
**Human Rights
Self-Monitoring: A
Proposal for the
Northern European
Democracies**

Jack Donnelly and Rhoda E. Howard

R 1996: 3

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Summary

This report recommends that Human Rights in Developing Countries adopt a radically new approach to monitoring human rights. The "old way" is to monitor aid-recipient governments' violations of the human rights of their own citizens. The new way, called herein "self-monitoring", entails careful monitoring of Northern countries' own contributions to, or violations of, human rights in the South. The new way responds to concerns about historical and cultural sensitivity, and about moral and political consistency. The contributions of Northern governments to human rights through bilateral and multilateral activities, including the arms trade and involvement in international financial institutions, could be monitored. But so also could the effects on human rights of transnational actors (such as multinational corporations and NGOs) and even private citizens of Northern countries. Self-monitoring will focus on the areas where likelihood of impact is greatest - at home.

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A. Two models of international human rights monitoring

Human rights monitoring has been an established part of the international political landscape for the past two decades. From the pioneering work of Amnesty International in the 1960s, we have moved to a situation today in which a large number of groups, including Human Rights Watch and the United States Department of State, produce comprehensive annual monitoring reports of growing sophistication and value. Most of these monitoring enterprises share a common implicit model.

- The policies and practices of Southern hemisphere countries have been emphasized. Much less attention has been given to the practices of Northern countries.
- National (domestic) human rights practices have been emphasized. Relatively little attention has been paid to the human rights consequences of the international actions of foreigners.
- Civil and political rights have been given principal emphasis. Relatively little attention has been paid to monitoring economic, social, and cultural rights.
- State policies have been monitored extensively. Very little attention has been paid to the human rights consequences of the activities of businesses, private individuals, and other nonstate actors.
- Monitoring has been done primarily by outsiders, which we will refer to as external monitoring. Internal or self-monitoring has been largely ignored.

Human Rights in Developing Countries (HRDC) -- the yearbook produced since 1985 by human rights research institutes in Norway, the Netherlands, Sweden, Denmark, and Austria,¹ which we will refer to collectively as the Northern European Democracies (NEDs) -- has given equal weight to civil and political and economic, social, and cultural rights, in sharp contrast to other major monitoring efforts. Otherwise, however, it has shared the model of Northern monitoring of Southern country national human rights practices.

We greatly admire both the initiative of the cooperating human rights institutes and the substance of the individual country reports and thematic essays in HRDC. Nonetheless, we believe that it is time for the international human rights community to move toward a monitoring model that is both more balanced and reflects greater culturally and political sensitivity. HRDC, we believe, is well positioned to lead this change.

Rather than focus on external monitoring of the national human rights practices of Southern hemisphere recipient countries, primary emphasis should be given to self-monitoring of donor-country international human rights

¹ These are the five current cooperating countries. In the past, Canada and Finland have also been involved.

policies and practices.² This should include the activities of nonstate actors. And the emphasis in HRDC on economic, social, and cultural rights should be maintained and strengthened.

Such a reorientation would

- focus efforts on things over which the governments of the cooperating institutes have the most control.
- allow HRDC to lead the international human rights community toward a richer and more sophisticated understanding of the politics of human rights.
- better use scarce resources by reducing redundancy with other monitoring efforts.³
- provide a more distinctive and valuable product.
- demonstrate an exemplary willingness to engage in public self-criticism, while also showing greater respect for the cultural, historical, and political sensitivities of governments and citizens in recipient countries.

Human rights monitoring is an indirect form of human rights advocacy. Our hope is that sustained and intensive self-monitoring will lead to improvements in the development assistance and human rights policies, both direct and indirect, of the NEDs (Northern European Democracies). The result would be an even more distinctive "middle power" course for the NEDs that better reflects their national values and their international position.

1. The Old Way: External Monitoring of Recipients

At least five important audiences for HRDC can be identified: governments in recipient countries; governments in donor countries; human rights advocates in recipient countries; human rights advocates in donor countries; scholars, students, and informed members of the general public. None of these audiences would receive sufficient benefit from a continued focus on external monitoring of recipient country human rights practices to justify continuing that emphasis in the yearbooks.

