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A Comparative Analysis of Human Rights Protection in European Union and African Union Countries: An fsQCA Approach

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Abstract

This study contributes to the human rights protection literature by using Fuzzy-set Qualitative Comparative Analysis (fsQCA) in the analysis of 76 cases composed of European Union and African Union countries. Results indicate that the ratification of treaties, establishment of human rights institutions, and high GDP per capita in the absence of rule of law, play crucial roles in the high rate of protection of human rights in Europe. In Africa, however, the low GDP per capita and absence of rule of law significantly weaken human rights protection. The analysis reveals that the establishment of human rights institutions is essential to protect human rights in Europe, while high GDP per capita and rule of law are paramount to improving human rights protection in Africa in relation to any institutional configuration, approach, or policy.

Keywords: Human Rights Treaties, Rule of Law, National Human Rights Institutions, GDP, Multivariate Analysis

Avrupa Birliği ve Afrika Birliği Ülkelerinde İnsan Hakları Korumasının fsQCA Yaklaşımı ile Karşılaştırmalı Analizi

Özet

Bu çalışma, Avrupa Birliği ve Afrika Birliği ülkelerinden oluşan 76 vakayı Bulanık Küme Nitel Karşılaştırmalı Analiz (fsQCA) yöntemiyle inceleyerek insan haklarının korunmasına ilişkin literatüre katkıda bulunmaktadır. Sonuçlar, hukukun üstünlüğünün olmadığı durumlarda antlaşmaların onaylanmasının, insan hakları kurumlarının kurulmasının ve kişi başına düşen yüksek GSYİH'nın, Avrupa'da insan haklarının yüksek düzeyde korunmasında önemli roller oynadığını göstermektedir. Ancak Afrika'da kişi başına düşen GSYİH'nın düşük olması ve hukukun üstünlüğünün olmaması insan haklarının korunmasını önemli ölçüde zayıflatmaktadır. Analiz, Avrupa'da insan haklarını korumak için insan hakları kurumlarının oluşturulmasının gerekli olduğunu, Afrika'da ise yüksek kişi başı GSYİH'nın ve hukukun üstünlüğünün herhangi bir kurumsal düzenleme, yaklaşım veya politika ile insan haklarının korunmasını geliştirmek için çok önemli olduğunu ortaya koymaktadır.

Anahtar Kelimeler: İnsan Hakları Antlaşmaları, Hukukun Üstünlüğü, Ulusal İnsan Hakları Kurumları, GSYİH, Çok Değişkenli Analiz

Introduction

The protection of human rights around the world varies across continents despite the overall increase in the ratification of treaties and the establishment of national human rights institutions. Specifically, although both European and African countries have ratified a significant number of human rights treaties, human rights indexes have reflected the fact that the *best* human rights protection in African countries is performing at the same level as the *worst* cases in Europe. For example, Italy scored 7.98 in 2019 as the worst case of human rights protection in Western Europe while Mauritius peaked at 7.86 on the human rights index as the best case of protection in Africa. Several National Human Rights Institutions have also been established across the two continents.[1] Although there are substantial differences in human rights protection, improvement is still taking place in terms of some features of democratic government in both regions. More specifically, the strengthening of electoral systems, the freedom of assembly, and inclusiveness have been noted in these regions.[2] The results were generated using several statistical methodologies, such as correlation and regression analysis, to examine the generalized performance of human rights in Europe and Africa. In this article, we compare human rights protection in European Union (EU) and African Union (AU) countries using a Fuzzy-Set Qualitative Comparative Analysis (fsQCA) approach, by using the data from human rights indexes of 2019. We aim to provide insight into the conditions that account for disparities in the protection of human rights and democratic values across the EU and the AU. The employment of the relatively underused methodology of fsQCA enables us to offer a novel contribution to the human rights literature.

This study contributes to the literature on human rights from two directions. Firstly, it points to multiple causal paths that lead to the protection of human rights with a focus on specific cases in 76 countries: 49 in AU and 27 in EU.[3] These causal paths illustrate how explanations based on assessing the impact of one preliminary variable on the protection of human rights are insufficient. Rather, several configurations provide more comprehensive explanations of human rights protection. Secondly, this study employs a new methodology to analyze the data — fsQCA. Implementing this emerging qualitative comparative analysis method in the human rights context,[4] the study provides an extensive configuration analysis of the conditions that determine the protection of human rights in these regions. This keeps with the study's objective of demonstrating how a combination of variables can be analyzed using a cases-oriented approach in fsQCA to explain human rights protection as a means of supplementing previous studies that have presented single factor explanations.[5]

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1 See CATO Institute, "Human Freedom Index 2019", https://www.cato.org/sites/cato.org/files/human-freedom-indexfiles/cato-human-freedom- index-update-3.pdf (Accessed 6 August 2020)

2 See United Nations, "World Economic Situations New York 2019", https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-CH3-3-africa-en.pdf (Accessed 6 August 2020). A growing economy was used as a parameter for improvement in democratic values.

3 In 2019, there were 28 EU and 55 AU member states. All the EU countries, except the United Kingdom (UK), were included in our dataset, the UK was excluded as it was already in the process of leaving the EU in 2019 and officially left the bloc on 31 January 2020. We included 49 AU countries in the dataset, excluding the African islands and de-facto territories (Comoros, Eswatini, Madagascar, Western Sahara, Sao Tome and Principe, and Seychelles) due to lack of data.

4 Axel Marx and Jadir Soares, "Applying New Methodological Tools in Human Rights Research. The Case of Qualitative Comparative Analysis", *The International Journal of Human Rights,* Vol. 20, No 3, 2016, p. 365-385.

5 Sharanbir Grewal and Erik Voeten, "Are New Democracies Better Human Rights Compliers?", *International Organization,* Vol. 69, No 2, 2015, p. 497-518.

The article starts with a literature review of univariate, bivariate, and multivariate explanations for the protection of human rights in single cases or groups of cases, alongside the methodologies used in those analyses. Although the studies used correlation and regression analysis, these approaches do not test the casual complexities that result in the interaction among human rights protection variables/conditions. Subsequently, QCA research methodology is discussed and the case for using fsQCA in the current research is presented alongside definitions of the study variables. Treaty, institution, rule of law and per capita Gross Domestic Product (GDP) have been selected as conditions that interact to improve the protection of human rights. The article concludes with a presentation and discussion of study results. These results demonstrate that multiple paths account for the protection of human rights in Europe and Africa, by showing the relative combined influence of variables in the cases studied, using 2019 indexes. The combinations show that human rights institutions with high per capita GDP or treaty and rule of law are sufficient conditions for the high protection rate of human rights in Europe, while low per capita GDP and absence of rule of law are sufficient conditions that explain the low protection rate of human rights in Africa. This article contributes to the international relations debate on the effectiveness of international regimes with a focus on human rights. Rather than expecting the same conditions to prevail effectively among all countries, it is important for scholars to examine how conditions interact to identify the conditions necessary to improve human rights protection in individual regions.

