Foreign Lobbying and Human Rights Ratings

Jon C.W. Pevehouse
University of Wisconsin-Madison

Felicity Vabulas
University of Chicago
Abstract

The United State’s evaluation of human rights practices abroad can have a large impact on broader foreign policies. Countries that depend on U.S. assistance therefore care deeply about how the U.S. documents human rights abroad. It is no surprise then that the media, academia, and policy communities regularly accuse U.S. human rights reports of being biased. Are foreign governments creating part of this bias? Can foreign governments influence the final language of U.S. human rights reports to tilt ratings in their favor? We argue that foreign countries do all that they can to paint their country in a positive light including hiring U.S. lobbyists to provide information to the legislative and executive branch to influence U.S. State Department Country Reports on Human Rights. By comparing annual U.S. State Department reports to Amnesty International reports from 1976-2006, we show that more lobbying—both in terms of dollars spent and contacts made—leads to more favorable U.S. reporting on human rights. We show that the bias in human rights reporting that many had claimed to exist is indeed present and malleable by foreign lobbyists.
Introduction

Claims of bias abound in human rights' reporting (Poe, Carey and Vazquez 2001; Yanagizawa-Drott and Qian 2009). For example, Human Rights Watch reports are regularly accused of displaying a strong bias against Israel, Amnesty International is routinely attacked by countries from Burundi to Egypt for taking a 'biased stand' in evaluations, and China is so dismayed by the apparent bias in official U.S. reports on human rights (and the influence that this bias might have in international politics) that it now produces its own Human Rights Record of the U.S. as a rebuttal. Ecuador, Russia, Iran, and Egypt have also criticized U.S. reports as

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5 The 2009 report, for example, states: "The State Department of the United States released its Country Reports on Human Rights Practices for 2009 on March 11, 2010, posing as "the world judge of human rights" again. As in previous years, the reports are full of accusations of the human rights situation in more than 190 countries and regions including China, but turn a blind eye to, or dodge and even cover up rampant human rights abuses on its own territory. The Human Rights Record of the United States in 2009 is prepared to help people around the world understand the real situation of human rights in the United States.” Available at: http://www.cfr.org/human-rights/chinese-state-council-human-rights-record-united-states/p10118. Accessed 17 August 2014.
being “unbalanced and nonobjective” and censured the U.S. for appointing itself the world’s watchdog.

While ideological slants are to be expected from NGOs, these claims of bias against official U.S. reports are seen by many as purposeful misrepresentations. Furthermore, any bias is not inconsequential; a favorable U.S. human rights report can mean the difference between receiving and not receiving millions of dollars of aid (Cingranelli and Pasquarello 1985; Lebovic and Voeten 2009), the imposition of sanctions (Kritz 1996; Stirling 1996), or even the possibility of military intervention (Roberts 1993; Bellamy 2008). Foreign governments will therefore go to great lengths to ensure that reports documenting their human rights practices are favorable. In particular, by utilizing an original compilation of data from the Foreign Agent Registration Act (FARA), we show that foreign governments routinely hire lobbyists for the direct purpose of providing information to influence the legislative and executive branch’s perception of human rights abroad. Furthermore, we show evidence that this lobbying is indeed influential: the more lobbying by a foreign government—either through actual dollars spent or contracts made in the U.S.—the more favorable the human rights report. We evaluate this bias by comparing the U.S. State Department Country Reports on Human Rights vis-à-vis Amnesty International’s human rights reports from 1976 to 2006.

This paper will proceed as follows. First, we review the various types of human rights ratings used in the discipline and discuss the origins of these reports. Second, we discuss the potential for and previous analyses of bias, especially in the United States. Third, we discuss the possible implications that biased
human rights reporting might have for both policy and research. Next we move on to our proposed connection between lobbying and reporting bias in U.S. human rights reports. We then provide a systematic quantitative analysis of our hypotheses using an original compilation of the FARA data.

**Human Rights Ratings**

Human Rights ratings are widely used in the field of human rights research, and increasingly in international relations more generally. After some early debates about the comparability of human rights standards across countries, scholars began to use reports issued by the State Department and Amnesty International quite extensively as cross-national measures of respect for human rights (cf. Nanda, Scarritt, and Shepherd 1981). Today, a widely-used data set known as the Political Terror Scale (PTS) combines these two data sources into a single measure of a state’s respect for the human rights of its citizens. The State Department reports, however, have been criticized for maintaining biased ratings towards countries that are geo-strategically important for the United States.

Before discussing how lobbying might influence these reports, we discuss three issues. First, what are the origins and purposes of the original human rights reports? Second, what are the biases (if any) that scholars have argued are present in these reports? Third, how are these reports translated into quantitative research on human rights and related topics?

Why should state leaders care about these reports? While there could be reputational consequences of being perceived as a human rights violator in the eyes
of the American public (see Tomz and Weeks 2014), there are direct policy implications that flow from the State Department reports as is suggested by their origins.

The State Department annually submits to the U.S. Congress a set of Country Reports on Human Rights Practices for all United Nations member states.10 These reports were mandated by Congress in the Foreign Assistance Act (FAA) of 1961 (sections 116(d) and 502B (b)) and section 504 of the Trade Act of 1974. These laws specify that the Secretary of State shall submit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, "a full and complete report regarding the status of internationally recognized human rights, within the meaning of subsection (A) in countries that receive assistance under this part, and (B) in all other foreign countries which are members of the United Nations and which are not otherwise the subject of a human rights report under this Act."

