

ERASMUS UNIVERSITY ROTTERDAM

FACULTY OF SOCIAL SCIENCES

M.S.C. INTERNATIONAL PUBLIC MANAGEMENT AND PUBLIC POLICY (IMP)

BEYOND THE ARAB SPRING

THE INFLUENCE OF TRANSNATIONAL ACTORS TO
PROMOTE RULE CONSISTENT BEHAVIOUR IN THE
RESEARCH OF UNIVERSAL HUMAN RIGHTS

Master thesis

Anne Vis

Thesis supervisor: Dr. K. Stapelbroek

Second reader: Dr. M. Onderco

Date: 20-06-2017

ABSTRACT

This thesis has studied the Arab Spring events in Tunisia, Egypt, and Libya and examined the degree of respect for international human rights norms before and after the protesters took the streets to demand a regime change. Human rights change was traced with the Spiral Model, ranging from repressive towards rule consistent behaviour with the influence of transnational advocacy networks and social mechanisms to induce progress. Results show a change and a positive step towards compliance in all three cases, especially in Tunisia's post-Arab Spring period where international human rights treaties are respected towards a greater extent. Internal friction followed by a second uprising hindered this progress in Egypt. In Libya's case, coercive steps and capacity building efforts proved to be highly significant in the regime change and some improvements. Human rights violations still occur in all three cases, also because specific cultural exceptions are in place, but the examination of the Spiral Model and the transition process contributed to advancing social and scientific knowledge of international human rights norms and their path towards universalism.

ACKNOWLEDGEMENTS

Starting your master thesis always seems an impossible, or sometimes frightening, task, but it was an interesting journey through many academics, international actors, and rights. I will genuinely miss writing, not only because of the topic or long library nights, but also because of the enjoyment of doing your own research and growth in self-discipline.

First of all, I would like to express my gratitude for my thesis supervisor Dr. Koen Stapelbroek for supporting me in the past half year. His advice, knowledge, and 'no-stress-it-will-be-all-ok-in-the-end' guidance definitely made process easier. Second, a special mention to my second reader, Dr. Michal Onderco, who's knowledge and evaluation has been a great help in pointing out irregularities and loose ends.

And of course, I would love to thank my parents for their continuing support, anti-stress enjoyment's, and their encouragement in my 6 six-year journey of becoming a graduate. To my IMP fellows; thank you for the immense peer pressure, and to my friends; thank you for the library breaks and the mindfulness.

CONTENT

List of Abbreviations	6
List of tables & figures	7
What happened in the Middle East and North Africa?	8
<i>Universalism of international human rights norms</i>	9
<i>Research Objectives</i>	10
Societal and academic relevance	10
Literature review	11
<i>Commitment</i>	11
<i>Compliance</i>	12
<i>The Spiral Model in North Africa and the Middle East</i>	15
Theory	18
<i>Mobilization of transnational human rights actors</i>	18
<i>Mechanisms of international social action</i>	19
Coercion	20
Changing incentives	20
Persuasion	20
Capacity building	20
Scope conditions for compliance	21
<i>The Spiral Model of Human Rights Change</i>	21
Repression and activation of a network	22
Denial	22
Tactical concessions	23
Prescriptive status	24
Rule-consistent behaviour	25
Operationalization	27
<i>Case study selection</i>	27
<i>Methodology</i>	28

Data categories	28
Data sources	28
Time period	29
<i>Hypotheses and variables</i>	29
Analysis	32
<i>Tunisia</i>	32
2000 – 2010: cosmetic changes & mobilization	32
The Jasmine Revolution	34
<i>Egypt</i>	37
The <i>ancien régime</i>	37
Egypt's first uprising	39
The second coup d'état	41
<i>Libya</i>	43
Gaddafi's repression	43
International social action	44
Libya's Arab Spring	46
Limited statehood	48
Conclusion	50
References	53
Appendix	62

LIST OF ABBREVIATIONS

ACHRP	African Commission on Human and People's Rights
AFTD	Association Tunisienne des Femmes Démocrates
CAT	Convention Against Torture
CEDAW	Convention on the Elimination of Discrimination Against Women
CPT	Causal-Process Tracing
CRC	Convention of the Rights of the Child
GCC	Gulf Cooperation Council
GNC	General National Congress
FDTL	Democratic Front of Labour and Freedom
FIDH	International Federation for Human Rights
HRW	Human Rights Watch
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICERD	International Convention on the Elimination of all Forms of Racial Discrimination
ICG	International Crisis Group
ICPPED	International Convention for the Protection of all Persons from Enforced Disappearance
ICRC	International Committee of the Red Cross
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
INGO	International Non-Governmental Organization
LTDH	Ligue Tunisienne des Droits de l'Homme
NATO	North Atlantic Treaty Organization
NCHR	National Council on Human Rights
NCW	National Council for Women
NGO	Non-Governmental Organization
NHRI	High Committee for Human Rights and Fundamental Freedoms
NPA	New People's Army

NPD	National Democracy Party
NTC	National Transition Council
OHCHR	United Nations Human Rights Council
PDP	Progressive Democratic Party
RCC	Libyan Revolutionary Command Council
RCD	Democratic Constitutional Rally
SCAF	Supreme Council of Armed Forces
SSI	State Security Investigations
SUR	State under Review
UDHR	Universal Declaration of Human Rights
UGTT	Tunisian General Labour Union
UN	United Nations
UNDP	United Nations Development Program
UNFT	National Union of Tunisian Women
UNHCR	United Nations High Commissioner for Refugees
UNSC	United Nations Security Council
UPR	Universal Periodic Review
WTO	World Trade Organization

LIST OF TABLES & FIGURES

Tables

- | | |
|--|------|
| 1. UPR Cycles combined with Arab Spring events | p.29 |
| 2. Hypotheses & variables | p.31 |

Figures

- | | |
|--|------|
| 1. The Boomerang effect | p.19 |
| 2. The Spiral Model of Human Rights Change | p.26 |

WHAT HAPPENED IN THE MIDDLE EAST AND NORTH AFRICA?

At 2010's end, significant changes occurred in the regimes of Middle Eastern and North African regimes. Protests erupted in Sidi Bouzid, Tunisia, after a vegetable vendor set himself on fire as a desperate protest against his humiliation by the police. Uprisings extended in the following weeks to neighbouring cities in Tunisia as the people demanded a solution for the vast unemployment, food price inflation, corruption, and the lack of political freedom. Police response to the unrest increased in repression; as the police "displayed a blatant disregard for human life ... and did not seek to minimise injuries. Many demonstrators were killed with one bullet in the head or chest, which suggests that these shots were fired by trained professionals with the intent to kill" (ICG Tunisia, 2011, p.5). On January 10, 2011, the army decided to stop their actions against the protesters and a general strike unfolded in the country. The combination of discontent and defection made Zine El Abidine Ben Ali, the President of Tunisia, flee to Saudi Arabia whereby he officially resigned after 28 days of protests on January 14, ending his ruling after 23 years. Protesters that took the streets at the end of 2010 wanted to end decades of repression and were frustrated by years of human rights violations. After the resignation the Ben Ali government, a temporary president and interim government took responsibility for the transition process with compromising the representatives of a wider range of social and political rights. New elections were held on October 23, 2011, whereby the previously banned Islamist al-Nahda party won and rewrote the constitution (ICG Tunisia, 2011).

In Egypt, several protesters imitated the self-immolation of the vegetable vendor in Tunisia. Civil society and opposition groups gathered protesters through Facebook which gradually snowballed into the immense demonstration of January 25 in Cairo. Hosni Mubarak appeared four days later on state television announcing the dismissal of his cabinet and the resignation of his prime minister. However, Mubarak concessions meant little to the protesters who demanded his resignation and this was the start of the 'famous' occupation of the Tahrir Square in Cairo. The regime was in chaos and Mubarak was making clear that as long as the protests continued, normal life would not return. Until February 11, violent oppression followed as Mubarak showed that there was limited concession for him to make with organizing counter-demonstrations, but then he resigned and transferred his power to the military. The Tahrir Square became the centre of ecstatic celebrations concluding that "the people, at last, overthrew the regime" (ICG Egypt, 2011, p.14).

Protests against Muammar Gaddafi in Benghazi, the second largest city in Libya, started soon after Mubarak resigned in Egypt. Unlike Ben Ali and Mubarak, Gaddafi made it clear that he had no intention to stand down, and declared that he would fight against everything to hold power. The Libyan crisis included rebel forces, and was led by the National Transition Council. International condemnation of Gaddafi's regime grew and on March 17, the UN Security Council sanctioned a military intervention with the United Nations Security Council Resolution 1973 including a no-fly zone and all other "necessary measures" to protect the Libyan civilians. The United Kingdom, United States, and France intervened two days later with bombings on pro-Gaddafi forces and after months of deadlock and a civil war which costed the lives of 10.000 people, the regime of Gaddafi was seized in Sirte and he himself was killed on October 20 (ICG Libya, 2011). The events in Tunisia, Egypt, and Libya moved the people in neighbouring countries. Small-scale demonstrations in Yemen started after Ben Ali resigned in Tunisia. The country's instabilities were partly caused by the ecological crisis in the country and the scarcity of water. In Syria, protests erupted in March against the regime of Bashar al-Assad and his Ba'athist government who ruled the country since 1963. Thousands of protesters took

the streets in Damascus, Daraa, and Aleppo. At first instance, Assad did announce a few reforms in the government but he maintained a repressive regime through counter-demonstrations, arrests on protesters, and military operations in several cities, mainly against the Free Syrian Army who controlled Homs. The demonstrations resulted in intense battles and division of the country without very little political concessions and an ongoing civil war (ICG Syria, 2011).

UNIVERSALISM OF INTERNATIONAL HUMAN RIGHTS NORMS

The description of revolutionary events in the previous paragraph demonstrated some human rights violations before, during, and after the protests, labelled as the Arab Spring uprisings. Before the uprisings, the citizens of the Arab Spring states did enjoy some human rights, but only to the extent that these did not interfere with the will and interests of the rulers. The latter concept was often used by the states to restrict many civil, economic, and political rights, which in turn made the human rights dependent on the political will of the state (Brumberg, 2013; Hamd, 2016). Frustration of repression and exclusion suddenly unsprang and the people in Tunisia, Egypt, Libya, Yemen, and Syria demanded justice. But the justice and basic needs were not only demanded by the protesters as international actors were also present to change the state's repressive behaviour conform international human rights law and international treaties.

Discussion on international human rights norms started almost seventy years ago, when the Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly on December 10, 1948. The UDHR contains thirty articles which all proclaim a common standard of achievement for all nations and their citizens detailing diverse rights, including the right to life, the right to security, the right to rest, and the right to work. Hereby, the right to life "to be free from extra judicial execution and disappearance" and the right to be free from torture, arbitrary arrest, and detention are seen as the core rights of the UDHR because these are the 'basic human rights' who are the most widely accepted and not intertwined with any political system or ideology (Risse and Sikkink, 1999, p.2). As stated in the UDHR, violations of these rights are an infringement to the core human being of a person. States respect through the UDHR that "all human beings are born free and equal in dignity and rights" irrespective to race, religion, sex, nationality, social or ethnic origin, and any other distinguishing character (UN, 2015). Intergovernmental negotiations between states made the development of international human rights treaties possible and contain legal duties for the states towards their citizens. Herein, the UDHR can be understood as the foundation of international human rights norms where other international treaties are built on. The most relevant are the Convention Against Torture (CAT), the Convention on the Elimination of Discrimination Against Women (CEDAW), the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (United Nations, 2014). But international human rights and especially the UDHR and its following treaties are quite a recent invention of the last 50 years when the moral world of Western states shifted to a more universalism or utopian worldview (Moyn, 2010). Universal human rights have tried to "depoliticize" human rights and created a new world where the dignity of each individual enjoys secure international protection. It created a world view where specific national rights became obsolete in light of the UDHR.

Hence, besides the fact that the protesters domestically influenced a regime change, international actors had also the ability to pressure states for more respect for human rights. This thesis will focus on the mobilization of international actors, their mechanisms used to influence the

regime change and respect for human rights towards compliance. Its purpose is to trace the developments after the governments of especially Tunisia, Egypt, and Libya resigned, in the light of international human rights norms and their universality.

RESEARCH OBJECTIVES

Conceptualizing it, international human rights norms provide a good opportunity to explore the Arab Spring events. Some actions brought hope in the desires of the protesters with a changed society that allowed more rights and freedoms, but the governments still attack the freedom of speech by putting human rights activists behind bars, as well as political critics, always supported by the argument of terrorism threats. It seems that it brought some contradictions in the human rights debate between, as Brumberg explains: "those who want to define human rights more closely based on international standards and based on individual rights versus those who prefer or gravitate toward a more communal or collective notion of human rights or believe that personal or individual rights should be subject to certain kinds of communal notions of identity" (2013). International human rights norms have challenged the state rule over society and national sovereignty and therefore, the objective of this study is to detect the degree of change in Arab Spring states in their respect for international human rights norms. Herein, the corresponding research question entails:

How did the respect for international human rights norms change in the post-Arab Spring states compared to the pre-revolutionary period?

SOCIETAL AND ACADEMIC RELEVANCE

As discussed above, human rights violations became a global issue since they evolved in a universal world where countries together decided what to call humane. The social and political context of Arab Spring countries vary to a great extent, as well as their cultural understanding, but one should not undermine human rights issues in the rest of the world to reflect upon. Concerns about religious influences, migration, LGTBI rights, women's rights, and the use of torture still need a legitimate encouragement upon all nations. In the theoretical light of social constructivism, it would therefore be highly relevant to expand the holistic understanding of human rights in their progress towards compliance and universalism in society. Dominant theories generally assume that states act primarily in the pursuit of their own interests but more utopian and universal findings suggest that international human rights law alter state behaviour. It puzzles the understanding of state sovereignty when it promises no strategic or material benefits. This research will build upon that with offering a better understanding of a state's behaviour and international human rights norms. More specifically, it will make sense of the social mechanisms used by Western states and transnational advocacy networks that possibly fuel the progress towards compliance. Before emphasizing on the central research concepts, let us first turn to literature written on this subject to express more academic relevance in previous research.

LITERATURE REVIEW

The start of the revolution in Tunisia is widely classified as a window of opportunity where both actors from below, the protesters, and the actors from above, transnational advocacy networks, opted for democratic change (Dupont and Passy, 2011). Uprisings therefore increased the opportunities for a “renewed commitment to and ultimate compliance with international human rights norms” (Van Hüllen, 2013, p.182). Now, more than 5 years later, one may ask the question if there really has been a significant shift from repression towards the commitment and compliance of universal human rights norms. The newly elected or caretaker governments claim to be more in line with these norms when ratifying international human rights treaties, but other reports by Amnesty International, Freedom House, and Human Rights Watch (HRW) prove the opposite as violations continue. This literature review will first shed light on previous research about commitment and compliance, and specifically introduces literature that already investigated the degree of change in Arab Spring states.

COMMITMENT

When examining the shift from the cultural approaches in the different Arab Spring countries towards more acceptance of international human rights norms, one may first ask the question, why do countries commit to human rights treaties? Interesting is that human rights treaties do not offer any reciprocal benefits to states compared to, for example, treaties concerning international trade. All that states receive in return is some kind of promise that other members of the treaty will treat their citizens according to the same norms. Human rights treaties cover a wide range of subjects, but overall their “central shared goal of each of these treaties is to define and protect the rights of individuals against abuse by their own governing institutions” (Hathaway, 2007, p.592). Thus, as Hathaway explains further, human rights treaties create hard law obligations because they are legally binding, but the characteristics are however more based on soft-law, because they are not enforceable through any “traditional means” (2007, p.592). For several decades, Hathaway tested the practices of more than 160 states and their commitment to human rights treaties. She argues that commitment is first determined by the domestic legal enforcement, where domestic actors force to change the behaviour of their government. And second, by collateral consequences of transnational actors, consequences that fall outside the legal framework of the treaty, mostly linking to other transnational relations of the state. For example, the World Trade Organization (WTO) takes human rights practices into account when providing loans. Interesting is the result that “states with less democratic institutions will be no less likely to commit human rights treaties if they have poor human rights records, because there is little prospect that the treaties will be enforced” (Hathaway, 2007, p.588)

But the treaty ratification of states, which is either pushed by domestic factors or external factors when domestic influence is blocked, is not equivalent to their actual practices, a fact already defined in the problem definition. Explaining state commitment to human rights treaties does not seem to provide any new insights in the current century, since data shows that the Arab Spring governments of Tunisia, Egypt, and Libya ratified, and thus committed, to several international human rights treaties before the uprisings. All three regimes ratified the ICERD, ICCPR, ICESCR, CEDAW, CAT,

CRC between 1967 and 2008¹. What does remain interesting is the step from commitment to compliance. Hathaway's research lacks in giving insight in the practices of states and their unity with international human rights treaties. The discussion of the Arab Spring events show that it seems false to assume that ratification of international human rights treaties automatically leads to compliance. Quantitative research in the past 20 years confirm this statement (Keith, 1999; Hathaway, 2002; Hafner-Burton and Tsutsui, 2005). Keith (1999) argues that if human rights treaties do make a difference we would expect that states who signed a treaty are more respectful towards human rights compared to states who did not. Second, we would also expect that the behaviour of the signatory states improved compared to their earlier behaviour. The quantitative research of 178 countries in 18 years does however not prove a significant relation between treaty ratification and the variables: "the results are consistent with the assertions that the treaty's implementation mechanisms are too weak and rely too much upon the goodwill of the party state to effect observable change in actual human rights behaviour" (Keith, 1999, p.112). As Hafner-Burton and Tsutui present in their research it is clear that the overall percentage of available and ratified human rights treaties is increasing, "creating a world space characterized by the rapid and nearly universal acceptance of international human rights law" (2005, p.1374). But the amount of states that violate these human rights has also grown over time (Hafner-Burton and Tsutui, 2005, p.1376). This expresses not only an efficiency gap of the international human rights treaties but also questions the legal commitment of states to protect their citizens. Ratification of treaties is relatively cheap and because of the strong pressures of the international community "many governments ratify without the will or capability to align their domestic behaviour with the provisions of the treaties" (Hafner Burton and Tsutui, 2005, p.1402). Conversely, Neumayer (2005) even claims that human rights violations increase when autocratic regimes ratify treaties. In line with Hathaway's study in 2002, Neumayer found "that treaty ratification often becomes more beneficial to human rights the more democratic the country is" (2005, p.950). This quantitative research expresses thus a concern that treaty ratification is not a prerequisite for actual compliance so we need to move beyond this rationale.

COMPLIANCE

Whether human rights practices are effected by international human rights law concerns thus state compliance. The difference between commitment and compliance is studied by Risse and Ropp (2013). Commitment is defined by the fact "that actors accept international human rights as valid and binding for themselves ... which usually requires signing up to and/or ratifying international human rights treaties" (Risse and Ropp, 2013, p.9). Whereas compliance is defined by Risse and Ropp as "sustained behaviour and domestic practices that conform to the international human rights norms". This is what they call "rule consistent behaviour" in their Spiral Model of Human Rights Change (Risse and Sikkink, 1999). More broadly theorized by Raustiala and Slaughter, compliance is "a state of conformity or identity between an actor's behaviour and a specified rule" (2002, p.539). By this means, commitment and compliance are two distinct behaviours whereby compliance to international human rights treaties is the final goal. Compliance and law are conceptually linked due to the fact that law aims to produce compliance with its produced rules: "legal rules set the standard by which compliance is gauged" (Raustiala and Slaughter, 2002, p.538). Most of the past research about

¹ See Appendix 1 for an overview of all ratified treaties and protocols.

compliance and international human rights law are at the core theories about how legal norms influence behaviour. The behavioural effects of states as a consequence of international human rights norms draw upon social constructivism. Within this approach, the interests of states are related to their identities, because their identities define the interests of the states, what they think is appropriate and possible when complying to international human rights norms. In that sense, the UDHR and its following treaties and conventions defined “the standard of appropriate behaviour for actors within a given identity” (Finnemore and Sikkink, 1998, p.891). This process, going from ideas to norms that are collectively understood and lead to appropriate behaviour and changes in identities, is the process of socialization. In the international society, Risse and Sikkink explain “that socialization to international norms is the crucial process through which a state becomes a member of international society” (1999, p.11). Hence, when going from commitment to compliance, compliance is a goal, but when we include socialization, the ultimate goal is that states internalize norms, “so that external pressure is no longer needed to ensure compliance” (Risse and Sikkink, 1999, p.11).