Univariate Analysis of Factors Contributing to Human Rights Protection

Univariate analyses focus on explaining human rights protection by examining one variable. In previous research, these variables have included the influence of ratifying treaties, establishing human rights institutions, diffusion of human rights norms, and the rule of law.

Ratification of Treaties

Simmons claimed that the ratification of international human rights treaties has improved governments' dispositions toward their citizens' rights in most countries, which is notable in terms of lessening the amount of torture, eliminating religious restrictions, and reducing child labor.[6] Guzman and Linos observed these effects only among moderately democratic countries and new democracies that sought acceptance or approval from the international community. On the other hand, in the case of established democracies, some countries showed the correlation between the ratification of international treaties and deterioration in human rights protection. This inverse relationship linking international treaties to worse human rights protection is what Guzman and Linos termed "human rights backsliding."[7] Therefore, they suggested that international treaties have varying effects among countries.

6 Beth A. Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics*, Cambridge, Cambridge University Press, 2009.

7 Andrew T. Guzman and Katerina Linos, "Human Rights Backsliding", *California Law Review,* Vol. 102, No. 3, 2014, p. 603-654.

Nevertheless, international treaties remain the most commonly discussed influence on the protection of human rights.[8] Keith and Donnelly, and other proponents of international treaties, have argued that conventions are sufficient to promote good international human rights practices.[9] Most scholars, however, point to the dubious effect of treaty ratification, which they attribute to the lack of domestication of such treaties, lack of enforcement, and poor state facilities to effectively promote civil and political rights.[10] Similar to Guzman and Linos, other critics have argued that some states only ratify treaties to seek acceptance in the international community.[11] According to Hathaway, countries can deflect pressure for real change (both from internal and external actors) through treaty ratification.[12] She further argued that poorly performing states have continued to increase human rights violations due to the lack of effective monitoring and enforcement apparatus for human rights treaties.

Establishment of Human Rights Institutions

Another single factor explanation discussed by scholars is the creation of human rights institutions, which fall into two categories: international and domestic. While most international human rights institutions are under the umbrella of the United Nations' (UN) established treaties, domestic human rights institutions are established by the countries in compliance with international human rights standards, such as the Paris Principles. Domestic institutions have spread around the globe and have varying effects on countries' human rights performances. The diffusion of National Human Rights Institutions (NHRI) in developing countries has shown that this mechanism promotes human rights protection when International Non-Governmental Organizations (INGOs) pressure local actors and governments to establish these institutions. However, other studies focused on the spread of institutions in developing countries,[13] poorly-performing countries,[14] or moderate democracies or new democracies[15] (all of which African countries exemplify), show that issues such as jungle justice (mob rule), xenophobia, kidnapping, child abuse, and rape still feature in human rights cases.[16] At the same time, minority rights violations continue to be uncovered by reports and scholarly works in established or stable democracies (of which Europe is a leading region) as well.[17] This is despite the fact that, as Pegram pointed out, attempts to establish human rights protection in Europe also have included the spread of institutions.[18]

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8 Linda C. Keith, "The United Nations International Covenant and on Civil and Political Rights: Does it Make a Difference in Human Rights Behavior?" *Journal of Peace Research*, Vol. 36, No. 1, 1999, p. 95-118.

9 Jack Donnelly, "International Human Rights: a Regime Analysis", *International Organization*, Vol. 40, No 3, 1986, p. 599-642.

10 Thomas Risse et al., (eds), *The Power of Human Rights: International Norms and Domestic Change*, Cambridge, Cambridge University Press, 1999.

11 Guzman and Linos, "Human Rights Backsliding", p. 604.

12 Oona A. Hathaway, "Do Human Rights Treaties Make a Difference?", *The Yale Law Journal*, Vol. 111, No 8, 2002, p. 1935-2042.

13 Hun Joon Kim and Kathryn Sikkink, "How do Human Rights Prosecutions Improve Human Rights after Transition?", *Interdisciplinary Journal of Human Rights Law,* Vol 7, No 1, 2012, p. 69-90.

14 Guzman and Linos, "Human Rights Backsliding", p. 604.

15 Simmons, "*Mobilizing for Human Rights*", p. 280.

16 Jonathan Crush and Sujata Ramachandran, "Xenophobic Violence in South Africa: Denialism, Minimalism, Realism", *Africa Portal*, No 6, 2014, p. 1-44.

17 David J. Galbreath and Joanne McEvoy, "The European Minority Rights Regime", David J. Galbreath and Joanne McEvoy (eds.), *The European Minority Rights Regime*, London, Palgrave Macmillan, 2012, p. 54-80.

18 Tom Pegram, "Global Human Rights Governance and Orchestration: National Human Rights Institutions as Intermediaries", *European Journal of International Relations*, Vol. 21, No 3, 2015, p. 595-620.

Rule of Law

Several studies, in pursuit of understanding the explanatory variables or determinants of human rights protection, have disregarded the role of rule of law.[19] For example, Regan focused on non-legal variables (i.e., societal attributes on repression levels, international pressure, political and economic ideologies) to explain political repression as a form of human rights violation.[20] Moreover, Dahl assumed that constitutional arrangement was less significant, and his studies focused on the formation of political institutions.[21] Scholars like Pritchard, who have included law as a form of constitutional protection, have not specified which human rights principles in the constitutions were examined.[22] Other studies that attempted to consider the constitution or law have indicated that constitutional protection has an inverse relationship with human rights in terms of protection. Therefore, more constitutional protection has been associated with less human rights protection. Results from Cross' studies examining the constitutional protection of individual rights show that protection against unreasonable search and seizure does not affect the overall performance of human rights. Rather, constitutional protections only affect the method of protecting rights (e.g., how search and seizure take place). Cross carried out his studies by examining a section of the law that may have had an impact on human rights, since not many studies have considered a legal variable.[23] He examined independent political and legal variables such as federalism, the separation of powers, judicial independence, the number of lawyers, constitutional provisions, and political rights, by creating an intercorrelation matrix that shows significant relationships with the protection of human rights. Rule of law was not measured, on the assumption that this variable is too difficult to measure. However, Katz, Anheier and Lam measured rule of law as part of 'global civil society' in their application of crisp-set Qualitative Comparative Analysis (QCA).[24] Similar to Katz, Anheier, and Lam, this article applies QCA by adopting the rule of law indicator through the Rule of Law Index (RoLI) in scoring the countries on human rights protection using fsQCA coding.

