

*Lessons from a Global Analysis of the UN Conventions on Children and Disability Rights*

Gabriela Walker, National University California, United States

The IAFOR International Conference on Education – Hawaii 2020  
Official Conference Proceedings

**Abstract**

Among the 6.7 billion people in the world, there are 2.2 billion children, of which 1 billion live in poverty. This study looks at the rights of children with disabilities and how vulnerable populations can be protected. The UN (2009) identifies several obstacles to democracy, human rights, and the rule of law, including: “deepening poverty; threats to human security; the infringements of individual rights and impediments to the enjoyment of fundamental freedoms”. The author used a cumulative logit model for ordinal responses, in particular proportional odds model, to look at whether states with a higher degree of democratization and a higher level of human development are less likely to ratify the United Nations Conventions on the Rights of the Child and on the Rights of Persons with Disabilities. The analysis finds statistically significant relationships for multiple variables. Here are selected general conclusions: (1) as the widest ratified human rights treaties, the CRC and CRPD have profound implications on understanding how the states’ development and democratization impact how they sign and ratify treaties; (2) different indices have different effects on each of the conventions, without contradicting each other, meaning that governments perceive and treat Conventions distinctly; (3) the date of ratification, rather than the date of signature, is much more reflective of the state’s democratization and development levels; and (4) the world is in need for a reconceptualization and recontextualization of children and disability policies, redefining concepts like equity, empowerment, social enterprise, and inclusive development to include these disempowered populations.

Keywords: policy, United Nations, Convention on the Rights of the Child (CRC), Convention on the Rights of the Child and on the Rights of Persons with Disabilities (CRPD), democracy, Human Development Index (HDI), ratification

**iafor**

The International Academic Forum  
[www.iafor.org](http://www.iafor.org)

## **Introduction**

Populations become vulnerable for a multitude of reasons, however, the continuity of this status and its subsequent marginalization effect are contingent upon a latticed infrastructure of economico-political and socio-cultural factors that make up the environment of our societies. The scope of this study is to investigate how states adopt human rights legislation and how democracy and human development influence state decisions regarding children and disability rights.

This study addresses the rights of children with disabilities through both the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD). These two treaties give a powerful perspective on the rights of the children with disabilities, both emphasizing the cumulative rights of this stratum in several Articles (art. 7 and 23 in the CRPD; and art. 2 and 23 in the CRC). They are protecting the vulnerable strata of population which reflect the workers, leaders, and innovators of tomorrow, who will ensure the sustainability of our world, an idea embedded in the Sustainable Development Goals set forth by the United Nations.

Because no other United Nation (UN) convention has been welcomed and accepted so quickly and enthusiastically as these two Conventions (LeBlanc, 1995), the case of these ratifications is one that can provide most complete data on the relationship between the degrees of democratization and development of a state on one hand, and, on the other hand, the probability and speed of treaty ratification. For example, the ratification of a potential convention on the rights of aging persons could be influenced by similar factors. This is why it is important to analyze the patterns of past ratifications.

The conclusions of this study might inform monitoring efforts of treaties, national and local laws, as well as program development for achieving the rights expressed in their texts. Researchers, teachers, parents, policy-makers, and the public may take steps to advocate for increased democracy and development to raise the quality of life of children with disabilities.

Further, human agency is organically encouraged in a democratic environment, where governance, accountability, stability, freedom, and individual differences are valued (Henkin et al., 2009).

Henkin also noted that repression is rarely analyzed using quantitative analyses, therefore, this study is meant to pioneer the way for more research on repression of vulnerable populations. No previous empirical work looked at how country development and democratization influence the country commitment patterns to protect the vulnerable. This manuscript is meant to fill this gap and pave the way for further research that may identify macro-level relationships between country characteristics and repression of vulnerable populations. The intended audience of this manuscript includes, but it is not limited to, sociologists, political scientists, teachers, researchers, parents, psychologists, social workers, policy makers, and rights activists.

## Method

A regression analysis was run to find out the association between the degree of democracy (i.e., the six indices of the World Government Indicators - WGI) and development (Human Development Index - HDI) as independent variables, and, as the dependent variables, the time elapsed from the first signature of the CRC (1990) and CRPD (2006) to the time of specific-country signature and ratification (Wait Time for the Decision to Sign) and the time from the specific-country signature to that country's ratification (Wait Time to Ratification). The best model was statistically determined by a backward stepwise procedure of successive selection and elimination of the variables, providing the most relevant information for the correlation. A multiple logistic regression analysis was run to render critical p-values, through F-tests and t-tests of individual regression coefficients. The critical p-values indicate the strength of the relations between variables, in other words, if the values are above the chance level. The Wait Time variable is ordinal, hence an ordinal logit model (i.e., a proportional odd model) is used to further the analysis. The model fit was assessed by recording the R-squared. The data analysis was conducted in the R software.