The cooperating institutes seem particularly poorly situated to provide information that would influence the practices of monitored governments. Despite the high quality of their individual country reports, the institutes lack the resources to undertake major original work of a comprehensive nature. They are unlikely to be able to provide much information that is not already available to these governments, either through their own sources or in the

² The four reports in the 1995 edition of *HRDC* on Austrian, Danish, Dutch, and Norwegian aid-rights linkages suggest that such changes are already under way. We want to encourage that they be formalized, extended, and made the heart of future yearbooks.

³ When the yearbooks were initially conceived, the problem of duplication was less severe. Other efforts, particularly those of Human Rights Watch, were much less thorough than today. In the late 1970s and early 1980s, when there was considerable bias in often-cited US sources (especially the State Department and Freedom House reports), there was also a real need for a neutral voice. *HRDC's* distinctive voice remains valuable, as we emphasize in Section A.2.b below. Nonetheless, as an external monitoring project, the yearbook is only one of several (increasingly good) competitors.

reports of other monitors, such as the United States Department of State, Amnesty International, Human Rights Watch, or the Minority Rights Group.

Reporting directed to human rights advocates and publics in monitored countries would seem to be almost as unpromising an endeavor. Again, little new information is likely to be made available. Quasi-official external verification of information may have been valuable to human rights activists in highly repressive countries in the 1970s and 1980s. This is rarely the case today, especially in the countries where the NEDs have focused their aid activities. Supporting local human rights advocates is an admirable goal. Information disseminated by the NED human rights institutes, however, is unlikely to make much of a contribution to its realization.

Continued monitoring of recipient country human rights practices might be of some use to those working in the foreign ministries or aid agencies of donor governments. Although Human Rights in Developing Countries is unlikely to provide fundamentally new information, it provides a very useful summary compilation. This may be especially valuable for officials new to a posting or interested in countries for which they do not have direct responsibility. The yearbooks may even be able to package the available information in ways that suggest new perspectives or insights. We believe, however, that there are greater opportunities for influencing government officials and bureaucrats by emphasizing their own responsibilities and shifting attention to the often unintended human rights consequences of their own actions.

Donor country publics and human rights advocates, and human rights scholars and students, stand in a similar position. HRDC may provide authoritative confirmation of facts, but disputes over facts are rarely of much policy significance today, especially in the NEDs (in contrast to, say, the United States in the 1980s). Again, the major contribution is convenient packaging of information.

We thus conclude that to the extent that it continues to emphasize donor country monitoring of recipients, Human Rights in Developing Countries will have both a small market and limited impact. To the extent that officials and human rights advocates have relied on HRDC for recipient country information in the past, there will be costs to self-monitoring. Nonetheless, we believe that self-monitoring of donor country international human rights practices is a much better way to use the scarce resources of the cooperating human rights institutes and will position them to make a unique contribution to improved international human rights policies.

2. The New Way: Self-Monitoring

In addition to creatively revitalizing the NED yearbooks, self-monitoring would address two major concerns raised by the enterprise of monitoring by developed country agencies. The first is consistency, both between national and international human rights policies and within a country's foreign policy. The second is the need for historical and cultural sensitivity, which has often been drawn to Northerners' attention by human rights scholars and activists in the South.

a. Moral and Political Consistency

Many people who live in the North are uneasy about the disparity between how citizens are treated within their own society and how their country responds to the human rights of those living elsewhere. Northern governments rest much of their political legitimacy on internal practices that aim to realize internationally recognized human rights. Yet in their dealings with other states, especially with poorer and weaker states, these same governments often allow considerations of human rights to lapse. Furthermore, organizations and individuals who are expected to give full respect to human rights in the North are permitted to ignore those same rights in the South. Thus an employer expected to respect safety standards and trade union rights in the North may with impunity violate these rights in many foreign countries. International human rights instruments give primary responsibility for implementing internationally recognized human rights to sovereign territorial states. But these rights are also recognized as universal rights. Therefore, states are at least free, within the limits of sovereignty, to act on their behalf. They may even have an obligation to do so.⁴ Certainly it seems morally obtuse not to be troubled by, and attempt to reduce, the typical disparity between national and international responses to respect for and violation of internationally recognized human rights. An aggressive strategy of self-monitoring could contribute to reducing this problem.

