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Memo to all Indonesia, East Timor and West Papua solidarity groups

Lobbying IGGI governments, 1990

Linking aid to human rights

The six executions in Indonesia in October 1989 and February 1990 led to an unprecedented protest movement in Holland. The protests intensified when it was feared that six more longterm political prisoners would be executed in March. [See *TAPOL Bulletin*, No 98, April 1990.] The Dutch government expressed dismay and announced that part of its aid programme for Indonesia would be suspended, thus establishing for the first time a link between economic aid and human rights in its relations with Indonesia. Not all members of the Dutch cabinet agreed with this link being made; the most supportive minister is Jan Pronk, Minister for Development Cooperation who is *ex officio* chair of IGGI. Pronk is from the Dutch Labour Party (PvdA). His position is well supported in Parliament.

On 5 April, Minister Pronk left for Indonesia to prepare for this year's IGGI meeting. Shortly before his departure, fears that more executions would take place were renewed when UPI reported that the clemency plea of Asep Suryaman, one of the death-row prisoners, had been turned down by Suharto; the next day Sudomo said on Dutch radio that nothing now stood in the way of his execution. Again the Dutch government protested. Several solidarity groups met Pronk on the day he left for Indonesia. A group of Indonesians started a hunger-strike in the centre of Amsterdam to condemn the executions and call for aid to Indonesia to end.

These events were prominently reported in the Dutch media, while a larger than usual group of Dutch reporters accompanied Pronk on his trip. The intense publicity in the Dutch press was not matched by coverage in the world's press so we have summarised these developments in the accompanying *Occasional Reports*.

Events during the Pronk visit

Unlike Dutch Foreign Minister van den Broek, Minister Pronk is no advocate of silent diplomacy, as he showed during his visit to Indonesia:

1. He publicly reiterated his concern about the executions and said a 'new demarche' using a 'new formula' would be made by EC member states and other countries to persuade Indonesia not to carry out any more executions. He hinted that other countries in addition to the EC members would be involved.

2. Pronk met several human rights activists and dissidents. He held discussions with HJC Princen, Director of the Institute for the Defence of Human Rights and also with members of the newly-established Commission

executions is published in *TAPOL Bulletin* No 98. Pronk promised to circulate documents he received from these groups to IGGI member states.

3. On his return home, Pronk immediately visited the hunger-strikers and told them that although he had not been given a firm pledge that the executions would not go ahead, he believed the officials he had met understood the strength of feeling on the issue. Amid much publicity the hunger-strikers agreed to end their action.

However, from statements he has made since his visit, it is clear that Pronk set out to convince Indonesian officials that he would resist efforts in the West to switch funds from the Third World to Eastern Europe. His quid pro quo for this was that Indonesia should clean up its human rights record. In other words, in exchange for greater adherence to universal human rights principles, Pronk would make sure that IGGI aid continued at its current high levels. This ignores the key complaint of human rights NGOs in Indonesia that IGGI support is responsible for maintaining a system of widespread and unremitting repression.

Lobbying IGGI governments

Despite the shortcomings of Pronk's position, developments in Holland have created more favourable conditions for lobbying IGGI governments than in previous years, opening the way for a sustained campaign in all countries whose governments attend the IGGI meeting, to press them to adopt a firm stand on human rights. This year's IGGI meeting is in The Hague on 12-13 June, giving us plenty of time to lobby IGGI governments.

For the first time, human rights NGOs in Indonesia are openly challenging IGGI aid and working with solidarity groups abroad on human rights. As their documents reveal, they are unhappy about any attempt to maintain the flow of IGGI aid.

Please write to your government expressing support for the efforts by Minister Pronk to promote the observance of human rights, opening the way for human rights to be raised at the next IGGI meeting. Welcome the fact that recent protests in Holland have forced the issue of the execution of political prisoners out into the open for the first time in Indonesia. Urge your government to make strong representations to halt the executions. It is important for West Papua and East Timor groups to make these points equally strongly. [Details of the six under immediate threat are given in *TAPOL Bulletin* No 98.] But other issues should also be raised:

- the deteriorating human rights situation in East Timor,
- the many arrests and harsh sentences in West Papua,
- the arrests of student activists, some now serving harsh sentences for expressing opinions or supporting villagers in land disputes.
- the numerous Muslim trials and outrageous sentences.

