

Increased Efforts by Modern States to Improve Their Reputations for Enforcing Women’s Human Rights

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This study suggests that, since the year 2000, governments have been making greater claims and efforts to enforce women’s human rights. However, their motivations appear to be to improve their reputations in the international community rather than to protect women. The findings indicate that states are submitting reports to the United Nations on their progress eliminating discrimination against women on a timelier basis. Case studies of Eritrea, Thailand, and Yemen find that they report greater efforts to combat human trafficking—which spills across national borders and is thus visible to the international community—than to combat violence against women, a crime that is heinous and pervasive but often happens behind closed doors. This suggests that the nations’ motivations are largely reputational.

Keywords: state reputations, women’s human rights, United Nations, violence against women, human trafficking

This study finds that, since the year 2000, governments have been making increased claims and efforts to enforce women’s human rights; however, the primary motivations behind their heightened efforts appear to be to enhance their reputations rather than to actually protect women. States today depend heavily on international cooperation in order to achieve their domestic goals, ranging from national security to economic growth. Therefore, one of the most dangerous things that can happen to a country is to be branded as a pariah and cut off from the benefits of international cooperation. At the same time as countries are increasingly dependent upon retaining membership in good standing in international society, activists have heightened their efforts to expose human rights violations and shame offending states (Keck & Sikkink, 1998). Accordingly, this study finds that modern states have increased their efforts to position themselves before the global community as upholders of women’s rights.

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With the exception of just seven outlier states—Iran, Somalia, Sudan, South Sudan, Palau, Tonga, and the United States of America—every United Nations member state has signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). All signatories to the treaty are required to submit regular reports on their progress to the United Nations Committee on the Elimination of Discrimination Against Women. A compilation and computation of the dates when reports were due and when they were submitted by every signatory to the treaty finds that states have dramatically increased their rhetorical claims to protect women since 2000. Reports that were due to the committee were submitted, on average, 66.48 months late in the 1980s and 64.97 months late in the 1990s; since 2000, reports have been submitted an average of 29.94 months late. Although states are still not fully complying with the treaty, they are clearly making greater rhetorical efforts to present themselves to the international community as defenders of women’s human rights by submitting reports about their efforts on a timelier basis than they have in the past.

Case studies of three states confirm this finding and shed light on the motivations behind such heightened rhetorical efforts. An analysis of three countries that have been highlighted by the U.S. government as taking insufficient action to combat human trafficking—Eritrea, Thailand, and Yemen—finds that even these states, which have been branded as worst offenders, have significantly increased their claims that they are taking action to combat the trafficking of women and children in the text of their reports submitted under CEDAW and have heightened their efforts to fight trafficking. If these states were motivated by the desire to protect women, we should expect them to make commensurate claims and efforts to combat violence against women—a human rights violation that is also heinous and pervasive but, unlike human trafficking, often happens behind closed doors rather than across national borders, and is therefore less visible to the international community. However, the case studies find that all three countries make fewer claims and fewer efforts to combat violence against women than human trafficking, suggesting that the motivations behind their increased rhetorical claims and efforts to combat trafficking are reputational.

The finding that states are making increased efforts to improve their international reputations for protecting women has important implications, indicating that countries may be more vulnerable to criticism from international organizations, activists, and foreign governments than previously understood and that the best way for citizens to achieve domestic reform in unresponsive states may be through externalizing their claims. However, because the motivation behind states’ increased compliance with global norms appears to be reputational, there is a danger that they will respond to international criticism with cosmetic rather than substantive reforms to protect women.

Literature Review

Ruggie (1992) has noted that the breadth and diversity of state coordination of policies—known as multilateralism—has increased substantially since 1945. In an increasingly complex and interdependent world, states have greater needs and incentives to coordinate and collaborate with one another for a host of reasons. The motivations behind the creation and maintenance of international regimes and organizations range from identifying common standards for air traffic and postal services, to addressing financial and environmental externalities, to responding to emerging threats to security. Such activities

have become more critical in a globalized world characterized by increasingly porous flows of goods, capital, and people (Keohane, 1990). Keohane and Nye (1977) have described the modern era as one of "multidimensional economic, social, and ecological interdependence" (p. 4). Martin (1992) noted that multilateralism requires states to sacrifice flexibility in their own decision making and overcome short-term temptations in order to achieve long-term benefits.