Bivariate and Multivariate Analysis of Factors Contributing to Human Rights Protection

In contrast to univariate explanations, other scholars have argued that the combination of two or more variables upholds human rights across countries. Neumayer proposed that the establishment of a democratic government, the presence of a human rights based civil society, and transnational links as elements of an international regime account for improvement in the protection of both civil and political rights. Neumayer's findings show that treaty ratification is associated with negative effects,

19 Christian A. Davenport, "'Constitutional Promises' and Repressive Reality: A Cross-national Time-series Investigation of why Political and Civil Liberties are Suppressed", *The Journal of Politics*, Vol. 58, No 3, 1996, p. 627-654.

20 Tom Regan, "Obligations to Animals are Based on Rights", *Journal of Agricultural and Environmental Ethics*, Vol. 8, No 2, 1995, p. 171-180.

21 Robert A. Dahl, "What Political Institutions does Large-scale Democracy Require?", *Political Science Quarterly,* Vol. 120, No 2, 2005, p. 187-197.

22 Kathleen Pritchard, "Comparative Human Rights: An Integrative Explanation", *Politikon: South African Journal of Political Studies*, Vol. 13, No 2, 1986, p. 24-37.

23 Frank B. Cross, "The Relevance of Law in Human Rights Protection", *International Review of Law and Economics,* Vol. 19, No 1, 1999, p. 87-98.

24 Haggai Katz et al., "Fuzzy Set Approaches to the Study of Global Civil Society", Marlies Glasius, Mary Kaldor and Helmut Anheier (eds.), *Global Civil Society*, Cambridge, Cambridge University Press, 2006, p. 186-196.

in the absence of a democratic government that allows for the presence of a strong civil society. Put simply, treaty ratification without a democratic government leads to more human rights violations. Therefore, states engage in violence on the basis of a false commitment to human rights.[25]

Hathaway's perspective claimed that the ratification of a single treaty, without combining it with all the international human rights treaties, leads to worse human rights records. This paper provided a more comprehensive analysis than Keith's.[26] Nevertheless, Hathaway's study[27] is similar to Keith's in that it relied on data from Freedom House to measure group integrity rights violations, by selecting a score of genocide/politicides to concentrate on. Hathaway examined the ratification of the International Covenant on Civil and Political Rights (ICCPR), the Genocide Convention, the Torture Convention, and the Convention on the Political Rights of Women alongside regional human rights treaties. Like most studies, Hathaway found that states that ratified most international human rights treaties had a better human rights record than non-ratifying states. While carrying out her second multivariate test to examine the ratifying countries' human rights performances over the years, the findings revealed no evidence associating the ratification of human rights treaties with improved performance. On the contrary, in some cases, it reflected worsening performance over the years. The exception in Hathaway's findings, however, is that established democracies continuously uphold human rights standards.

Hafner-Burton's study focused on international human rights treaties, and did not include regional human rights treaties.[28] The study ignored all other forms of optional treaties, which are considered in the treaty variable of our analysis.

In Landman's studies on the measurement of human rights, he argued that the focus on human rights measurement is narrowed when the analysis focuses only on measuring civil and political rights. Therefore, there is a need for 'broadening the scope of the study of rights'.[29] Similar to Keith, Hathaway, and Hafner-Burton, Landman applied correlation and regression, by using a two-tailed test and time series analysis to factor scores, to determine human rights performance in countries and regions across the globe. Landman tested all countries around the globe, and discovered gaps in performance (as already reflected in the other studies). This included countries whose signature of certain international treaties is mandated by their participation in human rights governance. He admitted that there were other variables that also accounted for such differences that were not included in the model used to determine performance. Landman, Kernohan and Gohdes also submitted the finding that 'there is certainly more work to be done in extending this method to other sets of rights and to using better methods for visualizing relative human rights performance'.[30] Based on this acknowledgment, this present article stands to use the fsQCA approach to examine medium (n) cases rather than large (N), as used in Landman's study.

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25 Eric Neumayer, "Do International Human Rights Treaties Improve Respect for Human Rights?", *Journal of Conflict Resolution*, Vol. 49, No 6, 2005, p. 925-953.

26 Keith, "The United Nations International Covenant", p. 96.

27 Hathaway, "Do Human Rights Treaties Make a Difference?", p. 1936.

28 Emilie M. Hafner-Burton, "Trading Human Rights: How Preferential Trade Agreements Influence Government Repression", *International Organization*, Vol. 59, No 3, 2005, p. 593-629.

29 Todd Landman, "Projecting Liberalism into a Realist World: David P. Forsythe and the Political Science of Human Rights", *Journal of Human Rights*, Vol. 1, No 3, 2012, p. 332-336.

30 Todd Landman et al., "Relativizing Human Rights", *Journal of Human Rights*, Vol. 11, No 4, 2012, p. 481.

Selection of Cases and Conditions

Cases

In QCA case selection, cases must be similar enough to compare but also vary sufficiently on conditions and outcome. The cases examined in this study have been selected on the basis of membership of the same regional organizations, which are the EU and the AU.[31] However, the EU and AU countries have significantly varying protection on the basis of the interaction of conditions. The case size in this study is a medium (n) one composed of 27 EU members with 49 AU members, which constitutes a total of 76 cases.[32]

Conditions

The conditions examined in this study include the ratification of international treaties and GDP similar to the study by Keith and Hafner-Burton; it also follows the comprehensive study of Hathaway by including institutions and rule of law in measuring general human rights performance.

The data was analyzed by applying QCA to human rights in a similar way to how Marx and Soares identified the effect of explanatory variables on the protection of human rights in hypothetical cases.[33] Their model examined four explanatory variables: trade, ratification, income, and democracy (with protection as the outcome). Using fsQCA will contribute to providing an analysis of the conditions for human rights protection by comparing EU and AU countries (rather than hypothetical cases as seen in Marx and Soares). This article does not apply fsQCA methodology to serve as an alternative to OLS, regression, and correlation, rather the goal is to complement these methodologies and provide the case analysis that is lacking in statistical studies.[34]

Applying Qualitative Comparative Analysis (QCA) for Measuring Human Rights

Previous studies have produced varying results regarding the combination of the ratification of treaties and gross domestic product (per capita) using regression analysis; rule of law has been examined using QCA but in a different issue area, while institutions, in the form of NHRI, have not been tested. In general, QCA has never been suggested as a means of analyzing human rights protection. Marx and Soares only presented a hypothetical case where crisp-set QCA was used. Therefore, this study is the first to apply fsQCA to real cases in examining the impacts of the identified conditions.