Please ask MPs to support your actions or take their own initiatives.

The way is now open for countries which have supported the Indonesian regime generously for years to be confronted by human rights issues as an indivisible part of their relationship with Indonesia. Please inform us of the actions you take and the responses you get.

London, 27 April 1990

Table 1
Bilateral Aid to Indonesia from CGI
(Million US Dollar)

Countries	1993/94	1994/95
Japan	1,440.0	1,670.0
Germany	138.7	157.4
France	123.3	140.6
Spain	100.0	24.5
U.K.	98.6	150.5
U.S.A.	90.4	89.6
Australia	40.2	47.7
Canada	30.5	25.3
Switzerland	26.0	23.4
Austria	21.1	-
South Korea	13.4	9.6
Denmark	5.4	-
New Zealand	2.7	3.0
Finland	1.3	1.0
Norway	1.0	-
Total	2,132.6	2,357.2

Source: KOMPAS Newspaper, 9 July 1994

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Issues

Linking Aid to Human Rights in Indonesia: A Canadian Perspective

see p 6.
Barbara MacDougall

Introduction

On November 12, 1991, Indonesian troops and paramilitary personnel opened fire on demonstrators in Dili, East Timor, protesting the territory's 1976 integration into Indonesia. The event was captured on videotape, and broadcast widely in Canada and elsewhere, provoking condemnation of Indonesia and calls for the suspension of international aid to the country. A commission of inquiry set up by President Suharto contradicted initial military accounts of the number of casualties, putting the death-toll at "about 50," and recommended action against soldiers who, it was found, had run out of control. A second investigation team of senior military officers, appointed by the Armed Forces, found that some soldiers had "committed infringements of military ethics and discipline or behaviour beyond appropriate limits, tended towards criminal acts" and was highly critical of local military commanders. A number of senior officers were cashiered or relieved of command, and a small number of officers and soldiers were court-martialled and sentenced. Leaders of the demonstration in Dili and a subsequent one in Jakarta received much heavier sentences; this generated renewed criticism of the Indonesian Government.

Shortly after the incident, the Canadian Government suspended consideration of three new aid projects in Indonesia as a mark of protest. More than a year after the incident, Canada remained the only country to retain such a suspension.

This linking of aid to human rights caused the most severe crisis in Canadian-Indonesian relations since the Sukarno era of Confrontation with the newly formed Malaysia 30 years ago. More than that, in applying and maintaining the suspension and in its subsequent dealings with the Indonesian Government, Canada applied a more rigorous policy of linking development assistance to human rights than had previously guided Canada's foreign policy.

Since September last year, President Suharto has been leader not only of Indonesia, but of the 108-member states of the Non-Aligned Movement.

Less than a year after the Dili shootings, Indonesia assumed leadership of the 108-member Non-Aligned Movement. In a declaration adopted by all the member states, the NAM rejected the practice of setting conditions based on Western concepts of human or political rights on the granting of development aid. In effect, Canada's closer linkage of aid to human rights placed an obstacle to Canada's future relations not only with Indonesia but with all the developing world.

Canadian Aid and Human Rights

The debate over linking development aid to the human rights records of recipients has been a recurrent theme under successive Canadian Governments since at least the 1960s. Under the current government of Brian Mulroney, the debate can be traced back to 1987.

Aid as a Weapon

Foreign aid is an expression of a nation's altruism. It is also an instrument of state policy, to be used in support of such national objectives as the furtherance of human rights.

But is cutting off aid an effective weapon in addressing human rights issues, when other options, such as action within the United Nations, exist? Using aid as a weapon can affect the wrong people, and can impair the development of participatory government, education and rural prosperity.

