


From international law to subnational practices: How intermediaries translate the Istanbul Convention

Jonathan Miaz 

Institute of Political Studies, University of Lausanne, Quartier UNIL-Mouline, Building Geopolis 4346, 1015 Lausanne, Switzerland

Matthieu Niederhauser

Institute of Political Studies (IEP), University of Lausanne, Quartier UNIL-Mouline, Building Geopolis, Office 4159, 1015 Lausanne, Switzerland

Martino Maggetti

Institute of Political Studies (IEP), University of Lausanne, Quartier UNIL-Mouline, Building Geopolis, Office 4123, 1015 Lausanne, Switzerland

Abstract

The implementation of international human right treaties is particularly challenging, especially when they entail obligations that apply at the subnational level. In this article, we examine how international law intermediaries translate and use international treaties in subnational policymaking processes. We develop a dedicated analytical framework, and we derive a typology, characterizing different types of intermediaries and systematizing the ways political-administrative actors use international law at the subnational level. On this basis, our empirical analysis shows how the implementation of a crucial treaty—the Istanbul Convention (IC) on preventing and combating violence against women and domestic violence—is shaped by subnational actors and eventually used in policy processes in Swiss cantons. International law is seen not only as a constraint but also as an opportunity and a resource that can be mobilized for different purposes by a variety of intermediaries, including local public officials, MPs, and members of civil society organizations, in collaboration and sometimes in competition with each other. Specifically, our findings indicate that international law intermediaries use these treaties through bottom-up dynamics of engagement according to their agenda and interests and their anticipation of what they can do in their cantonal context, resulting in iterative chains of intermediation. Furthermore, we observe a blurring of the boundaries between rule-makers, intermediaries, and targets, that is, the same actors may perform different roles in a given policy process.

Keywords: federalism, intermediaries, international human rights law, Istanbul Convention, multilevel settings, policy bureaucrats.

1. Introduction

The responsibility for the domestic implementation of international human rights (HR) law not only lies at the central level, but it also involves subnational entities, especially in federal states (Ku et al., 2019; Risse et al., 2013; Wyttenbach, 2018). After the ratification of an international treaty, one might expect it to be implemented via a top-down process spanning across the lower levels of governance. Subnational legislators would adopt the necessary measures to fulfill their obligations in their areas of competence. In practice, however, the implementation of international obligations at the subnational level¹ can be particularly challenging. Existing research has specifically shown that the implementation of international HR treaties is a complex social process (Risse et al., 1999) that is dynamic and iterative (Donald et al., 2020). This complexity increases when international positive obligations directly require subnational actors to take measures because these actors may be disconnected from the international level and they could lack the resources and the expertise to deal with international law (Kaempfer, 2021). In this respect, the literature has mostly focused on issues of compliance, namely the extent to which actors can actually fulfill their obligations (Cole, 2015; Hafner-Burton & Tsutsui, 2005; Hillebrecht, 2014). However, moving

Correspondence: Jonathan Miaz, Institute of Political Studies, University of Lausanne, Quartier UNIL-Mouline, Building Geopolis 4346, 1015 Lausanne, Switzerland. Email: jonathan.miaz@unil.ch; jonathan.miaz@gmail.com

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beyond legal compliance is crucial to grasp these obligations' effects (Schmidt, 2008; Thomann & Sager, 2017). Therefore, in this article, instead of determining whether subnational entities comply with a given treaty or whether there is a gap between international law in the books and how it is enacted, we take the reverse perspective; we study how subnational actors translate international norms in their context and the use they make of them in policymaking processes (Merry, 2006a, 2006b).

We consider these actors *international law intermediaries* because they perform an intermediary function between the global and local levels. In their capacity as intermediaries, they come to understand, interpret, appropriate, and use international obligations in subnational policymaking processes. According to this approach, international law is seen not only as a constraint but also as an opportunity and a resource that a variety of intermediaries, including local public officials, MPs, and members of civil society organizations (CSOs), can mobilize for different purposes, in collaboration and sometimes in competition with each other.

In this article, we examine and systematize these actors' roles. On the one hand, we develop an analytical framework and a typology whose goal is to characterize different types of intermediaries and systematize the political uses of international law at the subnational level by political-administrative actors. On the other, we determine which actors play a decisive role in translating international law into subnational practices and the conditions facilitating or hindering this process. Therefore, our research question is "How is the translation of a crucial treaty that implies direct obligations for subnational entities in Switzerland – the Istanbul Convention (IC) on preventing and combating violence against women and domestic violence – shaped by different subnational intermediaries and eventually used in policymaking processes at the subnational level (Swiss cantons)?" The Swiss case is particularly interesting because it represents an instance of high decentralization whereby cantons dispose of high authority and are entrusted with wide implementation competencies (Lehmbruch, 2019). However, they vary considerably in their political-administrative capacity, resulting in different styles of policy implementation (Battaglini & Giraud, 2003), a feature that provides us additional comparative analytical leverage for examining the local translation and uses of international law.

By doing so, we first contribute to the literature on regulatory intermediaries (Abbott et al., 2017c, p. 16). This theory has shown that regulation must be studied as a three (or more)-party relationship between a regulator, an intermediary, and a target (RIT model). Our study fruitfully combines this "top-down" theoretical conceptualization with "bottom-up" approaches geared toward the translation and local uses of HR law (Merry, 2006a, 2006b; Merry et al., 2010) and legal intermediation processes (Billows et al., 2019) through which "legal rules are interpreted, implemented or constructed once they are passed by public legal institutions" (Talesh & Pélisse, 2019, p. 113). Building on these two streams of literature, we consider intermediation a process in which intermediaries ensure the interlinkage between regulators and regulatory targets by drawing on their capabilities, authority, and legitimacy (Abbott et al., 2017c) and making use of their leeway in shaping the regulatory process. Rather than looking at successful intermediation, we study how actors involved in the intermediation process translate and use the convention according to their goals and by considering the specific political context.

The findings from our interview-based empirical analysis confirm our general expectation that the implementation of international law does not only occur as a top-down process. It is crucially translated through bottom-up dynamics of engagement by subnational actors who use the treaty according to their own agenda and interests and their anticipation of what is possible in their cantonal context. Our results also demonstrate that the type and degree of engagement with the IC vary to a large extent across cantons, from inaction to budget increases, job creation, new or revised legislation against domestic violence, and cantonal action plans on domestic violence. Moreover, our findings indicate that few specialized actors engaged directly with this treaty whereas most of the members of cantonal parliaments involved in the legislative process only come to know it through the mediation of these few actors. In turn, the extent to which engagement leads to policy outputs critically depends on the political support for these measures in the cantons under investigation. In that regard, this study shows that engagement depends on the presence of a network of key actors within the administration and the parliament—which we will classify as different types of international law intermediaries—and on a favorable balance of power in the parliament or the government.

We structure the remainder of our article as follows. The next section outlines our expectations based on a combination of theoretical perspectives. Afterward, we present our research design and the empirical analysis of the social and political uses of the IC in Swiss cantons. Before concluding, we develop a schematic representation

of the relationships among intermediaries, and we derive a typology systematizing these intermediaries' main features.

2. Theoretical perspectives and expectations

2.1. Human rights treaties and subnational policymaking processes

Along with the proliferation of international HR law (Schmid & Altwicker, 2015), academic scholarship has flourished on the impact of international HR law on the practices of governments (Hafner-Burton & Ron, 2009; Hafner-Burton & Tsutsui, 2005), compliance, and the domestic implementation of HR law (Betts & Orchard, 2014; Cole, 2015; Donald et al., 2020; Donald & Speck, 2020; Hillebrecht, 2014; Krommendijk, 2018; Murray & Long, 2022; Risse et al., 2013), domestic institutions (Keller & Sweet, 2008; Risse et al., 1999), and domestic politics (Dai, 2013; Simmons, 2009). In that regard, it has been noted that international HR law can lead to domestic change through a process of socialization whereby pressure on governments comes “from above” and “from below” (Risse et al., 1999, p. 276).