Qualitative Comparative Analysis (QCA) is a comparative methodology that attempts to bridge the gap between case-oriented and variable-oriented research methodologies, by integrating the best features of each.[35] Case- oriented studies examine a small number of (N) cases by providing a detailed study on the impact of several variables among the individual cases, while the variable

31 Replication data for this article is available at: https://doi.org/10.7910/DVN/YAR3WJ

32 Dirk Berg-Schlosser et al., "Qualitative Comparative Analysis (QCA) as an Approach", Benoît Rihoux and Charles C. Ragin (eds.), *Configurational Comparative Methods: Qualitative Comparative Analysis (QCA) and Related Techniques*, Thousand Oaks, CA, Sage, 2009, p.1-18.

33 Marx and Soares, "Applying New Methodological Tools in Human Rights Research", p. 374.

34 Berg-Schlosser et al., "Qualitative Comparative Analysis (QCA) as an Approach", p. 4.

35 Ibid, p. 90.

oriented approach focuses on a large number of (N) cases through a survey-type method, without necessarily providing in-depth knowledge of the cases. A variable approach examines one or two explanatory variables in larger data sets, to explain the differences among cases by grouping them.[36] The comparative nature of QCA is designed to examine a medium number of cases (from 10-100), which can be categorized as a small or medium number of cases. The main strength of QCA is that it is case-sensitive, because it leaves no case out of the analysis and does not try to aggregate the cases into one result. Each case's conditions and an outcome are presented, which allows for replicability of the research.[37] Results can, therefore, be validated by other researchers. QCA's goal is to grant in-depth insight into cases, identify complex causalities, explore equifinality, and present a level of parsimony among the cases.

There are two main concepts in QCA that make it unique: causal complexity, which includes equifinality and asymmetric relationships. Casual complexity refers to the need to understand the interaction among variables, as explanatory variables cannot be understood in isolation. Equifinality points to multiplicity in the combinations or configurations of variables that result in the outcomes, while asymmetry means that the occurrence of a condition for an outcome is not the reverse of the conditions for non-occurrence.[38] Unlike a conventional quantitative analysis that parsimoniously focuses on a set of a large number of cases where the variables are present and complete, QCA reveals in-depth knowledge concerning individual cases in which a) all variables are present with the presence of the outcome, b) all variables are not present yet the outcome might be present, c) all variables are present yet the outcome might be absent, d) all variables are not present and the outcome also is not present, e) some variables are present while others are absent and the outcome is present, f) some variables are present while others are absent and the outcome is absent, and g) conditions might bring about an outcome in one configuration while in another the value of the outcome changes. QCA does not intend to single out a casual model as is the observable goal of standard statistical techniques. Rather, QCA determines different existing causal models among comparable cases. This also is carried through Boolean algebra, which analyzes set-theoretical relationships. This means that the characteristics of a case are best reported in set relations and not based only on variables. However, the variable shows the difference across cases to capture variations. Boolean algebra codes variables into 0 or 1, signifying the absence or presence of the variable, which is the crisp-set QCA (csQCA). The extent to which a case is a member of a set in a given variable can vary from 0 to 1 by having other values in between. Therefore, the development of a fuzzy-set version (fsQCA) that supports the coding of the variable into decimal was introduced. The result is a level of parsimony that creates an advantage for QCA in terms of providing insight into cases, by examining elements that can be utilized to study a relatively larger population of cases to bring about modest generalization.[39]

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36 Carsten Q. Schneider and Claudius Wagemann, *Set-theoretic Methods for the Social Sciences: A Guide to Qualitative Comparative Analysis*, Cambridge, Cambridge University Press, 2012.

37 Berg-Schlosser et al., "Qualitative Comparative Analysis (QCA) as an Approach", Benoît Rihoux and Charles C. Ragin (eds.), *Configurational Comparative Methods: Qualitative Comparative Analysis (QCA) and Related Techniques*, Thousand Oaks, CA, Sage, 2009 p. 4.

38 Jared B. Fitzgerald, "Equifinality and Pathways to Environmental Concern: A Fuzzy-Set Analysis", *Socius*, Vol. 5, 2019, p. 1-14.

39 Lasse Cronqvist and Dirk Berg-Schlosser, "Multi-value QCA (mvQCA)", Benoît Rihoux and Charles C. Ragin (eds.), *Configurational Comparative Methods: Qualitative Comparative Analysis (QCA) and Related Techniques*, Thousand Oaks, CA, Sage, 2009, p. 69-86.

The Strength of Fuzzy-Set QCA in Measuring Human Rights

This study uses fsQCA because it allows for the expansion of the dichotomized form of QCA (i.e., crisp-set QCA). Fuzzy-set membership can vary by the degree of closeness to full membership or non-membership in the conditions. Rather than in or out, additional coding such as "close to in" or "close to out" or the middle position of neither in nor out are presented. In other terms, it depends how close the case is to 0 or 1 in the membership score. The advantage is that it allows for 'fine-grained assessment of set membership'[40] due to the nature of the variables studied.

Therefore, the treaty variable is coded using the number of UN human rights treaties ratified by member states. All cases in the study have ratified at least 5 of the 13 treaties. Their scores are calibrated to fit between 0 and 1, which shows the extent of closeness to 0 or 1. The institution variable is coded using the status of cases in the NHRI, which has been categorized into A, B, C, and D by the Global Alliance of National Human Rights Institutions (GANHRI) based on the 2019 performance of the institutions. Since this is not binary coding, fuzzy set QCA is more suitable than crisp-set QCA for the analysis. In addition, the extent to which cases adhere to the rule of law also ranges from 0 to 1 according to the 2019 Rule of Law Index of the World Justice Project (which already applies a form of fuzzy set decimal coding). The fourth variable under consideration is high GDP per capita, which is a variable present in all countries and hence cannot be represented by binary coding; rather, it will vary according to set membership. The coding of these variables validates the use of fuzzy-set coding for all conditions. Furthermore, dependent variable or outcome scores ranged from 0 to 10 on the CATO Institute's Human Freedom Index, rather than binary coding. Therefore, fsQCA is again well-positioned as the appropriate set membership technique.

This study examines four conditions that shape human rights protection in EU and AU countries: ratification of treaties, compliance of national human rights with the Paris Principles, as well as rule of law and gross domestic product (which represent two political variables, one legal and one economic, respectively).