## Research questions

1. Were democratic and/or developed states more likely to sign each of the two conventions?
2. Were democratic and/or developed countries quicker to ratify each of the two conventions than non-democratic or developing countries?

## Variables

The *independent variables* used were: (1) The Worldwide Governance Indicators (WGI), a group of six indices quantifying the degree of democratization of a country; and (2) the Human Development Index (HDI), which ranks countries by their level of human development.

## *WGI*

Aggregated by the World Bank, WGI pertains to several aspects of democracy. The WGI are collected and calculated by the World Bank and the methodology for gathering data, aggregating, and analyzing it is published online as open source (see Kaufmann, Kraay, Mastruzzi, 2017). The governance indicators reflect the statistical compilation of responses on “the quality of governance given by a large number of enterprise, citizen and expert survey respondents in industrial and developing countries, as reported by a number of survey institutes, think tanks, non-governmental organizations, and international organizations” (Kaufmann, Kraay & Mastruzzi, 2017). The particular column used in this analysis represents percentage rank (i.e., values from 0 to 100), where higher values correspond to better governance outcomes. The degree of democracy is expressed in six governance and democracy indicators (see Figure 1).

*Voice and Accountability* measures the extent to which people are allowed to participate in elections and express their will, to associate with one another, and to have access to true information (free media).

*Political stability and absence of violence* measures perceptions of whether the government is at risk of being overthrown and destabilized through unconstitutional or violent acts.

*Government effectiveness* refers to the extent of the quality of public and civil services and its dependence on political obligations, the quality of the policy development and enforcement, and the credibility of state's loyalty to implement such policies.

*Regulatory quality* measures perceptions of government ability to develop and implement policies that promote the private sector.

*Rule of law* measures perceptions of the confidence people have that the government enforces rules in society, especially the contract sanctity, title rights, police and the courts, and the probability of crime and violence.

*Control of corruption* refers to the magnitude to which public power is used for private gain, from small to important forms of corruption, as well as the monopoly of elites on state and private interests.

#### **Figure 1. WGI Indicators**

### ***HDI***

The aggregate HDI values are published online as open source (see UNDP, 2014, Indicator Tables HDI 2014.xls) and the values used were for the year of 2014, the closest to the year of the other sets of our data. The HDI is an aggregate that includes measurements of the developments in education, life expectancy, GDP per capita, gender empowerment and equity, representing a summary of “each country’s achievement in attaining: a long and healthy life; access to knowledge; and a decent standard of living” (UNDP, 2017).

### ***Wait Time***

The *dependent variables* represent Wait Time: (1) the time expressed in years between the first signature for each Convention and the year of specific-country signature and ratification, called Wait Time for the Decision to Sign; and (2) the time from the specific-country signature to that country’s ratification of each convention, called Wait Time to Ratification. The bulk of the ratifications and signatures for the CRC are from 1990 to 1996 and for the CRPD are from 2006 to 2012, with the rest of the data being considered statistical outliers. The response variable ‘Wait Time’ can obtain discrete values from 0 to 7 (see Table 1).

### **Sample, Coding, and Description of Indices**

#### ***Coding: Signature, Ratification, Accession, and Succession***

By signing an international convention, a state declares that it intends to become a party in the treaty without an obligation to ratify or adopt its content into law. Ratification implies a legal obligation for the ratifying state to apply the convention (HCCH, 2015). Ratification is an international act by which a state agrees to a certain

treaty, and in the case of human rights treaties, a depositary collects the ratifications of all states, which allows the state that seeks ratification the necessary time-frame to obtain a domestic approval and to adopt necessary legislation to enforce the new provisions provided by the treaty (UN Treaty Collection Overview, 2017; [Arts. 2 (1) (b), 14 (1) and 16, Vienna Convention on the Law of Treaties 1969]). As explained by the UN, accession has the same legal effect as ratification does, and it occurs after the treaty has entered into force (UN Treaty Collection Overview, 2017, [Arts.2 (1) (b) and 15, Vienna Convention on the Law of Treaties 1969]). Succession data is also treated as ratification because the states that gained independence succeeded by transferring their sovereignty to the new state and, hence, they transferred the responsibility for an international act, as committed by the predecessor state (Milanovic, 2009).

### ***Country Reservations***

Because each sovereign state has the right to accommodate the international law to the domestic law and favor the beliefs of its citizens and government, several states have expressed their reservation to various aspects of the Conventions. However, since country reservations refer to parts of the conventions and do not void or nullify the act of ratification, the expressed reservations do not affect the decision to include all data on ratifying countries.

### ***Sample***

The CRC entered into force on 2 September 1990. By April 7, 2017, out of 196 of world countries, the CRC has been signed by 140 (71.43%) and ratified by 196 (100%) (UN Treaty Collection Depositary, 2017). Each signatory was coded with a number from 0 to 14, indicating the number of years elapsed since the CRC entered into force and opened for signatures and ratifications until the year of 2004, the year data was published by the United Nations Human Rights Office of the High Commissioner (UNHROHR, 2017). The latest ratifications after 1996 represent outliers and have to be dropped from the analysis, remaining with a total number of countries N=178, occurring 1990-1996.