Quantitative research into compliance focuses mainly on the effectiveness of international human rights norms with indicators that measure the extent to which such a norm is being fulfilled or enjoyed. For instance, Davenport (2007) stresses on the link between human rights violations and the type of regime. The costs for democracies to violate human rights seem to be higher compared to authoritarian regimes since repressive behaviour can lead to authorities that are voted out of office by their electorate. Numerous other studies confirm this link with extensive analyses across space, time, methodological techniques and other measurements. Interesting in the light of the Arab Spring states is the research of DeMeritt and Young (2013) who link oil, natural gas, and state incentives with repression. One source of revenue for a state are the taxes they receive from their population, but repression reduces this income and hence, state leaders calculate the benefits of repression against the costs. The reliance on citizens can decrease when a state has another large income source: oil and natural gas. Hereby, the authors found that repression by a state “covaries positively with its revenues from fuel” (DeMeritt and Young, 2013, p.100). Controlling all other factors first, oil has thus a direct effect on repression and since Young (2012) found that repression increases the likelihood of a civil war in a state, the authors conclude that oil revenue has also an indirect effect on the chance of a civil war. Regarding international human rights institutions and their way of promoting compliance, Terman and Voeten quantitatively studied the mechanism of ‘naming and shaming’ through the United Nations Universal Periodic Review (UPR) (2017). In the UPR, a state under review (SuR) presents its human rights records in the Working Group, which are then reviewed by other states that offer the SuR feedback and specific recommendations. Examining over 40.000 recommendations, Terman and Voeten found strong evidence that states are more easy on their strategic partners when they review each other. Moreover, criticism by friendly states is often more accepted by the SuR than the recommendations from other states. With these results, the authors conclude that a politicized institution like the UN UPR undermines the credibility of the naming and shaming method, and hence, also its effectiveness.

The above indicators of Davenport (2007), DeMeritt and Young (2013), and Terman and Voeten (2017) are used with the aim to monitor compliance, to size the progress and also to measure the impact of human rights development programs by international organizations. The standardization of human rights practices offers a great extent of knowledge, and as Rosga and Satterthwaite argue, indicators have a great variety in advantages: “they render complex data simple and easy to understand; they can be designed to demonstrate compliance with obligations, fulfilment of rights,

and government efforts toward these goals; and they are capable of capturing progress over time and across countries" (2009, p.255). But measuring the effectiveness of a norm that is being implemented by a state is relatively complicated since accurate information about state practices is somewhat scarce. If we take Hathaway's (2002) study as an example that measures the effectiveness of human rights treaties, state strategies to improve compliance are not taken into account. If we assume for instance that a state ratified two treaties, one treaty that prohibits disappearances and another treaty that prohibits unfair trials. The complication in Hathaway's research is that greater compliance with one treaty, e.g. the prohibition of disappearances, can possibly decrease the compliance with the other treaty, e.g. the prohibition of unfair trials.

Therefore, a model that only studies the compliance of the unfair trials treaty would logically show a worsening condition, even though the overall conditions of the state improves when other practices are consistent with the treaty norms (Goodman and Jinks, 2003). This quantitative framework still presents a gap between the studied policies and actual practices of the respective states while this study attempts to explain the progress (or the lack thereof) from commitment to compliance in a more sophisticated qualitative study. Beth Simmons (2009) showed that there is a growing convergence between quantitative and qualitative research on commitment and compliance. In *Mobilizing for Human Rights*, Simmons studied a wide range of human rights treaties and found the most robust argument, that states ratify because they aim to comply, significant. The interesting puzzle in her research is why some states ratify treaties while they have no intention whatsoever to comply to them. Some states have incentives to engage in "opportunistic ratification" to enjoy its "short term benefits" because it wants to avoid criticism or desires some international praise (Simmons, 2009, p.110). This strategic ratification differs also between democratic and authoritarian regimes whereby the latter tend to commit to treaties later in time. Simmons did not detect any strategic motives with "short time horizons" in democratic regimes, "which are much more likely to be among the sincere ratifiers in the first place" (2009, p.110). Regarding state compliance, Simmons demonstrates that three processes, social and political mobilization, litigation, and new agendas, explain the movement from commitment to compliance. The three processes provide a great opening for this study since they reflect a state's behaviour more, but it is not yet consistent with the overall aim to detect the degree of change in Arab Spring states in their respect for international human rights norms. This is where the Spiral Model of Human Rights Change can provide a theory with more insights in elaborating process of five phases of state behaviour.

Based on social constructivism, Thomas Risse and Kathryn Sikkink theorize their research on the so called "transnational advocacy networks", which implies that all relevant actors cooperate in the international human rights area due to morally shared values, their exchange of resources and information, and a common discourse (1999, p.17). Risse and Sikkink followed several changes in the respect for human rights norms in Latin America and examined domestic pressures "from below" and transnational advocacy networks "from above" that wanted to accomplish human rights change (1999, p.18). The process that follows is what Keck and Sikkink assign as the "boomerang effect" which occurs when domestic groups in a repressive state search for international allies to pressure their state with more support from the outside (1998). The causal model explains the shift or variation "in the extent to which national governments move along the path towards improvement of human rights conditions" (Risse and Sikkink, 1999, p.18). With a combination of the mobilization of transnational advocacy networks and different mechanisms such as coercion (legal enforcement) and persuasion (naming and shaming), the model suggests a change in the respect for international human rights

norms and likewise a progress towards more compliance. Regarding this change, the model identifies five phases of norm socialization, respectively; repression, denial, tactical concessions, prescriptive status, and rule-consistent behaviour. Referring back to the commitment – compliance progress, phase four indicates the commitment of states when they accept international reform and ratify treaties. The prescriptive status can ultimately lead to compliance, the fifth phase of rule-consistent behaviour, whereby the actual human rights violations, decrease and international human rights norms become fully institutionalized (Risse and Sikkink, 1999, p.31). The Spiral Model will be further elaborated in the theoretical framework, but let us now first turn to previous cases in North Africa and the Middle East that examined the Spiral Model.

THE SPIRAL MODEL IN NORTH AFRICA AND THE MIDDLE EAST

Numerous countries that have ever gone through a democratization process have been analysed through the Spiral Model. Interesting studies are those of Anja Jetschke (1999) in the Philippines and Indonesia, and of David Black (1999) in South Africa, both between the 1970s and 1990s. Rather, this last section of the literature review concentrates on studies that used the Spiral Model in North African and Middle Eastern countries.

Sieglinde Gränzer made a comparison between Tunisia and Morocco in 1999 with the help of the Spiral Model. Human rights became an important theme in these civil societies in the 1980s, non-governmental actors did not want to overthrow the regime but rather change the operating rules by communication and persuasion. Both Tunisia and Morocco initiated on institutional changes regarding their human rights policies but their implementation was different. Gränzer traced the development of human rights change between 1972 and 1998 with four “common” human rights violations: disappearances of opponents, detentions without trial, torture, and extrajudicial killings. Repression in both states in the 1970s gave rise to the violations, mainly caused by conflicts between opposition groups (in Tunisia) and military coups (in Morocco). More repression followed, legitimized through “a threat of international security” by both states (Gränzer, 1999, p.113). Disappearances of political opponents were the majority of violations as Gränzer concluded: “disappeared persons were rarely killed, but certainly tortured and detained (“forgotten”) for decades in secret Moroccan prisons” (Gränzer, 1999, p.113). Torture happened systematically in both Tunisia and Morocco and often resulted in death. Regime change between 1987 and 1989 because of the constitutional coup of Ben Ali improved the human rights situations temporarily in Tunisia. The positive changes were only briefly felt until Ben Ali passed new laws that further restricted the freedom of press and media. Other restrictive measures followed in the 1990s, political opposition was regarded as an assault against the state that always defended its policies because of the threat of organized Islam. By this means, the short period of improvement in the 1980s is what Gränzer believes the manipulation of the state for its own purpose. Until the 1980s, the human rights situation in Morocco remained poor but since the 1990s a transformation was visible, long term political prisoners were released and the secret prison was closed. The variation in the shifts between the two states can be explained by the activities of transnational advocacy networks. Both the President of Tunisia and the King of Morocco had almost absolute power, but in a more pluralistic state like Morocco, development was possible for transnational human rights networks who had a significant impact on the national policies. By contrast, the Tunisian government made it impossible for human rights NGOs to constitute on national level and therefore, international human rights networks were no longer supported “from

below". According to Gränzer: "by immediately responding to domestic pressure via tactical concessions, the Tunisian government was able to "silence" domestic human rights activists and to weaken the emerging transnational networks" (Gränzer, 1999, p.132). Concerning the Spiral Model, the Tunisian government did not deny international human rights norms and therefore skipped the second phase. Besides, the *Ligue Tunisienne des Droits de l'Homme* (LTDH), the domestic human rights organization, was granted access. But as turns out, these improvements were only tactical concessions of Ben Ali to stop further mobilization of a transnational network "that undermined the argumentative substance in the public debate" (Gränzer, 1999, p.133). In the Spiral Model, Tunisia was still stuck in the tactical concessions phase around the year 2000, while Morocco improved its human rights conditions significantly towards the fourth phase of a prescriptive status in the international human rights discourse. Transnational human rights networks are thus crucial in affecting the prospect of political change in the domestic state. As Gränzer concludes: "Westerners tended to view the Tunisian Republic as progressive and the Moroccan monarchy as a traditional and perhaps antiquated system. But the generalizations do injustice to the reality; the political cultures of these two countries imply the reverse" (1999, p.133).

Needless to say, the Spiral Model research was mostly done with authoritarian and repressive regimes. Improvements of human rights in the empirical studies were almost always the case which led to a regime change with more democratization. In 2013 however, Thomas Risse and Stephen Ropp applied the Spiral Model to the democratic United States and also proved that a great power like China was applicable to the model. Sikkink focused on the non-compliance of the CAT under the George W. Bush administration. This Convention was part of the Geneva Conventions from 1949 and since they are not self-enforcing, the Conventions passed the Congress and were ratified in 1994 by the Senate. Applying this to the Spiral Model, we could say that the CAT entered the prescriptive status in 1994 because domestic law was implementing the treaty commitments. Contradicting is the evidence that the US military and intelligence agencies did practice or tolerate torture before 2003. Explicit justification by the Bush administration for the non-compliance was always given in the war on terror context that made the human rights norms "obsolete" (Sikkink, 2003, p.148). The US case shows a complex situation where US policy makers were "intensely aware" of both international human rights networks and domestic pressures, but their actions and awareness did not lead to more compliance in the Bush administration (Sikkink, 2013, p.145). Herein, Sikkink provides an interesting perspective: "a country which had already ratified and implemented international treaties on a core human rights norm could nevertheless have a profound backlash and reversal of these commitments, even if they are deeply embedded in both international law and domestic law" (2013, p.145). Thus, with regard to the CAT, the US was more in the denial phase with engaging in repression than in phase four of a prescriptive status.

The revised Spiral Model was used by Vera van Hüllen that addresses new mechanisms and new scope conditions to the cases of Tunisia and Morocco during the Arab Spring. Following Gränzers previous work on the same cases, Van Hüllen argues that the Arab Spring uprisings mark the result of a closed authoritarian regime like Tunisia that failed. Tunisia's strategy of "political exclusion plus economic inclusion" was "relatively successful" but collapsed during the uprisings (2013, p.198). People demanded renewed commitment to international human rights norms and democratic participation which proved to be a slow process in Van Hüllen's research. Moreover, the role of transnational advocacy networks remained very important to influence the degree of human rights

change towards compliance. The Arab Spring uprisings did not gain much revolutionary protests and change in Morocco, but King Mohamed IV did respond to the pressures from below and above. Political concessions were made and he adopted a constitutional reform that was agreed on through a referendum in July 2011. As a result, Morocco complied more with international human rights norms than before which was mostly due to the imports and external economic demands. Compliance in phase five was therefore more easily achieved, also because Morocco became more liberalized than its neighbouring countries and especially Tunisia. According to Van Hüllen “different degrees of political liberalization and statehood as well as material and social vulnerabilities can account for the divergent development in Morocco and Tunisia before and during the Arab Spring” (2013, p.183).

As becomes clear in the above case studies, the Spiral Model provides an excellent framework to study the change in respect for international human rights norms. Tunisia has been a subject to multiple case studies, also during the Arab Spring, but a research gap is found in Egypt and Libya in the past five years. Hicks’ (2006) work in Egypt in 2006 with transnational networks and De Bona’s (2013) research in Libya between 1969 and 2011 provide an interesting starting point since a comparison between these countries is never made before. A comparative research between the three countries is especially interesting in the light of the Arab Spring and the practices of states with their movement from commitment to compliance. Before substantiating on the case selection of Arab Spring states, the next chapter will elaborate on the Spiral Model of Human Rights Change in the theoretical framework.

THEORY

The foundation of international human rights law was laid down in the UDHR. International law did have some human rights provisions prior to this declaration but as Buergenthal (1997) argues: “the internalization of human rights and the humanization of international law begins with the establishment of the United Nations” (p.703). It introduced a worldwide movement where states and international organizations (governmental and non-governmental) played an increasing role in the promotion and protection of human rights until today. The UDHR provides a “standard of appropriate behaviour” for all actors which caused a rapid development of human rights institutions and the ratification of many treaties (Finnemore and Sikkink, 1998 p.902). There is thus a normative basis and an ongoing process in the respect for human rights that knows no boundaries by the fact that international organizations are obliged to control states who need to protect and guarantee human rights. As expressed before, the Spiral Model of Human Rights Change by Thomas Risse, Stephen Ropp, and Kathryn Sikkink will form the theoretical framework in the research of the change in respect for human rights. The model incorporates the activities of four levels into the framework; those of international human rights organizations, regimes, international non-governmental organizations (INGOs), and Western States, all accommodated under the transnational advocacy network (1), a domestic society (2), the links between the transnational advocacy network and the societal opposition (3), and the national government (4). The five phases of the Spiral Model are respectively repression, denial, tactical concessions, prescriptive status, and rule consistent behaviour. Ultimately, the desired outcome is the progress towards a full internationalization of human rights norms, compliance. Within the five phases, the model illustrates two factors that influence the outcome, the outcome of in which phase the state is located in the Spiral Model². These two factors are the mobilization of transnational human rights actors and social mechanisms which are “modes of social action to bring about human rights change” that are used by the transnational human rights networks to influence the progress of respect for human rights (Risse and Ropp, 2013, p.13). Before elaborating the Spiral Model, the next two paragraphs will first introduce these two factors.

MOBILIZATION OF TRANSNATIONAL HUMAN RIGHTS ACTORS

As explained before, the Spiral Model is based on the boomerang pattern developed by Keck and Sikkink (1998). Domestic opposition groups and NGOs cooperate with transnational advocacy networks who then in turn have the ability to inform international human rights organizations and great powers who can pressure the norm violating state to change its behaviour (see figure 1). By this means, international actors can “amplify the demands of domestic groups, prise open space for new issues, and then echo these demands back into the domestic area” with the boomerang effect (Risse and Sikkink, 1999, p.18). The boomerang effect does not happen necessarily one single time but can be applied repeatedly which results in diverging effects on the respect for international human rights norms in the targeting country. Herein, Risse and Sikkink (1999) developed the Spiral Model of Human Rights Change that consists of several “boomerang throws” and therefore creates a spiral motion.

² The visual Spiral Model of Human Rights Change by Risse and Ropp can be found on page 26.

States and many non-state actors interact with each other and the interaction between all these actors is what the authors explain as the development of transnational advocacy networks. In an environment that needs efficient and reliable information, transnational advocacy networks are “lighter on their feet” than traditional international organizations and/or bureaucracies since networks “are forms of organization characterized by voluntary, reciprocal and horizontal patterns of communication and exchange” (Keck and Sikkink, 1998, p.91). The term ‘advocacy’ refers to the causes of organizing such networks, because advocates plead or defend for a cause or proposition. Advocacy networks can include a various set of actors such as foundations, international intergovernmental organizations, the media, domestic and international NGOs, and branches of different governments. When the actors are linked with proposed strategies, they start to share values, services, and information among the network (Keck and Sikkink, 1998, p.92). As Keck and Sikkink argue, the likelihood of a transnational advocacy network emerges when “channels between domestic groups and their governments are hampered or severed where such channels are ineffective for resolving a conflict” (1998, p.93). States are the first ‘guarantors’ of human rights, but when they violate or do not recognize these rights, individuals can not appeal to take judicial or political action on domestic level. This is when they turn to their international connections to seek for help and to express their concerns. By metaphorically ‘throwing a boomerang’ towards the advocacy networks, the repressed individuals try to mobilize the international actors “to change a state’s behaviour” (Keck and Sikkink, 1998, p.93). If this succeeds, the transnational advocacy network can provide the struggling domestic groups with access, information or money and in turn, the transnational advocacy network tries to seek influence the public agenda by their power of information.

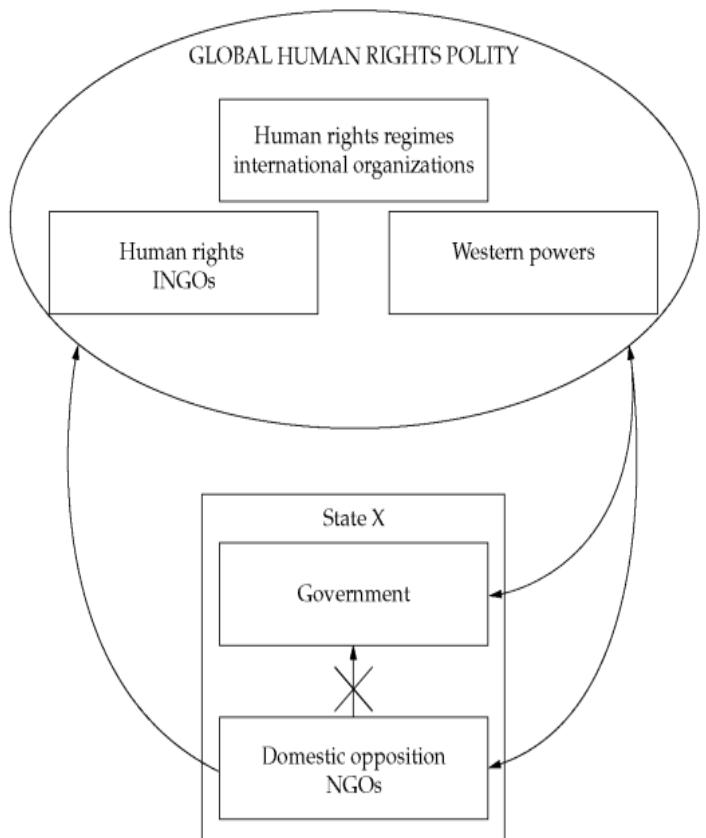


Figure 1: The Boomerang Effect (Risse and Sikkink, 1999, p.19)

MECHANISMS OF INTERNATIONAL SOCIAL ACTION

On a domestic level, protesters can move a state to alter its behaviour to some degree. But internationally, a transnational advocacy network or a bigger power can also impose changes in the behaviour of a repressive state through mechanisms of socialization. Socialization is the process whereby the ideas by individuals become collective understandings, shared interests and behaviour that lead to the corresponding appropriate behaviour. In an international society, this form of social constructivism implies that “a state becomes a member of the international system” (Risse and Sikkink, 1999, p.11). Socialization is useful in understanding the state’s political identity, since this theory assumes that it emerges in relation with other international groups and thus how the norms of

an international society like the UDHR transmit to all its members (Finnemore and Sikkink, 1998). Based on different modes of social interaction, Risse and Ropp (2013, p. 13-16) developed four mechanisms that are used in the process of socialization.