Treaty Ratification (TR) is the number of ratified international agreements on human rights under the UN Treaty body. This includes all treaties and their optional protocols, which are thirteen in total. It represents the commitment of each state to human rights protection. The number of treaties ratified is set as the degree of membership score for each state's performance. This data was collected from the Treaty Body Database provided by the United Nations Human Rights Office.[41]

Institution (IN) represents the performance of the state's National Human Rights Institutions (NHRIs), which are responsible for compliance with the Paris Principles. This compliance signals the fulfillment of international minimum standards of NHRIs, which involves promoting, monitoring, and implementing international human rights standards at the national level. The GANHRI categorized each NHRI into levels A, B, C, and D based on its compliance with the Paris Principles. The membership scoring is therefore based on the latest indicator from the GANHRI chart of the status of compliance published in November 2019. 'A' status represents full compliance with the Paris Prin-

40 Marx and Soares, "Applying New Methodological Tools in Human Rights Research", p. 378.

41 See United Nations, "UN Treaty Body Database", https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx? CountryID=42&Lang=EN (Accessed 6 August 2020).

ciples; 'B' Partial compliance with the Paris Principles; 'C' Non-compliance with the Paris Principles; 'D' No application for accreditation of the country's NHRI.[42]

Rule of Law (RoL) is the level at which citizens are protected by the law. That is the extent to which their security is assured by the legal system, which in turn assures the practical protection of human rights. It also is the extent to which justice is obtainable when human rights are violated, irrespective of political status, economic status, or the social status of the individuals involved. Also, it includes the prevention of arbitrary arrest or extra-judicial conduct by the government. Data relating to the rule of law has been obtained from the 2019 Rule of Law Index (RoLI) of the World Justice Project and the indicators range from 0 to 1.[43]

Gross Domestic Product (GDP) is the market value of goods and services produced in each period (mostly generally annually) within a country. It is used to measure the wealth of a nation which has the potential of impacting the protection of human rights. GDP per capita is measured by the gross domestic product divided by the population of the country, without deducting depreciation, depletion, or degradation of national resources. This condition has been included based on Lipset indicators and it has also been tested by Berg-Schlosser and De Meur using QCA.[44] The membership scores are based on the GDP per capita in the observed group and were collected from the database of the GDP per capita as reported by the World Bank for 2019.[45]

Protection of Human Rights (PRO) is the dependent variable or the outcome. The cases have been selected based on their overall performance on the 2019 CATO Institute Human Freedom Index (HRI) to include cases with overall high performances as well as cases with low human rights protection. This is to establish a fair distribution where the dependent variable takes on varying values.[46] A total of 76 countries (27 EU and 49 AU members) representing cases of high and low protection of human rights in both regions according to the Human Freedom Index have been selected. Protection in each case was represented by freedom scores.

Calibration

Calibration is the process of scoring countries based on their membership in terms of each given condition/variable. It is a direct calibration if the data are from a primary source, while calibration done from secondary sources is called indirect calibration.[47] This study employs indicators for an indirect

42 See Global Alliance of National Human Rights Institutions (GANHRI) (2019), "Chart of the Statusof National Institutions, Accreditation Status as of 27 November 2019", https://nhri.ohchr.org/EN/Documents/Status%20 Accreditation%20Chart %20%2804%20March%202019.pdf (Accessed 6 August 2020).

43 See World Justice Project, "Rule of Law Index 2019", https://worldjusticeproject.org/sites/default/files/documents/ WJP-ROLI-2019- Single%20Page%20View-Reduced_0.pdf (Accessed 6 August 2020).

44 Dirk Berg-Schlosser and Gisèle De Meur. "Conditions of Democracy in Interwar Europe: A Boolean Test of Major Hypotheses", *Comparative Politics*, Vol. 26, No 3, 1994, p. 253-279. See Keith, "The United Nations International Covenant".

Emilie M. Hafner-Burton, "Trading Human Rights: How Preferential Trade Agreements Influence Government Repression".

45 See World Bank, "Gross Domestic Product Per Capita 2018", https://data.worldbank.org/indicator/NY.GDP.PCAP. CD (Accessed 6 August 2020).

46 Gary King et al., *Designing Social Inquiry: Scientific Inference in Qualitative Research*, Princeton, NJ, Princeton University Press, 1994.

47 Charles C. Ragin, "Qualitative Comparative Analysis Using Fuzzy Sets (fsQCA)", Benoît Rihoux and Charles C. Ragin (eds.), *Configurational comparative methods: Qualitative comparative analysis (QCA) and related techniques*, Thousand Oaks, CA, Sage, 2009, p. 87-121.

method of calibration, to create a data matrix. The QCA methodology begins with the collection of raw data which is transformed by using any fuzzy set value score into the data matrix. Afterwards, all variables are given membership scores using the "calib" command in fsQCA software or the fractional polynomial command in Stata. The Stata MP 13 has been used to transform calibrated data into membership scores while fsQCA software version 3.1b has been used to generate the truth table and standard analyses. The truth table is presented in Appendix C.

The calibration for the conditions and outcome was carried out using 6-value fuzzy, based on the indexes and substantial knowledge of the cases in accordance with Ragin's recommendation of good practice[48]. The outcome and conditions are coded as follows; *Full membership* was coded as 1, *mostly in but not full membership* was coded as 0.8, *more in than out* was coded as 0.6, *slightly more out than in membership* was coded as 0.4, *mostly out but not full out of membership* was given 0.2 and *full non-membership* score is 0.

The fuzzy set membership scores were assigned using the fraction polynomial formula in Stata *".fracpoly glm rawvariable calibratedvalues, family(binomial) link(logit)"* where "rawvariable" is represented by data from indexes where each condition and outcome are substituted to generate membership scores. The "*calibratedvalues*" is the 6-value fuzzy set scores of conditions and outcomes of cases. The raw variables and calibrated values are in Appendix A and B respectively.

Results

The analysis of the results is divided into three sections: analysis of necessary conditions, analysis of high protection of human rights, and analysis of low protection of human rights. The presence of conditions has been represented with capital letters such as "TR" for presence of treaty while absence of conditions is represented with smaller letters, such as "tr". The asterisk sign * indicates a combination.

Analysis of Necessary Conditions

Similar to the study of Schneider and Wagemann,[49] this analysis begins by examining the conditions necessary for high and low protection of human rights. Necessary conditions are factors needed in solution terms that explain the outcome. All conditions with a consistency level above 0.9 are considered necessary for the outcome. In Table 1 and Table 2, the presence of an institution is a necessary condition for high protection and in the absence of these, rule of law is necessary for low protection.

Table 1. Analysis of Necessary Conditions for High Protection of Human Rights

Conditions tested	High protection of human rights	
	Consistency	Coverage
TR	0.805914	0.729964
IN	0.993429	0.502524
RoL	0.799231	0.927966
GDP	0.842916	0.833282

48 Ibid p. 94.

49 Carsten Q. Schneider and Claudius Wagemann, "Standards of Good Practice in Qualitative Comparative Analysis (QCA) and Fuzzy-sets", *Comparative Sociology*, Vol. 9, No 3, 2010, p. 397-418.