The CRPD was adopted on 13 December 2006 during the sixty-first session of the General Assembly by resolution A/RES/61/106 (CRPD, 2015). To date, out of world 196 countries, the CRPD has been signed by 160 (81.63%) and ratified by 174 (88.78%). Data on CRPD signature and ratification until 2012 was analyzed, yielding a 7 year data window (matching the CRC), with the rest being considered outliers. Signature and ratification data of a total number of 134 countries were included in the analysis (N=134). For both conventions, only countries with the following available data were included in the data set: (1) independent states; (2) signature data; (3) ratification data; (4) HDI value; and (5) WGI values.

## **Theoretical Perspectives**

### **Vulnerability of Children with Disabilities**

Many years after the two widest ratified international rights documents in the history of humankind entered into force (the CRC and CRPD) (Fields, 2003; Lauren, 2003),

the United Nations organization still finds that fighting vulnerability and decreasing dependency are the main solutions to be targeted to ensure human development progress (Bissell, 2017). Due to the inequality within the vulnerable sub-groups, and to the various factors that simultaneously impact individual people, the concept of ‘vulnerability stratification’ is needed, referring to how much potential harm certain strata are exposed to, and how fast they can recover and adapt to the environmental demands (AJMC, 2006). The Human Development Report launched on July 24, 2014 (UNDP, 2014) focuses specifically on reducing human vulnerabilities and building resilience, with 20<sup>th</sup> century thinkers such as Bill Gates and Stephen Hawking bringing their own insight onto the topics of vulnerability and empowerment.

In the year 2015, the Millennium Development Goals (MDGs) transitioned into the Sustainable Development Goals (SDGs). Five of the eight MDGs referred to the protection of children from abuse, exploitation, neglect and violence, with the remaining goals targeting some of the causes of disabilities (Sustainable Development, 2017).

This manuscript looks at the two large vulnerable populations on the planet: children and people with disabilities. Among the 7.32 billion people in the world (CIA, 2017), about 25.5% are children 0-14 years old, and 16.2% youth and young adults of 15-24 years old. International sources estimate that, worldwide, approximately 15% of people (one billion people) have at least one type of disability (World Bank/WHO, 2011).

It is established that disability is both a cause and a consequence of poverty, with about 80% of global population with disabilities living “in low-income countries and experience social and economic disadvantages and denial of rights” (WHO, 2010). The World Bank reports that 20% of the poorest people worldwide have some kind of disability. The countries with the greatest number of identified disabilities are also the poorest countries in the world and are at more risk of having future generations of youngsters being cheated of IQ points (Wines, 2006, p. 101). Poverty also takes its toll on people in the form of mental disabilities (WHO ECOSOC, 2009).

Children and people with disabilities are perceived as some of the most vulnerable segments of the world’s population, and, hence, least threatening to governments. Thus, decisions regarding children’s and disabled’s rights are more clear cut and, in some cases, less political, when a legal document assigned to protect them is less likely to be controversial than other documents. However, it is possible that ratifying the CRC and CRPD could predict a state to be more likely to ratify another human rights treaty pertaining to a vulnerable segment of the population, such as the elderly.

### **Democracy, Development, and Human Rights**

Belden Fields (2003) states that virtually all states have ratified one or more human rights agreements, appearing to agree that there is a common understanding of the concept of human rights. The UN was the first international organization that set the stage for creating a set of human rights rules for the world over 60 years ago, subsequently followed by other international organizations and NGOs. Among other things, the CRC and CRPD became the basis for developing participatory children

and people with disability rights, schooling and education rights, health, and protection from abuse.

In the Declaration on the Responsibilities of the Present Generations Towards Future Generations, UNESCO (1997) states in Article 1 that “The present generations have the responsibility of ensuring that the needs and interests of present and future generations are fully safeguarded.” Sen (1999a, 1999b, 2000, & 2003), Vollmer and Ziegler (2009), and UNDP (2009) acknowledge that it is not only freedom to make choices in life, but also health, education, and income that allow human development.

## Results

### Preliminary analysis

The Wait Time before ratification response variable varies from 0 years to 7 years for both conventions (the remaining years rendering outliers) and the distributions are skewed to the right. The HDI and democratization indices are stable over a long period of time (8 years for the democratization variables and 14 years for HDI). For the first 7 years after both conventions were opened for ratification, approximately 90% of the world sovereign countries ratified them. This means that the relationship between the democratization indices and the ratification of the conventions do not vary too much even after our cut-off point in time (see table 1).

**Table 1. Number of country ratifications per year**

Year the convention was signed	0	1	2	3	4	5	6	7
Number of observations CRC (1990-1996)*	4	75	32	18	21	17	12	3
Number of observations CRPD (2006-2012)*	4	24	29	27	12	14	17	9

\*Note: Ratifications before and after the years included herein are outliers.