The following major development assistance projects by Canadian universities would be endangered if Canadian bilateral aid to Indonesia were to be withheld:

- *Training faculty members of Indonesian Islamic educational institutions at the Islamic Institute at McGill University. Potentially a highly influential project, it reinforces a social and humanistic world-view, and tolerance for other religions, among Indonesia's Islamic leaders.*

- *Simon Fraser University's project to develop foundation science programs at eastern Indonesian universities. This in turn will strengthen agriculture, forestry, fisheries, livestock, engineering, medical, teacher training and applied anthropology programs, enabling universities in four provinces to take a leading role in local development.*

- *University of Guelph's project to strengthen decentralized integrated rural development planning and management on the island of Sulawesi, focusing on bottom-up planning, decentralized decision-making and public participation in rural development in four eastern Indonesian provinces.*

- Dalhousie University's program of training environmental specialists and helping develop Indonesia's environmental control regulations. Through this series of projects, Canada has played an unequalled role in creating the framework for tackling Indonesia's serious environmental problems.

- Promoting the role of women, through all CIDA projects, including the development of networks among women in science and technology, and providing comprehensive training in the role of women at the rural level.

- University of Manitoba's project to train irrigation planners and engineers, contributing to agricultural production, on which most Indonesians depend for their livelihood.

In May of that year, the *Report of the Standing Committee on External Affairs and International Trade on Canada's Official Development Assistance Policies and Programs*, or the Winegard Report (named after the committee's chair, MP and later Science Minister Dr. William Winegard), recommended a radical realignment of Canadian development assistance. It recommended, among other things, that "human rights criteria be developed coherently as part of overall Canadian foreign policy, and that these be applied in a universal, consistent and transparent manner" and also that "progress on human rights be considered part of development, with assessments of the human rights situation in a given country being related to the overall record of development, particularly from the vantage point of the poorest people ...."

The committee also developed categories by which the Canadian International Development Agency could assess the human rights records of aid recipients. Governments deemed to be "human rights negative," for example, were those "extreme cases judged by the international community to be guilty of persistent, gross and systematic violations." They should be "automatically declared ineligible to receive direct government-to-government assistance." Another category, "human rights watch," covered cases "of lesser or variable concern in which serious allegations have been made but there are many gray areas and development progress is still possible." In these cases, "any direct bilateral assistance would be very carefully targeted and monitored."

The government was responsive but cautious. In its replies to the report (contained in a response tabled in September 1987 and in a later CIDA publication, *Sharing Our Future*), the government agreed with the spirit of all recommendations and accepted most. "As a starting point in Canada's development assistance policies, assessments of human rights policies and practices will be made concrete factors in decision-making on aid determination." But it expanded on the "gray areas":

The Government is of the opinion that it is difficult to establish strict theoretical criteria in the field of human rights that would be operationally effective in development policy .... Such standards as currently exist internationally ... are very general in nature. Because of the diversity of legal systems, social values and traditional structures in the countries in which CIDA functions, it is difficult to draw fixed and coherent rules in an area as controversial as human rights.

Moreover, the attitudes of other countries and peoples are not identical to those of Canada in the field of human rights, and these differences of emphasis and value cannot easily be reconciled within a global framework. To the extent that criteria can be established against which to judge the performance of other countries, the most valuable guide is to focus on those violations of human rights which are patently systematic, gross, and continuous, whether in the field of civil and political rights, or in the field of economic, social and cultural rights.

The Case of Tiananmen Square

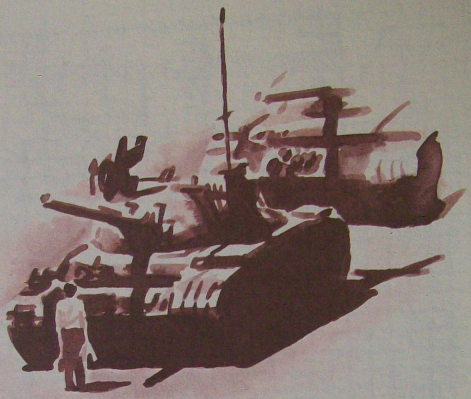
The first major test of this qualified aid-human rights linkage came with the violent suppression of student demonstrators in Beijing's Tiananmen Square in mid-1989. The government's response was quick and incisive but designed to maintain a relationship with China. Following a conference in late June 1989 of development agencies, universities and private sector representatives, called by Joe Clark, then Secretary of State for External Affairs, three major bilateral assistance projects were cancelled, a major hydro project was indefinitely suspended, and four other projects were postponed (but eventually resumed). In addition, Ottawa said it would defer indefinitely high-level contacts with the Chinese Government, and would restrict access to Export Development Corporation concessional credit arrangements.