There is one key ticket to realizing the benefits of international cooperation: remaining a member of the international community in good standing. Franck (1998) argued that, in order to do this, states must adhere to the underlying rules of international society:

It is . . . circumstantially demonstrable that there are obligations that states acknowledge to be necessary incidents of community membership. These are not perceived to obligate because they have been accepted by the individual state but, rather, are rules in which states acquiesce as part of their own validation; that is, as an inseparable aspect of "joining" a community of states. (p. 758)

As a result of the need to retain membership in this society through adherence to these obligations, one of the most dangerous things that can happen to a state is to be branded as a pariah. Ultimately, to retain membership in the international community, states will be required to reform those practices that significantly violate international norms and rules—even if the continuation of such practices would otherwise be in keeping with what they perceive to be their national interests.

This study examines procedural, rhetorical, and substantive efforts made by states to address some of their obligations under CEDAW. State signatories to the treaty are required to submit periodic reports on their progress in eliminating discrimination against women to the United Nations Committee on the Elimination of Discrimination Against Women. States are expected to report on both human trafficking and violence against women, among other issues, in their CEDAW reports. Article 6 of CEDAW specifically requires that "states Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women" and thus states are required to report on their progress under this article (United Nations General Assembly, 1979, para. 44). Additionally, the Committee on the Elimination of Discrimination Against Women (1989) has issued guidelines directing states to report on legislation and other measures to combat violence against women as well as support services for victims and statistics on the incidence of such violence, "considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of any kind." (para. 72).

The system of self-reporting by states under the UN human rights treaties has been excoriated as the weakest possible form of enforcement, because states may misrepresent the actual situation in their countries and there are no consequences for failing to submit reports or for human rights violations under this process. MacKinnon (1993), for example, argued that "human rights have . . . no teeth. . . . Enforcement is mainly through reporting, meaning moral force, meaning effective nonenforcement" (p. 97).

Many states do not file their reports when due. Felice (2003) noted that the Office of the High Commissioner for Human Rights, which supports the Committee on the Elimination of Discrimination Against Women and the other UN human rights committees, is so under-resourced that if states were to all actually file their reports on time, the entire system would collapse. Furthermore, experts serving on human rights committees are not paid for their work and most hold full-time jobs, limiting the amount of time they can devote to their committee responsibilities. The committees meet for just a few weeks per year.

Felice (2003), however, argued that the practice of writing publicly available reports, appearing before treaty bodies, and knowing that the final judgments of the committees will be publicly available has caused states to change unacceptable practices, because "states are concerned about their reputations" (p. 78). This study tests that proposition to determine whether states are indeed concerned about their reputations for enforcing the human rights of women and whether their reputational concerns and efforts have changed over time. To do so, this study compares state rhetoric and action on two issues: violence against women and human trafficking. According to the United Nations Declaration on the Elimination of Violence Against Women:

The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. (United Nations General Assembly, 1993, para. 15)

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime, defines human trafficking as

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. (United Nations General Assembly, 2000, para. 16)

The two problems are closely interrelated. Leidholdt (2013) has noted that "people at risk, usually women and girls, often fall under the control of traffickers while attempting to escape intimate-partner abuse. Conversely, they frequently inadvertently become ensnared in abusive intimate-partner relationships trying to escape sex or labor trafficking" (para. 12). Furthermore, as Bumiller (2008) has noted, both issues are now viewed by the international community as part of the human rights paradigm: "In the context of violence against women, the human rights paradigm views all forms of violence against women's bodies . . . as a violation of a person's fundamental rights to freedom of movement, personal dignity, and economic sustainability" (pp. 132-133). However, unlike violence against women, Bumiller

noted that trafficking of women is "part of a complex international phenomenon closely related to international sex markets, labor markets, and illegal immigration" (p. 145).

Method

To measure whether states are making greater rhetorical efforts to improve their reputations for upholding the human rights of women, I first consulted the website of the United Nations Office of the High Commissioner for Human Rights to identify the dates on which every state signatory to CEDAW had a report due to the Committee on the Elimination of Discrimination Against Women and the dates on which the reports were actually submitted, as of October 15, 2014. Because the due dates of many reports were not posted online, I corresponded via e-mail with staff members in the Office of the High Commissioner for Human Rights in Geneva in order to obtain due dates and submission dates for many countries. The dates were inputted into a single document ([available here](#)) to calculate the average amount of time that reports were delinquent in the 1980s, in the 1990s, and since 2000.