Nevertheless, little attention has been given to the subnational level (Ku et al., 2019; Risse et al., 2013; Wytttenbach, 2018). This constitutes a serious gap, especially for research on federal states, wherein subnational entities are often expected to legislate to implement HR treaties and comply with their obligations (Schmid, 2019). This process deserves special attention because it can be seen as a crucial manifestation of complex multilevel dynamics, whereby norms established at the international level should be implemented at the subnational level, bypassing the national level, by actors that are particularly remote from the original rule-makers (Maggetti, 2021).

2.2. Studying international law intermediaries and their intermediation function

Therefore, we seek to understand how subnational actors engage with HR treaties after their ratification, that is, how they translate and use them in subnational policymaking processes. These actors can be considered *international law intermediaries*.

Regulatory studies traditionally view regulation as a two-party relationship between a regulator and a target. However, researchers have begun to examine the role of third-party actors, called regulatory intermediaries (Abbott et al., 2017b). In the RIT model, regulatory intermediaries are defined as “any actor that acts directly or indirectly in conjunction with a regulator to affect the behavior of a target. The intermediary is a go-between, whose presence necessarily makes some aspects of regulation *indirect*, as the intermediary stands between the regulator and its target” (Abbott et al., 2017c, p. 19). These intermediaries can perform a variety of tasks in the regulatory process in a more or less formalized way (Brès et al., 2019), ranging from offering advice and expertise to monitoring and enforcement. In particular, they facilitate implementation by interpreting, clarifying, elaborating, and adapting rules, for particular circumstances of the targets, converting them into practical forms, creating guides, or elaborating best practices (Abbott et al., 2017c). Several types of intermediaries with different goals and interests can be sequentially involved in “regulatory chains” (Abbott et al., 2017c, p. 24). The regulatory intermediaries approach has notably been applied to explore the role of national HR institutions as intermediaries in global HR governance (Pegram, 2015). Some recent HR treaties indeed establish international bodies of independent experts and prescribe the designation of national institutions for monitoring and implementation, which can be qualified as international intermediaries and national intermediaries, respectively (Pegram, 2017).

A second body of literature on intermediaries in the field of law and society, more precisely in the new legal realist movement, is also of interest for our research because it underlines intermediaries' roles in transnational processes (Shaffer, 2012) and focuses on how international norms are used, appropriated, and translated into local contexts (Merry, 2006a, 2006b) as well as on the contingent and processual aspects of legal intermediation (Billows et al., 2019). Although these scholars applaud the increasing examination of regulatory intermediaries, they criticize this latter approach for still being a top-down and law-first approach (Gray & Péglise, 2019) (see also Thomann, 2015 for a similar critique of the literature on European Union implementation). These authors advocate for a bottom-up, interactive, and inclusive approach taking into account the varieties of legal intermediaries, be they legal or nonlegal actors, occupying a formal or informal function, even working at the frontlines (Gray & Péglise, 2019; Péglise, 2019). Accordingly, “rule intermediaries [are] state, business, and civil society actors that affect, control or monitor how legal rules are interpreted, implemented or constructed once they are passed by public legal institutions, facilitate, and inhibit social change in society” (Talesh & Péglise, 2019, p. 113). The logics of

their specific fields, shaped by their social and professional background and the political context, “influence the way that intermediaries understand and construct law” (Talesh & Péliisse, 2019, p. 137). Consequently, varieties of legal intermediaries are involved in legal intermediation processes, including actors who are not legal professionals (Péliisse, 2019) and who can be situated at different “levels,” such as “macro-level actors” (e.g., actors of a “reform network” at the national level) and micro-level ones (e.g., managers and directors of bureaucracies) (Vincent, 2019), and even “insider activists” in organizations targeted by regulations (Butcher, 2019).

This article builds on a fruitful hybridization of these streams of literature to make an original contribution to the study of intermediaries. Theoretically and substantially, we are interested in how a regulatory instrument, such as an international HR convention, affects subnational policymaking processes. Therefore, conceptually, we first rely on the regulatory-intermediaries framework and the RIT model (Abbott *et al.*, 2017c). This general dynamic model of intermediaries in regulatory governance allows us to examine the multiple roles played by a diversity of actors as formal or informal, direct, or indirect go-betweens between a regulator and its target (Abbott *et al.*, 2017a, 2017c). At the same time, to go beyond a top-down perspective on regulatory processes, we methodologically and epistemologically align with the bottom-up and processual approaches on translation and on legal intermediation. Through the notion of vernacularization, Merry (2006a, 2006b) focuses on the processes through which legal norms and regulations are interpreted, adapted, and translated into local contexts, and through the notion of legal endogenization, legal intermediation scholars underline how their content and meaning are determined by the social field they seek to regulate (Edelman, 2016; Péliisse, 2019). The literature on legal intermediaries also highlights the varieties of intermediaries who participate in the legal intermediation process. In sum, our analytical framework combines the systematic empirical and conceptual focus of the regulatory intermediary perspective on the role of intermediaries in regulatory governance with distinctive insights offered by new legal realist perspectives.

2.3. Expectations

From the combination of these bodies of literature, we derive the following four open-ended expectations, in line with our exploratory approach:

- 1 The incorporation of international law in the policymaking process occurs not only according to a top-down implementation and systematic interpretation of the treaty but also through bottom-up dynamics of engagement by which subnational actors translate and use international law.
- 2 Subnational actors in charge of implementing HR treaties are distant from the original rule-makers at the international level, making the translation of international law particularly complex and demanding. Therefore, we expect that highly specialized subnational actors ensure this intermediation function because of their expertise and intensity of preferences.
- 3 The boundaries between actors and between their functions—rule-makers, intermediaries, targets—is expected to be blurred, that is, the same actors may perform different roles in the sequences under consideration. This implies that some actors may be part of the target and simultaneously perform an intermediary function toward subnational targets.
- 4 Various types of intermediaries with distinctive goals and interests are involved in the intermediation process. Therefore, the local uses of a treaty are expected to be aligned with the various types of actions they take as intermediaries.

3. Research design

3.1. The Swiss case

Switzerland is a particularly interesting case for examining the issues at stake. To begin with, it is a small country with an open economy (Katzenstein, 1985) that is not member of the EU. These features make it potentially vulnerable at the international level, raising the relevance of an engagement with international law. Furthermore, given its largely decentralized political system, the 26 cantons enjoy a great deal of autonomy in implementation (Lehmbruch, 2019; Vatter, 2018). The cantonal level also provides us analytical leverage because cantons significantly vary in their size and population as well as in the capacities of their governments, parliaments, and municipalities (Battaglini & Giraud, 2003). Therefore, Switzerland offers an ideal setting for observing the role of

intermediaries at the subnational level, that is, a case in which the intermediary function at the subnational level is particularly important. This configures a “most-likely case,” offering opportunities to apply counterfactual reasoning: If local intermediaries are not active there, they are likely to be even less so in other cases. In this sense, the Swiss case could provide interesting insights from a comparative perspective.