However, an attempt was made to retain a relationship and to avoid pushing China towards isolation. New bilateral projects remained possible, but had to meet three criteria: they must focus on people-to-people exchanges; they must preserve existing linkages, be they government-to-government, academic, or private sector; and they must not assist the military, police or propaganda establishments.

This was seen as a constructive policy, capable of having some positive impact on Chinese policy. In contrast, many other countries adopted a tough, punitive approach. In the course of the next two years, however, a policy transformation took place. Some governments which had initially taken a hard stance gradually relaxed their positions, then normalized their relations with China. But Canada's position hardened. Reflecting consistently negative press reports, opposition criticism in the House of Commons and a perceived desire on the part of the public to be "tough on China," Ottawa's statements on China in 1990 and 1991 became more strident. After the initial cuts, aid activity continued quietly but at a slightly reduced level and Ottawa declined to normalize the overall relationship. A puzzled Chinese leadership showed signs of irritation at Canada's position.

The Harare Doctrine

In late 1991, the Prime Minister restated and reinforced this tougher government policy. At the Commonwealth Heads of Government Meeting in Harare, Zimbabwe, in October, he drew a direct and unequivocal link between Canadian aid and the human rights records of recipients and called on all member states of the organization to follow his lead. Absent was the recognition of gray areas and of the difficulty of establishing strict criteria, which characterized the "post-Winegard" policy. On October 16, Mulroney said:



When China used violence to suppress student demonstrators in Beijing's Tiananmen Square, Canada adopted a measured response aimed at applying pressure while keeping open the relationship with China.

Since 1987, human rights have been a concrete factor in Canada's annual cabinet review of development assistance policy. Since then, a country's human rights record has helped determine the share that country is allocated of our development assistance funds .... Human rights considerations also help determine the channels we use to disburse the assistance .... In Canada's judgement, it is indispensable to the credibility of the Commonwealth that its Harare declaration make clear that nothing in international relations is more important than respect for individual freedoms and human rights. For Canada, the future is clear: we shall be increasingly channelling our development assistance to those countries that show respect for the fundamental rights and individual freedoms of their people. Canada will not subsidize repression and the stifling of democracy.

The Canadian press variously characterized the response by other Commonwealth governments to the Prime Minister's initiative as being from lukewarm to hostile. Less than a week after the Prime Minister's speech, during a debate in the House of Commons, opposition members questioned the government's motives and willingness to follow through on its principles. Referring to Indonesia and other countries, and speaking to his own motion urging the government to ensure that all international programs meet the Prime Minister's new criteria, opposition New Democratic Party member Svend Robinson asked, "why is there this last-minute conver-

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sion to principles of linking human rights with financial aid and financial support? Why is that? Why are they not practising what they preach?" Also making specific mention of Indonesia in the final stages of the debate, NDP member Lynn Hunter, said: "I urge the government not to repeat the sorry history of empty rhetoric but to put real substance behind the Prime Minister's [Harare] statement ...."

The Dili incident occurred 21 days later, on November 12, 1991. It was to be the first concrete test of the government's new linkage policy. It is in the context of the Harare speech, press and opposition parties' reaction to it and the sequence of events in the month that followed it, that the Canadian Government's response to Dili must be seen. This context also forms the backdrop for what became a move away from the flexibility of the "post-Winegard" policy of 1987-88, in favour of a stronger, more punitive approach, which, in practice, was applied selectively to Canada's aid recipients.