Since a necessary condition is X ≥Y, therefore IN ≥ PRO, hence an institution is a necessary condition for high protection and implies that high protection of human rights is a subset of the presence of an institution. On the other hand, absence of rule of law is a necessary condition for low protection of human rights and the latter is a subset of the former i.e., rol ≥ pro. The implication is that these necessary conditions are present in any configuration that leads to the outcomes.

Table 2. Analysis of Necessary Conditions for Low Protection of Human Rights

Conditions tested	Low protection of human rights	
	Consistency	Coverage
tr	0.750836	0.822345
in	0.718084	0.970087
rol	0.948149	0.849640
Gdp	0.859055	0.867436

Analysis of High Protection of Human Rights

The fsQCA analysis in Table 3 shows the intermediate solution for the configuration of cases with high protection of human rights. The solution terms reflect two configurations with a consistency above 0.75. The first configuration shows that the combination of the presence of a National Human Rights Institution and rule of law account for high protection of human rights and this explains the 79% (coverage 0.795168) of the cases in this configuration. The second configuration points to the combination of the presence of a treaty, a National Human Rights Institution, and high per capita GDP for high protection of human rights, and it explains the 70% (coverage 0.702738) of the cases in the configuration. Considering these two configurations, the presence of institutions is common in the combination, reaffirming that it is an insufficient condition but necessary in the sufficient configurations.

Table 3. The Configuration for High Human Rights Protection Cases

Configurations	Raw Coverage	Unique Coverage	Consistency	Cases
IN*RoL	0.795168	0.176827	0.930423	Austria, Belgium, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden.
TR*IN*GDP	0.702738	0.084397	0.893965	Austria, Belgium, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Portugal, Slovenia, Spain.

solution coverage: 0.879565
solution consistency: 0.88211

These configurations of high protections of human rights display only EU cases and therefore this contributes to the understanding that European countries have well-developed human rights institutions in addition to high per capita GDP and rule of law. The EU is the most institutionalized regional organization, and this contributes to the development of strong human rights institutions

in the region. The absence of African countries in these configurations shows that the human rights institutions in African countries are still developing as compared to those of the European countries.

Analysis of Low Protection of Human Rights

The fsQCA analysis in Table 4 shows the intermediate solution for the configuration of cases with low protection of human rights. The solution term presents two configurations with a consistency above 0.75. The first solution stipulates a low GDP as a sufficient causal condition for low protection of human rights and explains the more than 86% (coverage - 0.859055) of the cases with a consistency of 0.867426. The second solution term is the absence of rule of law as a sufficient condition for low protection of human rights, explaining the 94% (coverage - 0.948149) of the cases with a consistency of 0.84964.

Table 4. The Configuration for Low Human Rights Protection Cases

Configurations	Raw Coverage	Unique Coverage	Consistency	Cases
gdp	0.859055	0.021866	0.867436	Burkina Faso, Burundi, Central African Republic, Congo Democratic Republic, Eritrea, Ethiopia, Federal Republic of Somalia, Guinea-Bissau, Liberia, Malawi, Mali, Mozambique, Niger, Republic of Chad, Republic of South Sudan, Republic of the Sudan, Rwanda, Sierra Leone, The Gambia, Uganda.
rol	0.948149	0.11096	0.84964	Cameroon, Central African Republic, Congo Democratic Republic, Egypt, Eritrea, Ethiopia, Federal Republic of Somalia, Gabon, Republic of Sudan, Guinea-Bissau, Islamic Republic of Mauritania, Kingdom of Eswatini, Kingdom of Lesotho, Republic of Angola, Republic of South Sudan, Republic of the Congo, Republic of Tunisia, Uganda, Zimbabwe.

solution coverage: 0.970015
solution consistency: 0.808894

These two solution terms comprise only African countries, which implies that human rights violations are taking place in these cases due to low GDP or violation of the principle of rule of law. The absence of European cases in this configuration shows the absence of low GDP and non-adherence to rule of law in European cases. However, the presence of high GDP and compliance with judicial principle are not sufficient to bring about high protection of human rights in the European countries. Institutions must be present in the configurations (see Table 3).

Discussion

Close examination of the cases in this study is important to shed light on the implications of the solution terms of low and high protection of human rights in these cases. The analysis compares the pathways that explain the levels of protection of human rights in the EU and AU cases. In the solution terms for cases of high protection of human rights, the National Human Rights Institutions variable appears in both solution terms, signaling that the establishment of the institutions is necessary for improvements

in human rights. Revisiting the ranking of National Human Rights Institutions through GANHRI, most of the human rights institutions in EU and AU countries have been ranked with A and B status, referring to them as fully and partially compliant with the Paris Principles. Hence, most institutions analyzed in this study are compliant with the Paris Principles. The expectation is that institutions should contribute to cases displaying high protection of human rights, in both EU and AU countries. Nevertheless, only EU countries were included in the configurations, that shows the importance of institutions with a high GDP or with treaties and rule of law. The implication is that development and diffusion of human rights institutions are important but not sufficient for protecting human rights in both regions.

The solution terms for cases of low protection of human rights present examples with a low per capita GDP and violation of the rule of law as pathways to low protection of human rights. The cases in this configuration face the challenge of low protection of human rights because of low economic growth measured by per capita GDP and with a weak judicial system, since the rule of law can be violated. The cases found in this configuration were only African countries. These nations are developing countries whose economies have not been significantly stable due to civil war or frequent coups d'etat in cases like Somalia, Sudan, South Sudan, Central African Republic, Mali, and Ethiopia. The poor adherence to rule of law stipulates that the cases that appear in this solution lack a strong judicial system that brings about due process and justice with regards to human rights. Again, all the countries in this configuration are AU countries that are still in the process of democratization or are backsliding in the democratization process. For example, empirical evidence shows that most of the leaders stay in office longer than the constitutionally stipulated term, and they interfere in the judicial procedures, causing a decline in human rights protection.[50]

Conclusion

Current international human rights regimes promote several conditions such as formal and informal norms, rules, treaties, laws and human rights institutions, for improvement of human rights protection.[51] Using fsQCA to assess the effect of these conditions on the protection of human rights has been examined for the first time in this study. The fsQCA analysis suggests a new dimension in examining the conditions that contribute to human rights protection through interaction, among those conditions which form a necessary and sufficient recipe. The 76 cases examined in the study are composed of EU and AU cases; however, the EU countries appear in the solution term for high protection of human rights cases in contrast to the AU countries listed in the findings which provide low protection of human rights. The most significant findings are that: out of the four conditions tested, NHRI appears as a necessary condition but not sufficient for protection of human rights in EU countries, as economic development and rule of law play significant roles in the configuration. These two conditions (GDP and Rule of Law) are absent in the cases of low protection that are displayed in AU countries. Hence, among all the conditions that are promoted within the international human rights regime, institutions, economic development, and rule of law significantly contribute toward human rights protection in EU and AU countries. Therefore, promoting economic growth and strengthening the judicial system are practical recommendations for improving human rights protection.