3.2. Data and methods

To explore our expectations empirically, we combine two qualitative datasets based on evidence that we collected in 22 cantons (out of 26) and at the federal level.² First, we collected official documentary sources at the federal and cantonal levels to retrace the ratification process of the IC and the parliamentary follow-up at the federal and subnational levels. To do so, we relied on the federal government dispatches accompanying federal bills, governmental reports, and official administrative documentation related to the IC and its implementation at the federal and cantonal levels. We also collected documentation at the cantonal level, consisting of official and legislative documents, as well as parliamentary interventions, cantonal government responses, and parliamentary debates in 22 cantons (see Supporting Information I). Second, to understand how the relevant juridical, political, and bureaucratic actors translate and use the IC, we conducted 49 semi-structured interviews with 22 members of cantonal parliaments in 4 cantons, 24 cantonal officials in 18 cantons, 1 member of a cantonal government, 3 members of the federal administration (Federal Office of Gender Equality, Federal Office of Justice, Federal Department of International Law), and 1 member of a civil CSO. The interviews lasted an average of 1 hour and 49 minutes and were designed to explore actors’ understanding and interpretation of HR law and its use at the subnational level (see Supporting Information II).

We analyzed this data using thematic content analysis and interpretative qualitative methods (Dubois, 2009; Yanow, 2000). The first step was the identification of themes and patterns across the documents and the interviews with the software MAXQDA. Then, we reconstructed and retraced the political and bureaucratic processes referring to the intermediation function, paying special attention to the different uses of the IC in Swiss cantons at the executive and legislative levels and to the mechanisms through which the IC affects cantonal policymaking processes. Finally, we examined the contextual features and characteristics of the interviewees that may be associated with specific uses of the convention. On this basis, we distilled analytical narratives about the translation and uses of the IC at the subnational level, which we present in the next section, in which we seek to evaluate the congruence of empirical evidence with our open-ended expectations (Blatter & Blume, 2008).

4. Empirical analysis: Varieties of international law intermediaries and their social and political uses of the IC

In this part, following Péliisse, who proposes “to extend the analytical category of legal intermediary to all actors who, even if they are not legal professionals, deal [...] with legal categories and provisions” (Péliisse, 2019, p. 101), we analyze the roles of a variety of international law intermediaries situated at different levels (Vincent, 2019) in the process of implementing the IC. In what follows, after having briefly presented the IC and outlining its implementation provisions in Switzerland, we specifically analyze the role of federal and cantonal (specialized) bureaucrats, members of cantonal parliaments and governments, and CSOs.

4.1. The IC and its implementation in Switzerland

The Council of Europe Committee of Ministers adopted the IC, officially the *Convention on preventing and combating violence against women and domestic violence*, on April 7, 2011. The IC takes a global approach in combating violence against women and domestic violence (Lempen et al., 2015). It requires states to ensure a gender perspective is applied when they design measures in the implementation of the convention and when they evaluate their impact. In accordance with this global approach, relevant policies should include different actors and agencies that take several measures to provide a holistic response to violence against women.³ The convention entered into force for Switzerland on April 1, 2018. According to art. 10, IC states shall “designate or establish one or more official bodies responsible for the co-ordination, implementation, monitoring and evaluation of

policies and measures.” Switzerland decided to designate one official body at the federal level: the Domestic Violence Domain of the Federal Office for Gender Equality (BFEG).⁴

The implementation of the IC is a transversal task, involving various policy fields, actors, and institutions at the federal and cantonal levels. Some obligations concern the federal level, and others fall directly within the competencies of the cantons, such as the obligation to take legislative measures or other measures to provide for the setting up of shelters in sufficient numbers for victims of domestic violence (art. 23 IC) and of support for victims of sexual violence (art. 25). Some obligations also fall within cantonal competencies related to awareness raising (art. 13); education (art. 14); training of professionals (art. 15); preventive intervention and treatment programs for perpetrators (art. 16); and tasks related to criminal prosecution and security measures, threat management, preventive police work, the medical care of victims of violence and forensic documentation, and the protection of the child and the adult.⁵ In addition to the BFEG, the Conference of Cantonal Ministers for Justice and Police and the Conference of Cantonal Ministers of Social Affairs, two intercantonal conferences ensuring horizontal coordination (Schnabel & Mueller, 2017), mandated the Swiss Conference against Domestic Violence (CSVD) to facilitate the intercantonal implementation of the convention.⁶ The CSVD regroups cantonal officials who are in charge of domestic violence issues.⁷ However, as we will see, the BFEG and the CSVD leave wide maneuvering room for the cantons to take measures or not.

4.2. Domestic monitoring and framing intermediaries: The Federal Office for Gender Equality, the Swiss Conference on Domestic Violence, and their coordination strategies

In the case of international treaties such as the IC, the regulator corresponds to state parties, which act collectively at the international level through the convention (Pegram, 2017, p. 228). The targets are the individual states, including subnational entities. Ultimately, targets must implement the rules, while intermediaries are in charge of facilitating many aspects of implementation (Abbott *et al.*, 2017c, p. 22). Following the terminology put forward by Pegram (2017), the IC foresees an international intermediary (GREVIO⁸), a national intermediary (BFEG), and an intercantonal intermediary (CSVD) that are responsible for monitoring the implementation of the convention. In addition, intermediaries are also established at the subnational level in all cantons in Switzerland, as we will see in the next section. This sequence constitutes a “chain of intermediaries” (Abbott *et al.*, 2017c, p. 25), involving formal and informal intermediaries, who are not only legal professionals and compliance experts but also nonlegal professionals (Pélisse, 2019), situated at the international, national, intercantonal, and cantonal levels (Vincent, 2019).

The BFEG is responsible for monitoring the implementation of the IC, namely through a committee that aims at ensuring the coordination of tasks between the federal state and the cantons. In 2018, the committee established an “implementation concept,”⁹ which aims to clarify the collaboration between the federal state and the cantons and the role of all the relevant actors in the implementation. This document acknowledges the fact that large parts of the convention fall into the competencies of the cantons and specifies that, in such cases, the cantons are responsible for completing the necessary measures.¹⁰ In 2022, the federal government (at the request of the federal parliament) charged the BFEG to draft a national action plan 2022–2026 for the implementation of the IC.¹¹ This action plan identifies priority fields and measures to be taken during this period, both at the federal and cantonal levels. Most of the measures regard information campaigns to the public and training for professional staff and volunteers, for which funding was made available. The BFEG also coordinates the implementation and monitoring of this action plan.

The BFEG also has regular exchanges with the CSVD. As the BFEG does not have contact with individual cantons, the CSVD acts as a “seismograph on the field”¹² for them in order to know what cantons concretely do. The CSVD plays an important role in guiding cantonal practices. Upon receiving its mandate, the committee of the CSVD decided to do a stock-taking exercise in order to identify the current needs for cantonal implementation. On this basis, it published a report in September 2018 on the implementation of the IC at the cantonal level.¹³ One of the co-presidents of the CSVD explained that this was done by translating and adapting the IC into priority fields of action through a back-and-forth process between the needs identified in the field and the content of the convention (Interview excerpt [1], see Supporting Information III). In that way, the CSVD tries to influence or orient the cantons’ practices, undertaking a typical function of an intermediary: facilitating

implementation (Abbott et al., 2017c, p. 22). Furthermore, it carries out a legal intermediation work (Pélisse, 2019; Talesh & Pélisse, 2019), translating international law into recommendations for cantonal measures, without a mandatory dimension.