The Dili Incident

The East Timor question — Indonesia's annexation of the territory on the withdrawal of Portuguese colonial rule in 1976 — had been repeatedly discussed during Canadian-Indonesian official dialogues for a decade. Canadian external affairs ministers, Joe Clark predominant among them, had frequently voiced the government's concern over the situation in East Timor to their Indonesian counterparts. As in most Western countries, the government came to accept Indonesian control over the area, while maintaining a close watch on developments. As External Affairs Minister Barbara McDougall said in the House of Commons on September 18, 1991, before the Dili incident:

Canada considers that Indonesian sovereignty over East Timor is a fact, recognizing that there has never been any history of independence or self-determination or self-government in that territory. We do not condone the manner of incorporation and we deplore and condemn the loss of life that occurred ....

The Canadian reaction to the shootings in Dili was dramatic and more openly critical of Indonesia than ever before. At an international meeting in Seoul, Mrs. McDougall met with the Indonesian Minister of Foreign Affairs, Ali Alatas, "hours after news of the killings" to express "the outrage of the Canadian people," which she repeated at a press conference the next day, and in a press release on November 15. However, no decision on immediate action to reduce or suspend aid had been taken: Mrs. McDougall explained on November 18 in the House that "... although I have asked for an examination of our foreign aid to Indonesia, I should point out that it was $46 million and it is very much grassroots aid. It goes to environmental projects, water supply, human resources, women and development." Not wholly accurately, she added, "It does not go through the government for the most part," possibly intending to say that the assistance went not into the Indonesian Government's general revenue to dispose of, but directly to target groups, whether government-related or not.

At that time, the Prime Minister was at the summit of Francophone countries in Paris, repeating his intention to link aid more closely with human rights. *The Globe and Mail* reported at the summit's close on November 21 that the initiative received a more sympathetic hearing than in Harare, but that the resolution adopted "leaving it up to each nation to determine the roads that will appropriately strengthen its democratic institutions .... fell short of Canada's position."

On the Prime Minister's return, consideration was given to a concrete response to the events in Dili, one that was consistent with the Harare and Paris initiatives. The shootings had caught the attention of the media: "Canada all but silent on reign of terror," said the *Calgary Herald*; "East Timor acid test of Ottawa's resolve," said the *Winnipeg Free Press*; CBC radio's "As It Happens" broadcast a moving interview with a University of British Columbia student whose brother was one of the victims. Three weeks passed, an indication of the intensity of the debate within the government over the most appropriate action to take.

There was no doubt the government would act, given the seriousness of the incident and the expressions of concern about East Timor voiced by Ottawa in the past. There were, however, a number of options available, related to the substance of any action, its timing, and the forum to be used. Ottawa could, for example, have chosen diplomatic action in the United Nations, to which Indonesia would have been sensitive, particularly since it was about to take over leadership of the Non-Aligned Movement. The government might also have adopted the course chosen by most aid donors and awaited the outcome of the investigation launched by the Indonesians themselves. However, given the pressure building from the media and the political opposition in response to the Prime Minister's Harare speech, the government evidently regarded its options as being limited. The decision taken was to reduce Canadian aid before the Indonesian investigation had run its course.

This formal Canadian response was announced on December 9, 1991, and was cautious. Consideration of three new projects "that provide direct assistance to the Government of Indonesia" was put on hold. But the government defended continuing development assistance to Indonesia, focusing as it did on human resource development and environmental cooperation: "The projects that are already

underway will be allowed to continue." The December 9 press statement went on:

Mrs. McDougall indicated that the work of the [Indonesian Government] commission of inquiry and the actions of the Indonesian Government will be taken into account during the government's upcoming aid allocations review. In this review … the government will continue to give increased emphasis to human rights concerns around the world.

The suspension was limited, and to a degree symbolic since at least two of the projects affected were still at the proposal stage. Nonetheless, it had a lasting impact. Senior Indonesians, focusing on the decision to suspend aid and not so much on its substance, reacted strongly, making it clear that relations could fully return to normal only once the December 1991 suspension, with its implicit conditions, was lifted. And in Ottawa, the limited suspension, and an ambiguity about the status of the Indonesian program that flowed from it, became a barrier to new projects.