Together, the Country Reports describe foreign governments' adherence to the Universal Declaration of Human rights, outlining their performance in civil, political, individual, and worker rights.

The U.S. Country reports originated during the Nixon administration when various members of Congress wanted U.S. foreign policy to be more tightly tied to human rights. Congress undertook various actions, including passing the Harkin Amendment to the FAA, which allowed them to keep tabs on foreign recipients of assistance and ensure that gross violators of internationally recognized human rights did not receive U.S. aid (Poe, Carey, and Vazquez 2001, 654).

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A poor report from the State Department can therefore cost a state significant foreign aid dollars. Moreover, trade preferences have also become tied to human rights (Hafner-Burton 2005). Because many trade preferences granted by the US are tied to (specific) rights guaranteed in the arrangement, American trading partners in these preferential arrangements care deeply about findings that they systematically violate rights. Thus, countries reviewed by the State Department have a strong incentive to be found as respectful of human rights.

Bias in Human Rights Reporting

The second issue to examine is the nature of these reports and their purported biases. The State Department Country Reports have been controversial since their first publication in the mid-1970s (Poe, Carey, and Vazquez 2001; Innes 1992; Carleton and Stohl 1987; Stohl and Carleton 1985). The 1980s reports during the Cold War, for example, have been frequently criticized for presenting human rights as more repressive in countries that were ideologically opposed to the U.S. and slanted more favorably in countries where the U.S. had strategic interests (Poe and Tate 1994). Some scholars have argued, however, that the bias in these reports both diminishes over time and is isolated to a few countries rather than being widespread (Innes 1992; Lawyers Committee for Human Rights Reports for 1982, 1984, 1987, 1991, 1993, 1995, 1996).

Poe, Carey, and Vazquez (2001) conducted the first statistical analysis comparing the U.S. Country Reports to Amnesty International reports to systematically evaluate these claims. In their analysis of reports from 1976-1995,
they test hypotheses related to the leftist nature of the regime, military control of the regime, whether the country is an ally, how much U.S. aid the country receives, and how much the country trades with the U.S. The authors show first that the U.S. has tended to be somewhat less harsh than Amnesty in evaluating the human rights practices of other governments; second, the means of the U.S. and AI reports have been converging over time; third, the U.S. reports have at times favored U.S. allies and trading partners while discriminating against its (perceived) leftist foes but the bias toward allies has decreased while the bias toward trading partners has increased slightly over time. While these results are indeed informative, we have some concerns about the paper’s estimation strategy and its inferences based on that estimation. Moreover, we hypothesize below that the presence of significant foreign lobbying could influence the State Department Reports too, thus leading to a further explanation of the divergence between these reports and similar reports from Amnesty International.

The only other statistical analysis of report bias that we are aware of is by Yanagizawa-Drott and Qian (2009). They construct a simple empirical model showing that American allies during the Cold War systematically received more favorable ratings from the State Department. And while their findings reinforce Poe and colleagues previous work, their statistical model was quite narrow (containing two explanatory variables) and controlled for few covariates that we know are also correlated with American incentives to be favorable during the Cold War.
The Amnesty International reports\textsuperscript{11} are issued to draw attention to human rights practices in nearly every country in the world. They focus on similar rights and institutions to the State Department Reports, although their set of personal integrity rights is more limited (Poe, Carey, and Vazquez 2001, 656). Their methodology for generating these reports is very similar to that used by the State Department, although they obviously must rely more on un-official sources than State. As we discuss below, scholars often use these Amnesty reports, in combination with the State Department reports, to assess a country’s compliance with international human rights laws and norms.

\textbf{Implications of Bias for Human Rights Research}

The final issue to discuss is how these reports have become a “coin of the realm” in quantitative studies of human rights in IR and other fields. Several measures use either or both sets of reports to code yearly data on a country’s respect for human rights. One of the most commonly used datasets, the Political Terror Scale (PTS) uses both sets of reports to come up with a combined score of respect for rights in each country, each year. Often, if only one institution issues a report in a given year, that report is used exclusively to determine a state’s human rights rating.

It is important to note that neither Amnesty International nor the State Department actually quantitatively rate a country’s behavior. Rather, scholars who use the PTS and related datasets (such as the Cingranelli and Richards (2010) human

\textsuperscript{11} For example, the 2013 reports are available at: \url{http://www.amnesty.org/en/annual-report/2013}. Accessed on 18 August 2014.
rights data) have devised criteria for assigning point scores to the country reports. The Amnesty and State reports are thus coded into a five-point scale based on their description of the state of various rights in the country under observation.

Scholars then utilize the resulting PTS scores as a measure of state behavior. The PTS data is ubiquitous in international relations and comparative politics. The PTS bibliography shows roughly 375 papers from 1995 using the dataset. If nothing else, our paper will expand the work of Poe and colleagues, who point out that determining if there are systematic biases that differentiate each institution’s measure is important since the composite PTS measure, used by both scholars, gives equal weight to each.

