

International Negotiation (Vol. 25, no. 2, 2020)
Bargaining Power at the Negotiation Table and Beyond

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Supplementary Materials, Appendix S1

Appendix S1 contains supplemental information pertinent to the statistical analysis in the article “Bargaining Power at the Negotiation Table and Beyond.”

Table S1 includes the list of treaties included in the dataset that supports the conclusions of this article.

The article includes a table presenting the statistical findings. For the sake of conciseness, the table only reports whether treaty type was accounted for in the statistical analysis. Table S2 presented here includes the same set of models but with the covariates based on treaty type reported. Note that for these variables the comparison category is human rights treaties so that positive variables indicate higher ratification rate than human rights agreements and negative variables indicate lower ratification rate than human rights agreements.

The models presented in the article include only the theoretical variables of interest for the sake of brevity. The rest of the web appendix illustrates that the findings presented in the article are relatively robust to model specification. Where there are differences it is in that in some of the models treaties spearheaded by G7 states are more likely to be ratified than the baseline (non-G7 and non-G77). However, to avoid type II errors the article reports the more conservative findings. Table S3 accounts for different characteristics of the treaties that could affect ratification rate. It includes a dummy variable for annexes as these treaties might be more likely to get support given that they will likely be on issues that have generated widespread ratification in the past. Additionally, states may signal the salience of a treaty in the preamble and thus treaties with longer preambles may be more widely ratified than treaties with shorter preambles. Preamble length is measured in the number of words and is logged due to skewness. Table S3 supports these propositions.

One factor that came across as important in the qualitative case studies was the role of the initial drafter of the treaty. Table S4 therefore considers an alternative measure of power for treaties drafted initially by G77 states and G7 states. In the dataset very few treaties were drafted by a single country and in particular very few G77 states proposed an initial draft of a treaty on their own. However, the findings presented in Table S4 indicate that treaties drafted by G7 states have higher ratification rates than the baseline, although the 95% interval for the coefficient overlaps with the 95% confidence interval for G77 states. Thus, these findings are consistent with the findings presented in the article.

The final factor that may be important to consider in terms of ratification rate may be the role of time in the process. Table S5 evaluates two arguments. The first is that treaties that are a product of delayed negotiations may get lower ratification rate due to difficulties in reaching an agreement. Alternatively, delays could mean that states value the agreement more and may fight harder and thus bargain lower in which case delayed negotiations could be associated with higher ratification (Fearon 1998 add). This factor is accounted for with a variable that accounts for negotiations that have lasted longer than 5 years (1825 days). The second factor is that the dataset records ratification rate at one point in time (2014) and that treaties that have been open for less time will have lower ratification rate. Therefore this factor is controlled for with an indicator of whether a treaty has only been open for fewer than 10 years. The coefficients presented in Table S5 for delayed negotiations are not statistically significant. The coefficients for delayed negotiations are statistically

significant indicating that treaties that have been open for less than ten years have lower ratification rates than other treaties.

Table S6, finally, presents full models with all of these factors accounted for in a single model and shows that the findings in the full model are consistent with those in the individual tables. Thus based on these additional factors, preamble length, annexes and treaties drafted by G7 states are positively associated with ratification rate. Treaties that have only been opened for fewer than ten years are associated with lower ratification rate. Figs. S1-4 show the marginal effect of these variables. In only one of these figures, Fig. S4 that compares treaties based on how long they have been available to ratify, do the confidence intervals overlap. Thus while the signs and statistical significance of the variables are interesting, the large lack of substantive significance indicates that these findings are consistent with those presented in this article.

