ruling? "Not relevant" if the judge's opinion is not concerning the judgment on compliance.	Select one of the following options: "Full compliance" "Partial compliance" "Pending compliance" "Unclear" "Not relevant"

Preprint (not copyedited or formatted).
Please use DOI when citing or quoting. DOI: https://doi.org/10.1086/709914.

PreliminaryObjectionsDirection	Did the Judge's opinion say that he/she supported the State's preliminary objection, or did the Judge reject the State's preliminary objection? We code "not relevant" if the Judge's opinion did not concern the judgment on preliminary objections	Select one of the following options: "Support objection" "Reject objection" "Unclear" "Not relevant"

Preliminary objections

This table contains information about whether the state filed one or more preliminary objections during the proceedings of the case and, if so, the stated reasons for the objections. The units of analysis are the preliminary objections. CaseID allows merging with other tables in the database.

Table A8: Codebook for Preliminary objections table

Variable	**Variable description**	**Coding instructions**
PreliminaryObjectionID	ID variable for the preliminary objections, which are the units of analysis in this table.	Automatically generated ID variable
CaseID	The case that the preliminary objection was filed as part of.	ID variable from the Case table.
PreliminaryObjectionReason	What was the stated reason for the preliminary objection?	The reason for why the state filed a preliminary objection as a character string.

Amici

The units of analysis in this table are *amicus curiae* briefs. CaseID allows merging information about the briefs with other tables in the database.

Table A9: Codebook for Amici table

Variable	**Description of the variable**	**Coding of variable**
AmicusBriefID	The unit of analysis for this table	Automatically generated ID variable
CaseID	The case in which this amicus brief was filed to	ID variable from the Case table
Name of Amicus	Name of the Amicus Curiae. This may be an individual person or an organization.	Name of the Amicus Curiae, and other available information as a string variable.

B Reliability

Most cases in our database have been coded by a single coder only (either the first or the third author). This section describes steps taken to ensure consistency in the coding and the reliability tests we have conducted.

B.1 Initial Pilot-Coding and Reliability Assessment

After developing an initial version of the codebook, the two coders (the first and the third author) both pilot coded 20 randomly selected cases for the purpose of establishing a reliability codebook. Reliability was measured by calculating the percentage of cases that both coders had coded identically.

For most variables in the database, there was complete agreement between the two coders while inconsistencies were due to typing errors. For some variables, inconsistencies did, however, reveal ambiguities in the codebook, which were then resolved. In a few instances, we decided to remove variables from the database, because it proved too challenging to establish reliable coding criteria. For instance, we decided not to include information about when the alleged violation occurred because many violations are ongoing over multiple years and it is challenging to establish exact start and end dates.

After this initial pilot coding and reliability exercise, all cases were coded by one of the two coders (from now "the original coders").

B.2 Subsequent Reliability Assessment

After completing the database, we conducted an additional extensive and detailed reliability test. We first trained a research assistant (from now "the reliability coder") previously unaffiliated with the project to recode 40 randomly selected cases for the purpose of assessing reliability. We then calculated the percentage of exact agreement between the two coders. Calculating the exact agreement means for instance that if a case had 44 distinct victims and one of the coders only coded 43 of them, the two coders will be considered to be in disagreement. Finally, we manually investigated the discrepancies between the

reliability coding and the two original coders.

Below, we discuss the results of this reliability exercise variable-by-variable. We organize the discussion by the tables in the database. To summarize, the reliability test resulted in reasonable agreement and most the identified discrepancies are explained by typos or inaccurate data entries by the reliability coder rather than by differences in interpretation.The reliability is reasonably good also for relatively challenging variables. For instance, with regards to our categorization of remedial orders, MeasureType2, it may be difficult to establish whether an order to organize remembrance events should be categorized as a "practical" task or as a "public acknowledgement of responsibility". Nevertheless, even for this type of variable, the inter-coder reliability is 76%. Moreover, because remedial orders can be difficult to classify, we also include a brief description of each order (MeasureType2), allowing users of the database to reconsider our categorization.

For most other variables, the coding is straightforward, and disagreements are only due to data entry errors. For instance, for the outcome of merits decisions, the inter-coder reliability is 95% and when manually investigating the disagreements we only found one data entry error in the original coding (other disagreements being explained by data entry errors by the reliability coder).

The results from the reliability assessment therefore increases our confidence in the reliability of the database. We have corrected all cases where the reliability coding revealed inaccuracies in the original coding of the database.

Cases

A variable-by-variable table of agreement is presented in Table A10. As detailed in the table, the reliability checks revealed few cases of ambiguity or incorrect coding decisions in the original database. Instead, most inconsistencies are explained by the reliability coding being less accurate than our original coding.