To sum up, the implementation of the IC is monitored, at the federal level, by the BFEG and, at the inter-cantonal level, by the CSVD. These two bodies carry out a work of coordination, information, synthesis, and oversight toward the cantons. In doing so, they can be considered as formal regulatory intermediaries (Abbott et al., 2017c), officially designated as such by the federal and intercantonal authorities. Through the formulation of an implementation concept and an action plan by the BFEG and of a report on the implementation at the cantonal level by the CSVD, these two actors formulated guidelines and priority fields framing the cantonal implementation of the convention. This guiding role is important as it can shape the ways cantonal actors—especially public officials—understand the convention and the measures to take to implement it. However, this role is limited as it does not have any mandatory force.

Beside these two “designated” intermediaries, CSOs also play a role as domestic monitoring and framing intermediaries at the federal and intercantonal levels, as well as at the cantonal one. Actors such as the IC Network and some organizations that are part of this network (such as Brava, *die feministische Friedensorganisation*, and *Dachorganisation Frauenhäuser Schweiz und Liechtenstein*) perform lobbying work at the federal and cantonal levels to encourage the implementation of the IC and to go further with the interpretation of the convention. They also provide advice and support to federal and cantonal political and bureaucratic actors. They specifically wrote an alternative report addressed to the GREVIO in its evaluation of Switzerland. In doing so, this network consulted its member organizations, which made specific observations from the field regarding various issues covered by the IC. Eventually, the IC Network claimed for a more inclusive approach, more “political will,” and more “financial resources” to take necessary measures against violence and in favor of those affected.¹⁴

4.3. Agenda-setting intermediaries

Moving on to the subnational level, this section examines the role of several cantonal actors acting as agenda-setting intermediaries, using the IC to put the implementation of the treaty and/or the issue of domestic violence on the political agenda. We will see that this role may be played by members of cantonal parliaments, members of the civil society, and cantonal bureaucrats.

4.3.1. Putting the implementation of the IC on cantonal political agendas: The role of parliamentarians and CSOs

In cantonal parliaments, MCPs may act as agenda-setting intermediaries, using the IC as a political argument to put either its implementation or the fight against domestic violence on the cantonal political agenda. Most of the time, they use parliamentary interventions (motions, postulates, interpellations, or questions) to ask what the canton does to prevent and fight domestic violence¹⁵ or to implement the IC.¹⁶ Most of these agenda-setting intermediaries are women committed to the women’s cause from the Social Democratic Party of Switzerland (called Socialist Party [SP]), at times in collaboration with women from the Green Party, more rarely with women from other political parties. In several cases, these parliamentary interventions relayed, in their own canton, an intervention template that was drafted by the “socialist women,” a group within the SP, together with the NGO Brava and the IC Network (of which Brava is part), which provided support and information. Thus, CSOs play an important role as an intermediary through agenda-setting activities, lobbying, information, and support to political and bureaucratic actors, feedbacks to the GREVIO (through their alternative report), and involvement in cantonal legislative processes. The intervention template was designed for cantonal parliamentarians, and it contains questions for the cantonal government on the implementation of the IC. It was then sent out to all of the SP cantonal sections, with a suggestion to submit it to their respective governments.¹⁷ This coordinated action also shows that we cannot disregard the national level while we analyze the internationalization of subnational policy processes.

In the canton of Zurich, a large German-speaking canton with a balanced parliament with a right-wing majority, a group of cantonal SP parliamentarians submitted a series of interventions related to the IC. The fight on violence against women had been defined by the cantonal SP as a priority at the beginning of the legislature. The first intervention, submitted on September 3, 2018, was inspired by a newspaper article about an increase in violence against young women. Exactly three months after, a second intervention followed the intervention template sent out by the national SP.¹⁸ One of the MPs who submitted these interventions sees herself as an agenda-

setting actor, whereas she identifies the administration as a more operational actor (Interview excerpt [2]). These interventions reached their goal, receiving media coverage. The specialized bureaucrats from the Zurich Intervention Centre against Domestic Violence perceived the interventions positively, as they helped in legitimizing and supporting their action and putting pressure on the government.¹⁹ Indeed, shortly after these interventions, on February 27, 2019, the cantonal government decided to include a focus on violence against women in its law enforcement strategy 2019–2022. Two years later, the government adopted an action plan containing 16 measures, which all refer to specific articles of the IC.²⁰

4.3.2. Putting the IC on the institutional and political agenda: The pivotal role of specialized policy bureaucrats

Cantonal policy bureaucrats in charge of gender equality and/or preventing and fighting domestic violence can be pivotal agenda-setting intermediaries, as they may initiate and draft legislative reforms, policy measures, or new pieces of legislation related to the IC. They may use the convention as an opportunity and an argument to support legislative and policy proposals that are part of their political agenda promoting gender equality and combating gender violence and domestic violence. When setting the issue on the agenda, cantonal officials can influence the following stages and the outcome of the process and anticipate possible blockages so as to formulate a proposition that will gather a majority in the cantonal government and parliament.

In the small canton of Schaffhausen, following a proposal of the cantonal administration, the cantonal government filed a request to the cantonal parliament for a supplement added to the cantonal budget for a new commitment credit of a total of 150,000 Swiss francs spread over three years for the creation of a Coordination Office for the prevention of violence against women and domestic violence with the explicit aim of implementing the convention. A policy bureaucrat of the Office of Social Affairs (*Sozialamt*) attended a conference in Bern in 2019, during which the IC and what was expected from the cantons were presented. He told us that the experiences of other cantons shared during this conference were crucial for triggering this proposal (Interview excerpt [3]), in combination with another key factor—that is, pressures exerted by CSOs (Interview excerpt [4]). In this case, the policy bureaucrat used insights from the conference to put the IC on the cantonal political agenda and to propose the creation of a coordination office aimed at implementing the IC. Thus, an event organized by a CSO contributed to reinforcing the pressure on cantonal authorities to take measures on the issue of domestic violence. For this bureaucrat, this “pressure” was welcome, as it gave him political resources to support the legitimacy of this proposal. Hence, as he underlines, the IC and the pressure of civil society created a window of opportunity to develop the cantonal policy preventing and fighting domestic violence, as it participates in legitimizing that there is a need for action and that the canton must comply with the treaty (Interview excerpt [5]).

In some instances, policy bureaucrats not only put the issue on the political agenda but also drafted a law reform project. As such, they can be considered subnational translating intermediaries (see next section). The following example shows how the IC created an opportunity for an Equality Delegate to set the issue of domestic violence on the political agenda through the initiation of a legislative process. In Neuchâtel, a small French-speaking canton, the head of the Office for Family Policy and Gender Equality (hereafter, the “Equality Delegate”) planned a new cantonal report on domestic violence for 2018 because the last one dated back to 2008. As the IC entered into force in Switzerland around the same time (April 1, 2018), she considered it an opportunity to reform the existing cantonal law on domestic violence—*Loi sur la lutte contre la violence dans les relations de couples (LVCouple)* (Act on the fight against violence in couple relationships)—which dated back to 2004, so as “to adapt it to the IC.”²¹ In this process, she told us, the role of the BFEG and the CSVD was mainly informative: “the cantons are still sovereign to apply [the IC], due to federalism”²²; in other words, they have a certain room to maneuver for implementing (or not) the convention in one way or another. Thus, she used the ratification of the convention and the “obligation” to implement it as a means to support her draft legislation. The report presenting the new legislation to the cantonal parliament mentioned that the canton “will be able to honour its obligations coming from the signature of the Istanbul Convention.”²³ The IC also enabled her to reframe the issue, for instance, by linking domestic violence to gender inequalities. Similarly, it enabled her to modify the scope of the new legislation: from “violence in couple relationships” to “domestic violence” as mentioned in the IC, which is a more global concept, including persons who are no longer in a relationship and children.²⁴ The new legislation first had to be supported by the minister in charge, the whole cantonal government, and, finally, the cantonal parliament in November 2019. The project received a wide support during the whole process, notably because

