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The Happiest Children in the World: The Influence of the Committee on the Rights of the Child on Compliance in Member States. A Case Study of Denmark.

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**The Happiest Children in the World: The Influence of the
Committee on the Rights of the Child on Compliance in Member
States. A Case Study of Denmark.**



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Abstract

The Convention on the Rights of the Child went into force over thirty years ago. It is the most widely ratified treaty in the world, yet many children all over the world find themselves in situations where their rights are violated. This thesis aims to research the Committee on the Rights of the Child's influence on compliance of member states with the objectives of the Convention. Compliance with objectives on the minimum age of criminal responsibility in juvenile justice in Denmark shall be analysed through a single-case study. The theoretical expectation is that through interactions with the member state, the Committee has an agenda-setting influence on the domestic policy-making process, which in turn increases compliance. The research finds that when the member state finds itself in a condition of non-compliance with a particular objective, that the Committee's monitoring and reporting mechanism provides an agenda-setting function and opportunity for Danish parliamentarians to initiate policy that increases compliance.

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1. Introduction

In 2020, Denmark placed second in the overall ranking of UNICEF's child well-being index (UNICEF Innocenti, 2020). Due to their reputation as democratic welfare state, Denmark typically does not come to people's minds when thinking about perpetrators of violating children's rights. Within the literature on children's rights, a bias prevails for reporting the prevalence of violations, and the effectiveness of specific interventions in countries with relatively much room for improvement. The monitoring body of the Convention on the Rights of the Child (hereafter called the Convention or CRC¹), the Committee on the Rights of the Child (hereafter called the Committee or UNCRC) has received limited attention in terms of its influence on ratifying states in enforcing children's rights.

Still, the monitoring of children's rights situations is relevant in all countries. Research in psychology and child studies proves that adverse experiences in childhood continue to affect individuals later in life, particularly their physical and mental health (Anda et al., 2005). Consequences of these adverse experiences can have financial implications for both the individual and society (Know Violence in Childhood, 2017). Thus, it is in the interest of society as a whole that children develop to the best of their abilities, enjoying their rights to the fullest extent. The Committee's opening of the debate on juvenile justice, which was non-existent in many states before the Convention (Cipriani, 2009), allowed for new literature to develop.

This thesis explores the influence of the Committee on compliance by member states with its recommendations and reports, as well as with the treaty itself. A single-case study is conducted on the minimum age of criminal responsibility (MACR) in Denmark, which formally has no separate juvenile justice system. It is guided by the following research question: *How does the Committee on the Rights of the Child influence compliance by member states on children's rights regarding the minimum age of criminal responsibility?*

First, this thesis reviews existing literature on compliance with human rights treaties, and achievements of the Convention, identifying a gap in the literature. Second, a theoretical framework based on domestic politics and agenda-setting is proposed and the research design is explained. The research part will then consist of a thorough content analysis of interactions between the Committee and Denmark, and relevant debates in the *Folketing* (Danish Parliament). The thesis finishes with a conclusion, limitations, and recommendations for future research.

¹ For a list of acronyms, see Appendix I.

2. Literature review

This part explores the literature on compliance, monitoring and reporting mechanisms, achievements of the UNCRC, and juvenile justice.

2.1 Compliance with international human rights

It is difficult to attribute state compliance with international human rights to only one theory (Simmons, 1998), yet much of the literature relies on normative approaches. Simmons (1998) outlined, among other theories, domestic regime factors and normative approaches to explain why governments comply with international law. One such approach is ‘the spiral model’, where interactions between interested actors influence the process of institutionalisation of international norms in the domestic sphere (Risse & Sikkink, 1999). Risse and Ropp (1999) claim that the model is universally applicable, but in its last step, it relies on Western democracies to pressurise other states to comply. This implies that Western states are primarily relevant for their ability to incentivise changes in non-Western states, not as states that follow the model themselves. Correspondingly, research from this book did not include Western democracies in the analyses (Ropp, Sikkink & Risse, 1999).

Other strands of normative approaches emphasise the role of regionality or geographical proximity as socialisation mechanisms (Lutz & Sikkink, 2000; Simmons, 2002; Acharya, 2004). Yet, these approaches cannot explain why neighbouring or otherwise similar states do not follow the same path regarding their compliance with international norms.

Thus, while socialisation is identified as an important factor in the dynamic of international norm diffusion to the domestic (Cardenas, 2004), it is confronted with limited explanatory capacity. Additionally, literature on human rights tends to study states where local norms are further away from promoted norms, thereby neglecting non-compliance in states where promoted norms already overlap with local norms.

2.2 Monitoring and reporting mechanisms

Once international human rights norms spread to a state, compliance with these norms can be checked through monitoring and reporting mechanisms. State parties submit a report to the Committee on the status of children’s rights in their country, in accordance with guidelines for periodic reporting. Other interested actors can submit a report alongside the government. The Committee responds with concluding observations (COs), which include both praise and

critique, based on the submitted reports. These recommendations are commonly identified as soft law, non-binding but nonetheless influential and authoritative (Scheinin, 2000; Saunders, 2012; Sætre, 2017).

Several strengths of the monitoring and reporting system have been identified. Drawing from rational choice theory, Parrat (2010) finds that truthfully reporting to the Committee is the dominant game strategy for liberal democracies, as costs related to false reporting, and the ability to improve domestic problems related to children's rights, incentivise liberal democracies to report accurately. Verheyde & Goedertier (2006) posit that the Committee's functions of raising awareness, educating, and facilitating debate make the reporting system of the UNCRC the best-suited for this treaty. Furthermore, including shadow-reports to make better-informed recommendations contributes to its effectiveness (Verheyde & Goedertier, 2006; Doek, 2011). However, this dependency on external actors can also be considered a weakness (Doek, 2011). Additionally, a backlog of the workload and a lack of resources regarding both time and money are major hurdles (Verheyde & Goedertier, 2006). The effectiveness of the UNCRC system can partly be attributed to these strengths and weaknesses.