COERCION

Coercion can be used by an international actor that wants to replace the chosen option of a state by other, more desired, options. An action of coercion implies a “relationship of domination” by one actor to another (Blake, 2002, p.272). State punishment is the most obvious form of coercion that removes some autonomous rights from the one being punished. Hence, it is a consequence of divergent interests where states “or non-state actors can be coerced to comply with costly rules” (Risse and Ropp, 2013, p.13).

CHANGING INCENTIVES

Risse and Ropp (2013) believe that incentives can play an even more important role compared to the use of coercion when initiating a state to move from commitment to compliance. In the rational choice theory, utility calculations by states can change when the costs of non-compliance are raised. It is then up to the state to decide if it wants to alter its behaviour in a response to the incentives to comply. The social and material vulnerability of a state that is sanctioned by trade embargos or rewarded through foreign aid influences the effectiveness of the chosen incentives to induce compliance (Risse and Ropp, 2013, p.14).

PERSUASION

Persuasion is the act of influencing a state by principled ideas so that the state will eventually interpret its political and material obligations in the light of the persuaded interests “to accept its social obligations as appropriate” (Risse and Sikkink, 1999, p.14). If that works, persuasion is preferred over the use of coercion or incentives since it induces states into voluntary compliance. Besides, persuasion for the longer term is preferred since it changes the interests of the states where incentives leave the interests “untouched” (Risse and Ropp, 2013, p.14). Increasing the moral consciousness of a state by persuasion often involves the naming and shaming process. Naming and shaming is frequently done by large NGOs such as Amnesty International or the media, but also by governments or the United Nations Human Rights Council (OHCHR) to put a state who is violating human rights in disrepute. The shaming involves a construction of “us” and “them” whereby the target state belongs to another identity. Some norm violating states might not care about being shamed, but other states can feel deeply offended because they do not want to belong to another group, but to the “civilized community of states” (Risse and Sikkink, 1999, p.15).

CAPACITY BUILDING

Capacity building is the fourth social mechanism used by a transnational advocacy network that can lead to compliance. This is a more management based mechanism for states who involuntary not comply to international human rights norms. Violations occur also in states with limited statehood where the states have a lack of ability to implement and comply to international human rights norms.

We cannot always assume that when states do not comply it is because of a lack of willingness and therefore in the absence of institutional and administrative state capacity, the other three mechanisms of coercion, incentives, and persuasion would be ineffective. As Risse and Ropp define, capacity building in states refers “to a highly institutionalized process of social interaction aiming toward education, training and the building up of administrative capacities to implement and enforce human rights law” (2013, p.15).

SCOPE CONDITIONS FOR COMPLIANCE

The effectiveness of coercion, incentives, persuasion, and capacity building depends to a great extent on five scope conditions identified by Risse and Ropp that influence the profound working of the mechanisms (2013). First, a distinction between democratic and authoritarian regimes is essential. Quantitative research and Simmon’s study demonstrated that authoritarian regimes are less likely to comply with international human rights norms than democratic regimes (2009). A differentiation must thus be made, considering the improvements in the respect for human rights that almost always lead to more democratization (Gränzer, 1999; Simmons, 2009). Second, one cannot take a consolidated statehood for granted and assume that a state who is not complying is automatically unwilling to do so. State capacity marks therefore another condition whereby “limited statehood” can be a major obstacle on the road to compliance (Risse and Ropp, 2013 p.17). Limited statehood implies a situation where the political and administrative institutions of a state are too weak to implement the law and/or to hold monopoly over the means of violence. Furthermore, the degree of centralized or decentralized rule implementation needs also to be taken into consideration. If human rights violations occur at a decentralized level, let’s say at a local police force, the social mechanisms are more effective if they directly address this governance, instead of addressing the mechanisms to the centralized government (e.g. the military). This scope condition corresponds to the limited statehood capacity because as long as the rule implementation is highly centralized, “it should not matter much whether coercion, incentives or persuasion is used in efforts to induce compliance” (Risse and Ropp, 2013, p.19). Material vulnerability is the fourth scope condition, based on a realist assumption. Different case studies show whether states like Russia, the United States or China are accused of human rights violations compared to “materially weaker targets” (Risse and Ropp, 2013, p.20). Powerful economic and/or military states are able to “fight off” the social mechanism and especially external transnational advocacy networks (Risse and Ropp, 2013, p.20). States that are much dependent on other economies are more vulnerable for economic sanctions like trade embargoes or boycotts. The fifth scope condition implies the social vulnerability of states and is argued from a constructivist perspective. When a state cares about its social reputation in the international community, the more vulnerable it will be to social mechanisms like naming and shaming.

THE SPIRAL MODEL OF HUMAN RIGHTS CHANGE

A spiral motion occurs when the boomerang pattern is repeated, or in other words, when the struggling domestic groups seek multiple times to mobilize the transnational advocacy network. Risse and Sikkink integrated the multiple boomerang patterns in a more dynamic Spiral Model to explore the diverging effects on a human rights situation in a state (1999). The visual Spiral Model of Human Rights Change by Risse and Ropp can be found on page 27.

REPRESSION AND ACTIVATION OF A NETWORK

The first phase of the Spiral Model is a repressive situation in the state that is researched – “the target state” – (Risse and Sikkink, 1999, p. 22). A repressive state leaves no room for domestic societal oppression groups to have a significant effect on the actions of the target state. This phase can last for a longer period of time due to the fact that a repressive state might not get noticed by the transnational advocacy network, hence, it is not placed on their agenda. Being placed on the agenda is unfortunately also dependent on the level of repression because it determines the probability of a transnational advocacy network to acquire information about the human rights violations of the target state. If a state’s level of repression is very high, information gathering is difficult since there must be a link between the domestic opposition and the transnational advocacy network whereby the latter needs access to the activities of the target state. This is why Risse and Sikkink argue “only if and when the transnational advocacy network succeeds in gathering information on the repression in the “target state”, it can put the norm-violating state on the international agenda moving the situation to phase 2” (1999, p.22).

DENIAL

If the transnational advocacy network succeeds in gathering information from the domestic opposition, the target state is placed on the international agenda that raises the level of public opinion. Besides information gathering, the activation of the transnational advocacy network can also occur due to an enormous human rights violation, a massacre for example, which leads to the mobilization of the international community. The first step in the denial stage is the production and publication of information about the human rights violations of the target state by the transnational advocacy network together with human rights organizations in the state. Hereafter, the lobbying of international human rights organizations and other Western states starts, mostly through moral persuasion. The network activists try to remind the Western states of their own role and point to inconsistent behaviour of condemning human rights violations in one state but not in the case of this target state. These persuasion activities might then lead to more pressure on the violating state to change its practices. The first and foremost reaction of the target state is almost always denial, whereby it “refuses to accept the validity of international human rights norms themselves and that it opposes the suggestion that its national practices in this area are subject to international jurisdiction” (Risse and Sikkink, 1999, p.23). Hence, the target state objects not only the accusations but convicts also that the criticism is not legitimate since it intervenes with its national affairs. This can also cause some mobilization of national ‘pro-target state’ sentiments to deprecate the criticism and foreign intervention. Hereby, the first boomerang throw of the transnational advocacy network is often counterproductive since it allows the target state to strengthen its domestic support. Repression might even increase when the national military is active, any action by domestic opposition is then used by the target state to validate its actions and that “integrity of the nation is at stake” (Risse and Sikkink, 1999, p.23). Denial takes almost always the form in terms of reference to more valid norms of national sovereignty. This results in an isolation of domestic groups and international pressure. The reason that the denial stage is a part of the norm socialization process is because of the fact that the target state feels the urge to deny and defend itself. If the state would not feel the force to deny the accusations, socialization was not supposed to happen. With publicly denying the international human rights norms, repressive states “are at least implicitly aware that they face a problem in terms of their

international reputation" (Risse and Sikkink, 1999, p.23). The denial phase proves to be the biggest challenge for transnational advocacy networks since the target state still has many strategies and power at its disposal to fight against the pressures. The transition to phase 3 of the Spiral Model becomes then extremely difficult because it "depends on the strength and mobilization of the transnational network in conjunction with the vulnerability of the norm-violating government to international pressures" (Risse and Sikkink, 1999, p.24).

TACTICAL CONCESSIONS

If the pressures from the international community continue and the transnational advocacy network is extended, target states often want to make some "cosmetic changes" to mitigate international criticism (Risse and Sikkink, 1999, p.25). These cosmetic changes imply the release of prisoners or the permission to domestic opposition groups to campaign against the state. A stable improvement of human rights conditions is not expected in this phase because the target state acts "almost solely from an instrumental or strategic position" (Risse and Sikkink, 1999, p.25). The main aim from the transnational advocacy network is therefore not to change the behaviour of the target state in the first place, but more to facilitate a social mobilization so that the activities move from a transnational to a domestic level. Due to the increased attention from the international community, the activities of domestic opposition groups are more legitimized and protected. The transnational advocacy network creates thus an area for domestic groups so that they can amplify their concerns. As Risse and Sikkink argue, the tactical concessions phase is the "most precarious phase" because it might result in a progress that will end in a change of human rights conditions, but a backlash is also possible. A backlash breaks the upward spiral motion in the model. If the spiral motion is not delayed, the small domestic human rights movement will likely grow in strength. It becomes more and more difficult for the target state towards the end of this phase to control the domestic situation and repress the opposition groups. Every time the state violates a human right, the domestic and transnational advocacy network are prepared to take action from below and above. From below means that the civilians lose their fears to express their opinions and start to protest against the state. From above means that donor countries in the international community start coordinating foreign aid that links to human rights improvements. The options for a repressive regime are decreasing for the norm-violating state which makes it no longer deny the validity of the international human rights norms. In this stage, the transnational advocacy network can use the naming and shaming as an effective communicative tool. Some material sanctions can reinforce the naming and shaming tool which increases the need by the target state to make some concessions. Risse and Sikkink argue that these tactical concessions are often underestimated by the states since they overestimate their support in society. Hence, "they become "entrapped" in their own rhetoric" because the states are surprised by the impact of their small changes when both international and domestic groups are ready to take action (Risse and Sikkink, 1999, p.27). By the time the target state realizes the tactical concessions were a mistake, opposition already grew beyond its own perspective.

The normative actions by the transnational advocacy network leads to a process of communicative action in a later stage of the tactical concessions phase whereby the target state no longer denies the validity of the human rights norms but starts arguing about the violations. This takes for instance place at the OHCHR with the Universal Periodic Review (UPR). As Schimmelfenning argues, justifications of the violations are first used to propagate one's interest (1995). However, the

target state will be again entrapped in its own rhetoric, since “the more norm-violating governments argue with their critics, the more likely they are to make argumentative concessions and to specify their justifications and the less likely they are to leave the arguing mode by openly denouncing their critics” (Risse and Sikkink, 1999, p.28). Thus because the target state is concerned with its reputation it will stay at a dialogical mode of arguing. INGOs then take the opportunity for a dialogue with the target state to seriously discuss how to improve the human rights conditions. This is what Risse and Sikkink explain as the “self-entrapment” of the target state, what started as an instrumental discussion about interests resulted in a true dialogue about the human rights allegations (1999, p.28). Combined with a “fully mobilized domestic opposition” and a widespread transnational advocacy network, norm-violating states have little left to choose after the dialogues. Consequently, some states start a process of “controlled liberalization” (Risse and Sikkink, 1999, p.28). The rulers start either implementing the international human rights norms or they miscalculate the situation by increasing the level of repression. As a result, this can only strengthen the domestic opposition groups and increases the likelihood that the rulers will be thrown out of power. Concluding this phase, either “controlled liberalization” or a change in the regime will lead to the transition of the fourth phase, the prescriptive status (Risse and Sikkink, 1999, p. 28-29).

PRESCRIPTIVE STATUS

Phase four implies that the target state starts to refer to international human rights norms to describe its own behaviour and comment on that of others. The state no longer refuses to accept the validity of the international human rights norms, even if it continues to violate these norms. The ideas that lead to a prescriptive status are therefore “decisive for their sustained impact on political and social change” (Rittberger 1993, p. 10-11). Risse and Sikkink describe four discursive practices to verify if a state accepted the validity of international human rights norms. First and foremost, the state ratifies international human rights treaties, conventions, and includes optional protocols. Hereafter, these norms need to be institutionalized in domestic law and/or the constitution. Third, citizens need to have access to some sort of institution that controls the human rights practices and where they can complain about any human rights violations. At last, the criticism of the domestic opposition groups and the transnational advocacy network is no longer announced as “interference with internal affairs” which is the phase of denial (Risse and Sikkink, 1999, p.29). Rather, the target state engages in a true dialogue with the international community. The prescriptive status phase is predominantly linked to the commitment rationale since it is defined as the acceptance of international human rights norms by states “as valid and binding for themselves” in their public discourse (Risse and Ropp, 2013, p.9).

Of the socialization mechanisms in this phase, communicative behaviour is most critical between the target state and their domestic and international analysts to justify and debate the norms that are institutionalized into the domestic law. These words of dialogue need of course be matched by the deeds since this phase entails that the target state makes a “sustained effort to improve the human rights conditions” (Risse and Sikkink, 1999, p.30). The prescriptive status needs thus to be followed by the last phase of the Spiral Model: rule consistent behaviour.

RULE-CONSISTENT BEHAVIOUR

The prescriptive status is as explained not identical with rule consistent behaviour in phase five because the target state might accept the validity of the international human rights norms but nevertheless still violates these rights by detaining civilians without a fair trial or torture prisoners. It might also be the case that the state is not in full control of its military forces who not execute their duties according to the new norms. Therefore, it is crucial in this phase that domestic and transnational advocacy networks keep pressuring towards more improvement and compliance. We assume in this phase that the human rights violations decrease, but this might be a difficult to trace since the international attention may also decrease. This is the problem which many INGOs recognize as the satisfaction of the international community when the target state is committing to the norms. Herein, the authors argue that the pressures from above and below to push the state to act according to its claims need to continue to achieve a “sustainable change in human rights conditions” (Risse and Sikkink, 1999, p.33). Only when this is enforced, the final phase of the Spiral Model and socialization process can be reached “whereby international human rights norms are fully institutionalized domestically and norm compliance becomes a habitual practices of actors and is enforced by the rule of law” (Risse and Sikkink, 1999, p.33). The progress towards the last phase is thus achieved when the target state sustains the compliance with international human rights norms due to its changing behaviour.

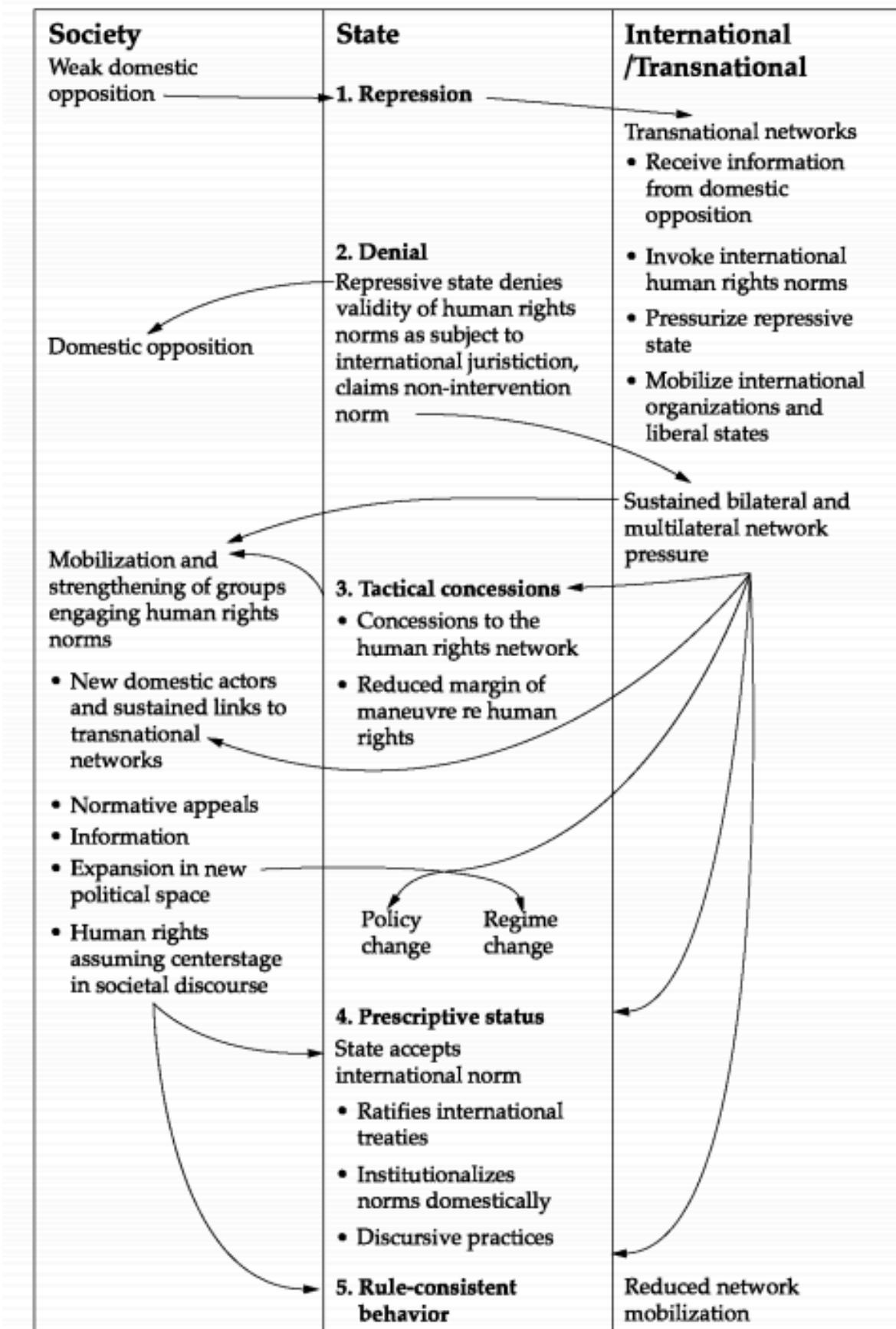


Figure 2: The Spiral Model of Human Rights Change (Risse and Sikkink, 1999, p.20)

OPERATIONALIZATION

CASE STUDY SELECTION

The Spiral Model of Human Rights Change is best addressed using a qualitative case study research since the cognitive factors like discourses, ideas and norms are the cornerstones of the theoretical framework. We are primarily interested in the causes of the effects and with a great number of empirical observations per case, “case studies are ideal for investigating new, complex, or abstract phenomena” (Blatter and Haverland, 2012, p.19). The analysis will track the developments over time in a very detailed manner which makes it possible to examine the diffusing processes. It is a (re-)construction of the identities, institutional characteristics, and interests of all actors through their social interaction and constituted structures. As Blatter and Haverland argue, the strength of a case study “is the fact that limiting the research to one or a few cases allows the researcher to invest time and intellectual energy in reflecting on the relationship between empirical observations and the abstract concepts that form the core elements of the hypotheses, theories, and mechanism-based explanations” (2012, p.20). This can in turn increase the internal validity of the research since a small-N can be used more easily with specific indicators derived from the theoretical framework and it allows to set the boundaries with ensuring its reliability. This case study is broader than only investigating a specific causal factor with a co-variational (COV) approach. Rather, it is a case study to identify the outcomes by going back in time that examines the decisions, key-events, and processes that link with the hypothesized causes. Within this causal-process tracing (CPT) approach, the aim is to specify the mechanisms that connect the causes of the change in respect for international human rights norms with the effects in the post-Arab Spring states (Blatter and Haverland, 2012, p.24; Falleti, 2006, p.5).