TABLE S1 List of treaties included in the dataset

Additional Protocol to the Convention concerning customs facilities for touring, relating to the Importation of Tourist Publicity Documents and Materials

Additional Protocol to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol IV entitled Protocol on Blinding Laser Weapons)

Additional Protocol to the Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties

Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character

Agreement for the Implementation of the Provision of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Agreement governing the Activities on the Moon and Other Celestial Bodies

Agreement on the Importation of Educational, Scientific and Cultural Materials

Agreement on the privileges and immunities of the international criminal court

Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea

Agreement Relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea

Amendment to Annex B of the Kyoto Protocol to the United Nations Framework Convention on Climate Change

Amendment to article 20, paragraph 1 of CEDAW

Amendment to article 43 (2) of the Convention on the Rights of the Child

Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination

Amendment to article 8 of the Rome Statute of the ICC

Amendment to the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal

Amendment to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V)

Amendment to the crime of aggression of the Rome Statute of the ICC

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted by the Ninth Meeting of the Parties

Amendments to articles 17 (7) and 18 (5) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Arms Trade Treaty

Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal

Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal

Cartagena Protocol on Biosafety to the Convention on Biological Diversity

Comprehensive Nuclear-Test-Ban Treaty

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Convention concerning customs facilities for touring

Convention for the Protection of Producers of Phonograms against Unauthorized duplication of their Phonograms

Convention for the rights of persons with disabilities
Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others
Convention on a Code of Conduct for Liner Conferences
Convention on biological diversity
Convention on Cluster Munitions
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages
Convention on Customs Treatment of Pool Containers used in International Transport
Convention on Fishing and Conservation of the Living Resources of the Sea
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which may be deemed to be excessively injurious or have indiscriminate effects (with Protocols I, II, and III)
Convention on psychotropic substances
Convention on registration of objects launched into outer space
Convention on Special Missions
Convention on the Continental Shelf
Convention on the Elimination on All Forms of Discrimination of Women
Convention on the High Seas
Convention on the International Right of Correction
Convention on the Law of the Non-Navigational Uses of International Watercourses
Convention on the Limitation Period in the International Sale of Goods
Convention on the measurement of inland navigation vessels
Convention on the Nationality of Married Women
Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity
Convention on the Political Rights of Women
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
Convention on the Prevention and Punishment of Genocide
Convention on the Privileges and Immunities of the Specialized Agencies
Convention on the Privileges and Immunities of the United Nations
Convention on the prohibition of military or any other hostile use of environmental modification techniques
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction
Convention on the Recognition and Enforcement of Foreign Arbitral Awards
Convention on the Recovery Abroad of Maintenance
Convention on the Reduction of Statelessness
Convention on the Rights of a Child
Convention on the Rights of Migrant Workers and their Families
Convention on the Safety of United Nations and Associated Personnel
Convention on the Territorial Sea and the Contiguous Zone
Convention on Transit Trade of Land-locked States
Convention regarding the Measurement and Registration of Vessels Employed in Inland Navigation
Convention relating to the distribution of programs-carrying signals transmitted by satellite
Convention Relating to the Status of Refugees
Convention Relating to the status of stateless persons
Convention relating to the unification of certain rules concerning collisions in inland navigation
Customs Convention on Containers
Customs Convention on Containers, 1972
Customs Convention on the International Transport of Goods under Cover of TIR Carnets `