Table A10: Reliability check for Cases table

Variable	Agreement	Comments
RespondentState	1	
DatePetition	0.925	In one case, there is an incorrect entry in the reliability coding. In one case there are multiple petitions with different dates. In a third case, there is a difference between the date the petition was submitted and the date it was received
DateSubmission	0.975	Correct in original coding. One month off in reliability check
DateMeritsRuling	1	
JudgesInMeritsHearing	0.900	Three misentries/typos in reliability coding. One case with one missing judge in original coding
AdhocJudgesInMeritsHearing	0.975	Wrong judge reported in case summary. Corrected by reliability coder
RecusingJudgesInMeritsHearing	0.900	Four mistakes in reliability coding, but all correct in original
AbstainingJudgesInMeritsHearing	0.925	Two mistakes in reliability coding. One mistake in original coding.
DateRemediesRuling	0.925	Three mistakes in reliability coding, but all correct in original
JudgesInRemediesHearing	0.850	Four cases of incorrect data entry in reliability coding Two cases of incorrect data entry in original coding
AdhocJudgesInRemediesHearing	0.950	One missing case in reliability coding, correct in original coding One case with wrong judge reported in case summary. Corrected by reliability coder
RecusingJudgesInRemediesHearing	0.925	Three mistakes in reliability coding, all correct in original coding
AbstainingJudgesInRemediesHearing	0.900	Three mistakes in reliability coding, all correct in original coding One mistake in original coding, corrected in reliability coding
InterpretationRequest	0.925	In two cases, the reliability coder misclassified the actor requesting interpretation In one case, the interpretation request was missing from the original coding but corrected by the reliability coder
InterpretationGranted	0.900	In two cases, the reliability coder incorrectly coded that interpretation request was not granted. Correct in original coding. In one case, the interpretation was incorrectly coded as not granted in original coding. Corrected in reliability coding In one case, the interpretation request was missing from the original coding but corrected by the reliability coder
InterpretationSubject	0.800	In five cases, one of the subjects is incorrectly classified by the reliability coder but correctly coded in the original coding. Two cases reveal slight ambiguity between 'assessment of evidence' and the 'merits decision' In one case, the interpretation request was missing from the original coding but corrected by the reliability coder
JudgesInInterpretationHearing	0.925	In once case, the reliability coder failed to code one of the judges. Correct in original coding. In one case, the interpretation request was missing from the original coding but corrected by the reliability coder
AdhocJudgesInInterpretationHearing	1	
RecusingJudgesInInterpretationHearing	0.925	Three cases where reliability coder failed to code the recusing judge. All correctly coded in original coding
AbstainingJudgesInInterpretationHearing	0.925	Three cases where reliability coder failed to code the abstaining judge. All correctly coded in original coding
AcceptInternationalResponsibility	0.925	Three cases incorrectly classified by reliability coder. All correctly coded in original coding

Victims

Differences in the Victims table are primarily explained by the reliability coder including the victims' next of kin as separate victims even in cases where the next of kin were not identified as such by the judgment if the next of kin received compensation due to the victims being killed. In the original coding, next of kin are only included as victims if their victim status is explicitly recognized by the IACtHR. In cases, where the victim's next of kin are named as separate victims in the judgment, these are registered by name in the original coding of the database but were lumped together as "next of kin" by the reliability coder. In addition, there are two cases with very large numbers of victims in which the reliability coder missed some of the victims named in the judgment.

Users of the database should note that next of kin are only identified in the database when they are named by the Court as separate victims. In cases in which the victim was killed or disappeared and the damages therefore had to be paid out to her family, the next of kin are still not registered as separate victims unless they are explicitly recognized as such by the Court.

Users of the database should also note that the nationality of the victims has only been coded if this information is unambiguous in the case summary. If the nationality is not explicitly stated, we have coded "no info". This is also described in the codebook.

Unclarity concerning the coding of next of kin also reduces the agreement on other variables in this table.

Merits decisions

For the merits decisions, disagreements can be due both to differences in the unique decisions that were identified by the original coders and the reliability coders and to differences in how each decision is coded. To assess agreement affected articles, we compare the overlap between the reliability coder and the original coders by computing the average size of the intersection of the two sets of identified articles in each case divided by the union of the two sets of identified articles (i.e. the Jaccard index). For the remaining variables, we compared the agreement for the articles that were identified both by the original coders