To measure whether states are making greater rhetorical claims to uphold the human rights of women, I conducted case studies of three countries: Eritrea, Thailand, and Yemen. The three countries were selected because they are among the 23 countries that the U.S. Department of State (2015) placed in "tier three"—the lowest possible ranking—in its most recent report on the efforts of countries to combat human trafficking. The U.S. Department of State (2015) defines tier-three states as "countries that do not fully comply with the [U.S. government's] TVPA's [Trafficking Victims Protection Act] minimum standards and are not making significant efforts to do so" (p. 47); tier-two countries "do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards"; and tier-one countries are in full compliance. With the exceptions of Belarus, Belize, Russia, and Venezuela, all of the countries designated as tier three are located in Africa, Asia-Pacific, or the Middle East/ greater Middle East. Therefore, I selected one country from each of these regions for study. Because the conflict that began in Yemen in early 2015 diminished the country's capacity to promote human rights, this study examines Yemen's efforts only through 2014, prior to the current conflict.

While countries with the higher rankings of tier one and tier two are by definition making greater efforts to combat human trafficking, the three countries studied represent the hardest cases because they have flouted U.S. standards on the issue. Thus, if any countries were to be unconcerned with their international reputations, we would expect it to be these nations, which have repeatedly been warned in prior U.S. State Department reports that they would be singled out for opprobrium by the U.S. government if they did not significantly improve their anti-trafficking efforts, but nevertheless did not do so. Of course, it is also possible that the U.S. government has more harshly ranked countries with which it has significant geopolitical disagreements. However, the evidence described later in this article makes it clear that the three countries selected for this case study have also been singled out for opprobrium by the UN and major nongovernmental organizations (NGOs), suggesting that the rankings of the three countries were warranted and not politically motivated.

The case studies employ George and Bennett's (2005) method of "structured, focused comparison" (p. 67). To measure whether Eritrea, Thailand, and Yemen are making greater rhetorical efforts to improve their reputations for protecting women, a content analysis was conducted of every report submitted by each of these states to the Committee on the Elimination of Discrimination Against Women to determine whether they made greater claims over time to be fighting the trafficking of women and children and violence against women. The length, content, and specificity of the rhetorical claims of states on both issues were evaluated. To measure whether the three states are making increased efforts to combat the trafficking of women and children and violence against women, the case study outlined each state's legal efforts. The states' efforts to combat violence against women were measured against the standards of the United Nations Declaration on the Elimination of Violence Against Women (United Nations General Assembly, 1993). The states' efforts to combat human trafficking were measured against the standards of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (United Nations General Assembly, 2000), which supplements the United Nations Convention Against Transnational Organized Crime.

If the motivations of these countries were to protect women, we would expect them to make roughly similar efforts to combat human trafficking and violence against women. On the other hand, if they were motivated to improve their reputations, we would expect the states to make greater claims and efforts to combat trafficking, since trafficking spills across national borders and is therefore harder to conceal from the international community than violence against women, which often occurs behind closed doors.

Case studies were selected because they provide concrete evidence of state claims over time. Other possible methodologies, such as interviews with government officials, would be less objective because they could be influenced by state concerns with their reputations. As George and Bennett (2005) note, case studies are an optimal methodology for achieving conceptual validity when measuring political concepts "which are notoriously difficult to measure" (p. 19)—such as, in this case, state concerns with their reputations. Bennett and George also note that case studies are optimal for deriving new hypotheses and exploring causal mechanisms.

To be sure, this methodology cannot account for other factors that could have resulted in differentials between the efforts of states on both issues, such as differences in the personal priorities of heads of state and government ministers. Therefore, this study is intended to test the hypothesis that states are primarily motivated by reputational concerns; future studies should further test this hypothesis.

Results

The analysis of the dates on which states submitted their reports indicates that governments have made greater rhetorical efforts to claim that they uphold women's human rights since 2000 by submitting reports due to the Committee on the Elimination of Discrimination Against Women on a timelier basis. In the 1980s, reports due to the committee were submitted, on average, 66.48 months late; in the 1990s, reports were submitted, on average, 64.97 months late. Since 2000, states have reduced their delinquency by more than half; on average, reports have been submitted 29.94 months late.

The case studies likewise confirm that states are making greater rhetorical claims that they uphold women's human rights. The case studies also indicate that the states make greater claims and efforts to combat the (highly visible) issue of trafficking than the (largely invisible) issue of violence against women, suggesting that the motivations behind their heightened efforts are reputational.

Thailand

According to the U.S. Department of State (2014, p. 372), Thailand is home to "tens of thousands of victims" of human trafficking, "by conservative estimates." "The majority of the trafficking victims within Thailand . . . are migrants from Thailand's neighboring countries who are forced, coerced, or defrauded into labor or exploited in the sex trade."

Even more Thai women are subject to violence against women. In a survey conducted by the National Institute for Child and Family Development at Thailand's Mahidol University in 2012, almost a third of Thai households reported experiencing domestic violence (Corben, 2013).