### The Logistic Regression Model

To test the first hypothesis, logistic regression is used, with the response variable Wait Time transformed to a binary ‘Signed/Not Signed’. The countries which did not sign the ratification are assigned the value zero, while all others assigned a value of one. The logistic regression model has a linear form for the logit of probability of ‘success’ written as

$$\text{logit}[(\pi(\vec{x}))] = \log\left(\frac{\pi(\vec{x})}{1 - \pi(\vec{x})}\right) = \vec{\beta}\vec{x}$$

Let  $\vec{\beta}$  denote the vector of coefficients,  $\vec{x}$  denote vector of explanatory variables, and let  $\pi(\vec{x})$  denote probability that country signed the ratification for a given value of vector  $\vec{x}$ .

For the explanatory variable selection in the logistic model a *stepwise procedure* is used. On each step, the procedures consider whether any variable included in the model is or not effective to the F-test, and redundant variables are removed. The

procedure stops when no more additions or eliminations can be made and the model has the highest information criterion.

**CRC.** For the CRC, the final model for logistic regression is as follows:

$$\text{logit}[(\pi(\vec{x}))] = \beta_0 + \beta_1 I_1 + \beta_2 I_2 + \beta_3 I_5$$

**Table 2. CRC: Effect of indicators on the decision to sign (the logit model for signature data as a binary variable)**

	Estimate	Standard error	Significance level
<b>(Intercept)</b>	2.7142	0.1356	0.001
<b>Voice and Accountability</b>	-1.2239	0.2483	0.001
<b>Political Stability &amp; Absence of Violence</b>	0.3839	0.2132	0.01
<b>Rule of Law</b>	1.0559	0.2638	0.001

The estimated coefficients are presented in table 2. The indices Voice and Accountability, Political Stability, and Rule of Law are significantly different from zero and determine the rate of increase or decrease of the S-shaped probability curve. The sign of the coefficient indicates whether the probabilities increase or decrease with the factor. The Voice and Accountability coefficient has a negative value. This supports the idea that countries with higher developed Voice and Accountability area are less likely to ratify the CRC. The Political Stability and Rule of Law coefficient has a positive value which can be interpreted as the countries with a stable situation and a more developed law system are more likely to sign a new document to ensure the rights of its citizens. All indices have a slight effect, which means that there should be a large difference in their values to make significant changes in probabilities, i.e., a small effect takes longer to make an impact. It is interesting to remark that in the binary logistic regression, the HDI variable is not significant. After checking all possible combinations of HDI and democratization factors, no significant impact of HDI in any model was found.

**CRPD.** For CRPD, the final model for logistic regression is as follows:

$$\text{logit}[(\pi(\vec{x}))] = \beta_0 + \beta_1 I_2 + \beta_2 I_4$$

The estimated coefficients are presented in table 3, where both indices Political Stability and Absence of Violence & Regulatory Quality are significantly different from zero and determine the rate of increase or decrease of the S-shaped probability curve. The Political Stability coefficient has a negative value, which means that countries with a higher value in this area are less likely to ratify the CRPD. The Regulatory Quality coefficient has a positive value. Both indices have a slight effect, which means that there should be large difference in their values to make significant change in probabilities. After checking all possible combinations of HDI and democratization factors, HDI was not found as significant in any model.

**Table 3. CRPD: Effect of indicators on the decision to sign (the logit model for signature data as a binary variable)**

	<b>Estimate</b>	<b>Standard error</b>	<b>Significance level</b>
<b>(Intercept)</b>	1.1180	0.1806	0.001
<b>Political Stability &amp; Absence of Violence</b>	-0.6418	0.2422	0.01
<b>Regulatory Quality</b>	0.7397	0.2349	0.001

### The Ordered Proportional Odds Model

To test the second hypothesis, the effect of explanatory variables on the Wait Time before ratification is considered and treated as a new variable. The ordered proportional odds model exploits an ordinal scale of the dependent variable Wait Time. The dependent variable Wait Time is organized in 9 groups (according to the number of years when ratification was signed after it was opened for signature). Zero means that the CRC was ratified within one year (see table 1).

$$\text{logit}[P(Y \leq j|x)] = \alpha_j + \vec{\beta}\vec{x}, \text{ where } j = \overline{1,9}$$

For CRPD, the dependent variable is organized in 7 groups:

$$\text{logit}[P(Y \leq j|x)] = \alpha_j + \vec{\beta}\vec{x}, \text{ where } j = \overline{1,7}$$

This model utilizes the idea of cumulative logistic model. It refers to a collapsed response scale for any fixed group  $j$ . The parameter  $\beta$  describes the effect of the explanatory variable  $x$  in the model on the log odds of the response variable in the category  $j$  or bellow.