In addition to this moral, and primarily national, dimension, there is an international political dimension to the problem of (in)consistency. If states appear to treat similar human rights violations differently -- sanctioning violations in some countries but not in others, or responding with different policies when faced with similar violations -- they risk losing the moral high ground, and thus weakening their policies. Even if only states guilty of serious violations are targeted, one's international human rights policies are open to the charge of political motivation and bias unless all states guilty of comparable violations are targeted. This was a common, and legitimate, complaint during much of the 1970s and 1980s, when, for example, Chile was the subject of extensive international action for violations that were largely ignored in other countries, such as Brazil.

The desire for consistency, however, runs up against the fact of competing objectives. At the most general level, territorial sovereignty, the central organizing principle of contemporary international relations, restricts the reach of Northern governments. For example, to control the labor practices of firms abroad smacks of extraterritorial legislation that illegitimately intervenes in the internal affairs of other states. Given the strong interest of NED governments in protecting their own sovereign rights, these restrictions become a very serious matter.

⁴ The moral nature of this obligation is clear. Legally, the issue is more problematic. Nonetheless, Article 55 of the UN Charter requires states to take joint and separate action to recognize internationally recognized human rights and fundamental freedoms. However vague this requirement, it does suggest legal responsibility to contribute to realizing human rights abroad.

More particularly, human rights objectives face competition from other national interests. Human rights is but one part of a comprehensive foreign policy. Other interests that must be incorporated include security arrangements, political alliances, international law, population movements, and -- not least by any means -- trade and investment. In the tradeoff between competing objectives, inconsistency in international human rights activities seems unavoidable. Even if there is a deeper overall foreign policy consistency in the resulting actions, this can undercut the specific human rights dimension of foreign policy.⁵

Self-monitoring cannot eliminate such inconsistencies. It can, however, alert policy makers to the ways their actions may be perceived by those with a more focused human rights perspective. By providing a regular reminder of the problem, and emphasizing that it is a problem, self-monitoring may lead to more self-conscious tradeoffs between human rights and other foreign policy concerns. By placing the issue of tradeoffs under regular scrutiny, subtle pressures may even be exerted to take human rights more seriously, especially in parts of the foreign policy bureaucracy that do not have a primary and explicit human rights mandate. Self-monitoring may also help to overcome the understandable, and perhaps even appropriate, tendency of bureaucrats to become absorbed in the details of implementing particular policies. The likelihood of such positive consequences is particularly high if we can assume good faith on the part of the governments, good relations between monitors and those being studied, and a joint commitment to cooperative improvements in policy and practice as a result of dialogue and persuasive argument -- conditions that seem to hold in the NEDs.

States have rarely defined human rights in parts of the world not under their own sovereignty as a vital interest, in the classic sense of an interest that when seriously threatened will ordinarily provoke a response involving the threat or use of force. But there is a great distance between such vital interests and the minimal penetration of human rights concerns in the foreign policy of the NEDs (and other states as well) just two decades ago. A consistent, sustained program of comprehensive self-monitoring would provide policy-makers, activists, citizens, and scholars with a much clearer sense of the progress (or lack of progress) of human rights as an objective of foreign policy. And such information may itself contribute to administrative and political efforts to bring about further progress.

Activists and governments, however, often face situations in which the actions politically available to them are almost certain to have little or no concrete impact on the human rights practices of the target government. The result is a choice between inaction and largely symbolic acts of "witnessing"; that is, acting from respect for one's own moral values. Each option is in a certain sense inconsistent. Symbolic acts of witness, however, at least maintain a considerable degree of moral consistency.

⁵ For example, initial Norwegian sanctions against South Africa exempted shipping. Conversely, Canadian trade sanctions on South Africa in the 1970s and 1980s in part reflected the minuscule volume of trade. At the same time, Canada maintained surprisingly cordial relations with Indonesia.