Lobbying and Human Rights

Because many states are aware that their human rights record could influence American policies ranging from foreign aid allocation to trade preferences, they engage in attempts to promote their human rights policies with legislative and executive branch officials. A review of our foreign lobbying acts data (which we review below) reveals many attempts along these lines.

For example, in the beginning of 2012, Algeria hired Foley Hoag, LLP to “contact U.S. Government officials and congressional staffers to promote Algerian-U.S. relations and respect for human rights.” Foley Hoag reported receiving over $200,000 for six months of work on this project. Morocco has also both established an “American Center” to serve as its eyes and ears on these issues as well as hiring

12 The criteria can be found at: http://www.politicalterrorscale.org/about.php#levels. Accessed 14 August 2014.
American firms. Recently, they reported hiring Vision Americas, LLC to “communicate with members of Congress and congressional staffs on issues related to U.S.-Morocco relations including human rights developments in the region, Morocco’s role in the Middle East Peace Process, and the Western Sahara issue. The registrant also provided and continues to provide strategic advice on the aforementioned topics for the foreign principal. In addition, the registrant disseminated informational materials on behalf of the foreign principal.” And the phenomenon is not just a recent trend. For example, in 1985, Haiti hired Garrett & Company at a cost of $65,000 for a six month period to “meet with members of Congress to discuss Haiti’s need for foreign aid and its compliance with U.S. human rights policy, and accompany Haitian Government officials to a meeting with an Assistant to the President, for discussions on economic assistance, trade and improved relations with black Americans.”

There are numerous similar reports in our 35 years of lobbying data. The previous examples demonstrate an important part of our argument, however. Our argument is both that foreign nationals can lobby the State Department directly, but that they can also hire outside lobbyists to influence a broader perception of human rights abuses in a country. The State Department’s own description of the Country Report generation process allows for both of these possibilities:

The annual Country Reports on Human Rights Practices are based on information available from a wide variety of sources, including U.S. and foreign government officials; victims of human rights abuse; academic and congressional studies; and reports from the press, international organizations, and nongovernmental organizations (NGOs) concerned with human rights.

It is worth noting that many “hands” touch these State Department reports. The reports begin with data supplied by embassy staff, which is then transmitted to
Foggy Bottom, and is then processed by area experts and officials with State, who consult US and foreign government officials and the other sources listed above.

We conceptualize two ways in which foreign lobbying may influence the State Department reports. First, there could be direct informational input to State Department officials and Congressional staffers. In this scenario, foreign nationals hire lobbyists to meet with State officials and staff to relay information about human rights practices or reforms abroad. Likewise, lobbyists may facilitate meetings between foreign officials and State Department officials or Congressional staffers to provide views about the human rights situation in their country. In the extreme, lobbyists have been known to arrange travel to countries so that members of Congress and staff may witness “facts on the ground”. Indeed, a media report from the summer of 2014 suggests foreign travel remains a significant loophole for domestic lobbyists to attempt to influence Congress.13

One question that arises is why lobbyists must make these connections rather than the official diplomatic corps of the country in question? Our answer is that while ambassadors may meet with Senators or senior State Department officials, the reports themselves are based on analysis from bureaucrats and desk officers or based on feedback from “foreign government officials” or “congressional studies” – individuals with which embassy officials from another state would be less likely to have direct access to. In addition, lobbyists who have formerly served in either State or on a Congressional staff will have information regarding who key players are in the generation of these human rights reports, giving them access to the “right” people.

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A related question concerns bias: why would executive or legislative branch officials or staffers believe this information regarding human rights—and let it subsequently influence Country Reports—knowing it is from a biased source? In the case of Congressional staff, we argue that they are working in a low information environment. Given the usual low spot given to foreign affairs, especially human rights (versus homeland security or issues of war and peace), most members of Congress will possibly know little about the true “facts on the ground” relating to human rights practices abroad. This is in part due to the highly decentralized network of civil society actors that are involved in efforts to promote human rights abroad. Congress may end up relying on information from “heavy hitter” organizations that they can lean on time and again but suffers by missing the diverse and disparate set of information coming from those with more nuanced local information.

The low information environment is also related to the sheer breadth of topics that the human rights “umbrella” covers. Freedom from slavery and torture, the imperative to prevent gender and racial persecution, and the right to education and health care are only some of the issues asserted as human rights. These reports therefore cover a massive amount of specialized topics. Last, the low information environment may also be enhanced by the fact that human rights have historically had a Western orientation. National governments sometimes resist adhering to international norms they perceive as contradicting local cultural or social values—and these divergences therefore require culturally sensitive explanations to push Congressional staffers to better understand the subtleties.

15 Ibid.
For executive branch officials, who may be more knowledgeable about foreign countries, it is possible that continued exposure to information, even when there is a knowledge that it is biased, can lead to updated beliefs (Bullock 2006). We argue this is especially true against a counterfactual of no lobbying – e.g., a country official from Morocco who garners a meeting with executive branch officials to discuss human rights will surely be perceived as taking the party line and casting the best light possible on human rights in Morocco. While that could only change beliefs of the executive branch official at the margins, it would certainly change their beliefs more than over, say Chad, who does not lobby at all.