Stalemate

During two Indonesian ministerial visits to Canada during 1992, of Minister of Foreign Affairs Ali Alatas in February, and of Radius Prawiro, Coordinating Minister for economic affairs, in May, government ministers repeated Canada's concern over East Timor but, apparently, undertook to keep the limited suspension of new aid under review, and to move toward normalization "soon," once circumstances warranted. A number of "benchmark" events were set, then allowed to pass by without any action. First, the government awaited the preliminary report of the commission of inquiry established by President Suharto immediately after the Dili incident and the actions taken on its recommendations by the Indonesian Government. Later, Ottawa awaited the full report, as well as the report of the UN human rights representative after he visited East Timor.

On November 12, 1991, Indonesian troops and paramilitary personnel opened fire on demonstrators in Dili, East Timor, provoking calls for the suspension of international aid to the country.

On several occasions, the government seemed to be moving toward a reconsideration of the limited aid suspension. Then a negative report on Indonesia would appear in the Canadian press, with the apparent effect of precluding an early return by Ottawa to normal relations. Human rights groups, including Amnesty International, Asia Watch and the less familiar (to Canadians) Tapol and East Timor Alert Network, remained active through the spring. Many of those who might have supported the role of Canadian aid to Indonesia in helping improve the development of human rights, or who might have been capable of explaining Indonesia's complex political and social characteristics, seem to have been intimidated by a fear that they would be seen as excusing human rights abuses. The press provided very little in the way of analysis of the pros and

Human rights concerns could be furthered by continuing aid to Indonesia, but how could they be reconciled with the Prime Minister's policy?

cons of using aid as a weapon in furthering human rights, and reflected, in general, a lack of knowledge of Indonesian affairs that has been noticeable for many years. Southeast Asian scholars within Canada's academic community contributed little in the way of public examination of the Indonesian case or of the human rights and aid issue generally. Even non-government organizations which supported continued contact with Indonesians, and the private sector, whose involvement in development projects and particularly in training activities in Indonesia has been positive in many ways, appeared to be intimidated. The public stage was left to the vocal critics of Indonesia and of the Canadian aid program, and public input into ministers' offices, in the way of press coverage, editorial comment and letters from constituents and interest groups, reflected this lack of balance.

On July 16-17, 1992, the consortium of development assistance donors to Indonesia (the Consultative Group on Indonesia, or CGI) held its annual meeting in Paris, under the chair of the World Bank. At this meeting, Canada, along with other donors, was expected to announce formally its pledge of assistance for the coming year. While the limited suspension of new projects remained in effect, Canada's pledge had already been discussed at the ministerial level in Jakarta and senior Indonesian officials were already aware of the configurations of the proposed new annual program.

Within hours of the opening of the meeting, Ottawa pulled back. The Canadian delegation informed the Indonesian ministers present that Canada would not participate as a full member of the meeting but would only sit as an observer to the meeting and would make no statement, and that no public pledge of assistance for the coming year would be made. Indonesian sources understood the Canadian position to be that aid would go ahead on a case-by-case basis and that the Canadian position would be reviewed once the human rights situation in Indonesia improved.

Two events, which seemed carefully timed, immediately preceding the meeting, may have led to this sudden decision. First, in July, Amnesty International issued a report entitled *Indonesia/East Timor: the Suppression of Dissent*, which pulled together in one document all material that had been issued by Amnesty during the past several months. Second, 14 Canadian MPs, most of them from the NDP, formed a group called "Parliamentarians for East Timor" and on July 15 issued a press release calling on the government to "take a leading role in promoting its policy of linking foreign aid with human rights by pressing for a suspension of aid at the CGI."

Official Indonesian circles in Jakarta, including (according to Indonesian sources) President Suharto, reacted with surprise and dismay. They saw this as an inexplicable hardening of the Canadian position, which was all the more unexpected and "humiliating" (as one senior official reportedly put it) given what had been perceived as a desire by Canada to move toward restoration of more normal relations, and indications from Ottawa that the government would resolve the issue before the CGI meeting. They had been particularly encouraged by Radius Prawiro's May meeting with Minister for International Trade Michael Wilson. The only redeeming feature of Canada's stance in Indonesian eyes was that it was conveyed in private and in advance and was implemented without fanfare.