Thailand: Rhetorical Efforts

Thailand ratified CEDAW in 1985. At the time of this study in 2014, the Thai government had not submitted its report that was due to the Committee on the Elimination of Discrimination Against Women on September 1, 2010, forfeiting an opportunity to make rhetorical claims. However, the state's previously submitted reports evince significantly greater efforts over time to claim that Thailand is working to address human trafficking.

In its initial report, published in 1987 (State of Thailand, 1987), Thailand readily admitted that its 1928 law against trafficking was "lettre morte," admitting that "the statute is antiquated and too limited in scope. . . . Light penalties may be imposed" (p. 16) for human trafficking. The only action the country reported taking to combat the problem was a seminar on the issue, held in 1986.

The country's combined second and third report was published in 1997. The section of this report on trafficking and prostitution (State of Thailand, 1997) reads like a sociological essay blaming groups for the problem—including "foreign pedophiles," tourists, and Thai women themselves, whom the government charged with "preferring their husband visit commercial sex workers rather than take a minor wife" (p. 27). The government reported taking limited action to combat trafficking. The report states that the country had lengthened the time period of compulsory schooling to nine years and that the government and NGOs were offering vocational training and educating high-risk women and girls about the tactics of traffickers. It also reported that radio and television programs were attempting to reduce demand in the culture for sex services and that the government operated five homes for women who had been trafficked, blaming women for not staying long enough in such homes. Thailand reported that many of its citizens had been trafficked abroad, indicating that such women were provided with "consular support services" and that the government had given 2.5 million baht (less than US\$80,000) to organizations helping Thai victims of trafficking in Japan.

The rhetoric of the country's combined fourth and fifth report, published in 2004 (State of Thailand, 2004), is striking in the exponentially greater effort made by Thailand to claim that it is working to combat human trafficking. This report bears almost no relation to the country's earlier documents. Instead, it is a lengthy, factual listing of specific, substantive actions that the country is taking to combat trafficking. The country indicates that it is working with other governments to combat the problem; describes a 1997 law imposing stiffer penalties on traffickers and a range of related new laws also intended to address the problem; outlines how the government is attempting to help girls receive educations and technical training; indicates that a national committee was established in 1998 to address the trafficking of women and children; describes a memorandum of understanding signed by the heads of government agencies in 1999 explaining how they will work together to address cases of trafficking; reports on seminars to educate "1,500 police and other concerned officers" (p. 30); describes efforts by Thailand to work with foreign governments that will not prosecute traffickers in order to extradite them to Thailand for prosecution; and indicates that five new programs would be implemented between 2002–2006 to educate Thai women about the problems they could face abroad.

All of Thailand's reports focus more on trafficking than on violence against women. The country's first report did not even mention the subject of violence against women.

Thailand's 1997 report devotes 4,399 words to a section on "Traffic and Exploitation of Prostitution of Women" (pp. 26–33) and just 1,017 words to "Violence Against Women," which in this report does not even garner its own section but is instead relegated to a subsection of "Equality Before the Law" (pp. 63–65). In this report, Thailand admits that "there is . . . no protection for women within marriage against rape or sexual assault," and "little research has as yet been conducted into the scope or nature of the problem" of domestic violence.

The 2004 report contains a 3,967-word section on "Trafficking and Exploitation of Women" (pp. 69–100)—nearly double the length of its 2,300-word section on "Violence Against Women" (pp. 55–66). Although the domestic violence section lists specific actions the government is taking to combat the problem, much of this section is devoted to statistics about violence against women; the report devotes significantly less space to outlining specific actions.

Thus, while Thailand made more specific claims over time to be combatting both trafficking and violence against women, the country placed significantly more focus on trafficking in all of its reports.

Thailand: Legal Efforts

In addition to the efforts outlined in Thailand's 2004 report, in 2008, Thailand passed a law criminalizing trafficking of all forms, which the U.S. Department of State (2015) assessed to be "sufficiently stringent" (p. 331). In 2015, the law was amended to increase the penalties for trafficking.

The U.S. Department of State (2015) reported that Thailand's law enforcement efforts to combat trafficking are insufficient; corruption remains a problem; and investigations and prosecutions of traffickers actually decreased in 2014. However, the U.S. Department of State also noted that the Thai

government intensified its prevention efforts in 2014, and "senior government officials repeatedly expressed their strong commitment to combating trafficking." (p. 331).