### CRC

For CRC, the most informative model according to the stepwise procedure includes the Voice and Accountability, Political Stability & Absence of Violence, and Rule of Law indices. The estimated coefficients are presented in table 4.

**Table 4. CRC: Effect of indicators on wait time to ratification (the proportional odds model)**

	<b>Estimate</b>	<b>Standard error</b>	<b>Significance level</b>
<b>Voice and Accountability</b>	-1.0938	0.2192	0.001
<b>Political Stability &amp; Absence of Violence</b>	0.0172	0.3833	0.05
<b>Rule of Law</b>	1.8541	0.4063	0.001
<b>Control of Corruption</b>	-0.8943	0.3457	0.05

All the variables are significant on a 5% significance level. Voice and Accountability is negatively associated with the time to ratification of CRC, thus, the countries with a higher level of Voice and Accountability tend to sign this document quicker than countries with a lower level. However, the countries with a higher level of Political Stability & Absence of Violence and Rule of Law tend to ratify the CRC later.

Another interesting question to explore is the relationship of HDI coefficient and Wait Time to CRC ratification. HDI is significant and positive, which supports the argument that countries with higher level of HDI tend to have a longer Wait Time to ratification. Also notice that the effects of Voice and Accountability and Rule of Law remain the same as in previous model without HDI (see table 5). Even though in the long run, the HDI level was not significant in the logistic model (i.e., it is not related to the country's decision to ratify or not the CRC), for countries which already decided to ratify the document, high HDI corresponds with longer Wait Time until ratification.

**Table 5. CRC: Effects of indicators on wait time to ratification when HDI and democratization indices are included in the model (the proportional odds model)**

	Estimate	Standard error	Significance level
<b>Voice and Accountability</b>	-1.1459	0.2152	0.001
<b>Political Stability &amp; Absence of Violence</b>	0.3572	0.1818	0.1
<b>Rule of Law</b>	1.7632	0.4036	0.001
<b>Control of Corruption</b>	-0.9792	0.3457	0.05
<b>HDI</b>	1.8481	0.9724	0.1

### **CRPD**

For CRPD, the most informative model according to the stepwise procedure includes the Regulatory Quality and Rule of Law indices. The estimated coefficients are presented in table 6.

**Table 6. CRPD: Effects of indicators on wait time to ratification (the proportional odds model, when the time of ratification is in an integer format)**

	Estimate	Standard error	Significance level
<b>Regulatory Quality</b>	-0.358	0.219	0.1
<b>Rule of Law</b>	0.3938	0.218	0.1

All the variables are significant on a 1% significance level. Regulatory Quality is negatively associated with the time to ratification of CRPD. Thus, the countries with a higher level of Regulatory Quality tend to sign this document quicker than countries with a lower level of it. However, the countries with a higher level of Rule of Law tend to ratify the CRPD later because these indices are positively associated with the Wait Time variable. This supports the argument that the less bureaucratic a country is, the faster it tends to ratify the CRPD, and that countries with a complex legislation and a history of law implementation tend to examine and contemplate the document longer. When HDI was included in the model, it resulted in no significant effect of HDI and the significance of all other factors did not change.

### **Discussion and Conclusions**

The multilayered results of this study are displayed in table 7 and discussed per micro- and macro-categories.

**Table 7. Summary of Results: A higher value of the significant Index will have various effects on signature and ratification processes**

<b>U.N. Convention</b>	<b>Significant Index</b>	<b>Effect on signature (Sign/ Not Sign)</b>	<b>Effect on waiting time to ratification</b>
<b>CRC</b>	<b>Voice and Accountability</b>	<i>Less probable (less likely)</i>	<i>Quicker</i>
	<b>Political Stability &amp; Absence of Violence</b>	No significant effect	<i>Longer</i>
	<b>Rule of Law</b>	<i>More probable</i>	<i>Longer</i>
	<b>Control of Corruption</b>	No significant effect	<i>Quicker</i>
	<b>HDI</b>	No significant effect	<i>Longer</i>
<b>CRPD</b>	<b>Political Stability &amp; Absence of Violence</b>	<i>Less probable</i>	No significant effect
	<b>Regulatory Quality</b>	<i>More probable</i>	<i>Quicker</i>
	<b>Rule of Law</b>	No significant effect	<i>Longer</i>
	<b>HDI</b>	No significant effect	No significant effect

### **Effects on Variables**

Different indices have different effects for each one of these conventions, without contradicting each other, but rather complementing each other. This confirms the fact that ratifying one human rights convention does not mean that a particular government is more likely to sign another international treaty. Due to distinctiveness of the very issues under negotiation, and due to differences in cultural and political values across countries, international policies will be adopted differently. Secondly, it means that democracy, as a supraindicator, is impacting how policies for children and people with disabilities are adopted. Thirdly, it also means that democratic and developed countries are not in a race for quick and irresponsible ratification of international documents, but they choose to proceed wisely.