Policies of witness also underscore the fact that any inconsistency arises from the lack of affordable means to achieve moral goals. And they make the important moral point that severely repulsive, gross human rights violations should not even appear to be condoned: "it ultimately remains a moral and political responsibility to suspend aid, if it can be shown that receiving governments violate human rights in a systematic and serious manner."⁶ If such symbolic acts of witness become a regular part of the policies of a great number of countries, they may even have an impact in the long run by altering the national and international normative environment.

The "practical" orientation of foreign ministries, however, may lead to an undervaluing of witnessing, and thus greater moral inconsistency than necessary. Intensive self-monitoring may counter this tendency. In any case, by keeping the focus on the actions of Northern governments and private actors, it underscores the importance of striving for consistency even in difficult situations.

Some of the issues raised here can be illustrated by Dutch policy toward Indonesia. The 1995 Yearbook tells the story of the stormy relations between Indonesia and the Netherlands over issues of human rights, culminating in Indonesian terminating the aid relationship in 1992.⁷ Although the severe human rights violations of the 1960s in Indonesia were not a major public concern of Dutch foreign policy, "from 1977 on, the Dutch Government tried to raise informally the human rights issue" in aid consortium meetings.⁸ In 1990, in response to new political executions, 27 million guilders in aid was withdrawn. Following the announcement of further executions, the Dutch raised the issue at the Council of Ministers of the EC. Throughout 1991, Minister for Development Cooperation Jan Pronk continued public criticisms of the Indonesian record. And following the Dili massacre in November 1991, which brought ongoing human rights problems in East Timor into the international spotlight, another 27 million guilders in aid was suspended.

These actions were not easy. Because of their sensitivity over former colonial relations, the Dutch were especially vulnerable to Indonesian arguments of paternalism. In addition, substantial commercial interests cut against acting on human rights concerns. Nonetheless, the government of the Netherlands did take relatively forceful and public actions that had costs for their relations with Indonesia.

The actions, however, were largely symbolic. Trade and other economic relations were not included in the sanctions, and in fact increased. Furthermore, Dutch aid was not only modest -- less than two percent of total 1992 pledges to Indonesia⁹ -- but readily replaced by Japan and other providers.

⁶ Oda van Cranenburgh, "Development Cooperation and Human Rights: Linkage Policies in the Netherlands", HRDC 1995, p. 47.

⁷ Peter Baehr, Hilde Selbervik, and Arne Tostensen, "Responses to Human Rights Criticism: Kenya-Norway and Indonesia-the Netherlands," HRDC 1995 (The Hague: Kluwer Law International, 1995), pp. 57-87 at pp. 73-82.

⁸ Ibid., p. 79.

⁹ Ibid., Table 2.

Baehr, Selbervik, and Tostensen thus conclude that "the case shows that the linking of aid to the observance of human rights is unlikely to be effective, unless the amount of aid involved is quite substantial or there is a sufficient degree of international support. Both were singularly lacking in the Dutch position toward Indonesia."¹⁰

Although true as far as it goes, this ignores the costs of the alternative of less forceful action. Given the prominent place assigned to human rights in Dutch foreign and development assistance policy, the close and longstanding relationship with Indonesia, and the prior record of suspending aid to Suriname in the 1980s, consistency demanded a strong response. And the failure of Holland's allies to cooperate did not absolve it of its moral and political obligations to act on its own values and policies.

Reasonable analysts may disagree about how to balance these competing concerns. Nonetheless, Dutch actions, despite their failure to bring about significant concrete improvements in Indonesian human rights practices, reflected an admirable human rights consistency. Furthermore, we would suggest that the change in Dutch policy in the 1990s toward a less lenient response to Indonesian human rights violations can be explained in part by the cumulative force of arguments by human rights activists and the power of the moral and political demand for consistency.