A second plausible causal mechanism arises from what we label “general public relations (PR)” campaigns.16 Many records in the FARA data suggest that governments hire PR firms for millions of dollars to conduct large-scale PR campaigns, often about living conditions, economic stability, and respect for human rights. While it would be difficult to establish this causal mechanism through large-N data analysis, the predicted effect points in the right direction: increasing newspaper article “plants” by firms (including human interest pieces), advertisements, and efforts in social media all can work to influence the broad perception of a country in the United States. These more general positive views towards a state could provide a

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16 For a recent example of a foreign government hiring a US based law firm to improve the general “public relations” of a country, see Nicholas Ibekwe, “Nigeria: Govt Hires U.S. Lobby Firm for N195 Million to Launder Image Over Handling of Chibok Abduction”. Ibekwe argues “In order to whitewash its inept handling of the kidnap of over 200 schoolgirls kidnapped by the terrorist group, Boko Haram, the Goodluck Jonathan administration has awarded a N195 million ($1.2 million) contract to U.S. Public Relations and lobby firm, Levick, to help change "international and local media narrative" surrounding its efforts to rescue the girls.” Available at http://allafrica.com/stories/201406271433.html. Accessed 20 August 2014.
positive context in which “academic and Congressional studies” and “reports from the press” shape the State Department Human Rights Reports.

Quantitative Analysis

In order to quantitatively evaluate the effects of foreign actors hiring lobbyists to influence human rights reporting, we turn to the data in the Foreign Agent Registration Act (FARA). Since 1938, FARA has governed the behavior of foreign actors lobbying US officials. The act was adopted after reports surfaced of German officials lobbying the government concerning American arms sales to Britain. FARA requires that any foreign actor (government, corporation, industry group, individual, etc.)—referred to as the “foreign principal”—register with the Department of Justice and disclose who was hired as a lobbyist (referred to as the “foreign agent”). The foreign actor must also declare the purpose for which they hired the lobbyist, and how money was spent on the lobbying contract. The Department of Justice is then required to disclose these amounts in an annual report to Congress (since the mid-1990s in semi-annual reports). In 1966, FARA was expanded to explicitly outlaw election-related activities. Specifically, a foreign entity may not make direct campaign contributions nor can they form a political action committee (PAC) if any funds come from abroad or if foreign nationals have any authority within the PAC. Foreign entities may continue to lobby over policy issues, but not directly through the electoral channel.

Our research team has coded the semi-annual FARA reports back to 1942. We coded reports from 1997 onward using an extraction program to process the roughly
9,000 pages of text. Reports between 1976 and 1997 were coded by our research team and checked for accuracy by both authors. We begin our analysis in 1976 since that was the year the first State Department human rights report was issued.

Figures 1 and 2 show foreign lobbying dollars and lobbying filings between 1976 and 2012, respectively. As we discuss more below, we calculate both the reported lobbying dollars spent by domestic lobbying firms on behalf of foreign agents as well as the number of reports filed by firms since some reports do not disclose dollars spent.

Note that despite a couple of larger years of lobbying expenditures, the overall level of foreign lobbying dollars spent has steadily climbed since 1976. The number of lobbying reports has increased significantly around the end of the Cold War. If nothing else, this suggests the necessity of examining both dollars spent and lobbying reports since the two are only weakly correlated (p = 0.30).

The records in FARA are very clear as to the identity of the foreign principal. This is important given that the Department of Justice does not distinguish between state and non-state actors within each country. Thus, governments, rebel groups, individuals, NGOs, and companies are all grouped under their country of origin in the FARA reports. Given that one might expect that the goals of lobbying by governments and opposition groups are orthogonal, we use this coding to narrow the records used in generating our data, as we discuss below.

As previously mentioned, FARA has no jurisdiction over US-based ethnic lobby groups (e.g. AIPAC). Many ethnic lobbies have formed PACs or similar institutions and thus lie outside the boundaries of FARA, thus we should be clear that we are not
assessing the influence of domestic lobby groups (i.e., diasporas) who may advocate for their former state. We are currently finishing a review of FEC filings to determine which of these may be affiliated with other states to add to our dataset.

The central hypothesis tested in this paper is an information argument: lobbyists attempt to provide relevant information to the legislative or executive branch to create a particular image of human rights practice in a foreign country. This could be information about specific instances of accused human rights abuses, particular evidence—such as a more nuanced understanding of culture—which could point to a different interpretation of human rights practices, or general information that might alter the overall image of the status of human rights in the country.

We argue that if foreign lobbying has influenced its intended audience in the United States, the U.S. State Department Country Reports on Human Rights will reflect these efforts. In other words, information and evidence provided by foreign agents through their U.S. based lobbyists will alter the final output of U.S. State Department Country Reports. How will we know this? We argue that when foreign lobbying is effective, U.S. official documents will systematically diverge from those of NGOs. In other words, we should see a marked difference between the U.S. Country Reports on Human Rights and Amnesty International. More foreign lobbying—either in dollar amounts or number of contacts in the U.S.—will lead to a (greater) divergence in U.S. State Department Country Reports and Amnesty International reports on human rights.
To test our hypothesis, we begin by estimating the following model:

\[
\text{StateHigh}_{it+1} = \beta_1 \text{Lobbying}_{it} + \beta_2 \text{Regime Type}_{it} + \beta_3 \text{GDP}_{it} + \beta_4 \text{Exports from US}_{it} + \\
\beta_5 \text{Alliance with US}_{it} + \beta_6 \text{Cold War}_{it} + \beta_7 \text{Per capita GDP}_{it} + \beta_8 \text{Foreign Aid}_{it} + \epsilon_t
\]

Our dependent variable is \(\text{StateHigh}_{it+1}\) is an indicator variable, coded 1 if the State Department Country Report for state \(i\) in year \(t+1\) is coded more favorably than the equivalent report by Amnesty International. We lead this variable to year \(t+1\) to lessen concerns about any endogeneity that might exist in the data generating process. Our measures come from the PTS data, which maintains the separate codings for State Department and Amnesty International Reports.