Customs Convention on the International Transport of Goods under Cover of TIR Carnets, 1975
Customs Convention on the Temporary Importation of Commercial Road Vehicles
Customs Convention on the Temporary Importation of Private Road Vehicles
Doha amendment to the Kyoto Protocol
Final Protocol to the Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution of Others
International Convention against Apartheid in Sports
International Convention Against the Recruitment, Use, and Financing and Training of Mercenaries
International Convention Against the Taking of Hostages
International Convention for the protection of all persons from enforced disappearances
International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations
International Convention for the Suppression of Acts of Nuclear Terrorism
International Convention for the Suppression of Terrorist Bombings
International Convention for the Suppression of the Financing of Terrorism
International Convention on Arrests of Ships
International Convention on the Elimination of All Forms of Racial Discrimination
International Convention on the Suppression of the Crime of Apartheid
International Convention to Facilitate the Importation of Commercial Samples and Advertising Material
International Covenant on Civil and Political Rights
International Covenant on Economic, Social and Cultural Rights
Kyoto Protocol to the United Nations Framework Convention on Climate Change
Minamata Convention on Mercury
Montreal Protocol on Substances that Deplete the Ozone Layer
Multilateral Convention for the Avoidance of Double Taxation
Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety
Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity
Optional Protocol of Signature concerning the Compulsory Settlement of Disputes
Optional Protocol to Covenant on Civil and Political Rights
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
Optional protocol to the Convention on Special Missions concerning the compulsory settlement of disputes
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
Optional Protocol to the Convention on the Rights of Persons with disabilities
Optional Protocol to the Convention on the Rights of the Child on a communication procedure
Optional Protocol to the Convention on the rights of the child on the involvement of children in armed conflict
Optional Protocol to the Convention on the rights of the child on the sale of children on the sale of children, child prostitution, and child pornography
Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel
Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights
Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality
Optional Protocol to the Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes
Optional Protocol to the Vienna Convention on Diplomatic Relations, concerning the Acquisition of Nationality

Optional Protocol to the Vienna Convention on Diplomatic Relations, concerning the Compulsory settlement of disputes

Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Conventions against Transnational Organized Crime

Protocol amending the Convention on the Limitation Period in the International Sale of Goods

Protocol amending the Single Convention on Narcotic Drugs

Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V)

Protocol on the Privileges and Immunities of the International Seabed Authority

Protocol on the Prohibition or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects)

Protocol relating to the Status of Refugees

Protocol to Eliminate Illicit Trade in Tobacco Products

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Protocol to the Agreement on the Importation of Educational, Scientific and Cultural Materials

Rome Statute of the International Criminal Court

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

Second optional protocol on the international covenant on civil and political rights, aiming at the abolition of the death penalty

Single Convention on Narcotic Drugs

Stockholm Convention Persistent Organic Pollutants

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institution and Practices Similar to Slavery

Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations

UN Convention against Corruption

UN Convention against Transnational Organized Crime

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

United Nations Convention on Conditions for Registration of Ships

United Nations Convention on Contracts for the International Sale of Goods,

United Nations Convention on Independent Guarantees and Stand-by Letters of Credit

United Nations Convention on Jurisdictional Immunities of States and Their Property

United Nations Convention on the Assignment of Receivables in International Trade

United Nations Convention on the Law of the Sea

United Nations Convention on the Use of Electronic Communications in International Contracts

United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa

United Nations Framework Convention on Climate Change

Vienna Convention for the Protection of the Ozone Layer

Vienna Convention on Consular Relations

Vienna Convention on Diplomatic Relations

Vienna Convention on Succession of States in Respect of State Property, Archives, and Debts

Vienna Convention on succession of States in respect of treaties

Vienna Convention on the Law of Treaties

Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations

Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character

WHO Framework Convention on Tobacco Control

TABLE S2 Models with coefficients presented for treaty type

	Model 1	Model 2
Negotiator Signing Rate	3.247** (0.349)	2.988** (0.419)
G77 Chair	0.0967 (0.228)	0.173 (0.233)
G7 Chair	0.329 (0.232)	0.459 [†] (0.248)
penal		0.125 (0.333)
privileges and immunities		-0.122 (0.346)
refugees and stateless persons		-0.346 (0.314)
narcotics		1.464** (0.555)
human trafficking		0.188 (0.406)
health		-0.0212 (0.303)
international trade and development		-0.876* (0.408)
transport and communication		-1.174*** (0.350)
navigation		-0.206 (0.532)
educational and cultural matters		-0.563* (0.245)
freedom of information		-1.715*** (0.317)
maintenance obligations		-1.259*** (0.272)
law of the seas		-0.521* (0.260)
commercial arbitration		1.357*** (0.218)
law of treaties		-0.307 (0.381)
outer space		-1.021*** (0.263)
telecommunications		-1.014*** (0.216)
disarmament		-0.659 [†] (0.350)
environment		0.460 (0.367)
fiscal matters		-2.141*** (0.415)
Constant	-1.871*** (0.169)	-1.650*** (0.264)
Observations	138	138
AIC	129.1	153.4