Ottawa's quiet position stood in marked contrast to the policy of other donors at the Paris meeting. Scandinavian donors cut back their aid relationship, the European Parliament and Portugal remained critical and Portugal blocked European Community renewal of multilateral assistance to ASEAN, citing the East Timor case. The US Congress later cancelled military training programs for Indonesian officers, despite lobbying by the Bush Administration. But Canada alone maintained an official suspension of bilateral development aid. Even the Dutch, the former colonial rulers of Indonesia, whose aid program was cancelled unilaterally by the Indonesians on March 25, 1992 because of criticism by the Dutch minister for international assistance, made ministerial overtures in Jakarta in attempts to restore the program. In Paris, Indonesia received pledges totalling US$ 4.94 billion in loan and grant assistance, more than Jakarta had expected.

The Canadian Government's quandary was real. The argument could be made that human rights concerns could be furthered by continuing aid to Indonesia, but how could it effectively be reconciled with the Prime Minister's policy on linking aid and human rights, particularly in the face of a hostile press and political opposition? Indonesia is not well known in Canada. It receives infrequent attention in the media. How could sophisticated points related to political and social dynamics, such as the uniqueness — in the Indonesian context — of the commission of inquiry into the Dili incident, be explained in a country where commissions of inquiry are commonplace? Human rights issues matter to Canadians; at home, concern over native Canadians' rights, the administration of justice and the administration of refugee policy demonstrates this. How could Canadians — particularly those who influence policy through the press — be convinced that a more deliberate approach to the issue of human rights, such as that put forward in the government's 1987 reply to the Winegard Report, would sufficiently meet their deeply felt and legitimate concern for human rights? How could they be satisfied that action taken through diplomatic channels might be more effective in improving human rights that public confrontation?

Demonstrations and meetings in Canada, surrounding the first anniversary of the Dili shootings, attracted perhaps 300 people nation-wide, but CBC television's "Prime Time

News" on November 12, 1992, and *The Globe and Mail* on November 13, presented highly critical stories, castigating the government for pursuing "business as usual" with Indonesia.

In fact, the government was being tougher than its critics credit. While only the limited suspension of new projects formally remained in effect, no decisions appear to have been made in 1992 on any new projects in Indonesia, although, late in the year, consideration was being given to planned second phases of some projects. Government statements on the Indonesia case were rare after early 1992, but the *Guelph Tribune* quoted Dr. Winegard on November 11, referring to the suspension of aid and to the decision not to pledge assistance at the Paris donor meeting, as saying, "It's a fine line. There is no new aid because the Indonesian Government has not satisfied us yet that they are aware of human rights .... but the projects there are prepared to go ahead because they benefit the people."

In late 1992, two new elements emerged that might work against the normalization of the aid program. The severe cuts in CIDA's budget announced late in the year could result in lower allocations to the program even if new funds were to be approved. Also, there was a disinclination on the part of some in Ottawa to modify Canada's position, just as the new Clinton administration in Washington might be about to take strong positions on human rights. On the other hand, there was an increasing awareness at senior levels in Ottawa of the damage being inflicted on the overall Canadian-Indonesian relationship and a growing willingness to start repairing it.

On the Indonesian side, there was by the close of 1992 no sign of imminent retaliation equivalent to the action taken against the Dutch, but there was continuing evidence that Canadian ventures would encounter hostility as long as the matter remained unresolved. The first evidence that existing aid projects could be a casualty of strained relations was the last-minute cancellation by senior Indonesian authorities of a mid-November 1992 visit by a small group of provincial governors to Canada. They were to take part in a regional and rural planning study tour directed at increasing the quality of, and public participation in, rural development. But early in 1993, there were signs that Jakarta would respond positively to Ottawa's willingness to extend a number of major existing projects, possibly regarding this as the beginnings of a clarification of Canadian policy.