Regarding the relevance of COs and follow-ups in human rights law, Scheinin (2000) finds that the Committee's reporting procedures increase compliance in states where human rights standards are relatively high. Goodman and Jinks (2004) identify persuasion and acculturation as positive influences on monitoring and reporting mechanisms and compliance. However, Saunders (2012) posits that the non-binding nature of reporting systems is an obvious weakness, particularly when compared to courts, where victims can claim their rights. Conclusions on effectiveness range from supportive to highly critical, but scholars generally agree that treaties do not cure the world's ill's even if they receive global support (Saunders, 2012). As a solution to these diverging conclusions, Saunders (2012) proposes to analyse the effectiveness of these mechanisms by taking together both court systems, where states can face a judge, and reporting and monitoring systems, where actors report but individuals or groups cannot file claims. While her analysis provides well-thought-out arguments for combining binding and non-binding mechanisms to enforce compliance in theory, this analysis is not applicable to human rights treaties in practice, where binding and non-binding systems are still used as an either/or option.

Hence, while the strengths and weaknesses of the monitoring and reporting approach are analysed extensively, relevant literature on the effectiveness of this approach reaches varying conclusions or includes factors such as courts that are not applicable to the UNCRC system.

2.3 Achievements of the UNCRC

Concrete results of the UNCRC have thoroughly been studied. Kilkelly (1996) analysed the interaction between the Committee and the United Kingdom's government, providing comprehensive insights on the strengths and weaknesses of the Committee and its reporting mechanism.

A broadly accepted conclusion is that governments are reluctant to fully implement commitments from the treaty or the recommendations into domestic policy or law, but that the Committee is effective in changing views on children and providing non-governmental stakeholders with support or tools in children's rights advocacy (Kilkelly, 1996; Lundy, 2012; Arts, 2014). Lundy (2012) finds that individually addressing states with concrete recommendations, and socialisation of norms are found to be most effective for influencing behaviour. Furthermore, promoting legislation in areas that were previously unlegislated, such as juvenile justice, is a strength as this offers children legal protection in areas where they were previously unprotected (Cipriani, 2009; Arts, 2014). While critics identify vagueness as a weakness of the treaty, Arts (2014) contends that this vagueness contributes to the universal applicability of children's rights, as it allows for culturally sensitive approaches to enforcement and implementation. Pawson and Tanner (2005) highlight that the interdependence of provisions in the treaty is one factor to which partial effectiveness can be attributed. Improvement in one area of children's rights does not imply an improvement in other areas, hence, this interdependence limits what conclusions can be drawn from the Committee's effectiveness.

Although achievements by the UNCRC are closely examined, the general applicability of these findings is limited. Early single-case studies are confronted with limited data, and the interdependence of provisions limit what conclusions can be drawn. Furthermore, not much attention is devoted to the state in this research.

2.4 Juvenile justice discourse

Finally, relevant literature primarily addresses juvenile justice in practice. Cipriani (2009), however, provides a historical overview of the discourse and developments surrounding juvenile justice. He illustrates how the Committee positions itself in the MACR discourse, and how it came to publish a General Comment (GC) on this area of children's rights. A shift from a welfare approach, focused on protecting children, to a focus on the punitive aspect, has taken place (Cipriani, 2009). Similarly, Munchie (2008) identifies a

‘punitive turn’ in Europe, where the focus shifts from preventive measures and the well-being of children who violate the law, to punishing them and restoring public order. However, this punitive turn stems from diverse approaches to criminal justice and reveals itself in different manners across states and legal systems (Muncie, 2008). Through the ‘radical pluralist analytical framework’, Cavadino and Dignan (2006) explain how domestic factors influence a state’s approach to their penal system. The authors emphasise the political relevance of their research, as the domestic agenda on penal systems can be linked to a state’s willingness to comply with human rights that affect the penal system (Cavadino & Dignan, 2006). Similarly, the punitive turn may influence state compliance with the UNCRC.

These contributions are valuable in their own academic fields. Nevertheless, a connection is yet to be made between these debates and compliance in the discipline of political science and international relations, and the role of international stakeholders in this seemingly domestic affair.

2.5 Research question

Thus, while a plethora of literature exists on compliance, monitoring and reporting mechanisms, and the UNCRC and its achievements, findings tend to be confronted with limited explanatory power or general applicability. Moreover, literature on juvenile justice has yet to consider a political science approach. Research on the influence of the UNCRC on domestic policy requires a thorough analysis of the government’s behaviour, as well as the state’s follow-up to the recommendations, but this is difficult to conduct (Verheyde & Goedertier, 2006). Interactions between the Committee on the Rights of the Child and Denmark have been analysed descriptively, but no theoretical explanation was provided regarding the Committee’s influence (Jørgensen, Leth & Montgomery, 2011). As coming into contact with the juvenile justice system can be considered an adverse childhood experience that can affect the physical and mental health of individuals later in life (Anda et al., 2005), it is important to analyse the process of policymaking that facilitates this experience. In an attempt to fill the literary gap as identified above, the following research question is proposed: *How does the Committee on the Rights of the Child influence compliance by member states on children’s rights regarding the minimum age of criminal responsibility?*

3. Theoretical framework

Arguments and explanations in the literature review above are met with varying limitations. To analyse the Committee's influence on member state compliance, the following theoretical framework considers (1) types of ratifiers; (2) how treaties influence domestic agenda setting for policymakers; and (3) how recurring (feedback) interactions by external actors have agenda-setting powers.

To clarify why a state complies with an international treaty, one must first consider why the state ratified this treaty. States can be categorised into three types: sincere ratifiers, false negatives, and strategic ratifiers (Simmons, 2009, p. 58). A sincere ratifier is a state that supports the provisions of the treaty, and which expects to comply with the treaty (p. 58). A false negative ratifying state tends to comply with the content or values of the treaty but does not formally ratify it (p. 58). Although the values might align with the state's national agenda, the costs of the act of ratifying itself might not outweigh the benefits, or it might be difficult due to the national legal structure (p. 58). A strategic ratifier ratifies because the short-term costs of not ratifying do not outweigh the costs or benefits related to ratifying (p. 58). This approach is risky for governments, as the long-term costs of commitment and legitimacy may come into play and outweigh the initial (political) benefits of ratifying (p. 58). Thus, the more a government identifies with the values of a human rights treaty, the more likely it is to commit to the contents of that treaty (Simmons, 2009). Human rights treaties tend to align with values that prevail in democracies, therefore democracies are more likely to be sincere ratifiers (Elvy, 2012; Karns, Mingst & Stiles, 2015), and more likely than non-democracies to abide by treaty obligations they have ratified (Hathaway, 2002, pp. 1953-1955). Moreover, democracies are more likely to be responsive to critique from international spheres regarding their human rights performance (Clark, 2018).