The causal-process tracing depends heavily on a comprehensive overview of critical movements and needs to gain deep insights into the motivations and perceptions of all important actors and events. Ideally, the chosen Arab Spring states for the analysis need to show a strong positive result with to the outcome selected, the change in respect for international human rights norms. Since the outline of the Arab Spring states in the introduction hinted already some differences between Tunisia, Egypt, Libya, Yemen, and Syria, it is necessary to make a selection of these states to build a substantiated comparative case study. Some protests led to the resignation of authoritarian leaders like Ben Ali and Mubarak, some governments were overthrown with the assistance of the international community, and other uprisings lead to an ongoing civil war in Yemen and Syria. Although for example Egypt and Syria were (or are) ruled by authoritarian leaders, the diffusion between the states is currently too striking. The ongoing civil wars in Yemen and Syria are too challenging to use in the analysis with the Spiral Model of Human Rights Change. There has been no significant regime change compared to the cases of Tunisia, Egypt, and Libya and besides, one cannot predict the situation in Yemen and Syria for the upcoming months, the data varies too much which can cause implications for later research. The research method therefore comes down to a most similar small-N comparative case study. Concerning the most similar cases of Tunisia, Egypt, and Libya, they all have in common that a regime change occurred as a result of the Arab Spring with a revolutionary period afterwards. Moreover, the cases are predominantly states were authoritarian leaders ruled for decades and violated international human rights norms. International mobilization efforts were present in all three cases, but the degree of effort differs significantly. This difference is

also due to the civil war outbreak in Libya, an unique event that did not occur in Tunisia and Egypt, but an crucial difference that needs to be taken into account in the collection of findings, the analysis, and the comparability of the cases.

METHODOLOGY

DATA CATEGORIES

For the qualitative causal process tracing, the collection and generation of data is crucial when aiming for a comprehensive understanding of all important actors, events, and outcomes. One of the core advantages of this small-N case study is that it made it possible to “invest heavily in the search for many pieces of empirical evidence” (Blatter and Haverland, 2012, p.110). To form a coherent picture of the data that increases the certainty of the causal processes, the data collection can be divided in three categories of empirical fundaments. First, the research provides a “comprehensive storyline” where all relevant causal conditions and their development are presented in a more “narrative style” (Blatter and Haverland, 2012, p.111). This type of storylines demonstrates an overview of the most important events and causal conditions that had a potential influence on the current situation in Tunisia, Egypt, and Libya. In other words, this data identifies that most crucial steps, the turning points and “phases of transformation” that have led to the outcome (Blatter and Haverland, 2012, p.112). The second important data category is what Blatter and Haverland illustrate as the “smoking-guns”, data that provides a sufficient but not a necessary condition for presenting the causal process. The smoking-gun observations are connected to other observations, “which together provide a high level of certainty for a causal inference” (Blatter and Haverland, 2012, p.115). Observations of this type are especially relevant in determining how the actors behaved, why they acted individually or more collectively and what the consequences were. Hence, the capabilities and behaviour of all actors are central in the smoking-gun observations to present “the bigger picture” (Blatter and Haverland, 2012, p.117). Motivations of the actors are often not revealed by smoking-gun observations, so the third data category consists therefore of concessions. Combining comprehensive storylines and smoking-gun observations with “explicit statements of actors in which they reveal why they acted the way they did” with some critical reflection creates the desired certainty in drawing causal inferences.

DATA SOURCES

Different data sources are taken into account to trace the progress of human rights change. Primary sources include annual Country Reports on Human Rights Practices of the United States Department of State, reports by HRW, Freedom House, Amnesty International, and the International Crisis Group (ICG). Moreover, the CIA World Factbook is used for data about demographics, government, military, communication, and other to give insights in the three states. Another important primary source are the Universal Periodic Reviews (UPR) of Tunisia, Egypt, and Libya in the first and second cycle. The UPR is a process constructed by the UN Human Rights Council that reviews the human rights records of all UN Member States. It was constructed in 2006 and is the first international human rights mechanisms where member states voluntarily participate. A member state is scrutinized by the UPR working group in this peer reviewing system that happens on a 4.5-year basis which gives the State under Review (SuR) the time to act upon the recommendations. The peer review per country includes four reports; a National Report, submitted by the SuR, a Compilation Report, that contains information about all

treaty bodies, observations, and special procedures, a Summary Report of all stakeholders, and a Working Group Report, that contains statements and questions by delegations. Since Risse and Sikkink (1999) imply that various mechanisms of international social action, such as persuasion, alter state behaviour, the UPR gives us an important insight how the state presents itself, how it reacts on questions by the delegations and observations of stakeholders. Concerning naming and shaming, essential is to analyse if the state cares about being shamed, if it presents to be offended, and if the National Report is in line with information from the stakeholders and delegations. The first UPR cycle started in 2008 and ended in 2011, the second cycle ran from 2012 to 2016 and the third cycle started in 2017 and will end in 2021. For the sake of this research, the first two cycles are of utmost importance to include, especially since the first cycle occurred in the pre-revolutionary period and the second one after the authoritarian leaders were overthrown in Tunisia, Egypt, and Libya. We can therefore compare the different National Reports and analyse if there is any change in the state's behaviour towards an international human rights mechanism. The dates are clarified in the following table:

	UPR First Cycle	Start Arab Spring	Regime change	UPR Second Cycle
Tunisia	08-04-2008	18-12-2010	14-02-2011	22-05-2012
Egypt	17-02-2010	25-01-2011	25-02-2011	05-08-2014
Libya	09-08-2010	17-02-2011	23-08-2011	13-05-2015

Table 1: UPR Cycles combined with Arab Spring events

Secondary sources include media and news reports, such as reconstructions of the Guardian, articles from the New York Times and Al Jazeera English, academic literature, books, and other research addressing the Arab Spring uprisings.

TIME PERIOD

Considering the causal process tracing in the research of the Spiral Model with Tunisia, Egypt, and Libya, a relatively long time frame is taken into account. The Arab Spring started at the end of 2010 and was at its peak between January and August 2011 when governments were overthrown. But to give a comprehensive and complete analysis, also of the pre-revolutionary period, the time frame will begin in 2000 and end in 2016. Covering a longer time frame will make the different phases of the Spiral Model more comparable since changes in repression, denial and commitment before, during the uprisings and after the Arab Spring are then easier to identify.

HYPOTHESES AND VARIABLES

The analysis will trace the pressures from domestic groups, the activities from transnational advocacy networks, and the use of mechanisms of international social action; coercion, incentives, persuasion, and capacity building. As explained with the boomerang effect, a transnational advocacy network receives information from domestic NGOs and can move greater powers into mechanisms of social action. Their influence on international levels is far greater than that of domestic NGOs, not only because their credibility and legitimacy but also because domestic NGOs face more difficulties in a

state that suppresses their impact and mobilization (as visualized in figure 2, p.26). A causal relation is therefore expected together with the five phases of the Spiral Model and therefore, the following hypotheses are formulated in accordance with the theoretical expectations:

H₁: If transnational advocacy networks have been mobilized, the movement towards rule consistent behaviour of international human rights norms is more likely to occur.

H₂: If mechanisms of international social action have been used against human rights violations, the movement towards rule consistent behaviour of international human rights norms is more likely to occur.

Examining these hypotheses will answer the corresponding research question:

How did the respect for international human rights norms change in the post-Arab Spring states compared to the pre-revolutionary period?

The respect for (or the movement towards) international human rights norms is the dependent variable that corresponds with the categorization of the Spiral Model. Hence, it is a degree of respect that assesses repression, denial, tactical concessions, prescriptive status, and rule consistent behaviour within a certain time frame. International human rights norms are a broad concept that cover many human rights and therefore this research looks to a specific set of internationally recognized human rights that include physical integrity rights, civil rights and liberties, and women's rights. Physical integrity rights cover the right not to be tortured, disappeared, extrajudicial killed or put in prison for any political beliefs. Civil rights and liberties include the freedom of assembly and association, religion, the right of speech, the freedom of domestic and international movement, and the freedom to engage in fair elections. Women's rights include the equal treatment and legal protection of women in political, economic, and social interactions (Cingranelli and Richards, 2010). To illustrate, the most four common human rights violations are disappearances, extrajudicial killings, torture, and detentions without trial.

The independent or explanatory variable that will be studied in the first hypothesis is the mobilization of transnational advocacy networks and its efforts in changing the respect for international human rights norms in the target country. The second hypothesis examines the independent variable of different mechanisms of international social action developed by Risse and Ropp (2014); the use of coercion, incentives, persuasion, and capacity building (see table 2, p.31).

<i>Independent variables</i>	<i>Dependent variable</i>
H_1 : Transnational advocacy networks	The degree of respect <ul style="list-style-type: none"> - Repression - Denial - Tactical concessions - Prescriptive status - Rule consistent behaviour
H_2 : Mechanisms of social action <ul style="list-style-type: none"> - Coercion - Incentives - Persuasion - Capacity building 	For International human rights norms <ul style="list-style-type: none"> - Physical integrity rights - Civil rights and liberties - Women's rights

Table 2: Hypotheses & variables

ANALYSIS

TUNISIA

Tunisia's modern history started after its independence with France in 1956. It was shortly reigned by a king but after one year President Bourguiba was chosen and ruled until 1987. Bourguiba modernized Tunisia to a great extent with abolishing polygamy, legalising abortion, and liberating women from Islamic rules. But he was also notorious from his authoritarian rule and repression that made the opposition grow. Prime Minister Ben Ali made Bourguiba declare to be mentally ill and incompetent to govern in 1987. With his 'medical coup', Ben Ali based his authority on the dominant party, the Democratic Constitutional Rally (RCD), and established several new ministries such as the Ministry of Communication who covered the media (Murphy, 2016). Ben Ali issued some measures during his first re-elections in the 1980s to commit to international human rights norms and granted amnesty to political prisoners from the former Bourguiba regime. In the first years of his presidency, Ben Ali signed and ratified the CEDAW (1985), CAT (1988) and the CRC (1992), but reservations in the implementation of the treaties were made quickly and Tunisia did not sign the Rome Statute (ICC) (Appendix 1) (UN HRC Compilation, 2008, p.2). By 1990, Ben Ali became more unwilling to address human rights issues and grant access to NGOs such as Amnesty International, who published some critical reports. He limited the freedom of press, information, and association and took legal measures to constrain the activities of human rights NGOs. A backlash occurred in the process towards the regime's commitment to international human rights norms and through tactical concessions, Ben Ali interrupted the mobilization of the transnational advocacy network that prevented further human rights progress (Gränzer, 1999).

2000 – 2010: COSMETIC CHANGES & MOBILIZATION

The first ten years of the 21st century present an unstable period with some improvements in human rights and freedoms on the one hand but likewise significant violations of human rights treaties on the other hand. Numerous events indicate the degree of respect for human rights which did not improve since more commitment and violations went back-and-forth. This marks phase three of the Spiral Model, tactical concessions by Ben Ali and his government noted the most common occurrence as they made some cosmetic changes in this period but also whereby human rights NGOs mobilized themselves to facilitate a platform for national human rights activists (Risse and Sikkink, 1999). Needless to say, this decade gives a possibility to interpret the different phases of the Spiral Model as more fluid since acts of repression, denial, and commitment are also present in specific human rights fields (Risse and Ropp, 2013). The respect for physical and civil rights expresses the biggest concern from 2000 to 2010 as Ben Ali's regime embodied a strong "interlocking structure" with a hegemonic party, many security forces, and a compliant media (ICG Tunisia, 2011, p.9). Observers doubted the fairness of the 2004 and 2009 presidential elections where the RCD overwhelmingly won with around 90% of the votes. The other legal parties, the Democratic Front for Labour and Freedom (FDL) and the Progressive Democratic Party (PDP) were in some occasions able to assert their voices, but their newspapers were banned and activists arrested. This caused an impossibility for Tunisian citizens to express their political voices and to change the state apparatus since the other political parties only served as "symbolic candidacies" (ICG Tunisia, 2011, p.1). A strong link to the phases of denial and tactical concessions is visible in Tunisia's effort to guarantee the independence of the judiciary. In its

UN National Report, Tunisia repeatedly recalls the independence of the judicial authority as written in the Constitution and several Acts of the High Council adopted in 2005 (UN HRC National Report, 2008, p.6). But historically, Ben Ali and the executive branch strongly influenced the judicial procedure as he was a member of the Supreme Council of Judges, especially in cases that involved opposition figures and political dissidents (US Department of State, 2011a, p.6). In 2005, the UN Special Rapporteur on the independence of judges and lawyers expressed his concern about the lack of independence and noted acts of intimidation and violence against judges by the police as well as cases of harassment and threats to members of the judiciary who were involved in human rights cases (UN HRC Compilation, 2008, p.7). Numerous reports by Amnesty International and Alkamara held that the right of a fair trial had been systematically violated since the authorities denied the serious irregularities in the administration of justice (UN HRC, Summary, 2008, p.5).

Although torture was a crime under domestic law and while Tunisia was one of the first states in North Africa who ratified the CAT, the use of it and ill treatment in prisons was severe during this period. Reports by the World Organization against Torture and the LTDH mark the widespread use of it in all stages of the criminal procedure. According to Amnesty International, torture was perpetrated by local security forces as well as officials of the State Security Department to extract confessions and to force detainees to sign statements in courts (UN HRC Summary, 2008, p.3). Reports revealed the intensified use of torture since the Anti-Terrorism Law came into force in 2003, which provided a too broad definition of terrorism “that is susceptible being used to punish nonviolent acts of speech, association and assembly” (HRW, 2011, p.43). Herein, we find ourselves in the denial phase of the Spiral Model but in some instances, Tunisia made tactical concessions with judicial investigations and convictions of prison guards who got public attention after torturing detainees to present its goodwill. Further governmental respect was endorsed in 2008, when the Tunisian authorities allowed the ICRC to access prisons for the first time and the establishment of the High Committee for Human Rights and Fundamental Freedoms (NHRI). This Committee had the “administrative and financial autonomy” to promote and protect human rights throughout the country (UN HRC National Report, 2008, p.10). In theoretical terms, this development implicates a development towards the phase of prescriptive status. However, reports of the NHRI were not made public because of governmental censorship and authorities restricted the work fields of the commissioner.

Considering the second hypothesis, mechanisms of social action were frequently used by Amnesty International and the UN Committee against Torture to pressure the Tunisian government. Media coverage, a press conference in 2005 by HRW and public naming and shaming led to slight improvements in detention facilities and the medical care in prisons (FIDH, 2005, p.7). Besides INGO's, Western states also expressed their concerns about the human rights violations. Both the European Union and the United States warned Tunisia for its violating practices. The EU used an incentive in 2000 when it threatened to stop their bilateral trade agreement but coercive steps were not seized (European Parliament, 2000). This corresponds to one of the scope conditions for compliance as it implies a weak sense of social vulnerability for the Western states because their social reputation was also influenced by other political and economic interests. (Risse and Ropp, 2013, p.20). Since Tunisia was an important ally for the US in the ‘War on Terror’ and had historically strong ties with France in its governmental policies, it was more difficult for transnational advocacy networks to increase their pressure in persuading Tunisia to accept the validity of international human rights norms.

Apart from the violated physical rights, the rights to freedom of expression, assembly, and association were as well impaired in this period. The Ministry of Communication was extremely powerful in “muzzling the media” whereby independent journalists were frequently subject to punitive measures, monitoring, threats, travel restrictions, and slander campaigns (ICG Tunisia, 2011, p.1). The Press Code banned critical newspapers and broadcasters who offended the president and disturbed order with ‘false news’. Certain domestic and international websites that featured political or human rights critique such as HRW and Amnesty International were completely banned until 2008. Hereafter, only the webpages that contained no harmful information about Tunisia’s human rights conditions were visible (UN HRC Summary, 2008, p.7). In 2005, the UN Special Rapporteurs expressed “their deep concern regarding the deteriorating situation of freedom of expression, association and assembly” (UN HRC Compilation, 2008, p.8). Internationally, this led to negative incentives regarding the freedom of expression such as the sanctions of the World Association of Newspapers that cancelled its agreement with the Tunisian government after the report of the UN. As for freedom of religion, violations were not as severe as the above described repressive phase for the freedom of expression, assembly, and association. The state religion was based on Islam but non-Islamic groups were overall accepted. *Sharia* law, religious law derived from the Quran and Hadith, did impose some restrictions on the status of women, such as the prohibition for women to marry a secular men and the rules for inheritance. In general, governmental recognition for women’s rights marks the most convincing step towards the prescriptive status of the Spiral Model in Tunisia. The United Nations Development Program (UNDP) reported in 2006 that “Tunisia’s Personal Status Code stands alone in the Arab world as a model for promoting the principle of equality in marital relations” (UN HRC Compilation, 2008, p.3). Women dominated men in university enrolment and their labour force participation rate increased in 2009 while it dropped for men in the same category (25-54 years) (Sinha, 2011, p.193). Domestic NGOs such as *Association Tunisienne des Femmes Démocrates* (AFTD) and the National Union of Tunisian Women (UNFT) successfully advocated for women’s rights which made the Tunisian government appreciate the rules and norms more in this period.

THE JASMINE REVOLUTION

Within Tunisia’s borders at the end of 2010, distinct dynamics like striking economic and social disparities, high (youth) unemployment in the southern areas, and the denial of basic human rights were pushed together after the self-immolation of a young vegetable seller in Sidi Bouzid. Riots broke out with the remobilization of the youth through modern means of communication and sustainable efforts by the Tunisian General Labour Union (UGTT). Protesters gradually adopted a political confrontation strategy that went beyond socio-economic pressures in entire Tunisia (ICG Tunisia, 2011, p.4). Protesters faced heavy resistance from Ben Ali’s security forces which resulted in at least 300 deaths and approximately 700 injured civilians according to the UN (US Department of State, 2011a, p.7). Ben Ali relied on a huge repressive apparatus but cracks slowly began to occur in January 2011. The RCD was unable to organize a single counter protest as former secretary general Gheriani noted: “members of the RCD were among the protesters [...] no one wanted to defend the president any longer” (Gheriani, 2011, p.9). Likewise, the military was marginalised as they had no interests related to the preservation of the regime. In brief, the RCD apparatus itself had been taken prisoner of its own control and Ben Ali departed to Saudi Arabia on January 14, 2011, ending his 23 years of authoritarian presidency. Shortly after, the interim government with PM Rachid Ghannoushi from the Arab Islamist Ennahda party enacted the state of emergency during the revolutionary period that

prohibited organized demonstrations and temporarily excluded different human rights treaties to comfort institutional change. The 1959 Constitution was suspended and the interim government established new electoral codes to elect the Constituent Assembly on October 23 and the first free parliamentary election since 1956 in 2014. The parliamentary election was won by the social-democratic Nidaa Tounes party with a plurality of votes and was followed by the adoption of a new constitution (ICG Tunisia, 2001, p.18-20).

Regime change succeeded successfully, with a government that was recognized by major social actors (ICG Tunisia, 2011, p.29). Civil and physical rights changed accordingly as human rights change was fast visible in the first months of the interim government. New statutes gave citizens the freedom to establish political parties, resulting in around 130 new political parties in 2013 for the parliamentary elections in 2014. Internationally, Tunisia made important gestures towards commitment with signing the Optional Protocol to the ICCPR (2011), the Optional Protocol to the CAT (2011), the International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED) (2011) and the Rome Statute of the ICC (2011) (Appendix 1). Hence, these developments indicate a move towards the phase of commitment in the Spiral Model.