Table A11: Reliability check for Victims table

Variable	Agreement	Comments
VictimName	0.650	Reliability coder has coded the victim's next of kin as separate victims even when they are not named as such by the judgment. Two cases with many victims where the reliability coder has failed to identify all of them
CollectiveVictim	0.625	One data entry error by reliability coder. Other disagreements explained by the incorrect inclusion of 'next of kin'
NaturalPerson	0.650	Members of the YATAMA indigenous group coded as natural person (but also as a collective) in original database, but not in reliability coding. Other disagreements explained by the incorrect inclusion of 'next of kin'
Female	0.800	In two cases, the reliability coder failed to code gender even if gender was identified by pronouns or the use of 'Mr./Mrs.' in the judgment Remaining disagreements are explaining by reliability coder not identifying all victims.
CitizenOfRespondentState	0.075	In cases where nationality is not mentioned in the judgment, the original coding is 'No info'. This is described in the codebook. The reliability coder has nevertheless coded these as nationals of the respondent state.
RepresentedBy	0.825	Six cases in which the reliability coder entered incorrect information, but where the original coding is correct. One case where reliability coding is correct, but representative is missing in original coding.

and the reliability coding. The results from the reliability checks are summarized in Table A12.

The reliability check has not revealed discrepancies that are due to ambiguities concerning how some variables are to be coded, which strengthens our confidence in the original coding. Instead, most disagreements concern cases where the reliability coder has simply been less accurate than the original coders.

Remedial orders

The reliability assessment for the Remedial orders table, similarly to the Merits table, needs to consider both the overlap in the orders that were identified and how each remedial order is coded.

To assess the overlap in identified remedial orders, we created two sets of combinations of the CaseID and the MeasureType2 variable used to classify orders and calculate the Jaccard index as the size of the intersect of these two sets divided by the size of the union of the two sets. The Jaccard index may be interpreted as the percentage agreement between the two sets and is .65. This relatively low level of disagreement is explained primarily by the reliability coder identifying fewer remedial orders than the original coding. In the

Table A12: Reliability checks for Merits table

Variable	Agreement	Comments
IACHRarticle	0.846	There are discrepancies for 20 of the recoded cases. Discrepancies in 16 of these cases are due to the reliability coder not adding all the decisions in the case, while there are four cases with missing decisions in the original coding.
VictimID	0.790	Some discrepancies are due to the reliability coder grouping some victims together, for instance as "next of kin" while the original coders coded the full list of victims. In other instances, there are multiple decisions pertaining to the same article, but involving different victims, where the reliability coder has not coded all decisions. We recoded 20 of the decisions with disagreements and only found problems with the original coding for three decisions.
AffectedInRelationTo	0.853	Almost all discrepancies are due to the reliability coder coding too few articles. We recoded 20 of the decisions with disagreement and only found problems with the original coding for three decisions.
AllegedBy	0.749	We recoded 10 cases with disagreements and only found problems with the original coding in one case. It is unclear why inaccuracies in the reliability coding have occurred as the actors alleging each violation are clearly listed in the case summaries.
DecisionOutcome	0.953	We recoded all 15 cases with disagreement. In a single case the original coders had coded "no violation" instead of "not rule on". In all the remaining cases, the reliability coder failed to accurately code the Court's decision.
AcknowledgedByState	0.787	All except three instances of disagreement are due to the reliability coder coding "No info" even if there is information that the state accepted or refused responsibility. The remaining three cases are all correctly coded by the original coders but incorrectly coded by the reliability coder.
Unanimous	0.947	We recoded all cases with disagreement (see also results for the Dissents table). The original coding proved to be correct for all cases with disagreements.

40 re-coded cases, the reliability coder identified a total of 424 remedial orders compared to a total of 473 remedial orders in the original coding.

To investigate the source of these discrepancies, we aggregated both the original coding and the reliability coding to the level of CaseID x MeasureType2 and sampled 20 cases in which the count differed between the two datasets. In 12 of these 20 cases, the disagreements where explained by the original coding being more disaggregated. For instance, the original coding disaggregated monetary awards where there are multiple victims to allow tracking how much money each victim is awarded. Similarly, for orders to investigate or prosecute crimes, the original coding distinguishes between different crimes/perepetrators etc. to allow capturing that the state may comply with some, but not all of the orders in a category. By contrast, the reliability coder has been more willing to aggregate these instances into single orders.

In the remaining 8 cases of disagreement concerning the number of a measure type within a case, the disagreements can be explained by ambiguity concerning how an order is best classified. For instance, one order to identify and exhume bodies has been coded as "Practical task (construction, exhume bodies, etc.)", but as orders to conduct a "Prosecution of perpetrator(s)/investigation of crime" by the reliability coder. While the original coding classifies an order to organize a remembrance event as a practical task, the reliability coder coded the same order as a public acknowledgment of responsibility. Precisely because not all remedial orders are easily classified, we also supply the MeasureType1 variable, which contains a qualitative description of each order.