We also estimate the model using a second dependent variable, which we label \(\text{NetState}_{it+1}\). This variable is the difference between the State Department and Amnesty International rating. The variable ranges from -3 to 2, thus allowing us to simultaneously model instances where Amnesty may have a more positive description of human rights practices.

Of course, one interpretation of the preceding measurement strategy would hold that we presume the Amnesty reports provide an accurate baseline for comparison. It could be that Amnesty reports are biased downwards and the State Department reports are, in fact, accurate. Indeed, those that have criticized Amnesty reports have feared a bias against US allies, especially during the Cold War (see Scoble and Wiseberg 1981, 149-150). If this is true, our controls for alliances and the Cold War would control for this anti-US bias, leaving little for lobbying efforts to explain. It would also be unlikely that Amnesty would be swayed by lobbying efforts towards the US government, thus leaving any correlation between lobbying and
differences in the two reporting systems best explained by an upward bias in State Department reports.

In addition, a recent paper by Hill et al (2013) suggests that Amnesty country reports are credible. It concludes that “[Amnesty International] largely maintains its credibility standard, responding infrequently to organizational incentives to exaggerate allegations.” This independent finding gives us at least some confidence in using the Amnesty reports as a baseline for assessing bias in the State Department country reports.

Our first independent variable captures the effect of foreign lobbying on U.S. State Department Country reports vis-à-vis Amnesty International reports. We use two different measures to capture lobbying behavior – both of them drawn from the FARA data discussed above. First, we use the log of the total amount of lobbying expenditures registered to each country – a variable we label \( \text{Lobbying } \$ \). We use the log because the distribution of the data has a skewness measure greater than 16. Second, we use the log of the total number of yearly lobbying records for each state present in the FARA data, whether or not those records disclosed the amount of expenditures by each agent (\textit{Number of Lobbying Reports}). Again, we log this measure given the large amount of skewness in the data. This helps us address both the potential missing data issue with some foreign actors not disclosing their expenditures, and also helps address whether a deeper network of lobbying contacts impacts perceptions of human rights. For both of these measures we include only those records linked to government principals – this excludes opposition groups, individuals not affiliated with the government, as well as corporations.
There has been only two quantitative studies of bias of State Department human rights reports (Poe, Carey, and Vazquez 2001; Yanagizawa-Drott and Qian 2009). Given the general paucity of work on the topic, it is difficult to know exactly what omitted variables could threaten our inferences about any ratings bias that might exist (although see our discussion of alliances above). To that end, we generally populate our model with variables either used by the existing studies or that have been used to predict human rights behavior more generally. That said, it is hard to know how these variables will influence our outcome since we are not modeling actual human rights behavior but rather whether the State Department’s judgment about this behavior is different than that of Amnesty International. We have thus tried to include variables that not only predict human rights behavior, but American alliance patterns as well as foreign lobbying more generally.

First, we control for the regime type of state \( i \) by including their Polity IV regime type score, which ranges for -10 to +10 (Marshall and Jaggers 2002). Democracies are found to better promote human rights (c.f. Poe and Tate, 1994; Hofferbert and Cingranelli, 1996; Davenport, 1995, 1999; Poe, Tate, and Keith, 1999; Apodaca, 2001; Keith, 2002; Bueno de Mesquita, Downs and Smith 2005), are more likely to ally with one another (c.f. Siverson and Emmons 1991; Simon and Gartzke 1996; Lai and Reiter 2000), receive more American foreign assistance, and engage in significantly more trade than non-democracies (Mansfield, Milner and Rosendorff 2000, 2002). One of the criticisms of State Department Reporting practices has been a bias towards those with alliances, aid, and trade links to the US. Given that many of the states that fit that description for the US are generally perceived to be
democracies, it is important to control for the independent influence of democracy. While Poe and colleagues control for regime type with a pair of dummy variables (for “leftist” regimes and military dictatorships), we opt to measure this concept with the more widely used Polity data.

Second, we include a measure of (logged) U.S. exports to the recipient country to measure their economic importance to the U.S., but also to control for the demand for additional lobbying that could be tied to trade policy. On the first issue, past work has found that trade has led to a bias of State Department Reports (Poe, Carey, and Vazquez 2001). On the second issue, it is widely recognized that lobbying is an important determinant of trade policy (see among others Bombardini and Trebbi 2012; Gawande, Krishna and Olareagga 2012). Without controlling for trade, then, lobbying could simply serve as a proxy for economic ties creating an upward bias in the lobbying coefficient.