Theoretically seen, the above developments indicate further commitment in civil and physical rights but the lack of democratic experience and effective benchmarks did however constrain the political freedoms of the citizens (UN HRC National Report, 2012, p.20). HRW and the Association of Tunisian Judges criticized the new laws that failed to protect the independence from the executive branch (US Department of State, 2016a, p.9). The state capacity after the revolution was limited not only due to institutional constraints, but the economic situation was “disastrous” as Tunisia had to cope with tens of thousands of refugees from Libya (ICG Tunisia, 2011, p.22). Besides, the new government was handicapped by the absence of police forces, they were temporarily replaced by the army on a decentralized level but did not always implement the post-revolutionary regulations. Extrajudicial killings and imprisonment of protesters and journalists by violent security forces still occurred and in addition to that in 2013, two leading political opposition figures Chokri Belaid and Mohamed Brahmi were assassinated by terrorists (ICG Tunisia, 2011, p.24). Conditions in Tunisian prisons lacked behind in the first years after the regime change principally due to overcrowding and poor infrastructure. INGOs condemned the practices as “medieval” and “brutal”, and reported the deaths of several detainees in 2015 (US Department of State, 2016a, p.2).

Although the new law on torture of October 23, 2011, brought the definition in line with the CAT, it still included outdated limitations contrary to international law (UN HRC Summary, 2012, p.4). Investigations of torture allegations remained poor according to the French NGO Action by Christians for the Abolition of Torture that cited also its concerns with the application of the new anti-terrorism law which “echoed Ben Ali’s old practices” (US Department of State, 2016a, p.2). Compared to the 2003 anti-terrorism law, the 2011 bill creates a greater room to manoeuvre for the security and armed forces. For example, the death penalty and not lifelong imprisonment is the maximum penalty for terrorism. Also under the new law, a detention period cannot exceed two weeks, while suspects under the 2003 law could not be detained without court orders or a lawyer longer than 6 days (Sadiki, 2015). Along with this, president Essebsi reinstated the nationwide state of emergency in November 2015 after a suicide bomber targeted the Presidential Guard in Tunis. Thousands of people have been arrested since 2015 whereby at least 5.000 individuals have been imposed by local and international travel bans serving the purpose to prevent Tunisians from joining armed groups and monitor the

movements of those who came back from conflict areas. Furthermore, Amnesty International noted 19 arbitrary arrests and more raids and ill treatment during house sweeps (Amnesty International, 2017). Until the end of 2016, the emergency law was again extended that allowed the president and his security forces to ban meetings and strikes, close theatres and bars, and control the media. This backlash indicates a movement away from the commitment phase to the repressive phase in the Spiral Model.

The mobilization of transnational advocacy networks and their continuing activities and pressure indicate the most positive step towards rule consistent behaviour. This is in line with both hypotheses as they expected the movement towards rule consistent behaviour due to the mobilization of the transnational advocacy network and the use of mechanisms of international social action. Local and international human rights groups, as well as the ICRC and HRW were granted access to prisons by the government since 2011, and were allowed to conduct unannounced inspections since May 19, 2015. The UNHCR and Reporters without Borders received permission to open offices in Tunis and to freely conduct in-country research in 2011 (US Department of State, 2011a, p.14). Capacity building efforts were in place by the European Union, who financially supported the democratic reform together with incentives to contribute to more knowledge for the legislative governmental structure (EEAS, 2016, p.24). EU rapporteurs still occasionally visit the country to assist and monitor the transition process. Besides, the EU froze some of Ben Ali's reserves in 2011 to sanction him and his officials. As the US noted in their 2016 report, government officials were generally responsive and cooperative to the views of INGOs (US Department of State, 2016a, p.17). The mobilization and social action even paved a modest way for associations advocating LGBTI rights, who gained social media popularity and international media attention. Same sex relations are however still criminal under Tunisia's Penal Code (Art. 230), LGTBI individuals need to be discreet and are vulnerable to violence, blackmails, and extortion by the police (Amnesty International, 2016, p.10). Societal intolerance against LGTBI's is also widespread, for instance, in April 2015 on national television, a popular actor said that homosexuality was a "sickness" and that he was "despised" by them (US Department of State, 2016a, p.24).

Improvement in the freedom of speech and expression was visible in the first three post-revolutionary years. The Ministry of Communication, the propaganda tool of Ben Ali, who embodied political control over all media, was dissolved. Censorship on the Internet had ended, an almost irreversible choice, considering the role of the media during the uprisings (UN HRC, Summary, 2012, p.8). A majority of the citizens used internet and there were no credible reports that the government monitored online communication. Other laws restored the freedom of assembly and association, and former politicians of the RCD were restricted from any political activity. Journalists and bloggers were still harassed when publishing critical content about the regime and towards 2015, the Ministry of Interior tapped people's phones and emails. In March 2015, the government presented a new law for the Penal Code that would put critical journalists and human rights defenders at risk of criminal prosecution (Amnesty International, 2016, p.7). Authorities suspended several radio stations and arrested people for criticizing the government on counter-terrorism grounds. This backlash in the respect for human rights change regarding the repressive phase in the Spiral Model is probably all due to the enacted state of emergency that bans all activities deemed to threaten public order (Amnesty International, 2016, p.12). Islam is still portrayed as Tunisia's state religion in the new 2014 Constitution and due to the societal unrests, religious minorities faced attacks and harassments by Muslims in the past years. Reservations with regard to the Sharia were not yet discarded in the first years after the uprisings which hindered women's economic and political participation but this was

amended in 2014 when the government lifted the reservations on ratified Conventions. As marked by Amnesty International: “Tunisia became the first country in the Middle East and North Africa region to lift all reservations to the Convention on the Elimination of all Forms of Discrimination against Women” (Amnesty International, 2016, p.7). Some laws still have to be implemented in line with the CEDAW but this development surely implies a development towards commitment for women’s rights since women benefit more equality and protection on the basis of international law.

EGYPT

Military leader and former vice-president Muhammad Hosni Mubarak became Egypt’s fourth president in October 1981 after President Sadat was assassinated by Islamic militants. His first presidential years were moderate as he released Sadat’s political prisoners with announcing “the end of the reign of the privileged minority” and stressed the rule of law with encouraging parliamentary elections (Britannica, 2017). Neither did he back way from peace with Israel and stayed on a steady course with the United States (Jones and Little, 2017). But the ratifications of the CEDAW (1981), CESCR (1982), CAT (1986), CRC (1990), and the ICRMW (1993) seem all tactical concessions as Mubarak’s rule was above all authoritarian as soon as he began his second term in 1987 (Appendix 1). Egyptians lived continuously under the Emergency Law since Mubarak and his National Democracy Party (NDP) came into power and enacted when he was re-elected in 1987, 1993, 1999 and 2005 without any noteworthy political opposition. In his struggle to combat Islamist terrorism, Mubarak introduced new repressive laws that would imprison party leaders from the Muslim Brotherhood and journalists who published adverse news to his government. He asserted, threateningly, “I am in charge, and I have the authority to adopt measures ... I have all the pieces of the puzzle, while you do not” (Lesch, 1989, p.100).

THE ANCIEN RÉGIME

Egypt faced high levels of terrorist attacks from the 1970s until the late 1990s and therefore the state of emergency was continuously enacted to combat terrorist threats. Although the level of terrorism declined around 2000, it was still renewed by the People’s Assembly, Egypt’s lower house, every three years. Despite his promises in 2005 that he would lift the state of emergency and replace it with a new anti-terrorism law, Mubarak renewed the Emergency Laws again in 2008 and proposed amendments to the constitution that further standardized the state of affairs. For example, it gave authority to the president to transfer civilian terrorism suspects to military courts that violated some of the most fundamental requirements of a due process in international law. This marks the periodic review more as a “pro forma exercise” and the repressive phase in the Spiral Model whilst the state of emergency was highly institutionalized since it entwined Mubarak repressive political regime in the first decade of the 21st century (Sheeran, 2013, p.517). Political freedom was not only restricted through Mubarak’s corruption when his presidency was renewed every six years, his power to appoint all ministers, veto laws, and dissolve the parliament, but also due to the NPD’s monopoly of power. Free elections were highly problematic as the regime did not tolerate any opposition under the emergency law that restricted the right to form political parties. The freedom to engage in free and fair elections was especially violated in the 2010 elections, when the NPD won 97% of the People’s Assembly seats. Supervision of the election process was done by the NPD itself, who gave voters pre-marked ballots and “employed the police to prevent the people from entering the polling stations” (Lesch, 2011,

p.39). The 2005 and 2010 elections included also the widespread arrests of Muslim Brotherhood members who were banned to run as candidates. According to HRW, at least 800 members were arrested in the weeks preceding the 2005 elections (HRW, 2012, p.7). As one of their leaders stated “the elections are completely in the hands of the Interior Minister now. He decides who wins and who loses and who can run” (Lesch, 2011, p.39). Although these records clearly indicate a state of repression, Egypt denies any form of political repression in its 2010 UPR National Report. It emphasizes that the emergency law “was only applied in relation to terrorism and drug related crimes and within the framework of constitutional guarantees” and that the 1981 Constitution “was amended so as to include the freedom to form political parties and to provide for the creation of a multiparty system in Egypt” (UN HRC Working Group, 2010, p.4; UN HRC National Report, 2010, p.3). Hence, in this time period, Egypt positioned itself between the phases of repression and denial in the Spiral Model.

Security forces including the State Security Operation (SSI) agents repeatedly used the state of emergency in their powers “to prevent the exercise of political rights and civil liberties” (Freedom House, 2009, p.2). Egyptians did not enjoy any protection against torture as NGOs reported hundreds of complaints against torture, especially from detainees who were tortured by the SSI and military to extract information. Even the National Council on Human Rights (NCHR), appointed by the Egyptian government, “expressed deep concern about the 74 cases of “blatant” torture and 34 persons who had died in police or SSI detention that year” (Lesch, 2011, p.36). Besides, sexual assaults or threats to rape family members by security officials in prisons were common as well as the abuse of juveniles in adult facilities (US Department of State, 2011b, p.4). Along with torture, the prison conditions remained harsh, due to overcrowding, the lack of clean water, sanitation, and medical care (US Department of State, 2011b, p.5). If this was because of limited capacity remains ambiguous, but in 2002, the Special Rapporteur on the promotion and protection of human rights while countering terrorism substantiated the NGOs reports and the persistence use of torture and ill treatment “in particular at the hands of security forces whose recourse to such practices appears to display a systematic pattern” (UN HRC Compilation, 2010, p.6). Additionally, the road to conviction and a sentence proved to be anything but impartial and independent. The independence of the judiciary remained a “major issue of concern” for both the Special Rapporteur and the African Commission on Human and People’s Rights (ACHRP) (UN HRC Summary, 2009, p.5). The Ministry of Justice controlled judicial promotions and “compensation packages” to influence court decisions (Freedom House, 2009, p.4). Detention without trials or incommunicado were common, as well as enforced disappearances through “diplomatic channels” (UN HRC Compilation, 2010, p.11). In the last decade of Mubarak’s regime, the Human Rights Association of the Assistance of Prisoners estimated that 4000 prisoners were in administrative detention without trial. Fundamental physical and civil rights were thus suspended under the Emergency legislation, indicating a significant link to the phases of repression and denial in the Spiral Model, along with violations of international human rights norms like the ICCPR. As a signatory state of the ICCPR, Article 4 permits Egypt to derogate from the rights “only in times of public emergency” (Freedom House, 2009, p.2). Measures that derogate from the ICCPR obligations must only be taken “by exigencies of the situation” and must be announced to the Secretary General of the UN, but Egypt did not meet neither of these conditions (Freedom House, 2009, p.2). This refers to one of the most important characteristics in the phase of denial, whereby Egypt refuses to accept the validity of the international human rights norms since it is said to intervene with its national affairs.

Considering the second hypothesis of mechanisms of international social action, Egypt presents itself extremely positive in its UPR National Report (2009), and is actively involved in the peer review of the UN UPR, which indicates a significant form of socialization in the transnational advocacy network combined with naming and shaming. However, real coercion or incentives by the international community were absent due to the weak domestic opposition and denial of access for the Special Rapporteurs. NGOs faced heavy restrictions as the Ministry of Interior was in power to review and reject their registrations. NGO leaders were subject to excessive scrutiny and threats by the SSI, who officially had no legitimate role in the registration process. Amnesty International and Alkarama indicated that cooperation with the regime was impossible as consultation between civil society groups and INGO's was restricted but also due to online censorship and the imprisonment of employees and journalists (UN HRC Summary, 2009, p.3-10).

The emergency legislation imposed restrictions on the freedom of expression, association, and assembly as well. Public gatherings were forbidden whilst security forces had the power without any repercussions to disrupt peaceful demonstrations, arrest participants, and mistreated journalists. The most striking example in the restriction of these rights are the arrests of Egyptian internet bloggers Kareem Amer and Mosad Suleiman in 2007 as they were accused of insulting the presidential order and state religion (Freedom House, 2009, p.3). Amer was still incarcerated in 2009 when the UN Working Group on arbitrary detention reported his arrest as arbitrarily "by the Egyptian authorities for his online critique and for exercising his right to freedom of expression" (IFEX, 2009). Article 2 of the Egyptian Constitution referred to Islam as the state religion, which gave authorities the power to arrest persons who converted to Christianity, especially those who publicly announced their conversion like Amer (HRW, 2012, p.27). The supremacy of Islam in the Constitution gave room to cultural reservations to the CEDAW, family, and penal laws that discriminated against women and girls in marriage, divorce, and inheritance. However, it seems that the regime did participate in a more active involvement of women and their equal right to work when it established the National Council for Women (NCW) in 2000 as welcomed by many delegations in the 2010 UPR Working Group (UN HRC Working Group, 2010, p.5). But not surprisingly, reports were published under censorship and state control was still close with NCW's first head Suzanne Mubarak, the wife of president Mubarak (Al Jazeera, 2011). In this specific area of women's rights, we can find ourselves in the tactical concessions phase in the Spiral Model.

EGYPT'S FIRST UPRISING

Decades of systematic police brutality were one of the main catalyst of the protests at the end of January 2011 in Egypt. But the anger was also triggered by the boycotted elections of November 2010 and the explosions outside the Church of the Two Saints in Alexandria on New Year's Eve. Signs read "Fire the Interior Minister", as he was blamed for not adequately protecting the churches. The real turning point for the ongoing protests seem to be the events in Tunisia, showing the Egyptians that the protests could succeed and that the state might be weaker than it appeared (ICG Egypt, 2011, p.2). Protests erupted on the Tahrir Square in Cairo, and in Alexandria and Suez, when the regime blocked Facebook and Twitter on January 25 to inhibit the possibility to organise activism through social media. Clashes between demonstrators and the violent security forces followed, 1200 people were arrested for *tagamhur* ("gathering"), and numerous NGOs report the deaths of 800 to 1000 demonstrators and at least 1000 of unreported cases of citizens who disappeared during the first

uprising. This was the tactic Mubarak regularly employed to crackdown demonstrations in the past. State television initially tried to minimize the protests, focusing only on the violent protesters when foreign governments started to condemn the regime's conduct. Viewers were told that Hamas, the Islamist Palestinian movement, was the leader in the protests and that demonstrators were trained in the US to create chaos. The first tactical concessions were made by Mubarak on February 1, when he declared that he would not run for the September 2011 elections, and announced the dismissal of the cabinet. But his promise not to be "lax or tolerant" only further enraged the opposition whereby the Muslim Brotherhood took part. Abuses followed, as well as persuasion from the US and Europe stating that "an army violence would have serious consequences" (ICG Egypt, 2011, p.26). Mubarak's stubborn approach in the first week was a classic 'stick and carrot' one, with limited concessions in an attempt to uncover the opposition, except that it undermined their purpose as a former Egyptian diplomat commented: "He did it as if it was a gesture as opposed to his responsibility. He didn't own up to mistakes and put forward a case that things could change" (ICG Egypt, 2011, p.6). These tactical concessions, marking the third phase of the Spiral Model, meant little to the Tahrir Square demonstrators since their primary demand, that Mubarak would resign, failed. When the protests came to an end on February 11, the military was the arbiter of Mubarak's fate when it declared to support the protesters. Omar Suleiman, Mubarak's vice-president, issued a statement later that day that Mubarak resigned and transferred his powers to the Supreme Council of the Armed Forces (SCAF) (Kienle, 2012).

On February 13, the SCAF, consisting of 20 high ranking military officers, suspended the 1971 Constitution and collectively exercised presidential powers. While the people celebrated the resignation of Mubarak, a complete regime change was ambiguous as the SCAF left no room for a civilian government in the first year and a half (HRW, 2012). It promised to lift the state of emergency in February but reneged on this promise in September 2011 and said it would be enacted until June 2012. Further restrictions on the right to strike were justified by the SCAF under the emergency legislation, such as the approved laws in April (Art. 34-2011) that criminalized participation in, and calls for strikes (HRW, 2012, p.9). Egypt wrestled with change as the repressive phase continued in the following months. The SCAF had the sole authority to arrest without warrants, prosecute civilians in military courts, place wiretaps, and intercept mail because it relied on the same provisions as Mubarak previously did. It refused to cooperate with the UNHCR in protecting persons of concern and independent human rights observers who requested to visit the prison and detention centres (US Department of State, 2011b, p.6). Restrictions on other humanitarian organizations and NGOs were not lifted as the Ministry of Social Solidarity banned foreign funding as well. Hence, evidence shows that the restrictions on INGOs limited their influence to mobilize a substantive transnational advocacy network, and therefore in turn, constrained the movement towards rule consistent behaviour as expected in the first hypothesis.

In the light of the upcoming parliamentary and presidential elections, the SCAF finally allowed some freedom of assembly with the establishment of independent political parties and lifted the ban of the Muslim Brotherhood. Muhammad Morsi, once a political prisoner under Mubarak's regime and a Muslim Brotherhood member, became Egypt's first democratically elected President in June 2012. Not long after he took office Morsi dissolved the SCAF, issued its own constitutional declaration, and seized all legislative power until the new constitution was proclaimed (Kienle, 2012). The judiciary lost its independent powers once Morsi established himself as a true autocrat when he issued an order that prevented any court overturning his decisions in November 2012. Morsi simply continued

Mubarak's repressive and authoritarian regime in a new garb whilst a movement towards the commitment, or even rule consistent behaviour, phase of the Spiral Model ceased. (Monier and Ranko, 2013).