For the remaining variables in this table, we aggregated the data to the level of CaseID x MeasureType2 and calculated agreement on the mean level on each variable. The results are reported in Table A13. The table shows that while the agreement on the number of each type of remedial order in each is only .76, there is a high level of agreement on the other variables. The main source of disagreement between the reliability coder and the original coding is thus how many remedial orders are identified for each case. Similarly as the other tables, we found that for most cases of disagreement, the original coding was accurate. This strengthens our confidence in the original coding.

Table A13: Reliability checks for Remedial Orders table, after aggregating to level of CaseID x MeasureType2

Variable	Agreement	Comments
Count of each MeasureType2 in case	0.761	Disagreements primarily concern cases with monetary awards or orders to prosecute perpetrators and are in part explained by the original coding disaggregating cases where different victims are offered different awards or where there are orders to investigate/prosecute perpetrators from multiple events. By contrast, the reliability coder has tended to aggregate these orders. In addition, some remedial orders have been classified differently by the reliability coder and the original coding. For instance the reliability coder has coded an order to "organize a remembrance" as "public acknowledgment", while the same order has been coded as a practical task in the original coding. Users of the database should be advised that distinguishing between different types of orders is not always clear cut and for this reason we also include a qualitative description of the order (see also discussion in main text).
AmountAwarded	0.823	Disagreements mostly concern complex cases with multiple victims. In total 37 disagreements were identified. In 5 of these, the judgments are ambiguous and it is challenging to establish the exact amount awarded. In 25 cases, the original coding was correct and mistakes had been made in the reliability coding. In 7 instances, the reliability coder was correct, while the original coding was inaccurate.
Deadline	0.866	27 orders with disagreement, of which 21 were correctly coded in the original coding, but incorrectly coded in reliability coding. 6 orders are correctly coded in reliability coding, but incorrectly coded in the original coding.
LengthDeadlineMonths	0.842	19 disagreements are due to disagreement about whether a deadline was set (see variable above). Of the remaining 12 cases of disagreement, 9 orders were correctly coded in the original, while the reliability coding was correct in 3 instances.
Unanimous	0.919	17 orders with disagreement, of which 13 are correctly coded in the original coding and incorrect in the reliability coding. 4 orders are coded correctly in reliability coding and incorrectly in original coding.

Compliance

Results from the reliability checks for the Compliance table are reported in Table A14.

For the variables "Compliance status" and "Unanimous", we calculated agreement at the level of the CaseID-MeasureType2-DateHearing level for those remedial orders identified by both the reliability coder and the original coders (see above for a discussion of discrepancies in the identification of remedial orders). While there is a high level of agreement concerning whether the decision on compliance status was unanimous, there are some discrepancies in the coding of the compliance status. These discrepancies appear to primarily be cases where the Court discusses challenges in determining the compliance status, but concludes that the state has fully complied or still not complied and where the reliability coder has coded "partial compliance". Consistent with the codedbook, the original coders have followed the Court in coding these either as "full compliance" or "pending compliance" and have reserved the "partial compliance" category for instances where this is the conclusion reached by the Court. Users of the database should take note of this coding rule.

For the DateHearing variable, we compared hearing dates identified for each case. There are some discrepencies, which are either due to cases having a larger number of hearings and where information on a single hearing is missing or the reliability coder registering incorrect dates for some of the hearings (e.g. June instead of July). The first source of discrepancy is more problematic as it occurs also in the original coding.

For coding of judges at each compliance hearing, we compare the coding at the level of CaseIDxDateHearing. For the judge variables, the agreement is generally high and discrapencies appear to be due to data entry errors.

Dissents

For the dissents table, we first compared the dissenting votes identified by the original coders and the reliability coder. The reliability coding did not identify any dissenting votes that were not identified in the original coding. However, the original coding identified dissenting votes by three judges in two different cases that were not included in the

Table A14: Reliability checks for Compliance table

Variable	Agreement	Comments
ComplianceStatus	0.776	Disagreements primarily concern cases as "Partial compliance" by the reliability coder even if the relevant orders are recognized as fully complied with or deemed to have not yet been complied with by the original coders. As explained in the codebook, the original coders only coded outcomes as "partial compliance" for cases where this conclusion was explicitly reached by the Court. An outcome may thus be coded as "full compliance" even if not everyone would agree that the outcome is perfect as long as the Court considers that the state has fully complied. This coding rule has been consistently applied by the original coders, but not by the reliability coder.
Unanimous	0.959	There are differences in the coding of eight remedial orders from two different hearings. In one of these, the reliability coder has incorrecly coded "no" for unanimous decisions. In the other hearing, there were no values entered by the original coder.
DateHearing	0.655	There are discrepancies in the registered dates in 10 cases. Of these four are cases in which the reliability coder entered the wrong date for one of the hearings, two are cases in which a single hearing was missing from the reliability coding, and four are cases in which a single hearing was missing from the original coding.
JudgesInComplianceHearing	0.906	Three hearings with one missing judge in original coding and two hearings with one missing or incorrectly coded judge in the reliability coding.
RecusingJudgesInComplianceHearing	0.954	Two cases where the recusing judge was missing from the reliability coding, but correctly coded in original coding. One case where the original coding had incorrectly coded the recusing judge as abstaining.
AbstainingJudgesInComplianceHearing	0.908	Three cases where the abstaining judge was missing from reliability coding and Three cases where the abstaining judge was missing in the original coding (in one of these, the abstaining judge was coded as recusing).