Within the field of international agreements, human rights treaties hold a special position regarding stakeholders and rightsholders. Human rights commitments affect the relationship between a government and its citizens, not necessarily relationships between governments, or the government and the international treaty body (Simmons, 2009). Costs which are inherent to other types of international agreements, such as the fear of reciprocal violation, or reputational damage, do not apply to international human rights treaties (Hill, 2010). Thus, the influence of these treaties largely affects and depends on domestic politics (Karns et al., 2015).

Simmons proposes a theory on domestic politics of treaty compliance. According to her, it is extremely unlikely that a government's agenda perfectly aligns with the contents of a treaty (Simmons, 2009). To illustrate, the Convention on the Rights of the Child has been identified as a politically negotiated compromise of governments' wishes (Freeman, 2000). For sincere ratifiers, treaties have agenda-setting influences (Simmons, 2009). This means that the introduction of a treaty or provision in the international arena can incentivise a state to change its priorities or preferences where it otherwise would not have considered taking action (Simmons, 2009, pp. 127-129). However, the author warns that the theory only applies to national legislative agendas and cannot be assumed to translate directly to compliance with the treaty in practice (p. 129). Yet, the Convention has had consequences in states that are generally not associated with blatant or dire violations of children's rights (p. 346). Simmons argues that committing to a treaty provides local actors with stronger arguments in advocating for these rights than they would have had without their government's commitment (p. 126).

Nonetheless, an act of ratification by itself cannot be the driving factor behind drastic changes in a state's behaviour regarding human rights (Clark, 2018, p. 419). Simmons then proposes that her theory contributes to other theories that identify transnational actors, i.e. international organisations, as important agents of change (Simmons, 2009). In a similar argument, several agenda theorists posit that the introduction of focused information can enhance awareness and prioritise a particular issue on the political agenda (Baumgartner & Jones, 1993; Kingdon & Thurber, 2003). Information feedback about specific problems, for example through a reporting system, can put an issue higher on the government's agenda (Kingdon & Thurber, 2003, pp. 197-198). Baumgartner and Jones expand this argument, emphasising that democracies in particular are susceptible to this information feedback (1993). Similarly, Clark finds that follow-ups to ratification, or recurring procedures of reporting positively influence human rights treaty compliance (2018).

Combining these insights, I argue that Simmons' theory on treaties' domestic agenda-setting capacity can be expanded to apply to the reporting cycles of the Committee. This implies that for example, COs from the Committee as information feedback have similar agenda-setting powers to the introduction of a treaty, by way of drawing attention to that treaty and its contents, and by framing a problem through recommendations. Furthermore, I argue, based on Clark's findings, that the domestic agenda-setting capacity does not only affect the national agenda, but affects it in a manner that increases compliance.

Based on the theoretical arguments above, the following assumptions are made. First, states can ratify treaties for different reasons. These reasons affect the degree to which a state

can be expected to comply with the content of a treaty. Second, drawing from the theory on treaty ratification and applying this to recurring interactions or information feedback from treaty monitoring bodies, it is assumed that these interactions have an agenda-setting capacity similar to the introduction of a treaty to a government on its national interests and preferences. Combining these assumptions, the following hypothesis is proposed: *interactions from treaty monitoring bodies to sincere ratifying governments have an agenda-setting influence on domestic legislative actors that increases compliance.*

4. Research design

4.1 Methodology

To answer the research question, a single case study of one provision within the Convention in Denmark is conducted. Advantages of a case study are twofold. First, it includes the ability to intensively study one case and contribute to knowledge on this particular case, allowing for a close conjunction between theory and practice (Halperin & Heath, 2017, p. 216). Second, single case studies contribute to a wider body of literature for comparative purposes and can test a theory to a new relevant case or context (Halperin & Heath, 2017, p. 216). To illustrate the benefits, Kilkelly's (1996) study on the influence of the Committee in the United Kingdom, together with similar case studies, allows for general conclusions to be drawn about the Committee's influence. Likewise, limitations of case studies refer to the limited immediate generalisability of the findings (Halperin & Heath, 2017, p. 217). However, the purpose of this thesis is to enrich the current body of literature on influence by the Committee, and to apply an existing theory on the agenda-setting capacity of treaties to a new context.

To test the hypothesis proposed above and examine the influence of the Committee (independent variable) on compliance with the Committee's objectives regarding the minimum age of criminal responsibility (dependent variable), a content analysis of primary sources is conducted, using sentences and paragraphs as the recording unit. Only sections which address the MACR and the relevant art. 40(3) CRC are included in the analysis. Due to the types of interactions between the treaty body and member state and the number of debates, it is not needed to randomly select data.

4.2 Case selection and data collection

Based on the typical case criteria, Denmark was selected for this case study (Seawright & Gerring, 2008). To test a theory, two criteria must be met in the case selection (Geddes, 2003). First, the case should fit the purpose of the theory, the theory must be applicable to the case (Halperin & Heath, 2017, p. 216). Denmark can be considered a sincere ratifier for several reasons. Firstly, it ratified the Convention in 1991, thereby meeting the most important requirement. Secondly, many of the values of the Danish welfare society, where social security and benefits are held in high regard, have included children since the early 20th century, and can be considered to align with the spirit of the Convention (Jørgensen et al., 2011). Thirdly, Denmark fits the liberal Western democracy typology Simmons (2009) associates with sincere ratifiers (Freedom House, 2021). Finally, Denmark does well in UNICEF's child well-being index (UNICEF Innocenti, 2020). While well-being is not directly related to compliance with the Convention, the report's framework takes into consideration policies at the national level which affect the child's well-being, as well as other factors that directly correspond to the Convention's provisions (UNICEF Innocenti, 2020, p. 6). Thus, it is an indicator of how children are treated overall within the country.