Third, we include an indicator variable (Alliance) for whether the state $i$ has an alliance with the U.S in year $t$. As our previous discussion indicated, critics of State Department Reports have argued that allies have received particularly mild treatments over time. This was a strong finding in the work by Poe and colleagues as well (2001: 670). Moreover, it is possible that allies will more frequently lobby the U.S. for policy changes (Paul and Paul 2009). Thus, controlling for alliances is an important protection against omitted variable bias.

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17 The estimates of this variable and other variables in the model do not change significantly if one uses Exports to US rather than Exports from US. Data is taken from the COW dyadic trade data.

18 Data taken from Leeds (2011) ATOP data.
Fourth, we also include a Cold War dummy coded as 1 during Cold War years to control for the fact that foreign aid lobbying might have been structurally different during this time frame. Many of the critiques of the State Department Reports note that pressures of the Cold War led a bias against states allied with or sympathetic with the Soviet Union (cf. Mitchell and McCormick 1988; Poe 1990). Thus, we might expect the underlying data-generating process to shift after the end of the Cold War.

Sixth, we include a measure of foreign assistance received by state \( i \) in year \( t \). This variable, labeled Foreign Aid, takes from the US Overseas Loans and Grants (Greenbook) data and includes all non-military foreign aid provided to the recipient.\(^{19}\) The presence of high levels of foreign aid would indicate that the recipient state is important to the United States and thus more likely to experience a positive bias in reporting from the State Department (Poe, Carey, and Vazquez 2001). High levels of aid are also likely to be correlated with lobbying either as states engage in “defensive” lobbying to keep their allocation high or to increase their share of the aid budget (Pevehouse and Vabulas 2013).

Seventh, we control for two economic factors that should measure the underlying ability of states to lobby the US government and have been linked to the respect for human rights. We control for both per capita GDP (\( pcGDP \)) and (logged) GDP, each measured for each state \( i \) in year \( t \).\(^{20}\)

Because we have two different dependent variables with different properties, we use two estimation methods. For our initial dependent variable, \( StateHigh \), we initially use logistic regression while using clustered standard error estimates to

\(^{19}\) http://gbk.eads.usaidallnet.gov/

\(^{20}\) The per capita GDP which is taken from the Penn World Tables version 6.3 (Henson et. al. 2009).
account for potential heteroskedasticity. As we later discuss, we re-estimate these models utilizing fixed and random effects. We also utilize a more continuous dependent variable, *NetState*. For this dependent variable we initially utilize OLS regression with fixed-effects, although we also re-estimate the model using a Prais-Winsten regression with panel corrected standard errors (PCSE), using an estimation of a common AR(1) and a panel-specific AR(1) process (Beck and Katz 1995).

**Results**

The estimates of our initial model can be found in Table 1, Column 1. Our first independent variable of interest, *Number of Lobbying Reports*, is positive and statistically significant, indicating that an increase in lobbying expenditures by a government increases the probability of a more positive (than Amnesty) State Department report. The effect is not statistically trivial – an increase of one standard deviation of *Lobbying $*, yields a predicted increase of almost ten percent in the probability of the State report being more favorable than the Amnesty report.

Most of the control variables take on the predicted sign: more democratic, wealthier, and states allied with the US are more likely to receive more favorable ratings. The Cold War has a particularly strong influence on ratings as suggested by previous studies (see Yanagizawa-Drott and Qian 2009). Interestingly, increasing trade with a country under observation has a negative influence on the likelihood of a better State Department report. The same is true of economically larger countries who are less likely to receive a more favorable treatment. Finally, foreign aid seems to have little influence on our outcome of interest.
Moving to column 2 of Table 1, we vary our measure of lobbying to examine the amount of money spent in lobbying efforts, *Lobbying $*. This measure seems to have little relationship with any State Department bias, suggesting that it is not the dollars spent on lobbying but the overall effort that matters. The remainder of the covariate estimates are consistent with the previous model.

Next, we subject our initial finding concerning the number of lobbies to robustness checks via alternative estimation strategies. Column 3 replicates our first model from Column 1 but using fixed-effects (conditional) logit estimation. This estimation strategy allows us to better examine over time changes, minimizing the cross-sectional dynamics in the panel data set (fixed effects are on the country unit). Our findings on the number of lobbying reports remains quite strong – in fact, the size of the estimate increases with fixed effects estimation. We take this as a strong sign that lobbying does appear to impact any bias in State Department ratings.

Other variables do not fare so well under this new estimation strategy. *GDP*, *per capita GDP*, and *Alliance with US*, are no longer statistically significant. *Regime Type*, *Cold War*, and *Exports from US*, however, continue to correlate with higher State Department ratings.

Finally, we estimate the identical model using random-effects. These results closely mirror our initial estimates in terms of sign and significance of each variable in the model, including *Number of Lobbying Reports*. We conclude that our estimation strategy has little bearing on our core independent variable of interest. Nor does it change our estimate of *Lobbying $*, which remains statistically insignificant using the alternative estimation methods.
Our next task is to change our measurement strategy for our dependent variable. We redefine our dependent variable as the difference between the State Department Report ratings and the Amnesty Report ratings. As previously discussed, this new variable ranges from -3 to 2 where negative numbers represent more positive State Department Reports.