Standard errors in parentheses

[†] $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

TABLE S3 Analysis of ratification rate controlling for preamble length and annexes

	Model 3	Model 4
Negotiator Signing Rate	3.141 ^{***} (0.311)	3.058 ^{***} (0.365)
G77 Chair	-0.164 (0.211)	-0.218 (0.215)
G7 Chair	0.381 [†] (0.224)	0.444 [*] (0.201)
Number of words in preamble (logged)	0.114 [*] (0.0571)	0.0897 [*] (0.0357)
Annexes	0.125 [*] (0.0497)	0.130 ^{**} (0.0413)
Constant	-2.399 ^{***} (0.310)	-1.966 ^{***} (0.292)
Type controlled for	No	Yes
Observations	125	125
<i>AIC</i>	118.5	142.9

TABLE S4 Analysis of ratification rate with alternative measure of power

	Model 5	Model 6
Negotiator Signing Rate	3.414 ^{***} (0.311)	3.191 ^{***} (0.390)
G77 Draft	0.426 (0.655)	0.206 (0.646)
G7 Draft	0.320 (0.340)	1.050 [*] (0.436)
Constant	-1.878 ^{***} (0.164)	-1.611 ^{***} (0.274)
Type controlled for	No	Yes
Observations	138	138
AIC	129.2	152.9

Standard errors in parentheses

[†] $p < 0.1$, ^{*} $p < 0.05$, ^{**} $p < 0.01$, ^{***} $p < 0.001$

TABLE S5 Analysis of ratification rate accounting for time

	Model 7	Model 8
Negotiator Signing Rate	3.178 ^{***} (0.348)	2.817 ^{***} (0.412)
G77 Chair	0.125 (0.221)	0.163 (0.231)
G7 Chair	0.287 (0.226)	0.319 (0.223)
Delayed negotiation	-0.162 (0.179)	-0.115 (0.195)
Open for less than 10 years	-0.992 ^{***} (0.228)	-1.284 ^{***} (0.292)
Constant	-1.673 ^{***} (0.184)	-1.259 ^{***} (0.273)
Type controlled for	No	Yes
Observations	135	135
<i>AIC</i>	128.3	151.2

Standard errors in parentheses

† $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

TABLE S6 Analysis of treaty ratification rate including all controls

	Model 9	Model 10
Negotiator Signing Rate	3.095 ^{***} (0.305)	2.970 ^{***} (0.380)
G77 Chair	-0.114 (0.221)	-0.109 (0.224)
G7 Chair	0.321 (0.222)	0.270 (0.178)
Number of words in preamble (logged)	0.139 [*] (0.0637)	0.0730 [†] (0.0378)
Annexes	0.107 [*] (0.0473)	0.113 ^{***} (0.0302)
G77 Draft	-0.305 (0.268)	-0.639 [†] (0.346)
G7 Draft	0.0855 (0.355)	0.836 [*] (0.424)
Delayed Negotiation	-0.171 (0.184)	-0.273 (0.177)
Open for less than 10 years	-0.856 ^{***} (0.234)	-0.966 ^{***} (0.233)
Constant	-2.340 ^{***} (0.348)	-1.419 ^{***} (0.331)
Treaty controlled for	No	Yes
Observations	123	123
AIC	123.1	146.0