Regarding the second criterium, the case should provide a new test of the theory, it must not be a case against which the theory was already applied (Halperin & Heath, 2017, p. 216). Again, while Jørgensen et al. (2011) analysed interactions between the Committee and Denmark descriptively, no theory has yet been tested against this case.

Additionally, the fact that Denmark formally has no juvenile justice system makes it an interesting case to analyse. For the purposes of this analysis, only Denmark proper is included, not the Kingdom of Denmark.

Official reports to and from the Committee are retrieved from Refworld, a databank of sources related to the international human rights' legal framework. These reports include concluding observations, general comments, and periodic state reports. The analysis looks at sources from 1989 to 2017.² The Convention went into force in 1989, from then onwards Denmark periodically submitted state reports to the Committee. GC No. 24 on juvenile justice, from 2019, is not included, as no relevant change, interaction or reporting cycle has taken place between the last reporting cycle and the time of conducting this analysis. Transcripts of debates that discuss the MACR are retrieved from the Danish Parliament's website. Services on this website differ in their availability in English. For this thesis, a list of translations was compiled

² For a timeline, see Appendix I.

to search relevant key terms in Danish, to find debates, to limit biases introduced through the language barrier and to limit the loss of context in translated documents.³ Documents were translated using online translators such as DeepL and Google Translate. This is because the ability to hire a translator or learn a new language does not fall within the scope of writing a bachelor thesis.

4.3 Conceptualisation and operationalisation

4.3.1 Compliance

Jacobson and Weiss (1998) conceptualise compliance as to whether states adhere to the provisions of a treaty, as well as to whether it is implemented domestically or not. As Denmark did not implement the Convention directly into its legal system, this part of Jacobson and Weiss' conceptualisation is disregarded. Then, Coleman and Doyle conceptualise compliance as "conformity to the rules, laws and norms of a particular regime" (2004, p. 5). A compliance gap is then identified as the gap between the obligations of a state as given by an international agreement, and the state's behaviour in practice (Coleman & Doyle, 2004, p. 6). Three distinctions can be made: compliance with procedural obligations; compliance with substantive obligations; and compliance with the spirit of the treaty (Jacobson & Weiss, 1998, p. 5). Furthermore, assessing the extent of compliance is called "a matter of judgment" (Jacobson & Weiss, 1998, p. 5).

Compliance is operationalised as follows. A distinction is made between substantive compliance and compliance with the spirit of the treaty. Procedural compliance is not within the scope of this analysis. Compliance is identified at the hand of several indicators, which are inductively created.⁴ It is categorised as increase, decrease/non-compliance, or neutral (see Table 1). Neutral is identified when the recording unit indicates that that statement or situation already complies with the Convention, meeting the objectives as expressed in either the treaty or GCs. Whereas substantive compliance can be met at a certain point, compliance with the spirit allows room for improvements, thus neutral compliance with the spirit has been omitted from the coding possibilities. An increase is identified when the recording unit indicates a change towards a situation that aligns more with the objectives of the Convention. Decrease or non-compliance then indicates a move away from the Convention's objectives, or a refusal to comply.

³ For a list of translations, see Appendix I.

⁴ For coding guidelines, see Appendix II. For coding indicators, see Appendix III.

Table 1. Coding scheme of compliance.

	Increase	Decrease/non-compliance	Neutral
<i>Substantive compliance (SC)</i>	SC-I	SC-D	SC-N
<i>Compliance with the spirit</i>	CS-I	CS-D	Not applicable

4.3.2 Influence

Farrer identifies influence when an interest group provides particular resources to politicians, in return for a particular policy outcome that aligns with their interest (2017, p. 12). However, influence can take many shapes and forms and does not necessarily have to lead to compliance. Keck and Sikkink then consider influence as a situation in which one actor can affect policy results or shape the course of a debate on policy (2018, p. 66), without assuming a particular outcome. Regarding the observable implications of the agenda-setting ability proposed earlier, influence can take shape in the form of putting an issue on the national agenda which would not have been on the agenda otherwise (Simmons, 2009).

Influence is operationalised by distinguishing between influence and agenda-setting influence. The value parliamentarians attribute to the Committee when they bring it to the attention of their colleagues is categorised as positive, negative, neutral, or missing (see Table 2). Positive here implies that the parliamentarian mentions the Committee to promote an idea that increases compliance. Negative implies that the parliamentarian aims to promote an idea that decreases compliance. Neutral indicates that reference is made to the Committee, but that no value is attributable to this, it is thus not mentioned to promote an argument. Missing is identified when the Committee or Convention are actually not mentioned, in contexts where other stakeholders are, and thus, the Committee or Convention could have been mentioned.

Table 2. Coding scheme of influence.

	Positive	Neutral	Negative	Missing
<i>Influence</i>	IPos	INeu	INeg	IMis
<i>Agenda-setting influence</i>	ASIPos	ASINeu	ASINeg	ASIMis

5. Analysis

To enhance the reader's understanding of the analysis, a short note on the Danish juvenile justice system is provided. Denmark formally has no separate juvenile justice system. Ever since 1930, the MACR in Denmark has been 15 years old. As stipulated in art. 15, section three of the Criminal Code, children under the age of 15 cannot be held criminally responsible (Justitsministeriet, 2021). Children under 15 are treated in the child welfare system (Storgaard, 2005). In theory, children of age 15 and older are treated in the same criminal system as adults. In practice, however, exceptions or special measures are made or taken for persons under 18 in the areas of sentencing, diversion of the case and sanctions (Kyvsgaard, 2004, pp. 351-352).

5.1 Neutral compliance and no influence (1993-2005)

The first three periodic reporting cycles, which took place between 1993 and 2005, did not contain any relevant indicators for the theoretical expectation. The objectives of the Committee were quite ambiguous in the early years, as art. 40(3) CRC simply stated: "3. States Parties shall seek to promote ... (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law; (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected." (United Nations General Assembly, 1989).

Denmark's first state report dedicated one sentence to the MACR, stating that "acts committed by children under the age of 15 years are not punishable" (UNCRC, 1993, p. 54). In the first CO, the Committee made a broad recommendation for the state to "ensure that proceedings against persons under 18 years of age are fully compatible with the provisions of article 40", indicating non-compliance, but without specifying what changes the state should make (UNCRC, 1995, p. 5).