Because our new dependent variable is continuous by nature, we begin with OLS estimation, but include unit fixed effects. Our initial estimates are shown in Column 1 of Table 2. The previously significant *Number of Lobbying Reports*, does not achieve statistical significance using the new dependent variable. Thus, something about adding more information about cases where the Amnesty Ratings are more positive seems to undermine our previous finding, although the coefficient does have the correct statistical sign.

Interestingly, when examining the amount of money spent on lobbying in the same model (*Lobbying $*), we now find a strong relationship with more lobbying dollars leading to better ratings from the State Department. Clearly, our findings are sensitive to our measurement strategy on the dependent variable.

Fortunately, the finding concerning lobbying expenditures in this model are fairly robust to alternative estimation strategies. We initially re-estimate the prior model by moving to OLS with panel-corrected standard errors adjusted for a panel-specific AR(1) process. As shown in column 3, these estimates are quite consistent with the fixed-effects results: increasing expenditures in lobbying result in more favorable State Department reports. Similarly, as we see in column 4, moving to
panel-corrected standard errors adjusted for a common AR(1) process yields similar results.\textsuperscript{21}

The estimate of the control variables stays largely consistent across each of these estimation strategies. Unlike in the logit models, higher Foreign Aid is now correlated with more favorable State Department reports across each model. The same is true of the estimate on the Cold War variable: State Department reports were consistently more favorable during that period of time.

Finally, two variables are consistent in sign but vary in statistical significance depending on the estimation strategy. Exports from US, like in the logit models, has a surprising sign: increased trade volume leads to less favorable human rights reports, although this finding only holds in the fixed-effects models. Allies of the US tend to get more favorable reports, as predicted, but this result only obtains statistical significance in the non-fixed effects models.

In sum, there is evidence that lobbying efforts do play a role in influencing State Department reports, but the magnitude and nature of this effect is somewhat sensitive to how bias is measured. The next stage of this project is to determine what is causing this sensitivity and whether it is a matter of tapping particular causal mechanisms or simply an artifact of missing data.

\textit{Conclusions}

Cross-national human rights ratings have become an important source of measuring state behavior for policymakers and academics. Reports issued by the US

\textsuperscript{21} Moving to random-effects OLS estimates also yield similar results on the Lobbying \$ models.
State Department and Amnesty International serve as a basis for a tremendous amount of empirical work in political science. More importantly, the State Department reports are used to pass judgment by policymakers on the appropriateness of aid levels and trade conditions for many countries.

Despite their importance and numerous hunches that the State Department reports may not always accurately reflect facts on the ground, few scholars have attempted to ascertain what might be the causes of such bias. While we are not the first to investigate the general question, we are the first to suggest that foreign government’s lobbying behavior may be a determinant of this bias. To that end, we compare the coding given to State Department human rights reports versus Amnesty International human rights reports.

Our evidence is fairly strong that at least some lobbying does influence this bias. And although there appears to be variation in the strength of our findings across different ways of operationalizing our dependent variable, the findings that do emerge appear to be fairly robust. This is while controlling for the factors that past studies have argued contribute most heavily to State Department reporting bias.

There are still several stones left unturned in our project. First, we are interested in the influence of counter-lobbies. Those could arise from “within country” or from political rivals. That is, opposition groups can easily hire lobbyists too. They may also lobby executive and legislative branch officials to make State Department human rights reports more critical of the state in question. In addition, political-military rivals could also hire lobbyists to influence policy outcomes regarding their rivals. One could easily imagine Greece lobbying against Turkish
human rights practices to lower American aid or military expenditures to assist Turkey (India and Pakistan come to mind here as well). Thus, we are interested in modeling the lobbying efforts of key potential counter-lobbies as a determinant of any bias in human rights ratings.

Second, we noted that FARA does not report on domestic-based ethnic lobbies that may also have interests in these human rights reports. Foreign lobbying and domestic-based ethnic lobbying may work in tandem as it relates to human rights, with foreign lobbying playing either a complementary role with ethnic lobbying or playing a substitution role when ethnic or PAC lobbying falls short of achieving its goals. We plan to more formally analyze this possibility in a future iteration of the paper.

Finally, we hope to do more case work to hone in on the causal mechanism we identified in the paper. By connecting with some heavy hitter law firms that have represented different governments on human rights issues, we may be able to better uncover exactly how the lobbying is successful. Might these biases emerge from updated beliefs provided by this presumably new, but biased information? Or could the general efforts of countries to create a more positive narrative in the American press about their human rights records also influence the nature of the State Department reports? Given the importance of these reports in determining certain American foreign policies, it is important to unravel what influence, if any, is wielded by K Street in the human rights reporting process.
Table 1. Determinants of higher State Department ratings.