In 2007, Thailand passed laws that, for the first time, criminalized marital rape and imposed harsher penalties for domestic violence. The country also began training police on combating violence against women. However, according to Nguyen (2013), "the police are still reluctant to intervene on domestic matters because many still see it as a private issue" (para. 16). Furthermore, the 2007 law requires that a woman be injured before the police will take action. "If a woman comes to the police station and says her husband has threatened to harm her, there is nothing the police can do. There is no crime to report" (Nguyen, 2013, para. 22). Additionally, the maximum penalties for domestic violence are just six months in jail and a fine of 6,000 baht (less than US\$200).

Thus, while Thai legal efforts to address both trafficking and violence against women are inadequate and unacceptable, the country appears to have enacted adequate laws to combat trafficking but not to combat violence against women—indicating that the country has made somewhat greater legal progress on trafficking.

Yemen

As noted earlier, because the conflict that began in Yemen in early 2015 diminished the state's capacity to promote human rights, this study examines Yemen's efforts through 2014, prior to the current conflict. According to the U.S. Department of State (2014, pp. 410–411),

Yemen is a country of origin and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. . . . Girls as young as 15-years-old are exploited for commercial sex in hotels and clubs in the governorates of Sana'a, Aden, and Taiz. . . . Some Saudi men used legally-contracted "temporary marriages" for the purpose of sexually exploiting Yemeni girls—some reportedly as young as 10-years-old; some are subjected to sex trafficking or abandoned on the streets of Saudi Arabia.

Violence against women is also a major problem in Yemen. According to a United Nations report (2010, pp. 7–8),

Yemen is a traditional society where prevailing cultural attitudes bestow women low status in the family as well as in the community. Women in Yemen are subjected to various forms of violence, including physical and psychological abuse within the family . . . early marriage, forced marriage, exchanged marriage . . . sexual harassment, abuse and violence, restrictions and control over freedom of movement . . . forced pregnancy . . . and female genital mutilation/cutting.

Yemen: Rhetorical Efforts

Yemen ratified CEDAW in 1984. The country's reports submitted in 2007 and 2014 acknowledged that trafficking is a problem and outlined steps the country is taking to combat it. All previous reports denied that the problem existed. The sole reference to trafficking in the country's first report, submitted in 1989, states that "any exploitation or acts constituting any form of traffic of women is liable to a terms of imprisonment not less than 6 months and not more than 3 years" (State of Yemen, 1989, p. 9). However, the report goes on to state that, because organized prostitution does not exist in Yemen, no case had ever been prosecuted. The country's second report, also submitted in 1989, made no mention of trafficking. The only reference to trafficking in Yemen's third report stated that

the law of the Republic of Yemen also prohibits any exploitation of women and any actions that constitute any form of traffic in them. Such actions are punishable by imprisonment. No organized prostitution exists in the Republic of Yemen, as it is unacceptable socially and from the religious point of view. (State of Yemen, 1992, p. 15)

The rest of the section on human trafficking is devoted to reprinting language from the Koran.

The country's 2000 report contains no reference to trafficking whatsoever (State of Yemen, 2000). Even as late as 2002, the country continued to claim that trafficking was not a problem in Yemen, stating that "the promotion of sexual services is non-existent in Yemen, since it is incompatible with the country's religion, society and laws, all of which condemn trafficking in women and exploitation of the prostitution of women." The report actually attempts to defend the country by noting that no laws "regulate or permit" the trafficking of women (State of Yemen, 2002, p. 31).

In its 2007 report, Yemen for the first time acknowledged that the problem existed by noting that parliament had been discussing the issue of the marriage of poor Yemeni girls to tourists from foreign countries; a committee had been formed to investigate the issue; and the committee had proposed amending the law (State of Yemen, 2007). The report also outlined specific steps the country was taking, noting that Yemen had signed an optional protocol to the Convention on the Rights of the Child, which addresses the sale of children, and that, in collaboration with UNICEF, the government had conducted research on the trafficking of children and was working on greater media awareness, increasing security at borders, developing new laws, building the capacities of field officers, improving monitoring and reporting, and caring for victims.

Yemen's 2014 report notes that, to combat the trafficking of children, the country has signed a memorandum of understanding and established a repatriation procedure with Saudi Arabia; established a national technical committee and plan of action; provided training to workers who care for children who are returned; trained taxi drivers and police to identify the problem; run public service announcements on television and radio; and approved draft amendments to the country's laws (State of Yemen, 2014). The report also notes that the Ministry of Justice has drafted a law to help combat trafficking. The country's rhetorical efforts on human trafficking therefore significantly increased over time.