THE SECOND COUP D'ÉTAT

Massive protests erupted between December 2012 and July 2013, Muslim Brotherhood supporters and anti-Morsi demonstrators clashed in Cairo when Morsi refused to bow to the military leaders' ultimatum to find a solution for the violence. What followed was Egypt's second uprising in July 2013. After a wave of public discontent Morsi was ousted in a *coup d'état*. According to HRW executive director Kenneth Roth, this was "one of Egypt's largest killings of demonstrators in history" (HRW, 2014). Security forces opened fire to large crowds, especially Muslim Brotherhood supporters and killed at least 3000 people in the first days of July: "the brutal way security forces dispersed this demonstration resulted in a shocking death toll that anyone could have foreseen, and indeed the government had anticipated" (HRW, 2014). Adly Mansour, Chief of Justice of the Supreme Constitutional Court, was sworn in as the new president over the interim government at the end of July and designated the Muslim Brotherhood a terrorist organization (UN HRC Summary, 2014, p.11). Many Muslim Brotherhood members were either sentenced to life long imprisonment or the death penalty in mass trials. The state of emergency was lifted in September 2013, a new constitution was instituted in early 2014, and in May 2014, Abdel Fattah al-Sisi, former chief of the SCAF who launched the *coup d'état*, won the presidential elections with 97% of the votes (UN HRC Summary, 2014, p.2). Domestic and international observes concluded that the election was in line with the new constitution that contained improved human rights guarantees and was administered professionally but they expressed "serious concerns that government limitations on association, assembly, and expression constrained broad political participation" (US Department of State, 2016b, p.1). The 2014 Constitution provides for freedom of assembly "according to notification regulated by law", which is according to international human rights organizations not in line with international standards. The Minister of Interior published an expansive list of prohibited activities and had the authority to curtail or prohibit demonstrations. Due to this, thousands of people remained imprisoned after the 2013 uprising "because authorities held them based on laws that restricted the exercise of a human right [...] or because some individuals faced unduly harsh and disproportionate treatment due to their political opinions or membership in particular groups" (US Department of State, 2016b, p.18). The al-Sisi government claimed however that all detainees were in the process or had been charged with a crime. Hence, this indicates the denial phase in the Spiral Model because the government denied the presence of political prisoners (US Department of State, 2016b, p.18). Several local human rights groups including the quasi-governmental NCHR and the UN Human Rights Council working group reported an increase in enforced disappearances in 2015 and 2016: "226 disappearance cases were under the working group's review, an increase of more than 80 percent from the previous year" (US Department of State, 2016b, p.7). There were frequent reports of arbitrary arrests that did not comply with due-process laws, and besides, police investigation skills remained poor as civilian authorities maintained the control over security forces. Because of the use of pre-trial detention, prisons remained overcrowded, and lacked infrastructure and medical care. Herein, tuberculosis was widespread (US Department of State, 2016, p.9).

The International Federation for Human Rights (FIDH) stated that the use of torture in the detention centres continued in a systematic way “as a usual practice of various Egyptian authorities” although the 2014 Constitution stipulates that torture in all forms is a crime and the Penal Code prohibits the use to induce a confession (UN HRC Summary, 2014, p.6; US Department of State, 2016b, p.8). This was also noted by the Special Rapporteurs on torture and counter-terrorism who sent a joint urgent appeal concerning the torture and ill-treatment by the National Security Forces on protesters and detainees (UPR HRC Compilation, 2014, p.7). The 2014 Constitution reflects thus some typical tactical concessions by the al-Sisi regime, as Risse and Ropp theorize in the Spiral Model. Although Art.93 of the Constitution states that “international treaties ratified by Egypt become an integral part of legislation” and human rights guarantees were more present compared to the Mubarak regime, the definition of torture was not in line with the ratified CAT but more corresponding to the very broad anti-terrorism law that includes “any act harming national unity or social peace” (UN HRC, National Report, 2014, p.16; US Department of State, 2016b, p.20). Compared to Tunisia’s increased commitment to new human rights treaties between 2011 and 2016, Egypt did not ratify any new treaties as the most recent Protocols of the CRC and the CRPD were already ratified in 2008, before the uprising (Appendix 1). Efforts in transitioning to the prescriptive status were thus undermined by the regime as the International Human Rights Commission and Front Line Defenders already noted, the authorities adopted a broad anti-terrorism discourse “in an attempt to justify and legitimize actions violating rights and freedoms of human rights defenders” (UN HRC Summary, 2014, p.12).

Furthermore, the al-Sisi government continued to exhibit an uncooperative approach towards local and international human rights organizations which hindered the progress in the respect for international human rights norms as well. Consultations with civil society were insufficient and in 2014, 27 foreign NGO workers were sentenced for receiving foreign funding without permission and operating in unlicensed organizations. At the end of 2016, they were still imprisoned. Further restrictions by the government included the denial of prison visits by nongovernmental observers, only the NCHR was permitted access to monitor four prisons in 2015. Amnesty International and HRW were not able to work with domestic NGOs as “state-owned and independent media frequently depicted NGOs, particularly international NGOs and domestic NGOs that received funding from international sources, as undertaking subversive activities” (US Department of State, 2016b, p.40). The mobilization of a transnational advocacy network was thus weakened by the government, resulting in a diminishing activity to pressure for progress, especially in 2014 when Amnesty International and HRW decided to close their offices in Cairo due to security concerns (US Department of State, 2016b, p.40). Only one positive improvement was visible in March 2014, when the Egyptian government for the first time sent invitations to four UN Special Rapporteurs and mandate holders on children, justice, human rights, and violence against women. Again, evidence shows the limited activity of the transnational advocacy network due to restrictions and security reasons hindered their use of social mechanisms and the movement towards more rule consistent behaviour as expected by both hypotheses.

Regarding the freedom of expression, the Ministry of Information was abolished by al-Sisi and articles 70 and 71 of the 2014 Constitution obligate Egypt to safeguard the independence of the press, video, electronic media, and bloggers (UN HRC National Report, 2014, p.6). But practices by security forces showed however that real compliance was not guaranteed. Reports show the surveillance of journalists and foreigners in their private communications, social media, and bank accounts whilst the

government continued the control on the distribution of newspapers (UN HRC Compilation, 2014, p.9). In 2013 and 2014, seven Al Jazeera English journalists were charged with “heavy jail sentences” because of Al Jazeera’s unauthorized work and verdict of “incitement against state institutions and broadcasting false news” (Al Jazeera, 2016a). Denial again occurred in 2016 when a French and British-Lebanese correspondent were not allowed access anymore. Instead of living under the emergency law in Mubarak’s regime, citizen’s still had no absolute freedom in writing and broadcasting conform their own ideas. Al-Sisi’s new anti-terrorism law echoed the same repression as it “criminalizes the use of the internet to promote ideas or beliefs that intended to mislead security authorities” (US Department of State, 2016b, p.24).

Noteworthy is the progress made for women’s rights due to the mobilization efforts in the form of capacity building by the international community. The UNDP and the Dutch government were in 2014 permitted to establish a political education centre to train women for political positions. This resulted in the establishment of an Ombudsman office by the NCW to tackle the problems of equal participation in society (UN HRC National Report, 2014, p.11). The 2014 Constitution provided for equal opportunities and al-Sisi criminalized female genital mutilation (UN HRC Working Group, 2014, p.8). But despite these actions, social and cultural differences halt the transition towards the real commitment phase of the Spiral Model with the CEDAW due to the Personal Status Law that discriminates against women in marriage, divorce, and custody rights.

LIBYA

Colonel Muammar Gaddafi came into power in 1969 when he led the *coup d'état* against King Idris, Libya’s first and only monarch. The Libyan Revolutionary Command Council (RCC), headed by Gaddafi, centralised political control with a military dictatorship that abolished the constitution and monarchy. Instead, Gaddafi, or the ‘Leader of the Revolution’ (titled by himself), introduced his own ideology based on domestic socialist and communist principles written down in the so called Green Book from 1975. The Green Book brought an alternative for communism and capitalism with a “Third Universal Theory” under which the Libyan citizens “are said to manage themselves and find solutions to their economic and social problems” (ICG Libya, 2011, p.7). According to the Green Book, the Libyan Arab Jamahiriya is supposed to be ruled by the people, but real power has been held by Gaddafi and his network of family, and informal power brokers. Theoretically seen, Libya’s signatories and ratifications of international human rights treaties denoted a categorization of the fourth phase of the Spiral Model. Between 1969 and 2008, Libya committed to the ICCPR, ICESCR, CEDAW, CAT, CRC, ICRM and the CRPD including some of the optional protocols of these treaties (Appendix 1) (OHCHR, 2017). But certain reservations were made due to interference with the *Sharia*, as around 95% of the Libyans were Sunni Muslim at that time. The opposite of phase four seems to be the case in the last decade of Gaddafi’s regime (Risse and Sikkink, 1999, p.29).

GADDAFI’S REPRESSION

Severe repression was noticeable in the first four years after 2000, marking the worst outcome of the Spiral Model. Civil and political rights were violated, as well as the suppression of the rights of journalists, women, and migrants. Since the government offered no space for political activism, citizens were not able to make any changes in their government and the absence of a constitution left

the citizens without legal means to influence either (UN HRC Compilation, 2011, p.3; US Department of State, 2011c, p.24). Gaddafi allowed no opposition parties and as a result, a large number of citizens were imprisoned for belonging to an illegal opposition group or peaceful political activity. The only way citizens could obtain political influence was through the “People’s Authority” and the “General People’s Congress”, the so called ‘people’s committees’, as some kind of regional executive ministries. Indeed, access was guaranteed in the Green Book, stating that “the direct authority of the people is the basis of the political system in the Socialist People’s Libyan Arab Jamahiriya, where the authority belongs solely to the people, by whom it is exercised through people’s congresses, people’s committees, trade unions, federations and professional associations” (UN HRC National Report, 2011, p.3). Despite the existence of these institutions, Gaddafi was in power to overrule all decisions since he distanced himself from official organs of the state. By lacking any official position and only being the ‘Leader of the Revolution’, Gaddafi repeatedly used his power to blame the government for the state failings and “condemning the Libyan population for failing to implement his ideas properly” (ICG Libya, 2011, p.8). This state structure and absence of a constitution facilitated contradictory legislation since it did not regulate the separation of powers. Independent judges did not exist because the People’s Court operated both as an examining judge and prosecutor while Gaddafi held judicial power (UN HRC Summary, 2011, p.4). Guarantees for a fair trial were not respected, including the right to be informed of charges and the right to have a legal counsel as political detainees were held incommunicado. Amnesty International and the OHCHR reported the use of corporal punishment in prisons, including flogging and amputation of the right hand (UN HRC Summary, 2011, p.3). In 2002, Libya was nominated for a seat in the UNHCR but Gaddafi denied any accusations of human rights violations. Again in 2003, Saif al-Islam Gaddafi, Muammar Gaddafi’s son who roughly performed all diplomatic roles, neglected any form of repression according to HRW (HRW, 2006). Both acts can be linked to the second phase of the Spiral Model since they convicted the criticism on human rights violations as not legitimate.

In maintaining a widespread informant network, Gaddafi routinely scrutinized internet usage, telephone calls, and email communication. The rights to freedom of expression, assembly, and association were criminalized in legislation under the Penal Code that “provided life imprisonment for undermining the country’s reputation” or “spreading false rumours about the Libyan regime” (US Department of State, 2011c, p.19; UN HRC Summary 2011, p.5). Some external (Western) news sources were available, but most of the broadcasted and printed media were tightly controlled and censored by Gaddafi’s extensive security apparatus that included the people’s committees, regional police and military units. Thereupon, everyday lives were monitored by a multi-layered, “pervasive surveillance system” (US Department of State, 2011, p.7).

INTERNATIONAL SOCIAL ACTION

During these first years of repression, the regime did not allow independent monitoring of prison conditions by the media, NGOs, or international human rights groups. Only a few international organizations were allowed by the Ministry of Justice to investigate torture allegations in prisons. Nevertheless, access to the facilities of the security services was denied (US Department of State, 2011c, p.6). These findings conform to the first hypothesis, since human rights organizations observed and pressured Gaddafi due to the accusations of human rights violations. Indeed, transnational advocacy networks were presumably already mobilized before 2000 which led to transnational activity

between 2000 and 2004 on various issues. Libya wrestled with a huge refugee influx during the years and through UN's powerful image, the UNHCR was able to cooperate with the regime in providing humanitarian aid. Gaddafi's pledge to set up an extensive welfare system with the country's oil wealth did not materialize which affected women's economic activity in particular. The International Labour Organization (ILO) was active in Libya to improve labour conditions and participation for women since their employment rate was only 29.59% in the first four years of the twenty-first century. (ICG Libya, 2011, p.14). Other international actors such as the UN Committee against Torture and HRW persuaded the regime in allowing extensive monitoring of prison conditions when they addressed the violations. At first instance, the ICRC and Amnesty International were denied access to the country which did not only weaken their possibility to help domestic NGOs but also to inform the international community and persuade them into action. But later in 2004, Gaddafi's regime granted access to Amnesty International and the organization Physicians for Human Rights (PHR) who were allowed to support prisoners with medical care (US Department of State, 2011c, p.6). This implies a breakthrough for INGOs concerning their monitoring activities and the increasing possibility to pressure Libya for its violating behaviour. Although the regime's fundamentals were not open to question, Gaddafi seemed to be more worried about its international reputation and showed interest in economic modernization as he declared: "Libya wants to encourage foreign capital investment and partnership, not only for the benefit of this country but for the entire African continent to which Libya is the gateway for Europe" (ICG Libya, 2011, p.15).

Between the end of 2004 and 2010, changes in human rights conditions are visible due to the increasing mobilization of the transnational advocacy network. Though it is not to be said that human rights violations stopped, this corresponds very much to the tactical concessions phase of the Spiral Model since Gaddafi's regime allowed some INGOs into the country to mitigate international criticism. Gaddafi made several tactical concessions in 2005 regarding civil and political rights when he pronounced the independence of the judicial branch and the abolishment of the People's Court. The independence was not fulfilled in practice, but many prisoners were given the opportunity for a new trial and amnesty was more regularly given to journalists and oppositionist (UN HRC National Report, 2011; US Department of State, 2011c). Besides, Libya granted more frequently access to INGOs and UN Special Rapporteurs who were able to visit political detainees and prisons. In the light of mechanisms of social action, these actions can be best interpreted as capacity building whilst they pressured the regime with reform programs. For example, HRW tried to assist the Libyan government with improving the living conditions in detention facilities for refugees and imprisoned citizens (HRW, 2006). In terms of negative economic incentives, Libya proved to be materially vulnerable as trade and arms embargos put the regime under pressure since it had a limited amount of foreign partners. The European Union and the US lifted their trade sanctions in 2004 because they concluded that Libya made progress in implementing laws that increased the liberalization of the government and was "well placed to achieve the Millennium Development Goals" (UN HRC Compilation, 2011, p.12). Moreover, Libya requested the EU to help with the refugee influx and human trafficking at the end of 2004 which made the EU lift its arms embargo conducive to contribute in the progress towards rule consistent behaviour (Council of the European Union, 2004). Hence, evidence shows that the intensive use of mechanisms of social action as derived from the Spiral Model have been effective in decreasing human rights violations in Libya which corresponds to the second hypothesis.

With these slight improvements and the ratification of the CRPD in 2008, Gaddafi portrayed himself as the defender of the weak and the Libyan Arab Jamahiriya "as a pioneering country" on the

international level (UN HRC National Report, 2011, p.11). But despite these efforts and the presence of the transnational advocacy network, the regime continued to carry out “a deliberate policy of human rights abuses” (US Department of State, 2011c, p.2). Together with a lack of transparency and the absence of a constitution, citizens were still not able to change their government. The only political influence could happen through Gaddafi’s own committees and ministries. Free trials did not occur and instead of improving the infrastructure in prisons, the government only announced a new “progressive” law in 2005 to change the main objectives of prisons by introducing the term “correctional and rehabilitation institutions” (UN HRC National Report, 2011, p.8). Linking this to the Spiral Model, neither commitment nor rule consistent behaviour towards the CAT was noticeable as security officials continued to carry out torture to extract confessions, even though the new Penal Code stated that public officials who ordered torture or committed the act were sentenced up to ten years imprisonment (UN HRC Working Group, 2011, p.5). The death penalty was still in place as the People’s Congress decided to retain “the penalty for reasons relating to Islamic law on the one hand and for social reasons on the other relating to the desire to prevent any resurgence of the phenomenon of revenge” (UN HRC National Report, 2011, p.21). According to Amnesty International, many violations in relation to the right of association resulted in the death penalty (Amnesty International, 2008, p.194). Independent news websites based abroad like *Libya Alyoum* (Libya Today) were increasingly tolerated, as well as Western newspapers, Facebook, and YouTube compared to earlier years. The 1972 Publication Act was still in place, allowing public officials to scrutinize journalists and block websites, but political detainees and journalists such as the Tunisian-Swiss Rachid Hamdani were released, he had been held for six months without charge in 2009 (UN HRC Compilation, 2011, p.12). Despite these new laws and the availability for citizens to use the internet, the unlawful detention cases of journalists still indicate human rights violations. The Penal Code carried sentences up to life imprisonment “for disseminating information considered to tarnish [the country’s] reputation to undermine confidence abroad” (UN HRC Summary, 2011, p.5). Several tactical concessions were also made regarding the freedom of association and assembly such as the new law that approved the establishment of worker unions without authorization of the government. But the establishment of more ideological associations or domestic human rights NGOs were still highly prohibited whilst Gaddafi’s regime continued to scrutinize associations (UN HRC Working Group, 2011, p.5).

Women’s rights did improve slightly between 2004 and 2010, especially because their political representation in the General People’s Congress increased from 4.2% in 2007 to 32% in 2010. Notwithstanding, cultural provisions that discriminated against women remained in the Libyan legislation. For instance, polygamy was still approved, as well as male guardianship and female genital mutilation. Women were not protected against domestic violence as they were arbitrarily detained in “social rehabilitation facilities” for suspected transgression of moral codes (UN HRC Summary, 2011, p.3). According to HRW, the Libyan regime portrayed them as “protective homes for wayward women and girls or those whose families rejected them, these facilities are de facto prisons” (UN HRC Summary, 2011, p.3).

LIBYA’S ARAB SPRING

Following the protests in Tunisia and Egypt, it looked like Libya was the next country ‘to join the Arab Spring’ when citizens took the streets in Benghazi on February 15, 2011. Protests erupted, particularly

in the east as people lost their fear to express their dissatisfaction with the cult of personality that dominated political life and the low level of development while Gaddafi took profit from the country's immense oil wealth. Unlike his Tunisian and Egyptian counterparts, Gaddafi made it clear that he would not stand down as he stated on a televised speech: "We will keep fighting until the last man or even the last women standing ... if everybody is harmed, it is a civil war, we will kill each other" (ICG Libya, 2011, p.4). Gaddafi effected political manoeuvres in the first days of the uprisings. For instance, he called for a rally "against the government" on February 17. For what it seems, a rally in the attempt to challenge the institutions of the regime rather than his own authority (ICG Libya, 2011, p.3). The brutality of the violations during the first weeks even shocked the Libyans as it followed the logic of a civil war. Whereas Tunisia and Egypt were quite well-established states under Ben Ali and Mubarak respectively, such that both countries could survive the departure of their personal rule, the opposite was the case in Libya. Throughout his rule, Gaddafi made sure that there was no institution strong enough to overthrow him, including the military, who played a key role in Tunisia's and Egypt's regime change (ICG Libya, 2011, p.5). Besides, the extreme loyalty of Gaddafi's inner circle had been a major factor in which he was able to hold on for a longer period.

Protests turned more violent especially after the 'Day of Rage' on February 17. The security forces committed unlawful killings by using automatic assault rifles to fire into the crowds without warning the protesters (US Department of State, 2011c, p.3). International media started to report the severity of Gaddafi's attacks and persuasion activities surely led to more transnational action. Pressure from the international community enlarged in March 2011, after the UN Security Council (UNSC) agreed to pursue "all necessary measures" to protect the Libyan citizens. The UNSC imposed a no-fly zone above Libya and NATO powers launched air strikes on governmental targets (UN, 2011). As described by Risso and Ropp in theory, the UNSC Resolution 1973 and military aid imply the most classical form of coercion to remove Gaddafi from its autonomous rights. It increased the transnational resistance against the regime as Gaddafi launched a brutal crackdown. Instead of abiding by the norms, it only hardened the conflict between anti-Gaddafi forces and his loyalists as it became also a fight against the "Western Imperialists", "a strife Gaddafi has always thrived upon" (ICG Libya, 2011, p.28). Indeed, severe violations continued at both sides in the following months despite international support (US Department of State, 2011c, p.13; Daalder and Stavridis, 2012). While numerous INGOs and the ICC reported evidence of Gaddafi's forced disappearances and killings, torture, rape, and "intentional restrictions on humanitarian access to afflicted populations", a regime change was unavoidable (US Department of State, 2011c, p.11). A National Transitional Council (NTC) was formed on February 27 to oversee "a transition toward a modern liberal democracy" and established an executive branch at the end of March to serve as Libya's interim government (ICG Libya, 2011, p.24). The NTC adopted a Constitutional Declaration on August 3 which provided the basis for a democratic government and allowed for the respect of a full range of civil, political, and judicial rights.