the topic is widely supported along the political spectrum, and it was successfully adopted by the cantonal parliament with only minor changes. However, this is also due to the fact that the Equality Delegate had softened the draft and sometimes limited propositions to ensure that a majority of the cantonal parliament would support the legislative project.²⁵ In this example, the Equality Delegate acted as an agenda-setting intermediary, using the convention as a tool to set the issue on the agenda, to impulse a law-making process, and, as an argument, to ensure the adoption of the legislation. At the same time, she also acted as a translating intermediary when she used the IC to draft the law reform. For these specialized policy bureaucrats who can be considered as “state feminists” (or “femocrats”) (Bereni & Revillard, 2018), the IC represents an opportunity to initiate, reform, develop further, or strengthen a public policy in a direction that conforms to their own interests and ideas of the problem. Mobilizing the IC, either as a reference or to draft a legislative reform, they act as “insider activists” who are involved within organizations in the endogenous reinterpretation and transformation of legal rules (Butcher, 2019) and who face various kinds of opportunities according to each cantonal political context.

In sum, this section shows that multiple actors—specialized policy bureaucrats at the cantonal level, members of cantonal parliaments, a network of CSOs, and its individual members—act as agenda-setting intermediaries at the subnational level, putting the implementation of the convention and its specific issue (domestic violence) on the political agenda. Although, in several cases, this was followed by the adoption of policy measures (new law or law reform, action plan, or strategy against domestic violence); in other cases, the cantonal government only answered by describing the existing measures without engaging further with the convention and its obligations. In such cases, the government might play the role of “veto player” intermediaries, a concept we develop in Section 4.5.

4.4. Translating intermediaries: The role of specialized policy bureaucrats to translate the convention into policy measures

The notion of translating intermediaries refers to actors who interpret, convert, and adapt treaties into policy measures, including new pieces of cantonal legislation. In this section, we mainly focus on specialized policy bureaucrats²⁶—here, corresponding to cantonal bureaucrats specialized in gender equality and/or in preventing and fighting domestic violence—who are usually in charge of elaborating these proposals. Besides policy bureaucrats, members of cantonal parliaments and civil society actors can also take the role of translating intermediaries involved in the drafting of a legislative proposal—for example, by sitting in commissions on domestic violence working on these drafts. Before continuing, an important caveat is that organizational differences across cantonal administrations produce variations in the type of relevant policy bureaucrats (Supporting Information IV); we will treat them as functional equivalents while also paying attention to the possible impact of these differences on the final results.

4.4.1. Specialized policy bureaucrats and the implementation of the convention

To most of the specialized bureaucrats, the IC was an opportunity to engage with the prevention and fight against domestic violence (and sometimes against violence against women). In some cantons, the treaty served specialized policy bureaucrats—especially Equality Delegates—to *legitimize an approach framing domestic violence and violence against women as gender-based violence and as a violation of human rights and a form of discrimination against women* (Interview excerpt [6]), as part of the struggle for equality between women and men.²⁷ This framing, in line with the “gender-sensitive” and “integrated policies” approach promoted by the IC, suggests that one should combine measures of prevention, protection, and prosecution. Thus, for several specialized policy bureaucrats—especially in gender equality offices—the IC offered a foothold in the path that was already taken or that they were advocating for. The IC provided them with additional arguments and “stronger” legal bases that “comforted” them in their mandates (Interview excerpts [7] and [8]) and that allow them to develop further not only the existing policy on domestic violence but also legislations on equality and the fight against gender-based violence and discriminations.²⁸ Referring to international law helps these specialized officials to legitimate the approach in terms of gender-based violence and gender equality including prevention and repressive dimensions, in a context where gender equality policies remain highly contested in Swiss politics, and Gender Equality Offices are contested institutions with weak legal foundations and insufficient resources and competences to fulfill their assignments (Fuchs, 2018).

Officials make use of the IC for rethinking and reframing the issue of domestic violence, as well as for *reforming and updating an existing legislation*. As an Equality Delegate explained to us, the IC served her to consider different family configurations beyond the couple relationships and to include the fight against forced marriage and female

genital mutilations in the legislation (Interview excerpt [9]). Hence, her project of a new cantonal law on the “fight against domestic violence” is intended to “adapt” the former law (“against violence in couple relationships”) “so as to bring it into line with the definitions of the Istanbul Convention.”²⁹ This is aptly described as “a bit of an artisanal process,” through which bureaucrats pick what seem “interesting” and “relevant” to update in the existing law.³⁰

In several cantons, based on the CSVD report and priorities, specialized policy bureaucrats used the opportunity opened by the IC to *establish an action plan*, involving taking stock of the existing measures, setting cantonal priorities, and (re-)organizing policy measures. An Equality Delegate explains that “we’ve translated, we’ve taken up the essentials of Istanbul [Convention] in this action plan, and now yes it’s really a roadmap.”³¹ In this sense, the IC is used to strengthen the consistence and organization of existing policy measures, *as well as to get additional human and financial resources* to pursue the policy goals—preventing and fighting violence against women and domestic violence—approved by the cantonal government.³² This can also help *institutionalizing a specific policy against domestic violence* and “doing more in this domain,” like in the small canton of Schaffhausen, whose cantonal parliament accepted the cantonal government’s proposition—drafted by the Social Affairs Office (*Sozialamt*)—to create a three-year half-time position to coordinate the cantonal implementation of the IC.³³

To sum up, the uses of the IC by specialized policy bureaucrats show that a HR treaty can be a resource (Merry et al., 2010) for them at multiple levels: to legitimize a policy approach, frame a public problem, update the legislation, set new priorities and measures, institutionalize, and/or develop further the cantonal policy. These officials play a role of translating intermediaries by picking elements of the convention and by translating them into policy measures in line with their context-specific goals.

4.4.2. Top down, or bottom up? How the convention meets grassroots claims and needs

When explaining how they work with the IC and how they use it to make policy proposals, policy bureaucrats and members of cantonal parliaments explain that they start from an assessment of what exists in the field and the demands of grassroots actors, which can be raised in the specialized cantonal commission on domestic violence gathering actors from the field and from the cantonal administration. In Valais, for example, the Equality Delegate commissioned an expert from another canton to write a report taking stock of the network working in this policy domain in the canton. The Equality Delegate then elaborated the cantonal action plan based on these recommendations about the needs identified in the field, while also considering the principles established by the IC. In other cases, the IC is not directly used by cantonal bureaucrats, but they refer to it through the mediation of the CSVD report. Alternatively, the use of the IC can be triggered bottom up, starting from claims and needs identified in the field—at the street level—and then linked to what the convention says about it. The Head of the Domestic Violence Coordination Center of the Canton of Sankt-Gallen explains that, in the cantonal “round table” on domestic violence—gathering street-level workers such as the police, social workers, shelters, judiciary actors, and actors of the health care system to meet and discuss measures against domestic violence together—they discussed the IC and what they would need to focus on. To her, if the IC is an issue, the priorities “often came from the grassroots” (Interview excerpt [10]). As she told us, the IC provides an additional reason to support a claim or a need raised by professionals of the field. The reference to the convention helps them to ground their claims, not only on problems but also on a commitment to the treaty (Interview excerpt [11]).

All in all, while the implementation of the treaty could be a priori seen as a top-down constraining process, we rather find that these intermediaries use the IC as a resource to improve the cantonal policy aiming at preventing and fighting violence against women and domestic violence. The “movement” of this process appears less as a top-down one but rather as a “back-and-forth” or even a “bottom up” one.