Standard errors in parentheses

[†] $p < 0.1$, ^{*} $p < 0.05$, ^{**} $p < 0.01$, ^{***} $p < 0.001$

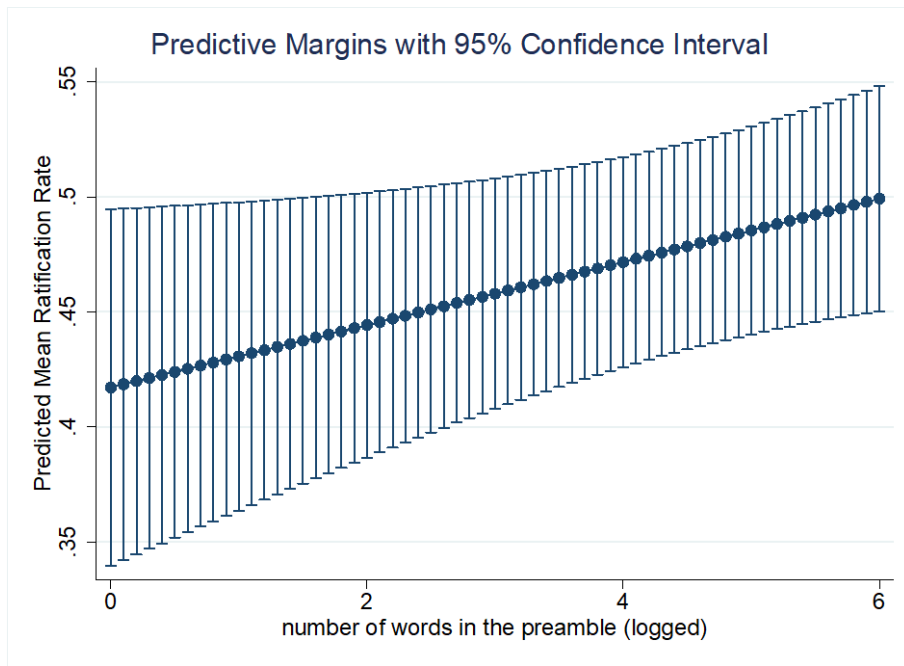


FIGURE S1 Marginal effects number of words in the preamble on ratification rate

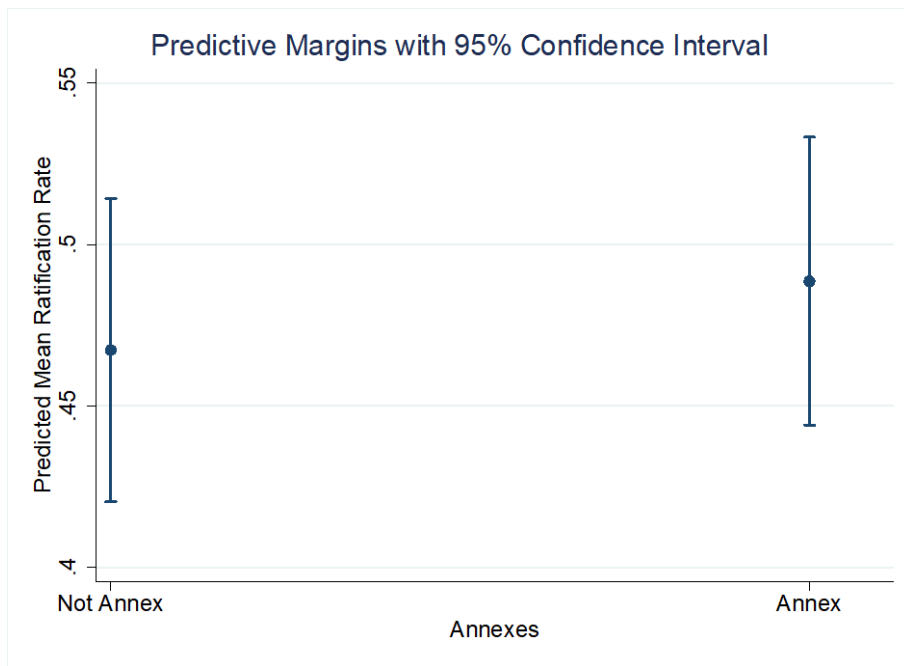