The second state report addressed several aspects of art. 40, but age in the context of this research was not discussed (UNCRC, 2000, pp. 49-50). The Committee acknowledged improvements made, but also expressed its concerns regarding legislation in the area of juvenile justice (UNCRC, 2001, pp. 7-8).

The third state report reiterated the MACR and explained how children under and above this age are treated (UNCRC, 2005, p. 139). The CO reacted positively to changes in legislation

regarding children under 15 (UNCRC, 2005, p. 11). Furthermore, it repeated its recommendation for Denmark to ensure that its juvenile justice system would be changed to align with the provisions of, among others, art. 40 CRC.

In sum, the first three periodic reporting cycles did not demonstrate any relevant influence of the Committee regarding the MACR. This is not unexpected, as Danish legislation aligned with the treaty's objectives. Therefore, there was no reason for the Committee to attempt to increase compliance.

5.2 An attempt to move to non-compliance (2007-2009)

In its first GC on juvenile justice, the Committee encouraged member states to raise their MACR to at least 12 years old, "to continue to increase it to a higher level," and to not lower it in case it is already above 12 (UNCRC, 2007, p. 11). Furthermore, for children under the MACR, "special protective measures can be taken if necessary, in their best interests" when they commit an offence (p. 11).

In December 2008, proposal B 78 for a parliamentary resolution to be referred to the *Redsutvalget* (Committee on Legal Affairs) to lower the MACR from 15 to 12 years old, was submitted. The proposal was adopted, but in practice the MACR would not be lowered.

Arguments for the proposal were to prevent crime under children, which aligns with the spirit of the Convention. Yet, proposal B 78 primarily indicated a decrease in compliance. This proposal went against the request of the Committee for states not to lower their MACR, but would still uphold compliance with the provisions on paper by not going below the age of 12. Regarding influence of the Committee, none could be identified. During the first debate of this proposal, none of the speakers in parliament refer to the Committee or the Convention, neither on the side of proponents nor opponents (Folketingstidende F, 2008-09).⁵

5.3 Inquiries by parliamentarians: positive and neutral influence identified (2009-2010)

In May 2009, parliamentarian Frederiksen (*Socialdemokraterne*, social democrats, opposition) asked the Minister of Interior and Social Affairs about what the Minister thought of the fact that Danish children's organisations believe that Denmark did not meet its obligations under the UNCRC (Folketingstidende G, 2008-09). The concerns were based on the opinion of Danish children's organisations (Folketingstidende G, 2008-09, 16:16).

⁵ As the APA reference method does provide guidelines for all types of domestic policy documents, the author chooses to follow the Danish Parliament's guidelines on how to reference its sources. This is further explained in the bibliography.

The inquiry by Frederiksen followed from a shadow-report by stakeholders to the Committee. This shadow-report functions as an information feedback mechanism by contributing to the knowledge the member state has on the state of children's rights in their country. Here, the monitoring and reporting mechanism allows for information feedback that gives domestic legislative actors an agenda-setting opportunity. Both Frederiksen and the Minister emphasised that the Convention must be complied with, indicating a positive influence. Yet, Frederiksen did not implicitly ask the Minister to act on concerns voiced in the shadow-report, consequently the agenda-setting influence was coded neutral.

In late 2010, parliamentarian Hækkerup (*Socialdemokraterne*, opposition) asked the Minister of Justice (MoJ) how he believed that lowering the MACR would align with the Committee's recommendations of 2007's GC (Folketingstidende G, 2009-10a). Furthermore, Hækkerup asked questions that implied that other UN bodies disapproved of lowering the MACR (Folketingstidende G, 2009-10b; 2009-10c; 2009-10d; 2009-10e). Regrettably, the answers by the Minister were only retrievable as Danish audio recording, through correspondence with the help desk of the *Folketinge*. As noted earlier, the language barrier is a weakness of this thesis.

Hækkerup's inquiry did indicate a neutral influencing ability of the larger UNCRC framework, through the reference to the GC. Due to the time between the release of the GC and the questions, and the questions being asked as a result from the earlier proposal to lower the MACR, this could not be classified as agenda-setting influence.

5.4 Both increases and decreases in compliance (2010)

In the fourth state report, the Danish government explained its new laws regarding treatment of children under the age of 15 (UNCRC, 2010, pp. 85-87). These changes indicated a decrease in compliance with substantive provisions, as well as with the spirit of the Convention, as the changes allowed the police to play a bigger role in what was earlier a social service-based approach. Yet, more guidelines were installed on the treatment of 15- to 18-year-olds (UNCRC, 2010, p. 86). This increase in protective, age-appropriate measures hint at an increase in compliance with the Convention's spirit. Thus, where in one area of juvenile justice decreases could be noted, in another area Denmark progressed in its ability to protect and enforce children's rights.

5.5. *Move towards non-compliance: positive and negative influences of the Committee (2010)*

In March 2010, a proposal to lower the MACR to 14 years old was submitted. This demonstrated an initiative to decrease substantive compliance with the objectives of the Convention. The bill as proposed acknowledged the UNCRC, noting that it set a MACR lower than 12 years old as internationally unacceptable, and that the age of 14 was mentioned as a suitable example (Folketingstidende A, 2009-10).

During the first reading of the proposal, two broad arguments regarding the CRC came forward. Proponents argued that as the Committee provides the age of 14 as an appropriate example, that lowering it to 14 would not constitute a violation (Folketingstidende F, 2009-10a). Furthermore, they asserted that with the right safeguards, compliance was still ensured. Opponents, however, contended. While 14 was still considered appropriate, lowering did not align with the objectives of the treaty (Folketingstidende F, 2009-10a). Multiple parliamentarians disclosed that the government had manipulated UN information when they said this was fully compliant with UN recommendations, and that it was discovered that this was a lie (Folketingstidende F, 2009-10a, 13:15; 13:32). These statements indicate that proponents attempted to influence the stance of colleagues under false impressions. Barfod (*Enhedslisten* - Unity List, opposition), a firm opponent, emphasised that critique from the UNCRC could be expected if the MACR was lowered without proper justification (14:48; 15:14). Barfod furthermore suggested that Denmark generally ratifies a convention with the intention to abide by it, strengthening the argument that Denmark is a sincere ratifier (16:10). The MoJ however, claimed that receiving critique did not correlate with non-compliance, and that there was no non-compliance (16:11).