4.5. Secondary translating intermediaries and veto players: Editing and accepting the translation

We identified two additional types of subnational intermediaries among members of cantonal parliaments, members of cantonal governments and cantonal officials. On the one hand, some of the MCPs may be involved in a commission examining a motion, formulating proposals of measures or legislative reforms. In doing so, they act as “secondary intermediaries” intervening in the legislative process (commission or debates) but relating to the IC only through the mediation of other intermediaries (especially the cantonal officials). Most of them only participate in the parliamentary vote (for or against the measures) and cannot be considered as fully-fledged intermediaries. Among the subnational secondary intermediaries, civil society actors and frontline workers who can

be involved in a legislative process or in a commission on domestic violence may raise issues and needs from the field. MCPs involved in legislative commissions examining a law project or a law reform can amend the project and work on the cantonal engagement with the convention. It must be mentioned here that, except certain MCPs who are engaged in the cause or who might be specialized on these issues, most of these actors have a rather distant relationship with international law and with this specific treaty. Most of them have not read the convention, the recommendations of the treaty, or the CSVD report. They mostly rely on what is written in the report presenting the legislative reform.

On the other hand, veto player intermediaries consist of members of the cantonal parliament or members of the cantonal government who can accept or refuse proposals of cantonal officials to engage with the convention or, at least, to work on it. In at least three interviews, members of cantonal administrations regretted the “lack of political will” to offer adequate resources to the administration and to take measures to engage with the convention, even after a parliamentary intervention was issued. This “lack of political will” or the fact that the issue is not on the government’s radar may change with parliamentary pressures (Interview excerpt [12]). However, this political will primarily depends on the political orientation of the government and the balance of power in the cantonal parliament. We specifically observe that in cantons with a strong right-wing majority, elected politicians tend to veto proposals from cantonal officials and other parties’ parliamentarians, strongly limiting the impact of the IC on the policymaking process. Specifically, the government’s “politically conservative” attitude can be perceived as a difficulty for the bureaucrats in implementing the IC (Interview excerpt [13]). In addition to the “political will,” the limited resources possessed by a canton often explain its inaction. For instance, in certain small cantons, the fight against domestic violence is under the responsibility of larger offices—in the cantonal police, social security, or home affairs department—for which this is one task among numerous other ones.

To conclude, it is worth noting that we have so far highlighted several instances where the IC has been translated into policy measures. However, we must emphasize that there are a few cantons where this has not been the case or in a very limited manner. In such cases, “lack of political will” and limited resources are the two main explanatory factors we identified.

5. Discussion

In line with our first expectation, our empirical analysis shows that the subnational implementation of international law implies bottom-up dynamics of engagement with international law. Subnational actors translate and use the treaty or specific obligations according to their own agenda and interests and their anticipation of what is possible to do in their cantonal context. In turn, the convention offers support, arguments, or references to back up claims or demands based on realities on the ground. Chains of intermediation are not linear but continuous and iterative, going back and forth across levels of governance.

Following this point and regarding our second expectation, we observe that a relatively small number of specialized subnational actors play a decisive role in translating the IC at the subnational level. They are most prominently specialized policy bureaucrats with a specific expertise on the matter. Due to the multilevel structure of the federal state, these subnational intermediaries work along international, national, and intercantonal intermediaries, constituting chains of intermediaries (Abbott et al., 2017c, p. 25). Moreover, we observed that, in such a multilevel system, these subnational intermediaries are active within the state (Target 1: national level) and between the federal state and the subnational entities (Target 2: Swiss cantons). Accordingly, there are two levels: the first comprises intermediaries located between the Regulator and Target 1 (the State) and the second those located inside Target 1, as well as between the Regulator and Target 1 on the one hand and Target 2 on the other hand. We have also identified the international mechanisms and actors (I = GREVIO), as well as the national and intercantonal mechanisms and actors—as part of Target 1 (BFEG and CSVD) or as CSOs (IC Network)—that play an intermediary function at two levels: (1) between the Regulator and Target 1 and (2) between the Regulator and Target 2. Thus, these international law intermediaries (functioning as domestic monitoring and framing intermediaries, and as translating ones) act both at the federal and subnational levels. Finally, we identified various subnational mechanisms and actors playing an intermediary function between the Regulator, Target 1, and national and intercantonal intermediaries, on the one hand, and Target 2, on the other hand: I_{T2} = cantonal policy bureaucrats, members of cantonal parliaments and governments, CSOs, and social movements.³⁴

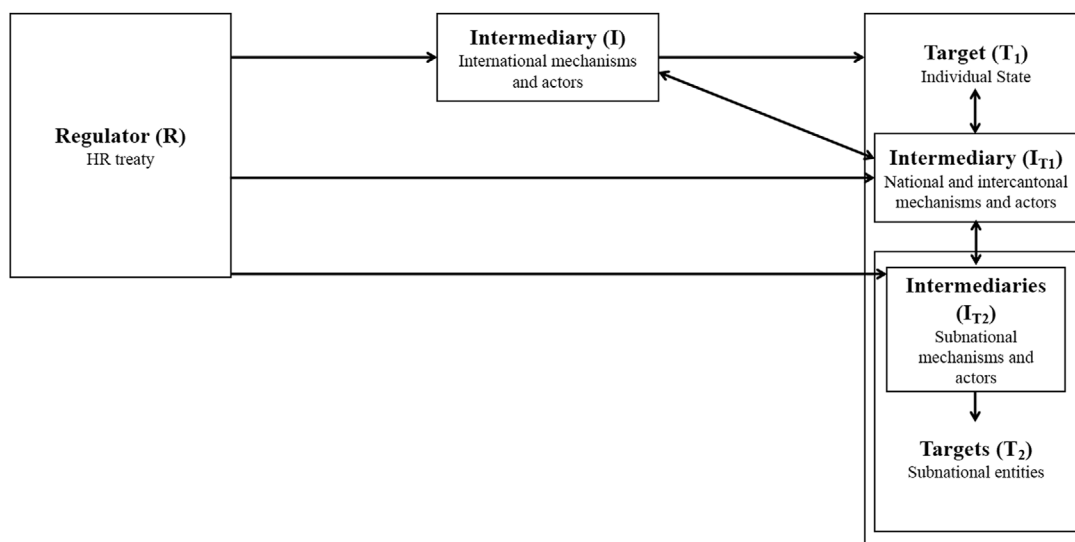


Figure 1 Varieties of intermediaries and targets in multilevel settings.

According to our third expectation, the boundaries between actors' functions are expected to be blurred: “the boundaries among R, I, and T are not always clear-cut; the roles overlap and interact” (Abbott et al., 2017b, p. 283). Our findings corroborate this expectation and show the intricacies of the relationships within the RIT model. We demonstrate that key intermediaries can be subsets of the targets. The BFEG is a good example, as this federal office is responsible for facilitating and framing the implementation of the IC at the federal level (acting then as an intermediary trying to affect the behavior of a target), and, at the same time, it is part of the target of the state institutions who are supposed to take measures to implement the IC. This implies that targets, far from being passive as initially postulated in the RIT model, may have agency.