reliability coding. Thus, although the reliability coder failed to register dissenting votes in three cases, the reliability check does not suggest that missing dissents is a problem for the original coding of the database.

For the dissenting votes coded by both the reliability coder and the original coding, we compared the coding of the type, content, and direction of the votes. The results are reported in Table A15. With one exception, the disagreements between the two coders are due to the reliability coder missing some of the decisions the dissenting judges voted against. Typically, the dissenting judge has voted against both merits and remedial decisions, and the reliability coder has only coded a subset of all the decisions. In all these cases, the original coding is, however, correct, suggesting the original coding has been able to register all dissenting votes.

In one case, the original coding has coded a dissenting vote as being in favor of a violation even if dissented against the violation finding. This vote was coded correctly by the reliability coder. This error account for the lack of full agreement on the "DissentContent" and "DissentDirection" variables.

Table A15: Reliability checks for Dissents table

Variable	Agreement	Comments
TypeVote	0.556	Four cases where the reliability coding had failed to code all decisions that the dissenting judge dissented against. Original coding is correct in all cases.
DissentContent	0.889	One case where the original coding was incorrect.
DissentDirection	0.889	One case where the original coding was incorrect.

Opinions

For the opinions table, we first counted the distinct number of judge-opinions identified in each case by the original coding and the reliability coding. The agreement was 0.975. The only discrepancy was for one case, in which the reliability coder had failed to register one of the dissenting opinions.

Next, we compared the coding of each opinion identified by both the original coding and the reliability coder. The results are displayed in Table A16

Table A16: Reliability checks for Opinions table

Variable	Agreement	Comments
OpinionType	0.926	Four incorrect entries in reliability coding, which were all correct in the original coding.
OpinionSubject	0.574	There were 23 disagreements, 3 disagreements concern complex opinions where both coders may be considered at least partially correct 16 disagreements concern cases where the original coding was correct and the reliability coding was inaccurate. 4 disagreements concern cases where the reliability coder was correct and the original coding was inaccurate. Most disagreements either concern opinions with multiple subjects, in which the reliability coder failed to enter all subjects, or relatively challenging opinions where the reliability coder coded "Unclear", but the subject was established in the original coding.
Direction	0.740	There are 14 discrepancies, which in part are related to difficulties in establishing whether concurring opinions are against the interest of the respondent state or should be coded as "neutral". When reassessing the cases with discrepancies, we found that the original coding was correct in 11 of these cases, while the reliability coding was correct in 3 cases. Users of the database should, however, note that the direction can be challenging to code for concurring/separate opinions.
MeritsDirection	0.731	7 cases of disagreement concerning concurring opinions that relate more to the reasoning of the Court than the disposition of the case. The original coding has only coded a specific direction in cases where the opinion discusses the disposition of the case, rather than just the doctrine. The reliability coder did not apply this rule consistently.
RemedyDirection	0.273	8 cases of disagreement of which the 7 are cases where the reliability coder has coded "For this remedy", while the original coder has coded "Not relevant". Similarly to for merits decisions, the original coding only codes the direction when the opinion argues for or against a specific remedial order. The reliability coder did not apply this rule consistently. In one case, the reliability coder coded an opinion as being in favor of a remedy, although it argued against the remedial order. This opinion was correctly coded in the original coding.
ComplianceDirection	1	

Preliminary objections

For the Preliminary Objections table, we compared the number of distinct objections identified by the original coding and the reliability coder for each case. The results are reported in Table A17 and shows an 87.5 % agreement. We looked up the cases with disagreements and found that in all instances the original coding was correct, while the reliability coder had failed to enter one or more of the objections filed in the case.

Table A17: Reliability checks for Preliminary Objections table

Variable	Agreement	Comments
Preliminary objections	0.875	In all cases of disagreement our original coding was correct, while there were mistakes in the reliability coding.