*Human Development Index.* A higher value of the *HDI* is only slightly significant on the ratification of CRC, taking longer time to commit to its implementation, but it does not have any statistically significant effects on the other dependent variables. This means that the degree of development of a country impacts child but not disability policy adoption, and even then only to a small extent.

*Voice and Accountability.* A higher degree of Voice and Accountability results in a less probable signature of the CRC, but a quick ratification. When the population is made aware of a new international document, it either lacks the systemic background and knowledge to interpret the legal jargon, or it misses the comprehensive intentions of the legal document. Novelty usually generates fear of unknown or unintended consequences, confusion, and dramatization. Debates over the issue can delay the signature of the convention until the government takes a position regarding the new document (David, 2002). In this sense, the democratic participation can both help and deter the triggering of a governmental decision to adopt a new piece of legislation. David (2002) further points out that under the CRC, the children are seen as active participants in society, pushing the state in adopting different types of measures and shifting from welfare to legally recognized rights. CRC has embedded civil provisions pertaining to participation, and distances itself from paternalism, requiring a change in

the belief systems of societies and institutions. The welfare of the dependents takes into account both the parent-child and state-family relationships, delaying the CRC ratification. However, once a government decision is taken, the ratification process tends to proceed relatively fast because the debates and legal motions have been already processed.

*Political Stability and Absence of Violence.* In a country with a higher degree of political stability, it is less probable for policies related to disabilities to be signed, and longer for children policies to be adopted into local legislation. When the government is fairly elected by the people and believed to represent the will of the people, then it is less likely to be overthrown by acts of violence and, hence, the differences can be solved nonviolently. As such, longer debates and negotiations can take place to come to a consensus. Domestic as well as international costs need to be taken into consideration. For example, the fact that 69 states that have ratified the CRC mentioned declarations, reservations, and understandings, speaks to the amount of debate that states are going through before ratifying CRC (David, 2002).

Interestingly, the *Government Effectiveness* variable is not significant in either analysis. This means that signature and ratification of some human rights documents do not depend on the quality of public and civil services, as well as on the quality of the policy development and enforcement.

The *Regulatory Quality* variable has a statistical effect only on the CRPD, with a higher level of it determining a more probability to sign and a quicker time to ratify the document. This means that the degree of private sector development impacts the development and enforcement of policies in the favor of people with disabilities. This may be impacted by the fact that, in many developed countries, the hiring of people with disabilities by private companies, results in certain tax reductions for the companies.

*Rule of Law* refers to peoples' perceptions and confidence that the government enforces rules in society. This indicator is significant for both CRC and CRPD, in the similar ways. CRC is more probable to be signed but it takes longer to ratify. The signature of CRPD is not affected by this indicator, but, when it is higher, it takes longer for CRPD to be ratified. These results may have a couple of explanations. First, Nickel (2002) believes that the more experienced the country is with enforcing the law, the more likely is for that government to adopt a law that would ensure its people justice and the protection of the law. In democratic countries, the specifications of such an international human rights law are more likely to be welcomed because they support and complement the developing legal body. However, the international law may not be as specific as the domestic law even in a highly democratic country in regards to all legal, socio-cultural, and economical second-degree implications at the micro domestic level. A democratic system is usually highly bureaucratic and the decision needs to go through various subsystems (institutions) which ensure first the protection of all state citizens, and, second, that the new law is not in conflict with the domestic laws.

Second, when a state has already had in place a law similar to a new international law, there are two possibilities. One is for the international law to parallel the already existent domestic law, in which case ratifying of the new treaty would be redundant

and the government may not want to double the documents. The second possibility is for the new international law to be differently formulated and to even come partially in conflict with the domestic law, in which case domestic negotiations need to take place, ending with the government either not ratifying the document altogether, or ratifying it with reservations. In either case, the highly bureaucratic legal systems would require more time for legislative examination and approval.

The *Control of Corruption* quickens only the ratification of CRC, which means that the less predatory the political elites and other structures, the faster the adoption of child policies. In other words, children benefit when public power is not used for private gain.

### **Signature vs. Ratification**

The most number of significant effects are on ratification, rather than on signature. This could be explained by the fact that the intention to become a party to the conventions does not have as greater consequences as the process of ratification does. Ratification has more political and legislative weight, requiring responsible consideration. Therefore, the date of ratification is much more reflective of the state's democratization and development levels.

### **CRC vs. CRPD and More vs. Less**

The CRC is less probable to be signed when people have more freedom of expression, and there is an eagerness to sign it when the country has an established legislation system. The CRPD is less probable to be signed when there is more political stability and more probable to be signed when the private sector is developed. CRC is quicker to ratify in the presence of free speech and association, but longer to ratify when the government is more stable. The CRPD is ratified quicker when the private sector is favored by policies, but it takes longer to ratify it when a solid legislation is in place. The pattern of the results suggest that if a country signs early, then they are likely to take longer to negotiate the terms of ratification, and vice-versa.