Yemen likewise made greater rhetorical claims to be combatting violence against women over time. Yemen's first two reports, submitted in 1989, as well as its third report, submitted in 1992, made no mention of violence against women. In 2000, the country made a single reference to the problem, indicating that a "Committee for opposing violence against Women" (State of Yemen, 2000, p. 46) had been established in 1997. By 2002, the country acknowledged a problem by noting that a man is entitled to kill his wife or sister if she commits adultery without being charged with murder, but a woman who kills her adulterous husband would be charged with murder. The report recommends that "it would be desirable either for this article to be removed from the Code, or for the same rights in the matter to be extended to women" since the law might be used by men "as an excuse for doing away with their wives" (State of Yemen, 2002, p. 15). The 2002 report also includes a two-line description of the committee to combat violence against women similar to that included in the 2000 report.

Yemen's 2007 report makes more claims that the country is addressing the problem. The report notes that the government's Women National Committee is "targeting women in special programs such as . . . fighting violence against women" (State of Yemen, 2007, p. 3), though there is no mention of targeting men. Another vague reference notes that one "of the most important goals" of "state adopted policies" is "eliminating all forms of violence against women" (p. 15). Other references note that a network of which the Women National Committee is a member works to combat violence against women and that there was a national conference on the issue in 2004.

The 2014 report is more specific. It notes that the country had proposed changes to the law to address violence against children, such as female genital mutilation. The report also notes that the country's Five-Year Plan for Economic and Social Development and Poverty Reduction for 2011–2016, National Strategy for the Development of Women for 2006–2015, National Strategy for Childhood and Youth for 2010–2015, and Annual Report on the Situation of Yemeni Women for 2010 all include components on combatting violence against women or girls and that a study was conducted in 2009 on combatting violence against rural women (State of Yemen, 2014).

Yemen's rhetorical efforts to claim that it is combatting trafficking and violence against women both increased over time. Although the country did not make significantly greater efforts to claim that it is combatting trafficking, it did devote a separate section to trafficking in every report, and it did not devote a separate section to violence against women in any report. Furthermore, the country mentioned trafficking in every report, but it did not use the word *violence* in its reports until 2000, thus also giving trafficking slightly greater emphasis.

Yemen: Legal Efforts

The U.S. Department of State (2014) noted that, in 2013, "Yemen continued to face serious challenges that severely impeded the government's efforts to combat trafficking, including weak government institutions, systemic corruption, economic problems, substantial internal security threats, limited control of much of the countryside, and poor law enforcement capabilities" (p. 411). However, the report also noted that the Yemeni

government worked with an international organization and NGOs to facilitate the repatriation of thousands of Ethiopian migrants, some of whom were trafficking victims, in 2013. The government also took some steps to prevent the forcible recruitment of children into the armed forces. (p. 411)

Trafficking is illegal in Yemen, but in 2013 Yemen's National Technical Committee to Combat Human Trafficking, a group of government ministries, drafted a new law to more forcefully combat human trafficking. The law has been submitted to the country's parliament but has not yet passed (IRIN, 2014).

By contrast, Yemen does not have any laws to combat violence against women (World Bank, 2013). Yemen's legal record on this issue is arguably worse than its record on trafficking, because the country's laws actually help to *promote* violence against women. Astonishingly, in 1994, Yemen enacted its Crimes and Punishment Law, reducing the punishment for killing one's female relative to less than a year of imprisonment or a monetary fine. According to the same law, the payment due to a family for killing a woman is half of that for killing a man (United Nations, 2010). Yemeni women who report domestic violence to the police are often charged as co-perpetrators of the crime (Benninger-Budel & Bourke-Martignoni, 2003). Additionally, Article 40 of the country's Personal Status Act essentially legalizes marital rape by legally requiring women to provide their husbands with "sexual access" (Benninger-Budel & Bourke-Martignoni, 2003, p. 372).

Although Yemen's legal efforts to combat both problems are unacceptable, it has taken steps to improve its law against trafficking. However, the law continues to condone violence against women.

Eritrea

According to the U.S. Department of State (2015), "Eritrea is a source country for men, women, and children subjected to forced labor. To a lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad" (p. 152). Domestic violence is also a "grave problem" in Eritrea, according to the World Organisation Against Torture (2003). The problem is exacerbated due to the power differentials that result from the practice of the early marriage of girls to older men in an already patriarchal society. One regional study estimates that 90% of women in the country are subject to sexual, gender-based, and/or domestic violence (World Organisation Against Torture, 2003, p. 204).