50 Guzman and Linos, "Human Rights Backsliding", p. 604.

51 Sevilay Z. Aksoy, "The Regime Theories: Useful Frameworks for Analysing Human Rights Issues?" *Uluslararası İlişkiler* Vol 2, No 5, 2005, p. 1-23.

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Appendix A. Raw Data

ID	Countries	Treaty	Institution	Rule Of Law	GDP Per Capita	Protection
1	Austria	12	0.75	0.82	50114.41	8.48
2	Belgium	11	0.75	0.79	46591.49	8.29
3	Benin	13	0.5	0.5	1219.516	6.77
4	Botswana	7	1	0.59	7203.064	7.17
5	Bulgaria	11	1	0.54	9879.269	7.79
6	Burkina Faso	12	1	0.51	796.115	6.73
7	Burundi	10	0.75	0.51	228.214	5.56
8	Cameroon	7	1	0.37	1533.096	5.64
9	Central African Republic	11	0.75	0.32	467.908	5.41
10	Congo Democratic Republic	10	1	0.33	580.717	5.36
11	Côte d'Ivoire	9	0.75	0.46	2276.332	6.59
12	Croatia	11	1	0.61	15311.77	7.86
13	Cyprus	11	0.75	0.63	28288.46	7.93
14	Czech Republic	12	0.75	0.73	23660.15	8.34
15	Denmark	11	1	0.9	59775.74	8.56
16	Egypt	10	1	0.36	3019.092	4.5
17	Eritrea	8	0.75	0.35	566.73	5.2
18	Estonia	11	1	0.81	23397.12	8.46
19	Ethiopia	9	0.75	0.39	855.761	5.25
20	Federal Republic of Somalia	6	0.5	0.2	320.038	3.2
21	Finland	11	1	0.87	48678.31	8.53
22	France	12	1	0.73	40578.64	8.02
23	Gabon	10	0.75	0.33	7766.997	5.99
24	Germany	12	1	0.84	46794.9	8.53
25	Ghana	10	1	0.58	2246.626	6.94
26	Greece	11	1	0.62	19133.76	7.33
27	Guinea	10	1	0.44	8419.933	5.61
28	Guinea-Bissau	11	0.75	0.33	749.454	6.07
29	Hungary	11	1	0.53	16735.66	7.65
30	Ireland	9	1	0	80886.62	8.52
31	Islamic Republic of Mauritania	11	1	0.35	1743.303	5.47
32	Italy	12	1	0.65	33641.63	8.12
33	Kenya	8	1	0.45	1912.648	6.85
34	Kingdom of Eswatini	9	0.75	0.43	3915.643	6.4
35	Kingdom of Lesotho	11	0.75	0.42	1113.372	6.54
36	Kingdom of Morocco	12	1	0.5	3230.41	6.18
37	Latvia	11	1	0.53	17926.84	8.29
38	Liberia	9	1	0.46	672.34	6.35
39	Libya	10	0.75	0.53	7685.948	4.64
40	Lithuania	12	1	0.53	19575.77	8.32
41	Luxembourg	11	1	0.71	113218.7	8.56
42	Malawi	10	1	0.51	591.846	6.6
43	Mali	12	0.75	0.41	879.043	6.03
44	Malta	12	1	0.53	30186.2	8.37
45	Mauritius	10	1	0.61	11097.17	7.52
46	Mozambique	11	0.75	0.43	506.642	6.24
47	Namibia	10	1	0.62	5009.686	6.75
48	Netherlands	12	1	0.84	52476.27	8.5
49	Niger	12	1	0.44	554.099	5.87

50	Nigeria	12	1	0.43	2229.859	6.38
51	People's Democratic Republic of Algeria	10	0.75	0.51	3989.668	4.99
52	Poland	12	1	0.66	15732.2	7.78
53	Portugal	12	1	0.71	23330.82	8.27
54	Republic of Angola	10	0.75	0.41	2809.626	5.4
55	Republic of Chad	9	0.75	0.43	709.54	5.46
56	Republic of Djibouti	10	0.75	0.44	3414.916	4.2
57	Republic of Equatorial Guinea	7	0.75	0.44	8419.933	5.61
58	Republic of South Sudan	6	0.5	0.33	343.01	3.2
59	Republic of the Congo	10	0.75	0.32	2369.79	5.8
60	Republic of the Sudan	9	0.5	0.33	753.282	4.32
61	Republic of Tunisia	11	0.75	0.42	3574.654	6.08
62	Romania	11	0.5	0.64	12899.35	8.11
63	Rwanda	12	1	0.61	820.149	6.82
64	Senegal	12	0.75	0.55	1430.148	6.57
65	Sierra Leone	9	1	0.45	521.755	5.99
66	Slovak Rep.	11	0.75	0.53	19303.55	8.02
67	Slovenia	12	0.75	0.67	25942.96	7.97
68	South-Africa	11	1	0.58	6624.762	7.08
69	Spain	12	1	0.71	29555.32	8.12
70	Sweden	11	0.75	0.85	51939.43	8.5
71	The Gambia	12	0.75	0.53	772.046	5.94
72	Togolese Republic	13	1	0.45	893.352	6.31
73	Uganda	10	1	0.4	798.586	6.61
74	United Republic of Tanzania	8	1	0.47	1085.885	6.26
75	Zambia	8	1	0.47	1305.001	6.49
76	Zimbabwe	8	1	0.4	1316.741	5.65