### **General Conclusions**

The conclusions of this study summarize as:

- (a) the rapidity and quantity of ratifications show that countries care about vulnerable populations and are ready to invest in creating opportunities for individual self-realization;
- (b) as the widest ratified human rights treaties, the CRC and CRPD have profound implications on understanding how the states' development and democratization impact how they sign and ratify treaties;
- (c) different indices have different effects on each of the conventions, without contradicting each other, meaning that governments perceive and treat Conventions distinctly;
- (d) the pattern of the results suggest that if a country signs early, then they are likely to take longer to negotiate the terms of ratification, and vice-versa;
- (e) the date of ratification, rather than the date of signature, is much more reflective of the state's democratization and development levels;
- (f) the country's law system is crucial to the adoption of children and

disability policies;

(g) freedom of expression, country stability, absence of violence and corruption, and private sector policy advancement – all influence the adoption of local laws for the vulnerable;

(h) judging by the number of statistically significant indicators, this research confirms to a certain extent one of Vreeland's (2008) and Neumayer's (2005) conclusions that the stronger the democracy and its civil society, the more respect for human rights;

(i) this study confirms Donnelly's argument that "human rights thus can be seen as a self-fulfilling prophecy: 'Treat people like human beings (...) and you will get truly human beings'" (2003, p. 15);

(j) although freedom from poverty is a human fundamental right that contributes to the harmonious development of human beings (Dhillon, 2011; Sustainable Development, 2017), a developed country is not rushing to sign or ratify international human rights documents;

(e) the world is in need for a reconceptualization and recontextualization of children and disability policies, redefining concepts like equity, empowerment, social enterprise, and inclusive development to include these disempowered populations;

(f) a set criteria for programmatic efforts for child and disability policy formulation is needed; and

(g) education and treatment for children with disabilities are public goods that would benefit indirectly the entire society.

### **Future research**

Future research may include (1) running the data on CRC and CRPD protocols for signature and ratification and compare the results with the present study; (2) looking at what type of states (democratic vs. totalitarian) sign and how fast other UN treaties; (3) considering country socio-cultural factors as independent variables in adopting policies for the vulnerable; (4) finding relationships between CRC and CRPD ratification and specific sub-indices of the HDI (such as GDP per capita, gender empowerment, adult literacy, etc.); and (5) looking at possible relationships between CRC and CRPD ratification and the status of countries in their progress towards the SDGs.

## References

- AJMC. (2006). The American Journal of Managed Care - Vulnerable Populations: Who Are They? Retrieved from <http://www.ajmc.com/publications/supplement/2006/2006-11-vol12-n13suppl/Nov06-2390ps348-s352>
- Bissell, S. (2017). Inter Press Service: 25 Years after Rights Convention, Children Still Need More Protection. Retrieved from <http://www.ipsnews.net/2014/11/25-years-after-rights-convention-children-still-need-more-protection/>
- CIA. (2017). The World Factbook: World. Retrieved from <https://www.cia.gov/library/publications/the-world-factbook/geos/xx.html>
- CIFP. (2009). Country Indicators for Foreign Policy: About CIFP. Retrieved from <http://www.carleton.ca/cifp/about.htm>
- CRPD (2015). Convention on the Rights of Persons with Disabilities: Opening for Signature. Retrieved from <http://www.un.org/disabilities/convention/signature.shtml>
- David, P. (2002). Implementing the rights of the child: Six reasons why the human rights of children remain a constant challenge. *International Review of Education*, 48(3–4), pp. 259–263.
- Dhillon, P. (2011). The role of education in freedom from poverty as a human right. *Educational Philosophy and Theory*, 43(3), 249-259. doi: 10.1111/j.1469-5812.2009.00595.x
- Fields, B. A. (2003). *Rethinking Human Rights for the New Millennium*. New York: Palgrave Macmillan.
- HCCH. (2015). Hague Conference on private International Law. Retrieved from [http://www.hcch.net/index\\_en.php?act=faq.details&fid=38](http://www.hcch.net/index_en.php?act=faq.details&fid=38)
- Henkin, L., Cleveland, S. H., Helfer, L. R., Neuman, L. R., & Orentlicher, D. F. (2009). *Human rights*. New York, NY: Thompson Reuters/Foundation Press.
- Kaufmann, Daniel, Kraay, Aart and Mastruzzi, Massimo. (2017). *Governance Matters VII: Aggregate and Individual Governance Indicators, 1996-2007 (June 24, 2008)*. World Bank Policy Research Working Paper No. 4654. Available at SSRN: <http://ssrn.com/abstract=1148386> and <http://info.worldbank.org/governance/wgi/index.asp>
- Lauren, P. G. (2003). *The Evolution of International Human Rights: Visions Seen*. Philadelphia: University of Pennsylvania Press.
- LeBlanc, L. J. (1995). *The Convention on the Rights of the Child: United Nations Lawmaking on Human Rights*. Lincoln and London: University of Nebraska Press.