The NEDs, or any other state, may legitimately choose to focus on human rights issues that they believe are important, even if the aid-recipient countries might prefer that those issues be ignored. Consider the case of disadvantaged or at risk groups. Whether or not a Southern country puts priority on the rights of children, for example, the NEDs might wish to stress them, especially given the advanced social policies in respect to children's rights of some NEDs. The same could be said of policies supportive of the rights of women. One might even argue that moral consistency for the NEDs legitimates, or even requires, some emphasis on gay rights in aid-recipient countries.

We do not want to minimize the difficulties and complexities of such consistency. The near universal acceptance of the Convention on the Rights of the Child -- all but six countries in the world are currently parties to the treaty -- makes an emphasis on children's rights relatively unproblematic. A focus on gay rights, by contrast, probably would be considered culturally offensive by most Southern governments and their populations. Nonetheless, even here the moral consistency of the policy may mitigate charges of cultural insensitivity. A donor country can legitimately argue that it is trying to live up to its own principles.

Self-monitoring cannot guarantee greater moral or political consistency at either the national or international levels. We do not even claim that complete consistency would be desirable. There are limits to the costs the Dutch should be expected to bear on behalf of the citizens of Indonesia in general or the people of East Timor in particular. Individual governments may legitimately decide that the costs of consistency in pursuing gay rights abroad are

¹⁰ *Ibid.*, p. 82.

unacceptably high. Nonetheless, regular self-monitoring can contribute to improved policy by assuring that such issues are regularly raised.

b. Cultural and Historical Sensitivity

Moral consistency responds to the charge of hypocrisy frequently levelled against Northern powers. Two other steps can be taken that address related charges of cultural and historical insensitivity.

First, the very act of self-monitoring responds to Southern concerns of neocolonial paternalism. The focus shifts to how the NEDs themselves contribute to respect for or violation of human rights in the South. Instead of constantly criticizing the South, the NEDs will be self-critical.

Such a reorientation would focus the attention of NED monitors on what clearly is their business: the human rights consequences of the activities of their own governments, organizations, and citizens. This suggests respect for notions of propriety: attending to one's own actions as much as the actions of others. It would create an unprecedented sense of balance in international human rights monitoring. It may even help to enhance the moral authority of criticisms that are leveled against Third World governments.

Second, cultural sensitivity can be enhanced by emphasizing economic, social, and cultural rights and their interdependence with civil and political rights. Northern human rights monitors have long been criticized for their inordinate focus on civil and political rights. In the case of the U.S. Department of State reports, this criticism has considerable validity. It is also true of the most prominent Northern NGO monitors, Amnesty International and Human Rights Watch. Fortunately, however, it is a largely inaccurate criticism of HRDC.

The yearbooks, as well as the governments of the sponsoring institutes, have been strongly committed to the interdependence and indivisibility of all internationally recognized human rights. Their emphasis on the authoritative nature of the standards laid out in the Universal Declaration of Human Rights and the International Human Rights Covenants -- in contrast to, for example, the more selective standards used by the United States -- also protects against charges of bias or insensitivity. There has also been an exemplary willingness to consider the international context that makes realization of economic rights particularly difficult in the South. Yet HRDC never diminishes the importance of civil and political rights.

Continued use of this basic framework will provide strong safeguards against the charge of cultural insensitivity. We recommend that future yearbooks provide a more explicit discussion of these issues, in order to more clearly distance themselves from complaints that apply to other monitoring endeavors.

B. A strategy for self-monitoring

This section lays out an inventory of forums and activities to be considered in a comprehensive self-monitoring program. We identify bilateral, multilateral, and transnational activities that have either an explicit human rights focus or significant indirect human rights consequences. Using such a comprehensive, explicit framework can be especially useful by drawing attention to instances of inaction that might otherwise be overlooked. In addition, it should encourage a more careful consideration of the relation between ends and means in the actions of monitored governments.

We emphasize the multiplicity of issues and arenas that have direct or indirect human rights implications in order to focus attention on the penetration of a concern for human rights into the full range of NED foreign policies. The inventory we present can be used to chart the number, range, and importance of other foreign policy concerns to which human rights are in practice explicitly linked. This would provide a rough measure of the extent to which official statements of concern have actually penetrated the foreign policy decision making process.