Corresponding to the Spiral Model, the NTC indicates an important step in the prescriptive status towards regime change. On October 20, opposition fighters under the aegis of the NTC captured Sirte, the last city under Gaddafi's reign, and killed the dictator after 42 years of authoritarian rule. Western governments recognized the NTC as new representative and its promise to lead a transition process in a free political environment. Indeed, the NTC and interim government promoted a climate of free expression and association in the Constitutional Declaration as they were also willing to cooperate in protecting international human rights norms (US Department of State,

2011c, p.20-25). By July 2012, 2.7 million citizens registered to vote for a new assembly and elected the General National Congress (GNC) in their first free elections.

LIMITED STATEHOOD

In theory, the GNC committed itself to human rights treaties but as opposed to Tunisia and Egypt, Libya had no political system, national organizations or any kind of economic network. The collapse of the state led to an institutional vacuum including the absence of a reliable police and military force which made the movement towards rule consistent behaviour in the Spiral Model, as expected by both hypotheses, difficult. The GNC had the extremely complicated task to revive trust among the fractured society of clans and to manage an isolated, poor, and ill equipped country (Anderson, 2011, p.6). The right to vote and the acknowledgement of the GNC to form political parties detect some improvements in the respect for human rights in terms of suffrage, linking to the prescriptive status phase. However, no new international human rights treaties were ratified after 2012 as the most serious problems resulted from the governments' failure in the rule of law which corresponds more to the phases of denial and tactical concessions (Appendix 1) (Risse and Sikkink, 1999, p.25-29). Internal power structures led to impunity for armed groups on all sides of the conflict when the government did not maintain control over the Libyan National Army (LNA). Commander Khalifa Haftar refused to integrate the LNA into the governmental security forces, and other armed groups, including ISIL in Sirte, controlled different parts of decentralized Libya (US Department of State, 2016c, p.1; Al Jazeera, 2016b).

Numerous INGOs and the UN Secretary General remained concerned about the continuing use of torture, kidnappings, deaths in custody, and secret detentions. There was little or no accountability as the violations escalated again in May 2014 due to internal conflicts between the House of Representatives and the GNC resulting in "hundreds of civilian deaths, mass displacement and a humanitarian crisis" (UN HRC Compilation, 2015, p.6). Enforced disappearances increased dramatically after 2011 and at the end of 2016, an estimated of 10.000 Libyan civilians were still missing (UN HRC Summary, 2015, p.5). Many detention centres were under control by different militias which therefore left no room for an effective judicial system as the right to a fair trial was absent. Prison and detention centres fell short of international standards as well as the migrant detention centres that suffered from mass overcrowding.

International actors recognized Libya's lack of capacity to centralize governmental power. The UNSC established the UN Support Mission for Libya (UNSMIL) to assist the country in the transition process and to monitor and respect for human rights. OHCHR continued to provide support for the mission and other UN members were present to facilitate political dialogue. For instance, they helped with the establishment of the Presidency Council and the Libyan Political Agreement in December 2015. During 2015 and 2016, when approximately 277.000 migrants and refugees traversed the country, the UNHCR and ICRC provided basic services through domestic NGOs. Amnesty International stated that, despite safety and security vulnerabilities "humanitarian organizations enjoyed relatively good access (UN HRC Compilation, 2015, p.6; US Department of State, 2016, p.19). Hence, international capacity building efforts were mainly implemented by local human rights NGOs as few international organizations were actually present due to the violent security situation. Logically, this made oversight problematic and besides, human rights defenders were systematically hindered by (threats of) assassinations, kidnappings, and bombings. The Secretary General and the UNCT expressed their

concerns about prominent human rights defenders and activists like Salwa Bugaighis and Muftah Abu Zeid who had been allegedly killed in Benghazi (UN HRC Compilation, 2015, p.7). Human rights activists had continuously been subject to intimidation and death threats when they expressed their opinion. Acts of coercion were as well present as the ICC summoned Saif al-Islam Gaddafi for his war criminalities. But real rule-consistent behaviour lacked since the government did not comply with the injunction, stating that it “was unable to obtain custody of Gaddafi; ... to obtain evidence, in particular from witnesses who had been tortured during detention by militias; or to appoint defence council” (US Department of State, 2016c, p.23).

Expression was thus problematic for human rights activists and this was likewise the case for journalists since the government was unable to halt the violations on the freedom of expression. In theory, the government did not restrict or disrupt internet access or monitored private communication. Within two years after the uprising, Libyans were able to choose from roughly 130 newspapers instead of 3 in the past 42 years (van Boon, 2011). But the unstable security situation led to the self-censorship of journalists as they were harassed by different fighting militias. Several foreign journalists were tortured and killed by opposition groups who responded violently to criticism of their ideology, for instance, Dutch photojournalist Jeroen Oerlemans was killed in Sirte on October 2, 2016 (UN HRC Compilation, 2015, p.10; US Department of State, 2016c, p.14).

As mentioned before, representation of women in influential institutions rose as no laws limited the participation of women in the political process. But significant social and cultural barriers prevented real gender equality and compliance to the CEDAW. Although the Constitutional Declaration granted rights without discrimination to religion and thus paved a way for universalism, *Sharia* regulated the laws concerning marriage, divorce, inheritance, and the prohibition for women who married a man of a foreign nationality to confer their Libyan nationality on their children (UN HRC Compilation, 2015, p.16; Amnesty International, 2012, p.20).

CONCLUSION

The Spiral Model of Human Rights Change formed the backbone in this research of the change in respect for international human rights norms in Tunisia, Egypt, and Libya. With the boomerang effect, a transnational advocacy network receives information from domestic NGOs and can move greater powers into mechanisms of social action. Respectively, the use of coercion, incentives, persuasion, and capacity building efforts can contribute in the movement from repression to denial, tactical concessions, commitment, and ultimately, to rule consistent behaviour. To examine the research question *'How did the respect for international human rights norms change in the post-Arab Spring states compared to the pre-revolutionary period?'* the following hypotheses were examined in the analysis:

H₁: If transnational advocacy networks have been mobilized, the movement towards rule consistent behaviour of international human rights norms is more likely to occur.

H₂: If mechanisms of international social action have been used against human rights violations, the movement towards rule consistent behaviour of international human rights norms is more likely to occur.

Starting with Tunisia, an impressive amount of human rights treaties was signed by Ben Ali's government before the 21st century, showing its commitment to transnational advocacy networks within the borders of Tunisia. From 2000 until 2010, Ben Ali made various tactical concessions as he continued human rights violations and faced growing political resistance. Civil and political rights were predominantly violated; other political parties only served as symbolic candidacies, torture practices were severe in prisons, and the judiciary lacked independence. Moreover, restrictions on the freedom of expression and association led to the arbitrary arrests and imprisonment of journalists and members of opposition parties. Both important Western states and INGOs expressed their concern about Ben Ali's repressive practices but were only able to use minor incentives to mobilize international activity. While the government was reluctant in granting access to the ICRC or Amnesty International in the first years, domestic NGOs like the NHRI and UNFT were to a great extent able to advocate for human rights within their country. Together with public naming and shaming, slight improvements were visible, particularly in detention facilities and the governmental recognition of women's rights and their labour force participation. These developments can be understood in line with both hypotheses because the mobilization of a transnational advocacy network contributed in the support for domestic NGOs which in turn made the Tunisian government appreciate the rules and norms more in this period. The post-Arab Spring period in Tunisia marks a successful regime change including free elections and an increasing commitment to new international human rights treaties. A new and more democratic government was born but failed in some instances to implement new laws as its state capacity was constrained after the revolution. Activities of INGOs grew as the ICRC and the UNHCR were granted access to prisons and allowed to open offices in Tunis. Continuing pressure and capacity building efforts indicated the most positive step towards rule consistent behaviour. Even compliance occurred in the instance of the CEDAW when Tunisia lifted all its reservations concerning women's discrimination. Despite this progress, a backlash was visible in 2015 when the state of emergency was enacted. Both hypotheses are undermined as President Essebsi performed repressive behaviour backed by the argument of terrorism threats. At the end of 2016, all activities deemed to

threaten public order were still banned and journalist were imposed by several restrictions and monitoring activities.

Egyptians lived constantly under the Emergency Law of President Hosni Mubarak. The state of emergency was highly institutionalized, as it entwined Mubarak's repressive political regime that restricted the establishment of political parties and imprisoned members of the Muslim Brotherhood. Egyptians did not enjoy any protection against torture, detentions without trial or incommunicado were common as the judiciary failed in its independence, and the supremacy of Islam in the constitution gave room to cultural relativist reservations in the CEDAW. Fundamental human rights were thus suspended under the emergency legislation, indicating the repressive phase. The limited activity of the transnational advocacy network presents a difference with Tunisia in the first decade of the 21st century. Whereas domestic NGOs were able to influence the degree of respect for human rights in Tunisia to some extent, Egyptian NGOs faced heavy restrictions by the Ministry of Interior. Real coercion or incentives by INGOs and Western states were therefore absent which restrained further developments in the respect for international human rights norms. This is significant for both hypotheses since the transnational advocacy networks were unable to perform their social mechanisms, especially compared to Tunisia's progress before the Arab Spring. Mubarak became entrapped in his own rhetoric when he performed limited concessions but undermined the force of the opposition that ousted his *coup d'état* in February 2011. A complete regime change was ambiguous as the SCAF and Morsi left no room for improved civil and political rights in the first two years after the uprising. Until the second *coup d'état*, Morsi simply continued Mubarak's repressive regime in a new carb. Human rights guarantees were more present in the 2014 Constitution but the new al-Sisi government managed the transitional period poorly, failing to cease enforced disappearances and the use of torture in the light of a broad anti-terrorism discourse. Some progress towards rule consistent behaviour was made for women's rights due to mobilization efforts by the UN. Indeed, instead of strictly following the phases, both Tunisia and Egypt prove that we must interpret the Spiral Model more fluid since repressive behaviour inflicted most rights, but women's rights are an example of more respect towards international human rights norms. Local and international NGOs have been subject to an unprecedented campaign of persecution and surveillance. Amnesty International and HRW were bounded in their cooperation with domestic NGOs and forced to close their offices in Cairo in 2014. The mobilization of a transnational advocacy network was thus weakened by the regime which resulted in a diminishing activity to pressure for progress.

In Gaddafi's Libyan Arab Jamahiriya, political control was centralized to the 'Leader of the Revolution' with a military dictatorship. Between 2000 and 2004, multiple indicators prove Gaddafi's repressive regime as many civil and political rights, as well as the freedom of expression and association were harmed, also because of the absence of a constitution. Everyday lives were monitored by an impressive surveillance system but institutional changes started to emerge after 2004. Gaddafi seemed to be more worried about its international reputation as he allowed some INGOs access to detention facilities. Tactical concessions were made regarding civil and political rights when persuasion and capacity building activities from the transnational advocacy network continued. This in turn provided incentives by Western states to lift their arms and trade embargoes for Libya's materially vulnerable economy. With these slight improvements, the activity of international actors prove that the various social mechanisms have been effective as tools towards a greater degree of respect for human rights, according to both hypotheses. Libya's uprising soon followed the logic of a civil war when Gaddafi launched a brutal crackdown whereby no domestic institution, the military for

instance, was strong enough to overthrow him. Whereas Tunisian and Egyptian armies acted as mediators between the people and the president, a distinction between Gaddafi's regime on the one hand and the state on the other was impossible to make. The coercive steps taken by the UNSC and NATO are arguably the most crucial social mechanism that was used in the transnational advocacy network to foster regime change. Theoretically, the prescriptive status was achieved after Gaddafi's death but nevertheless, it led to a collapse of the state because the government failed to implement the rule of law. Libya's governmental power was decentralized as it lacked the capacity to overcome the internal power struggles since armed groups ruled in some parts of the country. Issues regarding the monopoly of violence hindered international and domestic human rights defenders and capacity building efforts to stop the human rights violations between 2012 and 2016.

To conclude and answer the research question, change in the degree of respect is a fact for Tunisia, Egypt, and Libya between 2000 and 2016. Different factors derived from Risso and Ropp's Spiral Model theory have played a significant role in clarifying this change. Earlier commitment to international treaties, the presence of the transnational advocacy networks, and the use of various social mechanisms by the international community all contributed to this progress towards rule consistent behaviour. In the case of Libya, mobilization efforts of both international organizations and INGOs present the most crucial support of human rights progress but all cases show that the different social mechanisms were evident. Although one must conclude that some mechanisms were more effective than others. The concept of limited statehood and the thereof use of capacity building is only briefly mentioned by Risso and Ropp while all three cases prove that this 'scope condition' and social mechanism had a far greater influence on the regime change and progress than expected. As far as this social constructivism based research was suitable in explaining regime change, it has its limitations concerning the capacity of a state to change its behaviour. Other factors such as the monopoly of violence, the dictators' immunity for naming and shaming or recovery of state institutions affect the external validity of this research. We cannot assume that the regimes have failed in their change, but we need to acknowledge that the Spiral Model needs some adjustments since it is now only able to portray a solid answer for very limited case studies. I am aware that a lot of other factors possibly influence a state's compliance but due to limitations I was for instance not able to expand the research with a quantitative part that would address specific correlations or causal relationships. The Spiral Model does however give a substantial view on social and political factors that play a role in the recognition of international human rights norms. Although the three cases present other conditions and a different outcome, it does enhance the acknowledgement of worldwide violations and gives a crucial understanding of effective problem solving mechanisms towards full norm socialization. With a possible extension of Risso and Ropp's theory, I am curious to find out what Tunisia, Egypt, and Libya would present in ten years from now, especially in the light of universal human rights, a vision not yet achieved.

REFERENCES

- Afshari, R. (1994). An Essay on Islamic Cultural Relativism in the Discourse of Human Rights. *Human Rights Quarterly*, 16(2), 235-276.
- Al Jazeera (2011). Profile: Suzanne Mubarak. *Retrieved from:* <http://www.aljazeera.com/news/middleeast/2011/05/201151452710305808.html> (accession on 02-06-2017).
- Al Jazeera (2016a). Al Jazeera Condemns Arrest of its Journalist in Egypt. *Retrieved from:* <http://www.aljazeera.com/news/2016/12/al-jazeera-condemns-arrest-journalist-egypt-161225195713187.html> (accession on 08-06-2017).
- Al Jazeera (2016b). Libya Today: From Arab Spring to Failed State. *Retrieved from:* <http://www.aljazeera.com/indepth/features/2017/04/happening-libya-today-170418083223563.html> (accession on 22-06-2017).
- Amnesty International (2008). Amnesty International Report 2008 – The State of the World’s Human Rights. United Kingdom, Amnesty International Ltd.
- Amnesty International (2011). *La Tunisie en révolte: les violences de l'état pendant les manifestations anti-gouvernementales*. United Kingdom: Amnesty International Ltd.
- Amnesty International (2012). Year of Rebellion: the State of Human Rights in the Middle East and North Africa. United Kingdom: Amnesty International Ltd.
- Amnesty International (2015). Libya – Human Rights Abuses Continue as Country Descends into Chaos. Amnesty International Submission to the UN Universal Periodic Review, May 2015. United Kingdom: Amnesty International Ltd.
- Amnesty International (2016). Tunisia – Reform of Repressive Laws and Practices Lagging. Amnesty International submission for the UN Universal Periodic Review – 27th Session of the UPR Working Group, May 2017. United Kingdom: Amnesty International Ltd.
- Amnesty International (2017). Tunisia – Abuses in the Name of Security Threatening Reforms. *Retrieved from:* <https://www.amnesty.org/en/latest/news/2017/02/tunisia-abuses-in-the-name-of-security-threatening-reforms/> (accession on 17-05-2017).
- Anderson, L. (2011). Demystifying the Arab Spring: Parsing the Differences Between Tunisia, Egypt and Libya. *Foreign Affairs*, 90(3), 2-7.
- Baumgartner, F.R. and Jones, B.D. (1991). Agenda Dynamics and Policy Subsystems. *Journal of Politics*, 53(4), 1044-1074.
- Baylis, J., Smith, S. and Owens, P. (2011). *The Globalization of World Politics: an Introduction to International Relations*. United Kingdom, Oxford: Oxford University Press.
- Black, D. (1999). The Long and Winding Road: International Norms and Domestic Political Change in South Africa. In Risse, T., Ropp, S.C. and Sikkink, K. (1999). *The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambridge: Cambridge University Press.
- Blake, M. (2002). Distributive Justice, State Coercion, and Autonomy. *Philosophy and Public Affairs*, 30(3), 257-296.

- Blatter, J. and Haverland, M. (2012). *Designing Case Studies: Explanatory Approaches in Small-N Research*. United Kingdom, Palgrave Macmillian.
- Brumberg, D. (2013). Tunisian Debate Over Islam, Rights in Constitution Illustrated at USIP Event. Retrieved from: <https://www.usip.org/publications/2013/05/tunisian-debate-over-islam-rights-constitution-illustrated-usip-event> (accession on 27-02-2017).
- Van Boon, E. (2011). Voorbij de Arabische Lente – Afl. 2 Libië. *NTR 2Doc*. Retrieved from: https://www.2doc.nl/speel~NPS_1193527~afl-2-libi%C3%AB-voorbij-de-arabische-lente~.html (accession on 20-06-2017).
- Börzel, T.A. and Risse, T. (2013). Human rights in Areas of Limited Statehood: the New Agenda. In Risse, T., Ropp, S.C. and Sikkink, K. (2013). *The Persistent Power of Human Rights – From Commitment to Compliance*. United Kingdom Cambridge: Cambridge University Press.
- Buergenthal, T. (1997). The Normative and Institutional Evolution of International Human Rights. *Human Rights Quarterly*, 19(4), 703-723.
- Checkel, J.T. (2001). Why Comply? Social Learning and European Identity Change. *International Organization*, 55(3), 553-588.
- Cingranelli, D.L. and Richards, D.L. (2010). The Cingranelli and Richards (CIRI) Human Rights Data Project. *Human Rights Quarterly*, 32(2), 401-424.
- Cole, W.M. (2012). Institutionalizing Shame: the Effect of Human Rights Committee Rulings on Abuse, 1981-2007. *Social Science Research*, 41(3), 539-554.
- Council of the European Union (2004). Press release: 2609th Council Meeting – General Affairs and External Relations, C/04/276. Luxembourg, 11 October 2004. Retrieved from: http://europa.eu/rapid/press-release_PRES-04-276_en.htm (accession on 18-06-2017).
- Daalder, I.H. and Stavridis, J.G. (2012). NATO's Victory in Libya – The Right Way to Run an Intervention. *Foreign Affairs*, 91(2), 2-7.
- Davenport, C. (2007). State Repression and Political Order. *Annual Review of Political Science*, 10, 1-23.
- De Bona, G. (2013). *Human Rights in Libya. The Impact of International Society since 1969*. New York: Routledge.
- DeMeritt, J.H.R. (2012). International Organizations and Government Killing: Does Naming and Shaming Save Lives? *International Interactions*, 38(5), 597-621.
- DeMeritt, J.H.R. and Young, J.K. (2013). A Political Economy of Human Rights: Oil, Natural Gas, and State Incentives to Repress. *Conflict Management and Peace Science*, 30(2), 99-120.
- Dupont, C. and Passy, F. (2011). The Arab Spring or How to Explain those Revolutionary Episodes. *Swiss Political Science Review*, 17(4), 441-451.
- The Economist (2016). Politics in the Middle East – The Arab Winter. Retrieved from: <http://www.economist.com/news/middle-east-and-africa/21685503-five-years-after-wave-uprisings-arab-world-worse-ever> (accession on 04-02-2017).
- EEAS (2016). Rapport 2015 – Coopération de l'Union Européenne en Tunisie. Belgium, Brussels: European External Action Service.