FIGURE S2 Marginal effects of annexes on ratification rate

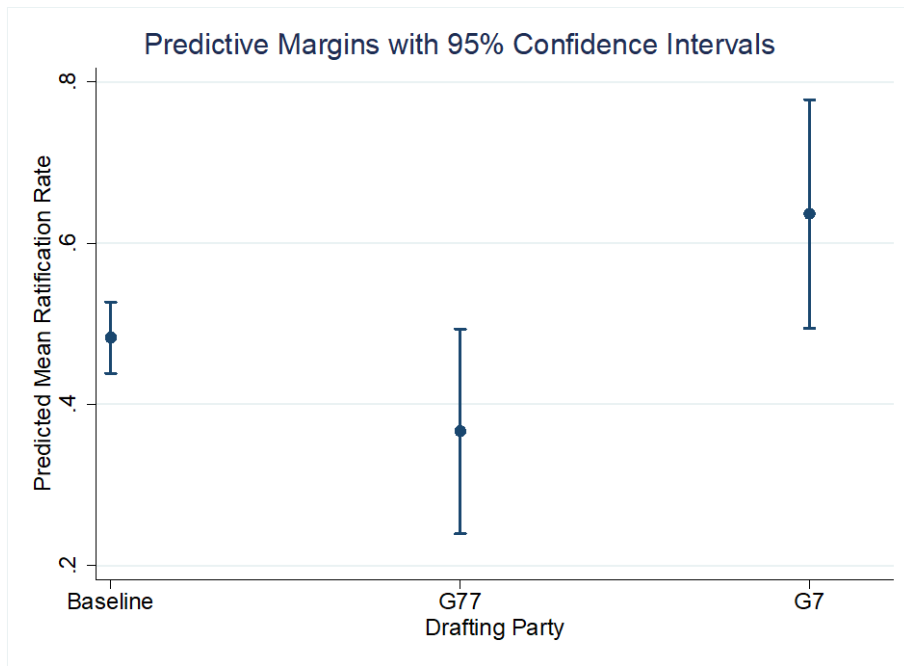


FIGURE S3 Marginal effects of drafting party on ratification rate

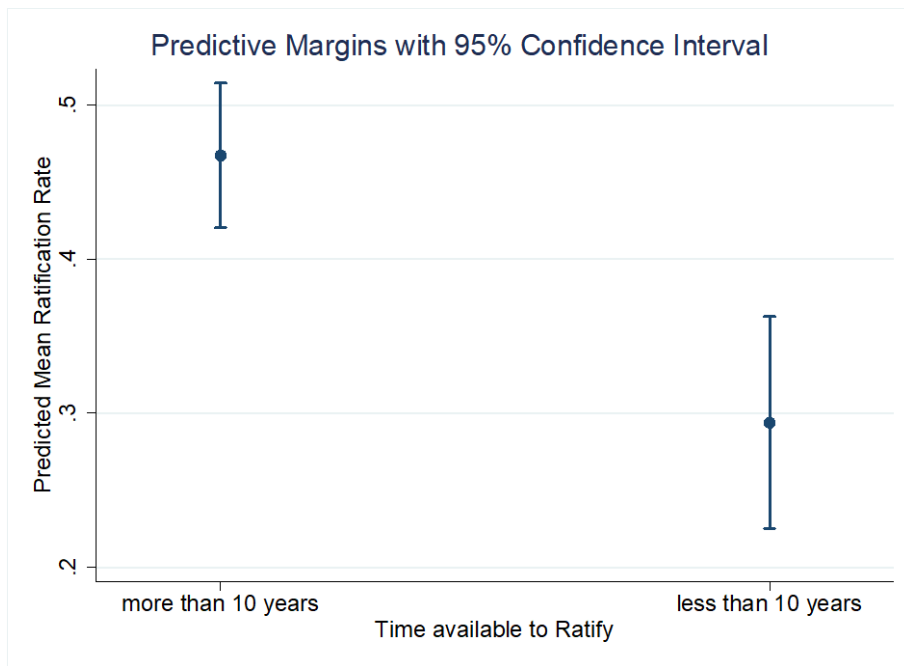


FIGURE S4 Marginal effect of time available to ratify