Eritrea: Rhetorical Efforts

Eritrea ratified CEDAW in 1995. The country's combined first, second, and third reports, submitted in 2004, states that

any form of trafficking in women, infants and young persons is prohibited by law and is considered a criminal act. Traffic is considered an act of human exploitation and involvement in organization, arrangements or provisions of any kind for the traffic is punishable. (State of Eritrea, 2004, p. 13)

However, the report notes that "traffic is barely seen nevertheless, it needs to be substantiated by facts," and therefore research into the issue is required. As late as 2013, in its fourth report, Eritrea continued to deny the existence of the problem, claiming that "traffic in women is a concept that is alien to the Eritrean society at large, and there are no such reported cases of acts of trafficking in women" (State of Eritrea, 2013, p. 9). The government reports no efforts to address the problem.

This changed in the country's most recent report, which notes that "trafficking in persons is a phenomenon to which Eritrea has recently been exposed," and

the Government of Eritrea has taken steps to combat trafficking in persons by creating a common front with neighbouring states and by making an explicit request to the Secretary General of the United Nations to assist in the investigation and prosecution of perpetrators of this heinous crime. (State of Eritrea, 2014, p. 4)

Although the report is lacking in detail, the acknowledgment of the problem and of at least some steps to begin to address it do represent an improvement over prior reports.

The sole reference to violence against women in the country's 2004 report is an indication that rape outside of marriage is illegal. The 2013 report takes violence against women more seriously, indicating that the law protects women, including those who work as bartenders, from violence in the workplace; the country's "reproductive health care package" includes the discouragement of "domestic and sexual violence against women" (State of Eritrea, 2013, p. 43); rape is illegal; violent abduction of women is illegal; and "violence against women is a criminal offense punishable by law" (p. 10), even though the country admits that "there are no specific evidentiary and procedural provisions of the criminal procedure code and other codes which deal with the investigation and prosecution of cases of violence against women" (p. 10). The report then includes a chart of the number of investigated cases of "violence involving women, and gender discrimination," which it strangely defines as not only rape but also "sexual outrage and seduction" (p. 10), adultery, and bigamy.

Bizarrely, the country's 2014 report nearly neglected and practically denied the issue of violence against women altogether, including a single reference that

all forms of violence are condemnable act by the society and there is sensitization campaign to address it wherever it takes place. No gender-based workplace violence was reported during the period under consideration. However, this cannot be assumed that there is no sexual harassment or sex motivated abuse in work places. (State of Eritrea, 2014, p. 14)

Thus, while Eritrea made more rhetorical claims to address trafficking over time, its rhetorical claims on violence against women actually decreased in its most recent report and were less substantive in its most recent report than its (nevertheless meagre) claims to be combatting trafficking.

Eritrea: Legal Efforts

The U.S. Department of State (2015) notes that several laws protect women from trafficking in Eritrea, including Article 605 of the Eritrean Transitional Criminal Code, which criminalizes trafficking in women and children for sexual exploitation, as well as Article 565, which criminalizes enslavement. The United States characterizes penalties under these laws as "sufficiently stringent." However, according to the U.S. Department of State (2015), the Eritrean government's policies of compulsory national service and provision of limited passports exacerbate trafficking, and in 2014 Eritrea did not investigate or prosecute any cases of trafficking, though it did announce the arrests of traffickers without providing further details.

Eritrean laws governing violence against women are not only insufficient but sometimes serve to protect abusers. No Eritrean law addresses domestic violence (World Organisation Against Torture, 2003). In addition, Article 589 of the Eritrean Transitional Criminal Code stipulates that, to be considered a rape, the act must occur outside of a marriage, thus legalizing marital rape (World Organisation Against Torture, 2003). The government drops charges if a rapist agrees to marry his victim, thus providing an additional loophole by which Eritrean women can be raped with impunity (World Organisation Against Torture, 2003).

Overall, Eritrea has made more legal progress on trafficking than on violence against women.

Discussion

Even countries that have seemingly made the least efforts to comply with international norms are making greater public relations efforts to position themselves within the international community as upholders of women's human rights. The fact that states make greater efforts to both claim that they are combatting and to actually combat human trafficking (which by definition crosses national borders) than violence against women (which tends to happen behind closed, domestic doors) strongly suggests that they are motivated by the desire to improve their international reputations.

This study's assessment that the three states studied in detail are making *increased* efforts to address these issues is in no way intended to imply that they are making *acceptable* efforts to combat human trafficking and violence against women. Nor is this study intended to condone their efforts. In fact, the records of Thailand, Yemen, and Eritrea on both issues are deplorable. Furthermore, the comparisons of human trafficking and violence against women are not intended to suggest that human trafficking does not deserve the attention it has so far garnered from these states; in fact, it deserves much *greater* attention, alongside greater efforts to combat violence against women.