Milanovic, M. (2009). Territorial Application of the Genocide Convention and State Succession. In Paola Gaeta (Ed.), *The UN Genocide Convention: A Commentary*. Oxford University Press: 2009. Available at SSRN: <http://ssrn.com/abstract=1348678>

MIUSA. (2015). Investing in Youth with Disabilities. Retrieved from <http://www.miusa.org/resource/tipsheet/DPOyouth>

Neumayer, Eric (2005) Do international human rights treaties improve respect for human rights? *Journal of Conflict Resolution*, 49 (6), 925-953. ISSN 1552-8766

Nickel, J. W. (2002). Is Today's International Human Rights System a Global Governance Regime? *The Journal of Ethics*, 6(4), pp. 353-371.

Sen, A. K. (1999a). *Development as Freedom*. Oxford: Oxford University Press.

Sen, A. K. (1999b). Democracy as a Universal Value. *Journal of Democracy*, 10(3), pp. 3-17.

Sen, A. K. (2000). A Decade of Human Development. *Journal of Human Development*, 1 (1), pp. 17-23.

Sen, A. K. (2003). Development as Capability Expansion. In Fukuda-Parr S. and Shiva Kumar A.K. (eds.), *Readings in Human Development*, New Delhi and New York: Oxford University Press, pp. 41-58.

Sustainable Development. (2017). Open Working Group proposal for Sustainable Development Goals. Retrieved from <https://sustainabledevelopment.un.org/sdgs>

UN. (2009). Democracy and Human Rights. Retrieved from [http://www.unis.unvienna.org/pdf/Democracy\\_Human\\_Rights\\_2008.pdf](http://www.unis.unvienna.org/pdf/Democracy_Human_Rights_2008.pdf)

UNDP. (2017). Human Development Reports: Composite Indices – HDI and beyond. Retrieved from <http://hdr.undp.org/en/statistics/understanding/indices> UNDP. (2014).

Human Development Report 2014 - Sustaining Human Progress: Reducing vulnerabilities and building resilience. Retrieved from <http://hdr.undp.org/en/content/human-development-report-2014>

UNESCO. (1997). Declaration on the Responsibilities of the Present Generations Towards Future Generations. Retrieved from [http://portal.unesco.org/en/ev.php-URL\\_ID=13178&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13178&URL_DO=DO_TOPIC&URL_SECTION=201.html)

UNESCO (2009). Education for All: Global Monitoring Report. Retrieved from [http://www.unesco.org/education/gmr2009/press/efagmr2009\\_Chapter1.pdf](http://www.unesco.org/education/gmr2009/press/efagmr2009_Chapter1.pdf)

UNESCO. (2017). Education for persons with disabilities. Retrieved from <http://en.unesco.org/themes/inclusion-in-education/disabilities>

UNHROHR. (2017). United Nations Human Rights Office of the High Commissioner: Committee on the Rights of the Child. Retrieved from <http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx>

UN Treaty Collection Depository. (2017). Chapter IV Human Rights: 11. Convention on the Rights of the Child. Retrieved from [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-11&chapter=4&lang=en#top](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&lang=en#top)

UN Treaty Collection Overview. (2017). Overview: Treaty Reference guide. Retrieved from [https://treaties.un.org/Pages/Overview.aspx?path=overview/treatyRef/page1\\_en.xml](https://treaties.un.org/Pages/Overview.aspx?path=overview/treatyRef/page1_en.xml)

Vollmer, S., & Ziegler, M. (2009). Political Institutions and Human Development: Does Democracy Fulfill its 'Constructive' and 'Instrumental' Role? Policy Research Working Paper, The World Bank. Retrieved from <https://openknowledge.worldbank.org/bitstream/handle/10986/4015/WPS4818.pdf?sequence=1>

Vreeland, J. R. (2008). Political Institutions and Human Rights: Why Dictatorships enter into the United Nations Convention against Torture. *International Organization*, 62(1), 65-101.

World Bank/WHO. (2011). World Report on Disability. Retrieved from <http://bit.ly/2gPNrqG>

WHO. (2010). Concept Note: World Report on Disability and Rehabilitation. Retrieved from [http://www.who.int/disabilities/publications/dar\\_world\\_report\\_concept\\_note.pdf](http://www.who.int/disabilities/publications/dar_world_report_concept_note.pdf)

WHO ECOSOC. (2009). Mental Health, Poverty, and Development. Retrieved from [http://www.who.int/nmh/publications/discussion\\_paper\\_en.pdf](http://www.who.int/nmh/publications/discussion_paper_en.pdf)

Wines, M. (2006). Malnutrition is cheating its survivors, and Africa's future. In Claire Stanford (Ed.), *World Hunger. The Reference Shelf*, 2007, 27(5). Cypress, TX: H. W. Wilson Company.

Youth and the United Nations. (2009). Youth and Disability. Retrieved from <http://www.un.org/esa/socdev/unyin/disability.htm>