Moreover, it appears that the different intermediaries translating and using the IC at the cantonal level interact, mutually influence, and sometimes reinforce each other, making the process of intermediation particularly complex.³⁵

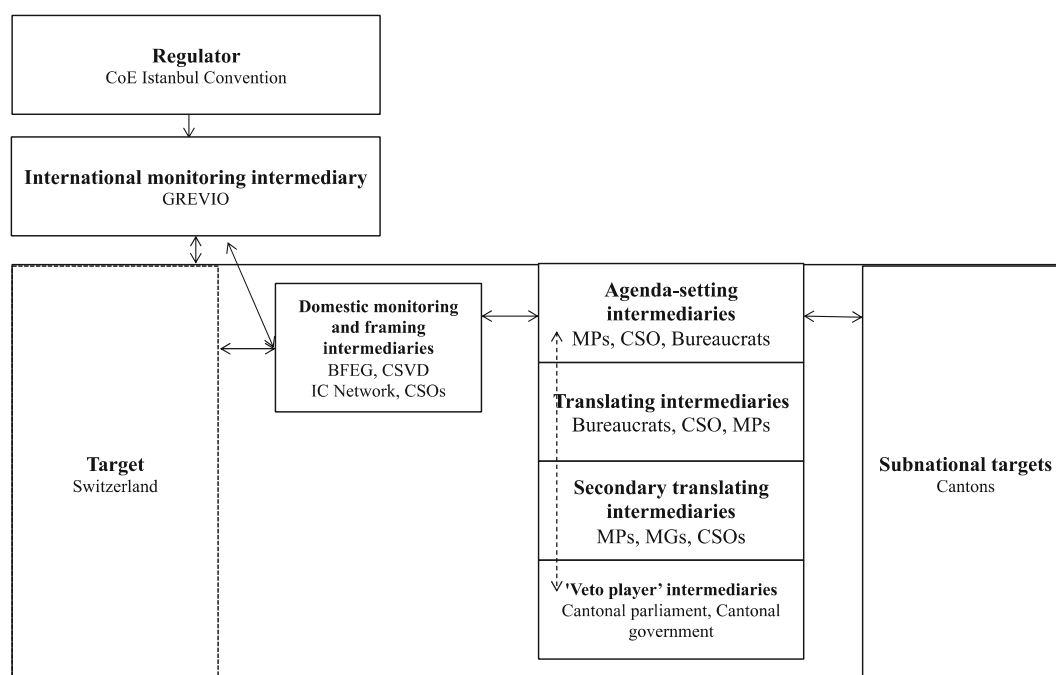


Figure 2 Multiple intermediaries and targets in chains of intermediation.

Finally, regarding our fourth expectation, we identified different types of international law intermediaries as illustrated in Figures 1 and 2. These intermediaries are not only formal ones at the international and national levels but also other actors who are concretely involved in the legal intermediation process through which cantonal policymakers engage with the international treaty. Six types of intermediaries appear to be involved in translating this HR convention into subnational policy measures (see Table 1): (i) international monitoring intermediaries: international committees like the GREVIO, who are mainly in charge of assessing compliance with the treaty; (ii) domestic monitoring and framing intermediaries: federal agencies and intercantonal conferences, who provide an interpretation of the treaty; (iii) subnational agenda-setting intermediaries: MCPs and CSOs, who invoke the treaty to put issues on the policy agenda; (iv) subnational translating intermediaries: policy bureaucrats, who translate and adapt the treaty to meet their local objectives, logics, and interests; (v) secondary translating intermediaries: a variety of actors who indirectly use the treaty—for instance, through their participation in the lawmaking process; and (vi) veto player intermediaries: institutional actors who may accept or refuse the measures derived from the translation of the treaty at the subnational level.

Table 1 Summary of intermediary types

Intermediary types	Actor types	Instruments	Goals	Uses	Who
International monitoring intermediaries	International committee	Periodic report, recommendations	Leading states to comply with their obligations	Assessment of the state's compliance	GREVIO
Domestic monitoring and framing intermediaries	Federal agencies Intercantonal conferences (composed by cantonal officials) Civil society organizations Legal experts (academics)	Reports to international monitoring intermediaries and rule makers Reports, guidelines, and priority action fields Lobbying	Informing and monitoring intermediaries and rule makers Framing national and subnational interpretations and engagements Mediations	Information about the state's measures and compliance Interpretation of the treaty and engagement with international obligations Back-and-forth movement with the needs and claims of the field	BFEG CSVD Istanbul Convention Network, Brava
Agenda-setting intermediaries	MPs Civil society organizations and social movements Policy bureaucrats Members of (cantonal) governments (MGs)	Parliamentary interventions Relaying claims Claiming	Political agenda setting	Invoking the treaty, referring to international obligations to put the implementation of the treaty or the issues related to it on the political agenda, according to local interests, logics, and objectives	MPs Brava, Istanbul Convention Network, Feminist organizations Experts
Translating intermediaries	Bureaucrats MPs, civil society actors, and social movements	Action plans, law (revision) project, and policy measures	Policy formulation Lawmaking	Interpreting the treaty and adapting it to the context and to local objectives, logics, and interests Translation of the treaty and engagement with the obligations Mix of: top-down, back-and-forth, and bottom-up movements	Specialized policy bureaucrats (Equality Delegates, head of intervention centers against domestic violence) Frontline workers involved in cantonal commissions against domestic violence MPs Civil society organizations Experts

(Continues)

Table 1 Continued

Intermediary types	Actor types	Instruments	Goals	Uses	Who
Secondary translating intermediaries	MPs and MGs Civil society and street-level organizations (involved in parliamentary, expert, or consultative commissions)	Creating, revising, and completing an action plan or a law reform following a subnational IHRL intermediary's proposal	Policy formulation Lawmaking Acceptance	Indirect use of the convention, work on the engagement (via amendments)	MPs Members of cantonal governments Frontline workers and street-level actors
"Veto player" intermediaries	Cantonal parliament, Cantonal government Voters	Accepting or refusing a law or policy change	Acceptance or veto	Accepting or refusing the measures or opposing to engage with the treaty	Cantonal parliament as a whole Members of cantonal government

6. Concluding remarks

The study of the uses of the IC in Swiss cantons indicates that international law intermediaries can play a significant role in the bottom-up implementation of international treaties at the subnational level, that is, their translation and local uses. The most prominent ones are specialized policy bureaucrats with a specific expertise on the matter. The boundaries between these actors and their function as rule makers, intermediaries, and targets are however blurred; that is, the same actors may perform different roles in the sequences under consideration. They also come in a considerable variety. In the discussion section, we identified six types of intermediaries who are involved in the process of translating the IC into subnational policy measures. Crucially, the obligations derived from this treaty, rather than constraining the role of these subnational actors, offer them cognitive, political, and practical resources to achieve their own strategy, but this only happens when these measures enjoy a broader political support at the subnational level.

Similar patterns of implementation are likely to be at work with respect to other international HR treaties (although the actor constellations differ depending on the topic of the treaty: children's rights, rights of persons with disabilities, etc.). Thus, we believe that our results about the iterative chains of intermediation and the blurred boundaries between intermediaries and targets can be generalized to such treaties. We conducted this study in a highly decentralized federal system, which we considered a "most-likely case." As we did indeed observe a great deal of intermediation, it remains to be determined to what extent it occurs in less decentralized countries; as the intermediation function can hardly be replaced, particularly when international rules imply obligations at the subnational level, it is however plausibly only a matter of degrees. What is more, even though our research focuses primarily on subnational actors, which adds one layer to the chains of intermediation, it led us to scrutinize the role of federal actors as well. Based on our findings, we argue that our observations on the interplay between intermediaries and targets at the federal level in Switzerland can be generalized to other federations and, with some qualifications, to devolved unitary states. We believe that further research is needed to study these phenomena in other contexts and to assess to what extent they also occur for other forms of regulation.