Amici

For the *amici* table, we compared the number of *amicus curiae* briefs identified by the original coding and the reliability coder for each case. The results are reported in Table A18 and shows a 90% agreement. Three of the cases of disagreement are cases where multiple briefs had been submitted and one of the coders failed to register one of them. In one case, the original database had not coded the only brief submitted in the case.

Table A18: Reliability check for Amici table

Variable	Agreement	Comments
Amicus curiae submissions	0.900	In two cases, the reliability coder missed one of the briefs submitted. In two cases, briefs were missing from the original coding.

C Comparison with Hillebrecht's Compliance with Human Rights Tribunals (CHRT) Dataset

Most of the data in our database has not previously been made publicly available in a systematic format. However, the "Compliance with Human Rights Tribunals (CHRT) Database" made available by Hillebrecht (2014*a*,*b*) contains information about compliance with remedial orders from 65 IACtHR judgments. To assess construct validity, this section compares the categorization of different types of remedial orders and the coding of compliance status for the 65 available cases.

The only identifying information in the CHRT database are the names of the IACtHR cases and the variable "mandatetype" which distinguishes between "financial reparations", "symbolic measures", "retrials and accountability", "measures of non-repetition", and "individual measures". We are therefore not able to merge the two datasets at the level of the individual order. However, by reconstructing Hillebrecht's categorization of remedial orders, we can compare the distributions of compliance orders falling within each category and compliance rates for the different types of measures. This exercise also illustrates how users of the database may use our fine-grained categorization of remedies to construct their own categorizations.

We first mapped values on our MeasureType2 variable to Hillebrecht's categorization using the instructions in her codebook[1] and in Hillebrecht (2014*a*, 50–51). For the values on MeasureType2 relevant to cases in both databases, we use the mapping in Table A19 to reconstruct Hillebrecht's mandatetype variable based on our MeasureType2.

The distributions of different types of orders in CHRT database and in our database can be assessed by comparing the upper panel in Figure A1 – displaying the distribution in the CHRT database – to the two lower panels in the same figure – displaying the distribution in our database. As can be seen, the distributions are very similar except for the category "Financial reparations" for which our database has a much larger number of distinct orders. The reason for this discrepancy is that we code separately orders that

[1] `https://courtneyhillebrecht.files.wordpress.com/2016/02/chrt_codebook.pdf` (retrieved March 8th, 2020).

Table A19: Mapping our MeasureType2 variable to Hillebrecht's mandatetype variable

mandatetype from Hillebrecht	Our MeasureType2
1 Financial reparations	Costs and Expenses, Pecuniary and Non-Pecuniary Damages, Non-Pecuniary Damages, Other monetary payments, Pecuniary Damages
2 Symbolic measures	Publication and dissemination of the judgment, Public acknowledgement of responsibility, Judgment as reparation
3 Retrials and accountability	Prosecution of perpetrator/investigation of crime, Revoke domestic judgment, Jurisprudential changes by national courts
4 Measures of non-repetition	Legislation, Other executive or administrative task, Education and training
5 Individual measures	Practical task (construction, exhume bodies, etc), Reinstatement

concerns a different victim or that we code different types of compensation (e.g. pecuniary and non-pecuniary damages) separately. For compliance scholars, this additional level of detail is useful because a state may compensate some but not all the victims in a case. In addition, the more disaggregated coding will allow researchers to explore a range of other research questions, such as what determines the size of IACtHR monetary awards.

The CHRT database contains a dummy indicator for whether each remedial order had been complied with to the "Inter-American Court's satisfaction. If states have partially complied with a particular obligation, the value is 0. A score of 1 indicates complete compliance with that obligation."[2] The codebook further notes that the data is right-censored and that the recorded compliance status reflects the status when the case was coded and that the coding occurred during the 2008-2010 period. Because there is no exact censoring date, we cannot establish exactly for which point in time the compliance status are accurate. However, because our database keeps track of the compliance status of each order at each compliance hearing, it is possible to compare the two at different

[2] `https://courtneyhillebrecht.files.wordpress.com/2016/02/chrt_codebook.pdf` (retrieved March 8th, 2020)

points in time. In Figure A1, we offer two comparisons which we consider useful. In the mid-panel, we show the highest compliance status achieved by the end of 2010 according to our database. In the lowest panel of the same figure, we show the highest compliance status achieved to date, according to our data.

Comparing the share of orders in each category that are coded as complied with by Hillebrecht and were "fully complied with" by 2010 according to our data shows a high level of agreement. Again, the main discrepancy concerns financial reparations for which our database codes a higher share of orders that have been fully complied with. A likely explanation is that in cases where states comply with some remedial orders but not others, the CHRT data will record that the order for "financial reparations" has not been complied with, whereas our database will record some cases of full compliance and some cases of partial, pending, or unclear compliance.