A comprehensive inventory is also important because of the growing importance of economic, social, and cultural rights. With the dramatic rise of economic ideologies that leave growing numbers of Third World citizens subject to the not so tender mercies of markets, and the growing influence of international financial institutions dominated by a neo-classical belief in the unalloyed wonders of those markets, new challenges exist. These will be at the heart of our concerns here.

A special emphasis on economic, social, and cultural rights also is implied in any self-monitoring strategy. Foreign governments and firms typically have minimal direct control over respect for most civil and political rights. They often, however, are in a position to influence economic, social, and cultural rights directly, most obviously through official development assistance programs and the employment practices of foreign firms.

The NEDs have been leaders in efforts to link human rights and development assistance in constructive ways. It is our impression, however, that even in the NEDs there are neither the administrative structures nor bureaucratic habits of mind to respond adequately to the new challenges and opportunities of the contemporary human rights situation. By emphasizing these sorts of linkages, HRDC could make a potentially important contribution.

1. Bilateral Activities

Official bilateral relations are those over which states have the most direct control as well as those that give the clearest indication of support or

disapproval. Therefore, they must be at the heart of any self-monitoring scheme.

Public and private human rights diplomacy obviously needs to be monitored. Expressions of concern, initiatives on behalf of individual victims, the recall of envoys, and similar standard mechanisms of diplomatic communication and influence must be monitored. Attention must also be paid to positive as well as negative means. Do significant improvements receive appropriate note or praise? Has praise for improvement been given prematurely or excessively? In addition, inaction as well as action must be considered. In particular, have comparable violations that have received criticism elsewhere gone unaddressed? Such questions, however, have been relatively frequently addressed. We will focus our attention on other aspects of bilateral relations.

a. Bilateral Aid

Development assistance policies present an obvious starting point. Aid is a symbolic measure of support, a potential direct contributor to improved enjoyment of economic and social rights, and a prominent explicit instrument of human rights policy in the NEDs. It is also, however, a relatively well studied topic. For example, a report prepared at the University of Antwerp provides a thorough conceptual review of the issue, supplemented by studies of donor and recipient country policies.¹¹ The 1995 Yearbook provides good surveys of Austrian, Danish, and Dutch policies and practices. The subject is even beginning to be treated in book-length studies.¹² Furthermore, NED governments have already given considerable attention to aid-rights linkages. Therefore, we will make only two brief comments before moving on to other activities that have not been so clearly linked to human rights in the practice of the NEDs.

First, it is essential to monitor actual human rights consequences. Figures on allocations and disbursements may be a measure of foreign policy cooperation but they have no obvious or necessary connection to the human rights consequences of that aid. Monitors must look at the details of carrying out particular projects, considering not only explicit human rights commitments made in the design of the project but also the unintended consequences of the actual project once implemented. Because such detailed project assessments are as important as they are difficult and rare, HRDC could make an important contribution by sponsoring a series of such studies in future yearbooks.

Second, the complexities of aid conditionality must be addressed. For example, Cuba's poor record on civil and political rights, which might suggest that it is an inappropriate subject for NED aid, has long been coupled with

¹¹ Koen de Feyter, Kaat Landuyt, Filip Reyntjens, and Stef Vandenginste, *Development Co-operation: A Tool for the Promotion of Human Rights and Democracy? An Interim Report*, Institute of Development Policy and Management and Department of Law, University of Antwerp, August 1994, p. 114.

¹² See, e.g., David Gillies, *Between Principle and Practice: Human Rights in North-South Relations*, Montreal: McGill-Queens University Press, 1996.

aggressive and effective initiatives on health care and education of the sort that the NEDs have usually been anxious to support. More generally, suspension of well-designed aid may harm those who are already suffering. We have no ready answers to such problems. We are not even sure what simple human rights consistency would demand. We do believe, however, that careful self-monitoring can at least illuminate the nature of the problem in particular cases and contribute to more thoughtful policy.

b. Bilateral Trade and Investment

Bilateral trade and investment should, in our view, be a no less important subject of self-monitoring. Although most NED trade and investment is ostensibly private activity, NED governments engage in a variety of trade promotion and investment support schemes. Trade and investment also is often taken as a measure of indirect support.