European Parliament (2000). Debates Tunisia – Human Rights – EU-Tunisia Agreement. Strasbourg, 14 June 2000. *Retrieved from: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20000614+ITEM-008+DOC+XML+VO//EN&language=BG>* (accession on 17-05-2017).

Falleti, T.G. (2006). Theory-Guided Process-Tracing in Comparative Politics: Something Old, Something New. *Newsletter of the Organized Section in Comparative Politics of the American Political Science Association*, 17(1), 9-14.

FIDH (2005). International Fact-finding Mission – Tunisia and the World Summit on Information Society. *Retrieved from: <https://www.fidh.org/IMG/pdf/tn418a.pdf>* (accession on 17-05-2017).

Finnemore, M. and Sikkink, K. (1998). International Norm Dynamics and Political Change. *International Organization*, 52(4), 887-917.

Freedom House (2009). UPR Stakeholder Submission – Egypt. *Retrieved from: http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/EG/FH_UPR_EGY_S07_2010_FreedomHouse.pdf* (accession on 02-06-2017).

Gheriani, M. (2011). Crisis Group Interview with Mohammed Gheriani, Former RCD Secretary General. Tunisia, Tunis: 11 February 2011. *In* ICG Tunisia (2011). *Popular protest in North Africa and the Middle East (IV): Tunisia's way*. Middle East/North Africa report nr. 106. Belgium, Brussels: ICG 28-04-2011.

The Guardian (2012). Arab Spring: an Interactive Timeline of Middle East Protest. *Retrieved from: <https://www.theguardian.com/world/interactive/2011/mar/22/middle-east-protest-interactive-timeline>* (accession on 04-02-2017).

Goodman, R. and Jinks, D. (2003). Measuring the Effects of Human Rights Treaties. *European Journal of International Law*, 14(1), 171-183.

Gränzer, S. (1999). Changing Discourse, Transnational Advocacy Networks in Tunisia and Morocco. *In* Risse, T., Ropp, S.C. and Sikkink, K. (1999). *The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambrigde: Cambridge University Press.

Guzman, A.T. (2007). *How International Law Works: a Rational Choice Theory*. United States of America, New York: Oxford University Press.

Hafner-Burton, E. and Tsutsui, K. (2005). Human Rights in a Globalizing World: the Paradox of Empty Promises. *American Journal of Sociology*, 110(5).

Halliday, F. (1995). Relativism and Universalism in Human Rights: the Case of the Islamic Middle East. *Political Studies*, 43(1), 152- 167.

Hamd, V. (2016). Reflections on Human Rights Understandings in the Light of the Arab Spring. Working Paper 16. The Hague Institute for Global Justice.

Hassan, H.A. (2011). Civil Society in Egypt Under the Mubarak Regime. *Afro Asian Journal of Social Sciences*, 2(2.2), 1-18.

Hathaway, O.A. (2002). Do Human Rights Treaties Make a Difference? *The Yale Law Journal*, 111(8), 1935-2042.

Hathaway, O.A. (2007). Why Do Countries Commit to Human Rights Treaties? *Journal of Conflict Resolution*, 51(4), 588-621.

Hendrix, C.S. and Wong, W.H. (2013). When is the Pen Truly Mighty? Regime Type and the Efficacy of Naming and Shaming in Curbing Human Rights Abuses. *British Journal of Political Science*, 43(3), 651-672.

Hicks, N. (2006). Transnational Human Rights Networks and Human Rights in Egypt. In Tirado Chase, A., and Hamzawy, A. (2006). *Human Rights in the Arab World: Independent Voices*. United States of America, Philadelphia, Pennsylvania: University of Pennsylvania Press.

Human Rights Watch (2006). Libya – Words to Deeds, The Urgent Need for Human Rights Reform (Part I of a three-part analysis). United States, New York: Human Rights Watch.

Human Rights Watch (2011). Tunisia's Repressive Laws – The Reform Agenda. United States, New York: Human Rights Watch.

Human Rights Watch (2012). The Road Ahead – A Human Rights Agenda for Egypt's New Parliament. United States, New York: Human Rights Watch.

Hurd, I. (1999). Legitimacy and Authority in International Politics. *International Organization*, 53(2), 379-408.

ICG Bahrain (2011). *Popular protest in North Africa and the Middle East (III): The Bahrain revolt*. Middle East/North Africa report nr. 105. Belgium, Brussels: ICG 06-04-2011.

ICG Egypt (2011). *Popular protest in North Africa and the Middle East (I): Egypt victorious?* Middle East/North Africa report nr. 101. Belgium, Brussels: ICG 24-02-2011.

ICG Libya (2011). *Popular protest in North Africa and the Middle East (V): Making sense of Libya*. Middle East/North Africa report nr. 107. Belgium, Brussels: ICG 06-06-2011.

ICG Syria (2011). *Popular protest in North Africa and the Middle East (VI): The Syrian people's slow motion revolution*. Middle East/North Africa report nr. 108. Belgium, Brussels: ICG 06-07-2011.

ICG Tunisia (2011). *Popular protest in North Africa and the Middle East (IV): Tunisia's way*. Middle East/North Africa report nr. 106. Belgium, Brussels: ICG 28-04-2011.

ICG Yemen (2011). *Popular protest in North Africa and the Middle East (II): Yemen between reform and revolution*. Middle East/North Africa report nr. 102. Belgium, Brussels: ICG 10-03-2011.

IFEX (2009). UN Experts Conclude Blogger Kareem Amer is Being Arbitrarily Detained, a Violation of International Human Rights Standards. Retrieved from:

http://www.ifex.org/egypt/2009/03/25/un_experts_conclude_blogger_kareem/ (accession on 02-06-2017)

Jetschke, A. (1999). Linking the Unlinkable? International Norms and Nationalism in Indonesia and the Philippines. In Risse, T., Ropp, S.C. and Sikkink, K. (1999). *The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambridge: Cambridge University Press.

Jones, M. and Little, D.P. (2017). Egypt – The Mubarak Regime. Retrieved from:

<https://www.britannica.com/place/Egypt/The-Mubarak-regime> (accession on 02-06-2017).

Keck, M.E. and Sikkink, K. (1998). *Activists beyond borders – Advocacy networks in international politics*. Ithaca and London: Cornell University Press.

Keith, L.C. (1999). The United Nations International Covenant on Civil and Political Rights: Does it Make a Difference in Human Rights Behavior? *Journal of Peace Research*, 36(1), 95-118.

Kienle, E. (2012). Egypt without Mubarak, Tunisia after Bin Ali: Theory, History and the 'Arab Spring'. *Economy and Society*, 41(4), 532-557.

Lesch, A.M. (1989). Democracy in Doses: Mubarak Launces his Second Term as President. *Arab Studies Quarterly*, 11(4), 87-107.

Lesch, A.M. (2011). Egypt's Spring: Causes of the Revolution. *Middle East Policy*, 18(3), 35-48.

Monier, E.I. and Ranko, A. (2013). The Fall of the Muslim Brotherhood: Implications for Egypt. *Middle East Policy*, 20(4), 111-123.

Moyn, S. (2010). *The Last Utopia – Human Rights in History*. The Belknap Press of Harvard University Press Cambridge, Massachusetts, and London, England 2010.

Murphy, E. (2016). Habib Bourguiba – President of Tunisia. *Retrieved from:* <https://www.britannica.com/biography/Habib-Bourguiba> (accession on 17-05-2017).

Neumayer, E. (2005). Do International Human Rights Treaties Improve Respect for Human Rights? *Journal of Conflict Resolution*, 49(6), 925-953.

OHCHR (2017). OHCHR Country Profile for Tunisia – Status of Ratifications. *Retrieved from:* <http://indicators.ohchr.org/> (accession on 18-06-2017).

OHCHR (2017). OHCHR Country Profile for Egypt – Status of Ratifications. *Retrieved from:* <http://indicators.ohchr.org/> (accession on 18-06-2017).

OHCHR (2017). OHCHR Country Profile for Libya – Status of Ratifications. *Retrieved from:* <http://indicators.ohchr.org/> (accession on 18-06-2017).

Polisi, C.E. (2004). Universal Rights and Cultural Relativism: Hinduism and Islam Deconstructed. *World Affairs*, 167(1), 41-46.

Rautiala, K. and Slaughter, A. (2002). International Law, International Relations and Compliance. In: Carlsnaes, W., Simmons, B. and Risse, T. *Handbook of International Relations*. United Kingdom, London: Sage, 538-558.

Risse, T. and Sikkink, K. (1999). The Socialization of International Human Rights Norms into Domestic Practices: Introduction. In Risse, T., Ropp, S.C. and Sikkink, K. *The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambridge: Cambridge University Press.

Risse, T., Ropp, S.C. and Sikkink, K. (1999). *The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambridge: Cambridge University Press.

Risse, T. and Ropp, S.C. (2013). Introduction and Overview. In Risse, T., Ropp, S.C. and Sikkink, K. *The Persistent Power of Human Rights – From Commitment to Compliance*. United Kingdom, Cambridge: Cambridge University Press.

Risse, T., Ropp, S.C. and Sikkink, K. (2013). *The Persistent Power of Human Rights – From Commitment to Compliance*. United Kingdom, Cambridge: Cambridge University Press.

Rittberger, V. (1993). Research on International Regimes in Germany: The Adaptive Internalization of an American Social Science Concept. *In Rittberger, V. Regime Theory and International Relations*. United Kingdom, Oxford: Clarendon Press.

Rosga, A. and Satterthwaite, M.L. (2009). The Trust in Indicators: Measuring Human Rights. *Berkeley Journal of International Law*, 27(2), 253-315.

Ropp, S.C. and Sikkink, K. (1999). International Norms and Domestic Politics in Chile and Guatemala. *In Risse, T., Ropp, S.C. and Sikkink, K. The Power of Human Rights – International Norms and Domestic Change*. United Kingdom, Cambridge: Cambridge University Press.

Sadiki, L. (2015). Tunisia is Sacrificing its Democracy for Safety. *Al Jazeera*. Retrieved from: <http://www.aljazeera.com/indepth/opinion/2015/08/tunisia-sacrificing-democracy-safety-anti-terrorism-law-150809084503057.html> (accession on 17-05-2017)

Schimmelfenning, F. (1995). *Debatten zwischen Staaten – Eine Argumentationstheorie internationaler Systemkonflikte*. VS Verlag für Sozialwissenschaften – Springer Fachmedian Wiesbaden GmbH: Wiesbaden.

Sheeran, S.P. (2013). Reconceptualising States of Emergency under International Human Rights Law: Theory, Legal Doctrine, and Politics. *Michigan Journal of International Law*, 34, 491-557.

Sikkink, K. (2013). The United States and Torture: Does the Spiral Model Work? *In Risse, T., Ropp, S.C. and Sikkink, K. The Persistent Power of Human Rights – From Commitment to Compliance*. United Kingdom Cambridge: Cambridge University Press.

Simmons, B.A. (1998). Compliance with International Agreements. *Annual Review of Political Science*, 1, 75-93.

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

Sinha, S. (2011). Women's Rights: Tunisian Women in the Workplace. *Journal of International Women's Studies*, 12(3), 184-200.

Tallberg, J. (2002). Delegation to Supranational Institutions: Why, How, and with What Consequences? *West European Politics*, 25(1), 23-46.

Terman, R. and Voeten, E. (2017). The Relational Politics of Shame: Evidence from the Universal Periodic Review. *The Review of International Organizations*, 1-23.

UN (2011), Security Council Approves 'No-Fly Zone' over Libya, Authorizing 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions. Security Council: 6498th meeting. Retrieved from: <https://www.un.org/press/en/2011/sc10200.doc.htm> (accession on 06-06-2017).

UN (2015). Universal Declaration of Human Rights. United Nations. Retrieved from: http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf (accession on 05-04-2017).

UN Human Rights Council National Report (2008). National Report Submitted in Accordance with Paragraph 15(A) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Tunisia, 11 March 2008, A/HRC/WG.6/1/TUN/1.

UN Human Rights Council National Report (2009). National Report Submitted in Accordance with Paragraph 15(A) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Egypt, 16 November 2009, A/HRC/WG.6/7/EGY/1.

UN Human Rights Council National Report (2010). National Report Submitted in Accordance with Paragraph 15(A) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Great Socialist People's Libyan Arab Jamahiriya, 24 August 2010, A/HRC/WG.6/9/LBY/1.

UN Human Rights Council National Report (2012). National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21 on the Universal Periodic Review: Tunisia, 30 March 2012, A/HRC/WG.6/13/TUN/1.

UN Human Rights Council National Report (2014). National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21 on the Universal Periodic Review: Egypt, 22 July 2014, A/HRC/WG.6/13/EGY/1.

UN Human Rights Council National Report (2015). National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21 on the Universal Periodic Review: Libya, 5 May 2015, A/HRC/WG.6/22/LBY/1.

UN Human Rights Council Compilation (2008). Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(B) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Tunisia, 19 March 2008, A/HRC/WG.6/1TUN/2.

UN Human Rights Council Compilation (2009). Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(B) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Egypt, 26 November 2009, A/HRC/WG.6/7/EGY/2.

UN Human Rights Council Compilation (2010). Compilation Prepared by the Office of the High Commissioner for Human Rights in Accordance with Paragraph 15(B) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Libyan Arab Jamahiriya, 21 July 2010, A/HRC/WG.6/9/LBY/2.

UN Human Rights Council Compilation (2012). Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21 on the Universal Periodic Review: Tunisia, 16 March 2012, A/HRC/WG.6/13/TUN/2.

UN Human Rights Council Compilation (2014). Compilation Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15(B) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21 on the Universal Periodic Review: Egypt, 18 August 2014, A/HRC/WG.6/20/EGY/2.

UN Human Rights Council Compilation (2015). Compilation Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15(B) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21 on the Universal Periodic Review: Libya, 27 February 2015, A/HRC/WG.6/22/LBY/2.

UN Human Rights Council Summary (2008). Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(C) of the Annex to Human Rights

Council Resolution 5/1 on the Universal Periodic Review: Tunisia, 11 March 2008, A/HRC/WG.6/1/TUN/3.

UN Human Rights Council Summary (2009). Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(C) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Egypt, 25 November 2009, A/HRC/WG.6/7/EGY/3.

UN Human Rights Council Summary (2010). Summary Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph(C) of the Annex to Human Rights Council Resolution 5/1 on the Universal Periodic Review: Libyan Arab Jamahiriya, 15 July 2010, A/HRC/WG.6/9/LBY/3.

UN Human Rights Council Summary (2012). Summary Prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the Annex to Human Rights Council Resolution 16/21 on the Universal Periodic Review: Tunisia, 9 March 2008, A/HRC/WG.6/13/TUN/3.

UN Human Rights Council Summary (2014). Summary Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15(C) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21 on the Universal Periodic Review: Egypt, 8 August 2014, A/HRC/WG.6/20/EGY3.

UN Human Rights Council Summary (2015). Summary Prepared by the Office of the United Nations High Commissioner for Human Rights in Accordance with Paragraph 15(C) of the Annex to Human Rights Council Resolution 5/1 and Paragraph 5 of the Annex to Council Resolution 16/21 on the Universal Periodic Review: Libya, 23 February 2015, A/HRC/WG.6/22/LBY/3.

UN Human Rights Council Working Group (2008). Report of the Working Group on the Universal Periodic Review: Tunisia, 22 May 2008, A/HRC/8/21.

UN Human Rights Council Working Group (2010). Report of the Working Group on the Universal Periodic Review: Egypt, 26 March 2010, A/HRC/14/17.

UN Human Rights Council Working Group (2011). Report of the Working Group on the Universal Periodic Review: Libyan Arab Jamahiriya, 4 January 2011, A/HRC/16/15.

UN Human Rights Council Working Group (2012). Report of the Working Group on the Universal Periodic Review: Tunisia, 9 July 2012, A/HRC/21/5.

UN Human Rights Council Working Group (2014). Report of the Working Group on the Universal Periodic Review: Egypt, 24 December 2014, A/HRC/28/16.

UN Human Rights Council Working Group (2015). Report of the Working Group on the Universal Periodic Review: Libya, 22 July 2015, A/HRC/30/16.

United Nations (2014). The Core International Human Rights Treaties. New York and Geneva: United Nations Human Rights – Office of the High Commissioner.

US Department of State (2011a). Country Reports on Human Rights Practices for 2011: Tunisia. Retrieved from: <https://www.state.gov/documents/organization/186663.pdf> (accession on 17-05-2017).

US Department of State (2011b). Country Reports on Human Rights Practices for 2011: Egypt.
Retrieved from: <https://www.state.gov/documents/organization/186635.pdf> (accession on 17-05-2017).

US Department of State (2011c). Country Reports on Human Rights Practices for 2011: Libya.
Retrieved from: <https://www.state.gov/documents/organization/186649.pdf> (accession on 17-05-2017).

US Department of State (2016a). Country Reports on Human Rights Practices for 2016: Tunisia.
Retrieved from: <https://www.state.gov/documents/organization/265734.pdf> (accession on 17-05-2017).

US Department of State (2016b). Country Reports on Human Rights Practices for 2016: Egypt.
Retrieved from: <https://www.state.gov/documents/organization/265706.pdf> (accession on 17-05-2017)

US Department of State (2016c). Country Reports on Human Rights Practices for 2016: Libya.
Retrieved from: <https://www.state.gov/documents/organization/265722.pdf> (accession on 17-05-2017).

Van Hüllen, V. (2013). The “Arab Spring” and the Spiral Model: Tunisia and Morocco. In Risse, T., Ropp, S.C. and Sikkink, K. (2013). *The Persistent Power of Human Rights – From Commitment to Compliance*. United Kingdom Cambridge: Cambridge University Press.

Walt, S.M. (1998). International Relations: One World, Many Theories. *Foreign Policy*, 110(Special Edition: Frontiers of Knowledge), pp. 29-46.

Waltz, K.N. (1979). *Theory of International Politics*. Reading, Mass: Addison-Wesley Pub. Co.

Young, J.K. (2012). Repression, Dissent, and the Onset of Civil War. *Political Research Quarterly*, 66(3), pp. 516-532.

APPENDIX

Ratified International Human Rights Treaties by year		Tunisia	Egypt	Libya
International Convention on the Elimination of All Forms of Racial Discrimination	ICERD	1967	1967	1968
International Covenant on Civil and Political Rights	ICCPR	1969	1982	1970
<i>Optional Protocol to the International Covenant on Civil and Political Rights</i>		2011		1989
<i>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty</i>				
International Covenant on Economic, Social and Cultural Rights	ICESCR	1969	1982	1970
<i>Optional Protocol to the International Covenant on Economic, Social and Cultural Rights</i>				
Convention on the Elimination of All Forms of Discrimination against Women	CEDAW	1985	1981	1989
<i>Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women</i>		2008		2004
Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment	CAT	1988	1986	1989
<i>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</i>		2011		
Convention on the Rights of the Child	CRC	1992	1990	1993
<i>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict</i>		2003	2007	2004
<i>Optional Protocol to the Convention on the Rights of the Child on a communication procedure</i>				
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	ICRMW		1993	2004
International Convention for the Protection of all Persons from Enforced Disappearance	ICPPED	2011		
Convention on the Rights of the Persons with Disabilities	CRPD	2008	2008	2008
<i>Optional Protocol to the Convention on the Rights of the Persons with Disabilities</i>				

Appendix 1: Overview of ratified International Human Rights Treaties for Tunisia, Egypt, and Libya by year (OHCHR, 2017)