From the context of the debate, it was evident that in the background of this proposal, a Finance Act which had yet to pass, played a significant role. The *Dansk Folkeparti* (Danish People's Party), the proposers, would receive support from the *Konservative Folkeparti* (Conservative People's Party) in return for support for the Finance Act (13:50).

During the round of questions, when asked about which experts would recommend lowering the MACR, the MoJ had no answer (Folketingstidende G, 2009-10a). Similarly, when questioned about possible critique from the Committee, the Minister did not believe the proposal would lead to international critique, thereby not attributing any influence of positive or negative value to the Committee (Folketingstidende G, 2009-10b). Yet, when inquired what other states' justification was for raising the MACR, the Minister answered that for Scotland, concerns voiced by the UNCRC motivated Scotland's decision to raise the MACR, thereby

acknowledging its positive influence in terms of improving compliance (Folketingstidende G, 2009-10c).

After the round of questions, no meaningful mentions of the Committee were identified. In the report from the Committee on Legal Affairs, which mainly functioned as an overview of sides and arguments per side, the UNCRC was not mentioned on either side in relation to lowering the MACR (Folketingstidende B, 2009-10). The second debate was concerned with what would happen to children who were sentenced to prison, a subject outside the scope of this thesis (Folketingstidende F, 2009-10b). The MACR was not discussed in the context of lowering it. The third debate was a repetition of arguments proposed by both sides in the first reading (Folketingstidende F, 2009-10c). In the end, the bill was adopted.

Ultimately, proposal L 164 led to a decrease in compliance with the spirit of the Convention, thereby diverging from earlier findings. Similar to proposal B 78, it would uphold compliance with the acceptable minimum of 14 years old. Proponents of the lowering used the Committee's soft phrasing to argue that their proposal did not contravene the Convention, and that Denmark would still comply. Thus, as the Committee was used to promote an argument which would lead to a decrease in compliance, its influence was identified as negative. Opponents then argued that this lowering would result in critique from the Committee and that this would not be in accordance with the Convention. Here, a positive influence could be detected, but this did not lead to anything. This ambiguity in the Committee's wording seemed to prove itself to be a weakness here, as it could be framed to support arguments which would lead to a decrease in compliance. No agenda-setting influence was found.

5.6 Non-compliance acknowledged (2011)

A few months after proposal L 164, the Committee released its fourth CO. While the proposal was not introduced in the state report, opponents were right, and the Committee noted the change in legislation and expressed its deep concerns. It reiterated its earlier recommendation for the state to align its provisions regarding juvenile justice with the objectives of the Convention (UNCRC, 2011, p. 14). This was a clear indication that the Committee regarded this move by the Danish government as non-compliance.

5.7 Positive (agenda-setting) influence of the Committee identified (2011)

Then, a shift in discourse took place which implied positive (agenda-setting) influence of the Committee. Following the publication of the fourth CO, a group of parliamentarians inquired the Minister of Interior and Social Affairs about what concrete initiatives the

government would take to improve areas that the Committee had criticised (Folketingstidende F, 2010-11a). Several speakers emphasised that Denmark received praise from the Committee for several improvements (Folketingstidende F, 2010-11a, 18:12; 18:21; 18:44; 19:22; 19:27; 19:34). The inquirers proposed for the government to raise the MACR, to address the concerns expressed by the Committee (18:21). Opponents of this proposal steered the conversation towards the financial side, but Frederiksen (*Socialdemokraterne*), one of the initiators of the inquiry, brought the UNCRC and its recommendations and critiques back on the agenda (18:32; 18:39). Another initiator asked about the possibility of directly implementing specific recommendations into Danish law, but this question remained unanswered (18:57). Later, Frederiksen asked the *Dansk Folkeparti* (who proposed the lowering in 2010) whether they knew why the Committee was concerned about the lowering (19:16). She framed the question in a way that implied that the move by the party was not in line with the objectives of the Committee. Then, another initiator of this debate expressed her party's appreciation for the UNCRC and its intention to improve the situation of children's rights in Denmark (19:22). Decreases in compliance were only identified when proponents of the current initiative talked about the legislation as changed earlier by proponents of L 164 (19:31). These indicators of decrease were generally followed by statements that explained the intention of the relevant political party to increase compliance by supporting the raise of the MACR (19:22; 19:34). Two days later, the proposal for the resolution which would raise the MACR to 15 was adopted (Folketingstidende F, 2010-11b).

This inquiry was a paragon of the Committee's agenda-setting capacity. The initiators stated that the fourth COs were the reason for this debate. Furthermore, the initiators used the Committee's critique to strengthen their argument, thereby clearly demonstrating how this agenda-setting capacity was utilised to positively influence state compliance. Twice, Frederiksen directly changed the agenda of the debate from the financing aspects back to the Committee. Decreases in compliance were only found when parliamentarians discussed the earlier lowering of the MACR, and thus these indicators for decrease could not be attributed to the current debate.

5.8 Compliance increases, but no influence of the Committee (2011-2012)

In September 2011, general elections were held. The liberal-conservative coalition which lowered the MACR was unable to reunite after these elections, and a centre-left coalition was formed, steering the government in a new direction.

After the elections, bill L 55 was proposed to amend the Criminal Code, by raising the MACR from 14 to 15 years old (Folketingstidende A, 2011-12a). Contrary to expectations based on the previous proposal as well as the theoretical assumptions, although an increase in compliance was evident, no influence of the Committee was identified during this process.

The presentation speech by the MoJ did not name the UNCRC as a party that recommended the raise (Folketingstidende A, 2011-12b). Furthermore, the first debate did not touch upon the UNCRC or the fourth COs. Many arguments went back and forth about weaknesses in earlier arguments by parties who voted for lowering the MACR, which were now proven ineffective or untrue (Folketingstidende F, 2011-12a). Regarding consultations from outside sources, Mikkelsen (*Radikale Venstre*, Danish social liberal party, coalition) criticised the former government for continuing with an initiative when consultation reports did not recommend this (Folketingstidende F, 2011-12a, 17:42). Whether he included the UNCRC here is unclear, as he did not provide any examples or names. Proponents of L 55 expressed their enthusiasm to raise the MACR (18:03; 18:33).