Appendix B. Fuzzy Set Membership Scores

ID	Countries	Treaty	Institution	Rule of law	GDP per capita	Protection
1	Austria	0.803619	1	0.897203	0.999603	0.867243
2	Belgium	0.626507	1	0.872193	0.998794	0.835774
3	Benin	0.904148	1	0.328	0.275257	0.443607
4	Botswana	0.004781	1	0.562368	0.445918	0.561277
5	Bulgaria	0.626507	1	0.437487	0.48506	0.730005
6	Burkina Faso	0.803619	1	0.355736	0.143844	0.431972
7	Burundi	0.38062	1	0.355736	0	0.151116
8	Cameroon	0.004781	1	0.043882	0.322217	0.165431
9	Central African Republic	0.626507	1	0.008733	0.011327	0.126414
10	Congo Democratic Republic	0.38062	1	0.012816	0.046073	0.118793
11	Côte d'Ivoire	0.155954	1	0.219285	0.371532	0.391832
12	Croatia	0.626507	1	0.606955	0.596887	0.746741
13	Cyprus	0.626507	1	0.648239	0.90404	0.762878
14	Czech Republic	0.803619	1	0.807982	0.811113	0.844523
15	Denmark	0.626507	1	0.945434	0.999988	0.879073
16	Egypt	0.38062	1	0.03356	0.392208	0.031182
17	Eritrea	0.038199	1	0.025043	0.040565	0.096422
18	Estonia	0.626507	1	0.88934	0.804836	0.864156
19	Ethiopia	0.155954	1	0.070311	0.168986	0.103087
20	Federal Republic of Somalia	0.000209	1	4.14E-07	0.000108	0.000592
21	Finland	0.626507	1	0.930148	0.99937	0.874734
22	France	0.803619	1	0.807982	0.993358	0.782712
23	Gabon	0.38062	1	0.012816	0.45334	0.237342
24	Germany	0.803619	1	0.911602	0.998867	0.874734
25	Ghana	0.38062	1	0.538858	0.370354	0.49355
26	Greece	0.626507	1	0.628011	0.695048	0.607505
27	Guinea	0.38062	1	0.169266	0.462458	0.159969
28	Guinea-Bissau	0.626507	1	0.012816	0.122837	0.255837
29	Hungary	0.626507	1	0.410619	0.632314	0.69485
30	Ireland	0.155954	1	0.881009	1	0.873261
31	Islamic Republic of Mauritania	0.626507	1	0.025043	0.34191	0.135962
32	Italy	0.803619	1	0.686243	0.965308	0.803505
33	Kenya	0.038199	1	0.193726	0.353708	0.467033
34	Kingdom of Eswatini	0.155954	1	0.146125	0.406658	0.339347
35	Kingdom of Lesotho	0.626507	1	0.124503	0.251712	0.377768
36	Kingdom of Morocco	0.803619	1	0.328	0.396214	0.282437
37	Latvia	0.626507	1	0.410619	0.663161	0.835774
38	Liberia	0.155954	1	0.219285	0.086759	0.326013
39	Libya	0.38062	1	0.410619	0.452248	0.040418
40	Lithuania	0.803619	1	0.410619	0.706783	0.841064
41	Luxembourg	0.626507	1	0.781765	1	0.879073
42	Malawi	0.38062	1	0.355736	0.050635	0.394664
43	Mali	0.803619	1	0.104576	0.178196	0.246497
44	Malta	0.803619	0.8	0.410619	0.931213	0.849611
45	Mauritius	0.38062	0.8	0.606955	0.50639	0.660401
46	Mozambique	0.626507	0.8	0.146125	0.020513	0.29749
47	Namibia	0.38062	0.8	0.628011	0.419914	0.437782
48	Netherlands	0.803619	0.8	0.911602	0.99982	0.870278
49	Niger	0.803619	0.8	0.169266	0.035834	0.211006

50	Nigeria	0.803619	0.8	0.146125	0.369671	0.333987
51	People's Democratic Republic of Algeria	0.38062	0.8	0.355736	0.407639	0.071546
52	Poland	0.803619	0.8	0.704045	0.607148	0.727567
53	Portugal	0.803619	0.8	0.781765	0.803241	0.83218
54	Republic of Angola	0.38062	0.8	0.104576	0.387635	0.124866
55	Republic of Chad	0.155954	0.8	0.146125	0.104247	0.13434
56	Republic of Djibouti	0.38062	0.8	0.169266	0.39934	0.016595
57	Republic of Equatorial Guinea	0.004781	0.8	0.169266	0.462458	0.159969
58	Republic of South Sudan	0.000209	0.8	0.012816	0.000336	0.000592
59	Republic of the Congo	0.38062	0.8	0.008733	0.374998	0.196445
60	Republic of the Sudan	0.155954	0.8	0.012816	0.124596	0.021647
61	Republic of Tunisia	0.626507	0.8	0.124503	0.401831	0.2582
62	Romania	0.626507	0.8	0.667646	0.542072	0.801486
63	Rwanda	0.803619	0.8	0.606955	0.154231	0.458227
64	Senegal	0.803619	0.8	0.463823	0.30969	0.386187
65	Sierra Leone	0.155954	0.8	0.193726	0.024934	0.237342
66	Slovak Rep.	0.626507	0.8	0.410619	0.699556	0.782712
67	Slovenia	0.803619	0.8	0.721067	0.861442	0.771822
68	South Africa	0.626507	0.8	0.538858	0.438699	0.534865
69	Spain	0.803619	0.8	0.781765	0.922895	0.803505
70	Sweden	0.626507	0.8	0.918174	0.999784	0.870278
71	The Gambia	0.803619	0.8	0.410619	0.133132	0.22616
72	Togolese Republic	0.904148	0.6	0.193726	0.183679	0.315508
73	Uganda	0.38062	0.6	0.08648	0.144927	0.397502
74	United Republic of Tanzania	0.038199	0.6	0.245716	0.244746	0.302589
75	Zambia	0.038199	0.6	0.245716	0.290922	0.363875
76	Zimbabwe	0.038199	0.6	0.08648	0.292877	0.167276

Appendix C. Truth Table

Conditions				Outcome	Cases
Treaty	**Institution**	**Rule of Law**	**GDP per capita**	**Protection**	**Countries**
1	1	1	1	1	Austria, Belgium, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden
0	1	1	1	1	Ireland, Mauritius
0	1	1	0	1	Botswana, Ghana, Namibia
1	1	1	0	1	Rwanda, South Africa
1	1	0	1	1	Hungary, Latvia, Lithuania, Malta, Slovak Republic
1	1	0	0	0	Benin, Bulgaria, Burkina Faso, Central African Republic, Guinnea-Bissau, Islamic Republic of Mauritania, Kingdom of Lesotho, Kingdom of Morocco, Mali, Mozambique, Niger, Nigeria, Republic of Tunisia, Senegal, The Gambia, Togolese Republic
0	1	0	0	0	Burundi, Cameroon, Congo Democratic Republic, Cote d'Ivoire, Egypt, Ethiopia, Federal republic of Somalia, Gabon, Guinea, Kenya, Kingdom of Eswatini, Liberia, Libya, Malawi, People Democratic Republic of Algeria, Republic of Angola, Republic of Chad, Republic of Djibouti, Republic of Equatorial Guinea, Republic of the Congo, Republic of South Sudan, Sierra Leone, Uganda, United Republic of Tanzania, Zambia, Zimbabwe