<table>
<thead>
<tr>
<th>Variables</th>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Lobbying Reports (log)</td>
<td>0.0643**</td>
<td>0.0847***</td>
<td>0.0868***</td>
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<td></td>
<td>(0.0309)</td>
<td>(0.0306)</td>
<td>(0.0278)</td>
<td></td>
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<tr>
<td>Lobbying $ (log)</td>
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<td>0.00612</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.00796)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foreign Aid</td>
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<td>1.36e-10</td>
<td>-1.02e-10</td>
<td>-0</td>
</tr>
<tr>
<td></td>
<td>(2.05e-10)</td>
<td>(1.99e-10)</td>
<td>(3.05e-10)</td>
<td>(2.39e-10)</td>
</tr>
<tr>
<td>Regime Type</td>
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<td>0.0352**</td>
<td>0.0422***</td>
<td>0.0537***</td>
</tr>
<tr>
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<td>(0.0148)</td>
<td>(0.0148)</td>
<td>(0.0141)</td>
<td>(0.0110)</td>
</tr>
<tr>
<td>GDP (log)</td>
<td>-0.159**</td>
<td>-0.149**</td>
<td>-0.267</td>
<td>-0.162**</td>
</tr>
<tr>
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<td>(0.0691)</td>
<td>(0.0681)</td>
<td>(0.233)</td>
<td>(0.0713)</td>
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<td>Per Capita GDP</td>
<td>4.96e-05***</td>
<td>4.93e-05***</td>
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<tr>
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<td>(7.58e-06)</td>
<td>(7.45e-06)</td>
<td>(1.53e-05)</td>
<td>(9.05e-06)</td>
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<tr>
<td>Alliance with US</td>
<td>0.390**</td>
<td>0.397**</td>
<td>0.211</td>
<td>0.457**</td>
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<tr>
<td></td>
<td>(0.172)</td>
<td>(0.169)</td>
<td>(0.520)</td>
<td>(0.207)</td>
</tr>
<tr>
<td>Cold War</td>
<td>1.255***</td>
<td>1.256***</td>
<td>1.107***</td>
<td>1.381***</td>
</tr>
<tr>
<td></td>
<td>(0.133)</td>
<td>(0.134)</td>
<td>(0.140)</td>
<td>(0.110)</td>
</tr>
<tr>
<td>Exports from US (log)</td>
<td>-0.0940**</td>
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<td>-0.189***</td>
<td>-0.129***</td>
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<tr>
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<td>(0.0463)</td>
<td>(0.0469)</td>
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<tr>
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<tr>
<td></td>
<td>(0.640)</td>
<td>(0.623)</td>
<td>(0.629)</td>
<td></td>
</tr>
</tbody>
</table>

Observations                   | 2,729        | 2,729        | 2,644        | 2,729        |
Number of countries            | 141          | 141          | 122          | 141          |

Robust standard errors in parentheses. Columns 1 and 2 are estimated using standard logit models with clustered standard errors; column 3 is estimated using conditional (fixed-effects) logit; column 4 is estimated using random-effects logit.

*** p<0.01, ** p<0.05, * p<0.1
<table>
<thead>
<tr>
<th>Variables</th>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
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<tbody>
<tr>
<td>Number of Lobbying Reports (log)</td>
<td>-0.00420</td>
<td>-0.00397*</td>
<td>-0.00467**</td>
<td>-0.00465**</td>
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<tr>
<td></td>
<td>(0.00868)</td>
<td>(0.00215)</td>
<td>(0.00195)</td>
<td>(0.00205)</td>
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<td>Lobbying $(\text{log})$</td>
<td>-1.54e-10*</td>
<td>-1.58e-10*</td>
<td>-1.90e-10**</td>
<td>-1.74e-10**</td>
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<td>(8.65e-11)</td>
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<td>(5.78e-11)</td>
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<td>(0.00396)</td>
<td>(0.00395)</td>
<td>(0.00299)</td>
<td>(0.00337)</td>
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<td>Regime Type</td>
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<td>0.0735</td>
<td>-0.0246*</td>
<td>-0.0217</td>
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<td>(0.0622)</td>
<td>(0.0130)</td>
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<tr>
<td>GDP (log)</td>
<td>-1.05e-05**</td>
<td>-1.09e-05**</td>
<td>-1.01e-05***</td>
<td>-9.10e-06***</td>
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<tr>
<td></td>
<td>(4.69e-06)</td>
<td>(4.68e-06)</td>
<td>(1.97e-06)</td>
<td>(1.99e-06)</td>
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<tr>
<td>Alliance with US</td>
<td>-0.111</td>
<td>-0.122</td>
<td>-0.207***</td>
<td>-0.170***</td>
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<td>(0.166)</td>
<td>(0.165)</td>
<td>(0.0471)</td>
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<tr>
<td>Cold War</td>
<td>-0.287***</td>
<td>-0.289***</td>
<td>-0.402***</td>
<td>-0.377***</td>
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<td>(0.0413)</td>
<td>(0.0412)</td>
<td>(0.0576)</td>
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<td>Exports from US (log)</td>
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<td>(0.00917)</td>
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<td>(0.655)</td>
<td>(0.653)</td>
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<tr>
<td>Observations</td>
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<td>2,390</td>
<td>2,390</td>
<td>2,390</td>
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<tr>
<td>Number of countries</td>
<td>143</td>
<td>143</td>
<td>143</td>
<td>143</td>
</tr>
</tbody>
</table>

Standard errors in parentheses. Columns 1 and 2 are estimated using OLS with unit fixed-effects; column 3 is estimated using Prais-Winsten regression with unit-specific AR(1) processes; column 4 is estimated using Prais-Winsten regression with a common AR(1) processes.

*** p<0.01, ** p<0.05, * p<0.1
References