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Data availability statement

The data that support the findings of this study are available on request from the corresponding author. The data are not publicly available due to privacy or ethical restrictions.

Endnotes

- ¹ In this article, we use the term “subnational” to characterize the *cantonal* (referring to the federated states of the Swiss Confederation) and *intercantonal* levels. We do not specifically focus on the local level (i.e., municipalities).
- ² Aargau, Basel-Stadt, Basel-Landschaft, Bern, Fribourg, Geneva, Glarus, Graubünden, Jura, Lucerne, Neuchâtel, St. Gallen, Schaffhausen, Schwyz, Solothurn, Ticino, Thurgau, Uri, Valais, Vaud, Zug, Zurich. We did not include the remaining small cantons in the analysis.
- ³ Council of Europe, “Explanatory Report on to the Council of Europe Convention on preventing and combating violence against women and domestic violence,” *Council of Europe Treaty Series – No 210*, Istanbul, 2011, p. 12.
- ⁴ Message concernant l’approbation de la convention du Conseil de l’Europe sur la prévention et la lutte contre la violence à l’égard des femmes et la violence domestique (convention d’Istanbul), du 2 décembre 2016, FF 2017 249.
- ⁵ BFEG, “Concept de mise en œuvre. En réponse à l’objectif 2018 fixé par le Conseil fédéral, volume II: Département de l’Intérieur, objectif 7. Convention sur la prévention et la lutte contre la violence à l’égard des femmes et la violence domestique (RS 0.311.35),” Bern, 29 October 2018.
- ⁶ BFEG, “Concept de mise en œuvre ...,” *opus cit.*, p. 15.
- ⁷ Two other regional conferences exist: a Latin one (the *Conférence latine on domestic violence*, or CLVD) and a German one (the *Konferenz der Interventionsstellen, Projekte und Fachstellen gegen häusliche Gewalt der deutschen Schweiz*, or KIFS). The purpose of these conferences is to exchange experience and collaborate on specific projects.
- ⁸ The international body created by Article 68, paragraph 1 of the convention for monitoring implementation.
- ⁹ BFEG, “Concept de mise en œuvre ...,” *opus cit.*
- ¹⁰ BFEG, “Concept de mise en œuvre ...,” *opus cit.*, p. 11. This document was written in cooperation with the Conference of Cantonal Ministers for Justice and Police and the Conference of Cantonal Ministers of Social Affairs.
- ¹¹ Conseil fédéral, “Plan d’action national de la Suisse en vue de la mise en œuvre de la Convention d’Istanbul de 2022 à 2026,” Bern, June 2022.
- ¹² Interview 15 with the Deputy Director of the Federal Office for Gender Equality and one Member of the Federal Office of Justice, Bern, July 2020.
- ¹³ CSVD, “Mise en œuvre de la Convention d’Istanbul au niveau des cantons. État des lieux et mesures à entreprendre”, *Rapport de la Conférence Suisse contre la Violence Domestique CSVD*, September 2018, www.csvd.ch (consulted on December 18, 2019).
- ¹⁴ Istanbul Convention Network, “Mise en œuvre de la Convention d’Istanbul en Suisse. Rapport alternatif de la société civile,” June 2021; Interview 63 with a member of Brava and the Istanbul Convention Network, Bern, April 2022.
- ¹⁵ For example, in the canton of Schwyz: Interpellation I 34/18: “Gewalt gegen Frauen – was macht der Kanton Schwyz” [Violence against women – what does the canton Schwyz], issued by Carmen Muffler and Jonathan Prelicz (Socialist Party, SP) on December 5, 2018; or in the canton of Zurich: Question: “Gewalt gegen Frauen” [Violence against women], issued by Michèle Dünki, Pia Ackermann and Rafael Steiner (SP) on September 3, 2018.
- ¹⁶ For example, in the canton of Neuchâtel, the Interpellation 18.216 “Convention d’Istanbul: qu’en est-il de sa mise en oeuvre?” [Istanbul Convention: what about its implementation?], issued by Martine Docourt (SP); or, in the canton of Thurgau: Interpellation 16/IN 44/354: “Istanbul-Konvention – Kantonale Analyse und Umsetzung” [Istanbul Convention – cantonal analyse and implementation], issued by Gina Rüetschi (Greens), Cornelia Zecchin (Liberals), Christina Pagnoncini (Green-Liberal Party), Barbara Kern (SP), Elisabeth Rickenbach (Evangelic Party), and Stefan Leuthold (Green-Liberal Party).
- ¹⁷ Interview 8, SP member of the Neuchâtel Cantonal Parliament, Neuchâtel, June 2020.
- ¹⁸ Interview 27, two SP members of the cantonal parliament, Zurich, January 2021.
- ¹⁹ Interview 40, two members of the Zurich Intervention Centre against Domestic Violence, Zurich, April 2021.

- ²⁰ Regierungsratsbeschluss Nr. 338/2021, “Gewalt gegen Frauen, Umsetzung der Istanbul-Konvention im Kanton Zürich, Massnahmen und Stellenplan,” *Auszug aus dem Protokoll des Regierungsrates des Kantons Zürich*, Sitzung vom 31. März 2021.
- ²¹ Interview 4, head of the Office for Family Policy and Gender Equality, Neuchâtel, March 2020.
- ²² Interview 4, head of the Office for Family Policy and Gender Equality, Neuchâtel, March 2020.
- ²³ Conseil d’État, “Rapport du Conseil d’État au Grand Conseil à l’appui d’un projet de loi sur la lutte contre la violence domestique (LVD)” (19.021), Neuchâtel, 8 July 2019, p. 24.
- ²⁴ Interview 4, head of the Office for Family Policy and Gender Equality, Neuchâtel, March 2020.
- ²⁵ Interview 4, head of the Office for Family Policy and Gender Equality, Neuchâtel, March 2020.
- ²⁶ Following Page and Jenkins, we consider here that policymaking is a political and bureaucratic activity and that policy bureaucrats have a certain discretion in making policy decisions (Page & Jenkins, 2005). We refer to *specialized* policy bureaucrats to insist on their position in the organization of the state’s services that makes them specialized in a particular policy field and specifically committed to (or at least concerned with) a particular “cause” (in our case study: equality between women and men, as well as women’s rights).
- ²⁷ Interview 24, official responsible for coordinating the fight against domestic violence, office for men–women equality and of the family (BEF), Fribourg, December 2020; interview 20, Equality Delegate, Cantonal Office of equality and family, Valais, December 2020.
- ²⁸ Interview 14, head of the Office for the Promotion of Gender Equality and the Prevention of Violence, Geneva, July 2020; PL 12843, Projet de loi sur l’égalité et la lutte contre les violences et les discriminations liées au genre (LELVDG) (A 2 90), 16 décembre 2020 (canton of Geneva).
- ²⁹ 19.021, Rapport du Conseil d’État au Grand Conseil à l’appui d’un projet de loi sur la lutte contre la violence domestique (LVD) du 8 juillet 2019 (canton de Neuchâtel).
- ³⁰ 19.021, Rapport du Conseil d’État au Grand Conseil à l’appui d’un projet de loi sur la lutte contre la violence domestique (LVD) du 8 juillet 2019 (canton de Neuchâtel).
- ³¹ Interview 20, Equality Delegate, Valais, December 2020.
- ³² Interview 22, Equality Delegate, Jura, December 2020.
- ³³ Interview 44, head of service, Office of Social Affairs, Schaffhausen, May 2021.
- ³⁴ For a formalization of this revisited RIT formula, see Supporting Information V.
- ³⁵ For a formalization of this revisited RIT formula, see Supporting Information V.

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