Figure A1 also illustrates two further points. First, because our database separates between four different compliance outcomes, we provide more information about the status of orders that receive the value of 1 on the compliance dummy in the CHRT data. Users of our database can thus distinguish cases where the Court has determined that the state has not yet complied from cases where it says that the compliance status is still unclear.

Second, Figure A1 shows the importance of tracking compliance outcomes over time. Comparing the mid-panel to the lowest panel shows that since 2010, the share of orders with "partial compliance" and "unclear" compliance has slightly decreased while the share of cases with "full compliance" and "pending compliance" have slightly increased. As time passes, states are able to fully comply with more measures, and where compliance is not achieved the IACtHR becomes more willing to call them out in compliance hearings by declaring that compliance with an order is still pending.

To further compare the compliance coding in our database with what is currently available in the CHRT data we calculated shares of cases that had received the status of full compliance by 2010 by case and "mandate type" in the two databases. Figure A2 plots the compliance rates from both databases against each other (using a 0.1 jitter). The correlation is .65, which – considering uncertainty concerning the exact censoring

date in the CHRT data and the different ways orders are aggregated in the two datasets – must be considered quite high.

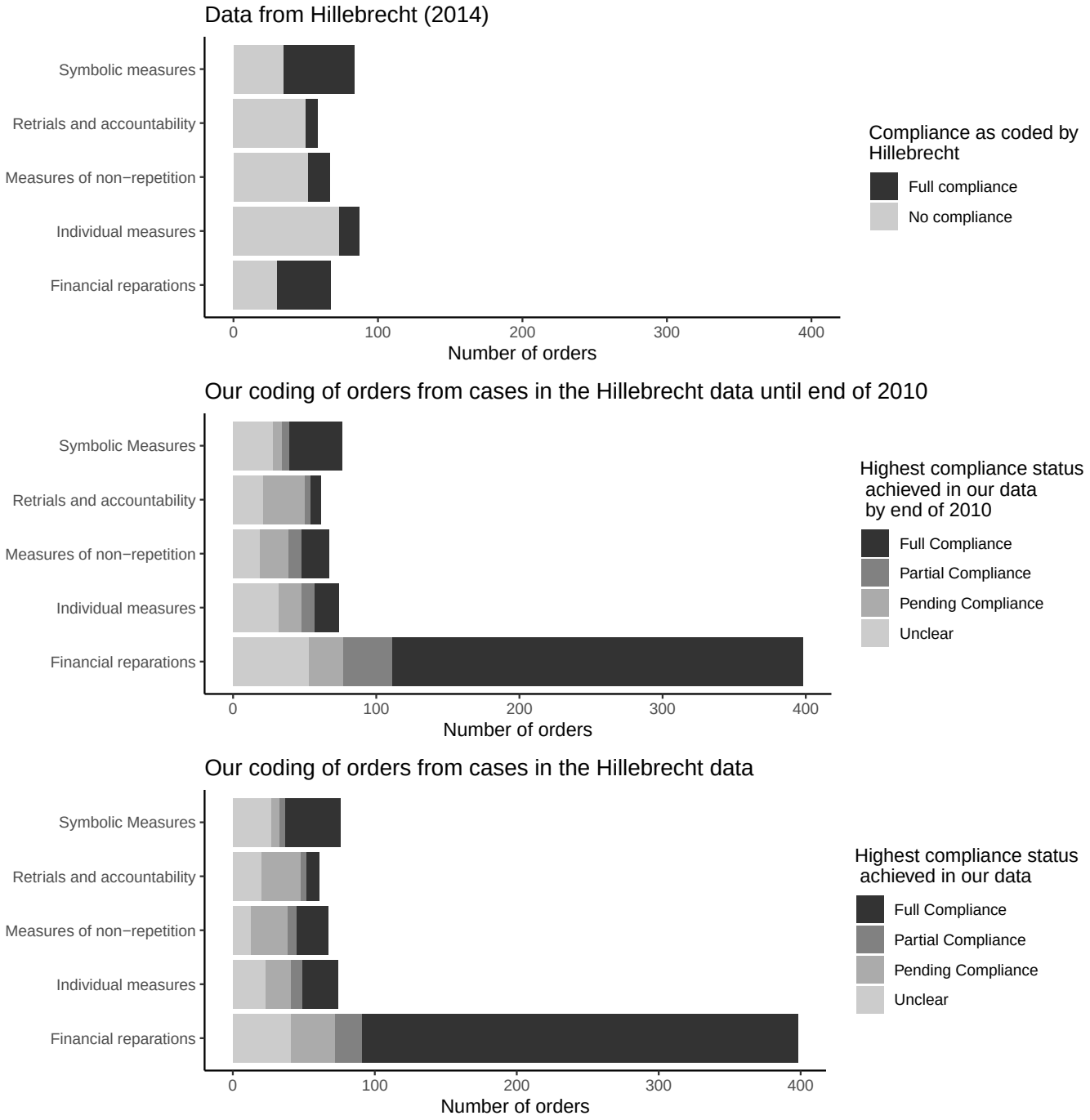

Figure A1: Remedial orders included in Courtney Hillebrecht's CHRT database. Comparison between Hillebrecth's and our coding.