No relevant indicators were found in either the report by the Committee on Legal Affairs, nor the questions to the MoJ on this bill (Folketingstidende B, 2011-12). During the second debate, the chairman of Parliament immediately moved to the voting process (Folketingstidende F, 2011-12b). The bill was adopted. The third debate primarily addressed party's positions on punishments in connection to several ages, and the appropriateness of punishments in relation to the position of victims (Folketingstidende F, 2011-12c). No references were made to the UNCRC framework directly. The MoJ did reiterate Mikkelsen's earlier statement, repeating that the lowering of the MACR earlier went against recommendations by relevant actors, without naming examples of these relevant experts (Folketingstidende F, 2011-12c, 10:41). The proposal as adopted was evidence of an increase in compliance with the treaty (Folketingstidende C, 2011-12).

Where the proposal for the government to later discuss raising the MACR (F 29) was clearly influenced by the Committee's interactions, the treatment of the actual new bill (L 55) did not refer to it at all. Here, the influence of the Committee was coded as missing. Proponents of this raise still achieved an increase in both substantive compliance and compliance with the spirit, but the arguments from question F 29 differed from the arguments asserted during the debate of L 55. Overall, the process indicated both an increase in compliance and a positive attitude towards the Committee, but no direct influence could be attributed to the UNCRC system. Further research on what factors influence this shift, such as the election, is required to explain this unexpected finding.

5.9 Increase in compliance noted (2016-2017)

The fifth state report was very short in addressing the administration of juvenile justice. Paragraph 184 stated that ‘‘The minimum age of criminal responsibility in Denmark is 15 years. Denmark has no specialised juvenile courts.’’ (UNCRC, 2016, p. 26). The first sentence evidently indicated an increase in compliance with the treaty. The Committee noted its appreciation for the government's improvements in several areas of juvenile justice but continued to express its concerns in some others (UNCRC, 2017, p. 12). None of the areas of concern included the MACR, as was the situation in the fourth CO.

5.10 Link to the hypothesis

The theoretical assumption that guides this analysis is that *interactions from treaty monitoring bodies to sincere ratifying governments have an agenda-setting influence on domestic legislative actors that increases compliance.*

Parliamentarian Barfod asserted that Denmark could be classified as a sincere ratifier of treaties. In settings where the member state already complied with the Convention, interactions between the treaty monitoring body and the member state did not demonstrate signs of agenda-setting capacity, as there was simply no need for it in the area of juvenile justice. When domestic legislation changed, the Committee identified non-compliance and the member state was criticised. A group of domestic legislative actors took this opportunity to reverse earlier policy. This agenda-setting capacity was identified in the proposal for a later proposal (F 29) for an amendment as assumed, but surprisingly not in the actual proposal for the amendment (L 55). The discourse surrounding proposal B 78, as well as proposal L 55, may be explained by the punitive turn Muncie (2008) identified in the literature review, as the latter debate primarily discussed failure of the earlier one, which partly based itself on punitive arguments. Still, compliance increased after proposal L 55. In situations where compliance is already neutral, or where there is no decrease or non-compliance identified by the treaty monitoring body, the influence of this monitoring body is thus negligent. Yet, in line with the theoretical expectation, when a situation of non-compliance is identified, the information feedback provided either through, or directly by the reporting and monitoring mechanism of the treaty monitoring body, can influence compliance through its domestic agenda-setting capacity. A negative agenda-setting influence, in which advocates for a decrease in compliance would utilise the Committee to support their argument, was never identified in the analysis. Thereby, the analysis strengthens the argument that the Committee is effective in providing

interested actors, which can range from parliamentarians to stakeholders that submit the shadow-report, with support in children's rights advocacy (Kilkelly, 1996; Lundy, 2012; Arts, 2014).

6. Conclusion

Through a content analysis, this single case study explored the influence of the Committee on the Rights of the Child on compliance in member states regarding their minimum age of criminal responsibility, by analysing interactions between the member state and the Committee through reports, and debates in the Danish Parliament. The hypothesis was based on theories that explained (1) types of ratifiers; (2) how treaties influence domestic agenda setting for policymakers; and (3) how recurring (feedback) interactions by external actors have agenda-setting powers. The Committee was expected to have an influence on Denmark based on agenda-setting capacities, which would increase compliance with the Convention on the Rights of the Child.

The findings of this analysis partly align with the theoretical expectation. The expected agenda-setting influence was identified when the member state did not comply with its obligations under the Convention and was openly criticised for this. The shadow-report and the COs provided an opportunity for parliamentarians to put their issue on the national agenda. Furthermore, parliamentarians utilised the Committee to strengthen their arguments. To answer the research question, it may be concluded that the Committee on the Rights of the Child can influence compliance by member states on the minimum age of criminal responsibility through its reporting and monitoring mechanism, by providing an agenda-setting power for domestic legislative actors.

This research is confronted with several limitations. First, limitations inherent to single case studies include the limited generalisability of the findings. Second, single case studies are subject to selection bias, as the selection of one case excludes many other possible contexts against which the theory can be tested. The third limitation refers to the language barrier. Online translators do not allow for the same accurate interpretation as being or hiring a native speaker, but regrettably, it is not within the scope of a bachelor thesis to learn a new language or to hire an official translator. Through the creation of a list of keywords, which allowed for a global analysis of Danish sources in Danish, efforts were made to limit the influence of this limitation.

For future research, researchers are encouraged to conduct single case or small-n studies on sincere ratifying states, to further test the agenda-setting influences of treaty monitoring bodies. Following from the unexpected findings regarding proposal L 55, further research on the impact of elections on discourse and agenda-setting is recommended. While the MACR is a relatively small issue in the bigger sphere of children's rights, for a child who has, or is believed to have committed a crime, their age can severely affect the path they will follow in the juvenile justice system. Thus, for actors who aim to provide these children with the path that limits the negative impact of this experience as much as possible, it is of high value that literature and research on juvenile justice and how this is shaped, keeps developing.