While lack of capacity undoubtedly contributed to the failure of Eritrea and Yemen in particular to implement adequate anti-trafficking efforts, at the same time, several African countries with lower gross domestic products than Eritrea—Mozambique, Niger, Liberia, and Malawi—as well as a country in the same region with a significantly lower gross domestic product than Yemen—Afghanistan—all managed to achieve tier-two rankings by the U.S. Department of State. Thailand is a significantly richer country;

poorer Asian countries such as Vietnam, the Philippines, India, and Bangladesh all achieved tier-two designations (International Monetary Fund, 2014; U.S. Department of State, 2015).

Of course, one factor that could have contributed to the improved quality of the reports over time is the increased vigilance and professionalism of the UN human rights organs. The Global Campaign for Women's Human Rights that emerged in the 1990s placed renewed emphasis on CEDAW, and, by the end of the decade, the Committee on the Elimination of Discrimination Against Women had begun meeting more frequently. Whereas previously the committee had met once per year for two weeks, it now meets three times per year, for a total of 10 weeks per year. Additionally, five members attend three one-week pre-sessions to prepare their issues.

Whereas the committee released only brief, technical, general recommendations on particular issues in the 1980s, recommendations have since that time become more robust (Reilly, 2009). In 1999, the UN General Assembly adopted an optional protocol to CEDAW, allowing for individuals and groups to submit complaints and for the committee to initiate inquiries when it suspects "grave or systematic violations by a State Party of rights established in the Convention" (United Nations General Assembly, 1999, para. 9).

The United Nations Human Rights Council has also significantly increased its monitoring of states. In 2006, the council replaced the Commission on Human Rights, which was widely criticized for containing states that were themselves human rights violators. In 2007, the council adopted a Universal Periodic Review, through which it routinely assesses the human rights compliance of every UN member state (United Nations Human Rights Council, 2007).

If UN institutions have themselves had a role in promoting the greater compliance of states, this would be an example of what Tarrow (2005) has termed "the use of institutionalized access" (p. 146). Tarrow has noted that when a government does not address the claims of its own citizens, international organizations may force or induce the state to do so. The results of this study suggest that, as Tarrow argues, citizens with claims against their states may indeed have success appealing to international institutions of which their countries are members. If states are increasingly concerned about their international reputations, they should be increasingly sensitive about and responsive to the criticism of international organizations.

The results of this study suggest that states should also be particularly vulnerable to and eager to address the claims of transnational activists and foreign governments. As Keck and Sikkink (1998) have noted, disgruntled citizens may avail themselves of the "boomerang" strategy (p. 13), through which they partner with activists abroad who lobby their own government to bring pressure on the offending state.

The findings suggest that compliance with international norms, including those regarding women's rights, should increase over time, if countries are increasingly concerned with bolstering their global reputations. However, if states are motivated more by concern for their reputations than by concern for their citizens, as the results of this study suggest, there is a danger that they will attempt cosmetic rather than substantive reforms when faced with international criticism. For example, Rejali (2007) has

argued that states today continue to practice torture as in the past, but have switched to methods of “clean torture” (p. 3), which leave behind fewer scars and less evidence, making it harder for their practices to be exposed. This poses new challenges for international organizations and activists and indicates the need for them to seriously step up their monitoring practices.

Conclusion

This study suggests that governments are increasingly concerned with their international reputations for protecting women. Since 2000, countries have begun submitting their reports due under CEDAW on a much timelier basis than they had in the past (though reports continue to be submitted, on average, more than two years late.)

Case studies of Eritrea, Thailand, and Yemen indicate that the states are making greater rhetorical claims in their reports submitted to the Committee on the Elimination of Discrimination Against Women and greater legal efforts to address the trafficking of women and children (which happens across international borders) than violence against women (which often happens in the privacy of homes). This suggests that the primary motivation of these states is to improve their international reputations rather than to enforce the human rights of women. The fact that these three states—which the U.S. government has singled out for opprobrium for not doing enough to combat trafficking—are concerned with their reputations suggests that other states, most of which are doing significantly more to address the issue, have similar concerns.

The implications of this increased reputational concern are profound. If countries are becoming more concerned with their international reputations over time, it should become easier for international organizations, foreign governments, and global activists to shame them into compliance with global norms. However, there is a danger that states will attempt to respond to such complaints with cosmetic rather than substantive reforms, and therefore increasingly creative and stringent monitoring by citizens will be necessary. The results also suggest that activists and the international community should take a greater interest in the domestic policies of countries that are not responsive to their own citizens, since such states may predominantly address those issues that are on the agendas of global institutions.

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