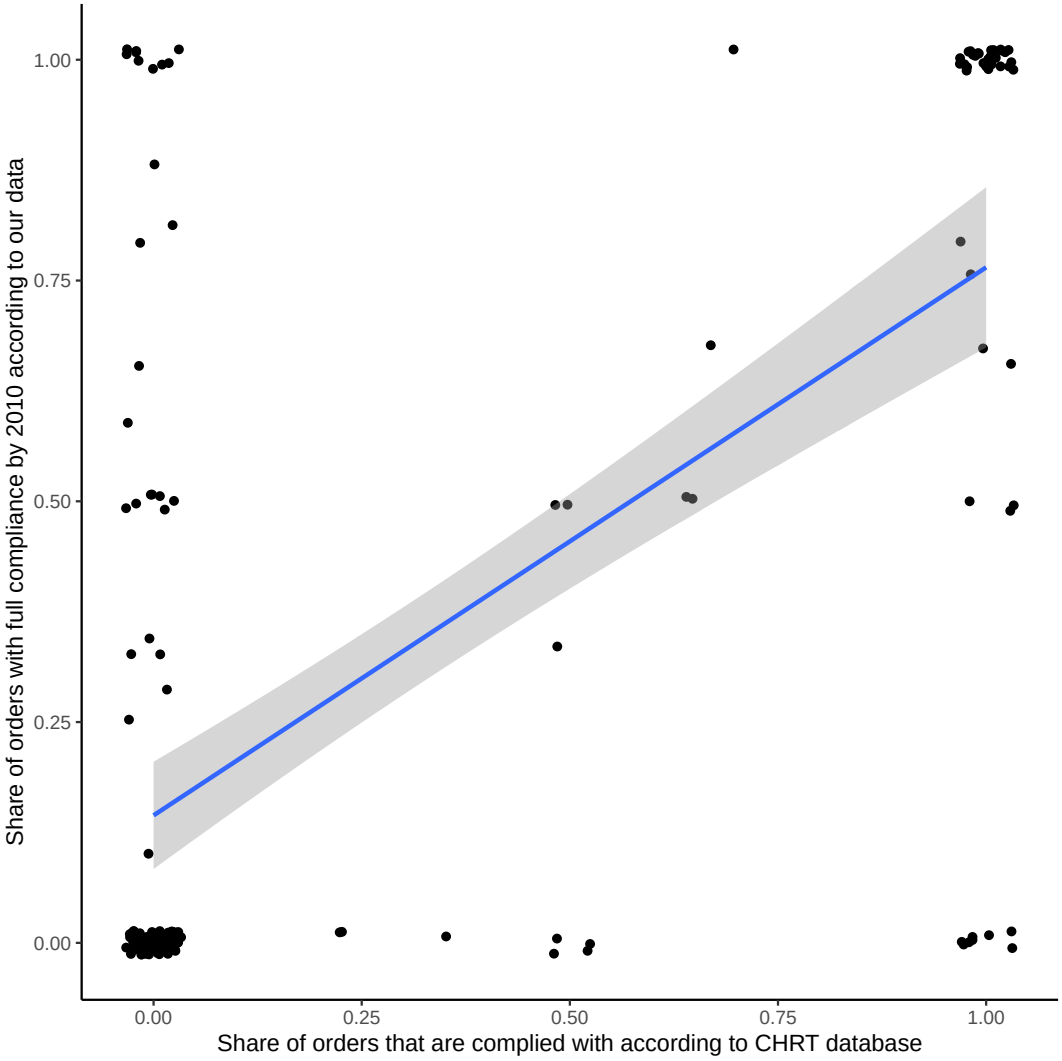

Figure A2: Compliance rate by "mandate type" and case in our data vs. the CHRT database. Positioning with 0.1 jitter.

References

Hillebrecht, Courtney. 2014*a*. *Domestic politics and international human rights tribunals: the problem of compliance*. Cambridge: Cambridge University Press.

Hillebrecht, Courtney. 2014*b*. "The power of human rights tribunals: Compliance with the European Court of Human Rights and domestic policy change." *European Journal of International Relations* 20(4):1100–1123.