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8. Appendix I

Table 3. Acronyms.

Convention on the Rights of the Child	Convention or CRC
United Nations Committee on the Rights of the Child	Committee or UNCRC
General Comment	GC
Concluding observation	CO
Minimum age of criminal responsibility	MACR

Table 4. Timeline of sources.

Date	Source
12-10-1993	State Party report: Denmark
15-02-1995	Concluding observations on the initial report of Denmark
31-03-2000	State Party report: Denmark
10-07-2001	Concluding observations: Denmark
30-03-2005	Third periodic report of States parties due in 2003: Denmark
23-11-2005	Concluding observations: Denmark
19-12-2008	B 78 Proposal for a parliamentary resolution to lower the age of criminal responsibility: motion as tabled
17-02-2009	B 78 Proposal for a parliamentary resolution to lower the age of criminal responsibility: first reading
13-05-2009	§ 20-question S 2145 On violation of rights of children
14-10-2009	Consultation questions F, G, H, I, J
22-01-2010	Fourth periodic report of States parties due in 2008: Denmark
17-03-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: bill as submitted
15-04-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: first reading
04-05-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: answer question no. 51
06-05-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: answer question no. 5
06-05-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: answer question no. 8
20-05-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: report

27-05-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: second reading
01-06-2010	L 164 Proposal for an Act amending the Criminal Code, the Code of Judicial Procedure and the Act on State Compensation to Crime Victims: third reading
07-04-2011	Concluding observations: Denmark
26-04-2011	F 29 On the status and rights of children: debate
28-04-2011	F 29 On the status and rights of children: debate (continued)
14-12-2011	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: bill as submitted
14-12-2011	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: presentation speech
20-12-2011	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: first reading
09-02-2012	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: report
21-02-2012	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: second reading
23-02-2012	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: third reading
23-02-2012	L 55 Proposal for amending the Criminal Code, the Code of Judicial Procedure, the Act on State Compensation to Crime Victims and the Road Traffic Act: bill as passed
14-10-2016	Fifth periodic report of States parties due in 2016: Denmark
26-10-2017	Concluding observations on the fifth periodic report of Denmark

Table 5. List of translations.

English	Danish
Child	Børn
Committee of Legal Affairs	Retsudvalt
Convention	Konvention
Code of judicial procedure	Retsplejeloven
Criminal minimum age	Kriminelle lavalder
Danish Parliament	Folketinget
Minister of Justice	Justitsministeren
Penal code	Straffeloven
UNCRC	FN's Børnekonvention

9. Appendix II

Coding protocol

As recommended for research based on content analysis (Halperin & Heath, 2017, p. 349), I developed a coding protocol to consistently guide the analysis.

- Allow categories to emerge out of the data (Bryman, 2004, p. 183). This allows for important material to be incorporated into the coding process that could be significant for the findings of the analysis (Halperin & Heath, 2017, p. 349).
- Code for words that imply a word (Halperin & Heath, 2017, p. 349): sentences or paragraphs are used as the recording unit.
- When speakers during a debate identify a certain type of compliance or influence, and this identification by that speaker leads to a different type of code identified by me, both types are coded and the distinction will be mentioned in the coding appendix. For example, when a speaker discusses something that implies a negative influence, but

they address this to strengthen their argument which can be coded as positive influence, both will be coded with a note attached to it.

- Guidelines for the codes are provided in Table 4 for compliance, and in Table 5 for influence. The actual indicators as coded can be found in Appendix III.

Table 6. Coding guidelines for compliance.

	Substantive compliance	Compliance with the spirit
<i>Increase</i>	Implementation of laws as directly recommended in provisions. Indicators are identified when sentences or paragraphs imply or demonstrate a situation or intention which allows for policy to align with provisions.	Implementation of/changes in laws/policies closer to the spiritual objectives of the Convention. Indicators are sentences or paragraphs that imply or demonstrate a situation or intention which allows for policy to align more with the spirit of the Convention. This does not have to imply an increase in substantive compliance.
<i>Decrease or non-compliance</i>	Implementation of laws directly opposing provisions. Indicators are identified when sentences or paragraphs imply or demonstrate a situation or intention which allows for policy to stray away from the provisions or to directly defy compliance.	Implementation of/changes in laws/policies further from the spiritual objectives of the Convention. Indicators are sentences or paragraphs that imply or demonstrate a situation or intention which allows for policy to stray away from the spirit of the Convention. This does not have to imply a decrease in substantive compliance.
<i>Neutral (and no change)</i>	Laws already align with provisions. Indicators are identified when sentences or paragraphs that imply or demonstrate a situation that aligns with the letter of provisions.	

Table 7. Coding guidelines for influence.

	Influence	Agenda-setting influence
<i>Positive</i>	Positive influence is identified when the Committee is used to promote arguments which aim to increase compliance. Thus, indicators which identify positive influence are linked to an increase in compliance.	Positive agenda-setting influence is identified when the Committee is used to promote arguments which aim to increase compliance, in a situation where without the presence of the Committee, this argument would not be had.
<i>Neutral</i>	Neutral influence is identified when the Committee is mentioned in a general statement, with no motive or argument behind it to support one particular view.	Neutral agenda-setting influence is identified when the Committee is mentioned in a general statement, with no motive or argument behind it to support one particular view, in a situation where without the presence of the Committee, this debate would not be had.
<i>Negative</i>	Negative influence is identified when the Committee is used to promote arguments which aim to decrease compliance. Thus, indicators which identify negative influence are linked to a decrease in compliance.	Negative agenda-setting influence is identified when the Committee is used to promote arguments which aim to decrease compliance, in a situation where without the presence of the Committee, this debate would not be had.
<i>Missing</i>	Missing influence is identified in situations where in the context of the debate, it could be expected that the Committee is mentioned, or where other experts/stakeholders are named but not the Committee.	Missing agenda-setting influence is identified in situations where in the context of the debate, it could be expected that the Committee is mentioned as a factor which motivated the start of this debate, or where other experts/stakeholders are named but not the Committee.