Bilateral economic relations also often present a measure of the extent of a state's commitment to human rights. Disrupting trade or investment has direct material costs for the sanctioning state -- in sharp contrast to aid suspensions, which have material costs only for recipient countries. A willingness to undertake such self-denying actions expresses an unusually strong commitment to human rights. Conversely, a failure to include trade and investment in sanctions, especially if they involve reductions in development assistance, leaves a state open to charges of hypocrisy: for all the talk of principles, profit in the end appears to win out.

Boycotts, embargoes, and similar punitive sanctions, however, are problematic instruments of human rights policy. The consequences to the victims can be quite severe, as is currently evident in Iraq and Cuba. Sanctions are also unlikely to work without a strong civil society in the target country that supports the aims of the sanctions. And they are an especially difficult instrument of bilateral policy because of the collective action problems they pose: without broad international support, they will simply enrich other states that do not cooperate. Therefore, in thinking about linking human rights to trade and investment, it would be a mistake to focus too heavily on direct punitive sanctions.

Likewise, it would be misguided to focus only on negative trade and investment policies. Positive inducements, such as preferential rates on credits for trade with rights-protective regimes, also need to be considered. Such measures are both low cost and unusually congruent with broader NED values and foreign policy orientations. A self-monitoring scheme that stresses positive inducements as well as negative sanctions could make a valuable contribution to the closer integration of human rights concerns into bilateral trade and investment policies.

Export promotion and investment insurance programs are an obvious and important subject for monitoring. Is human rights taken into account in these decisions? If so, when and how? Our impression is that human rights are at best unsystematically integrated into trade and investment programs in the

NEDs. Regular self-monitoring could at least point out this apparent inconsistency.

Monitors would also need to consider import policies. For example, discriminatory tariffs, especially on agricultural products, and nontariff barriers, especially on textiles, deny citizens of Third World countries jobs to protect those of developed country citizens. Although politically understandable, this is morally problematic.

Special attention should also be paid to victims of the productive process. Is child labor prohibited by international human rights law used? Prison or slave labour? Are trade union rights respected? The rights of migrant workers? Are indigenous peoples displaced or exploited? We will return to these issues in the discussion of transnational corporate activity below.

c. Other Bilateral Relations

Trade in armaments is another important subject for self-monitoring. It deserves separate consideration both because the arms trade typically is driven by political as well as economic motives and because of the frequent use of foreign arms by repressive regimes against their own citizens. Although NED exports of arms are small,¹³ they may be significant in particular cases. Rwanda has drawn the world's attention to the potential significance of trade in even relatively small amounts of weapons.¹⁴ As the attention of analysts of peace and war turns more to civil wars, rather than the nuclear war so feared until 1991, perhaps the time has come to integrate peace monitoring and human rights monitoring into one combined effort and to investigate what regulations pertain to arms exports. This may be an area where productive cooperation with peace research institutes in the NEDs could be pursued.

Sports, cultural exchanges, educational links, and similar sorts of bilateral relations also need to be monitored. These are often manipulated by governments to show their disapproval of specific policies by other governments. South Africa throughout the 1970s and 1980s provides the classic example. Considerations of symbolism, efficacy, and harming the victims that were raised above are also clearly relevant here.

2. Multilateral Activities

The multilateral dimension of foreign policy is especially important for the NEDs. For reasons of both principle and practicality, these small states have given special emphasis to multilateral international cooperation. Self-monitoring must include a similar emphasis.

¹³ In 1994, the Netherlands exported USD 110m. in arms, Sweden USD 60 m., Norway USD 50m., and Denmark USD 10m. Arms Control and Disarmament Agency, World Military Expenditures and Arms Transfer (<http://www.acda.gov/wmeat95/contnt95.htm>), table II.

¹⁴ Human Rights Watch Arms Project, "Rwanda/Zaire: rearming with Impunity", Human Rights Watch 7, no. 4, May 1995.