The Indonesian Response

Indonesians no less concerned than Canadians about human rights, in their own country and elsewhere, have been deeply disappointed at Canada's position. They pointed out that Indonesian society and the Indonesia polity are not monolithic, but contain active and influential reformist elements, even within the armed forces. They referred to the progress in human rights and political openness that had been made during their country's turbulent history — a more open political process, the increasingly influential role of the legislative branch and

With the help of development aid from countries like Canada, Indonesia has made great progress in improving its education and health care systems.

incorporation of improved individual rights guarantees in the penal code.

They also pointed to the contribution that international development assistance has made to the process of change in Indonesia. They argued that Canada's aid programs in education, rural development, the environment, the role of women, and good governance support this change, and that denial of this assistance would work against progress in individual and community rights. This disappointment was rooted in an expectation that close relationships between Indonesians and Canadians should have equipped Canada to appreciate these points, to understand the complexities of Indonesian political life and to use the position that this relationship has given Canadians in Indonesia in a more constructive way.

Very conscious of Indonesia's past struggle for independence and democracy, and of the many challenges that lie ahead, the national pride of liberal Indonesians surfaced. They were insulted by the scolding of countries with their own human rights problems. They understood that the situation in East Timor remained volatile and that human rights issues there and elsewhere in the country would continue to attract international attention to the detriment of Indonesia. But they pointed to a number of developments not well appreciated in

Canada. The commission of inquiry appointed by President Suharto, and the military council later established by the armed forces, were unprecedented. The publication of their findings was, in the context of Indonesian history and politics, surprising and dramatic. In a culture where officeholders are sometimes seen to be insulated from accountability, the disciplinary action taken against senior military officers was, to many, a dramatic expression of the Indonesian Government's sensitivity to human rights issues. Given the role of the armed forces since Indonesian independence, open government condemnation of their behaviour and discipline represented a political watershed.

The Indonesian Government's official response to Canada's stance was unequivocal. Canada was told, on several occasions by the most senior levels, that Indonesia's regret over and actions taken to redress the Dili incident were on the record. It was up to Canada whether it gave new aid to Indonesia. But if new aid was given, it must be free of political conditions. Following the unilateral termination of the Dutch aid program by Indonesia, there were reports that Jakarta considered rejecting Canadian aid as well, in order to remove this irritant to bilateral relations. But Canada does not carry the same political baggage as the Netherlands; the Indonesians found criticism from the former colonial power particularly offensive. Also, Indonesians appreciated attempts by Canadian officials to use bilateral channels, rather than public forums, for conveying negative policy decisions, and perceived clearly that for Canada, aid and human rights in Indonesia was to a large degree a domestic issue, internal to and driven by the Canadian political process. What some saw as patience and understanding on the part of Indonesian officials reflects the remnants of what has been, over several decades, a special relationship built on Canada's development assistance program.

The Aid Relationship

The aid relationship between Canada and Indonesia has been the pillar of bilateral relations. With annual disbursements in the neighbourhood of $45-75 million since 1985, Indonesia is Canada's third-largest aid recipient. It represents, however, two percent or less of Indonesia's aid receipts.

Nonetheless, it is regarded as an important program in Indonesia, because of its high quality, its geographical focus in less-developed eastern Indonesia, and the development issues to which it gives priority. Canadian aid also has allowed Indonesia to diversify its sources of assistance, to benefit from North American expertise without the intense commercial pressures and — up to now — political conditions that often accompany aid from some other Western donors.

The size of the program reflects a number of factors given importance by Ottawa. Indonesia is now the world's fourth most populous country, and is still one of the poorest, but the skilful management of its economy, the progress made in

Indonesia, the fourth most

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has made great economic

progress in recent years,

but remains a poor country,

burdened by its huge population.

health care and education, the attention being devoted to equitable development among groups and regions, and success in reducing poverty, places it apart from most other recipients of Canadian aid. Indonesia's absorptive capacity for aid has been proven: Canadian aid funds, generally speaking, are quickly disbursed and effectively used. The Indonesia program focuses on sophisticated and complex issues that lie on the leading edge of development, as well as often being central to Canada's own concerns, and has served successfully over the years as a testing ground for new approaches to, and methodologies in, development. Canadian public and private-sector capabilities are well suited to Indonesia's development needs, and many organizations have acquired significant expertise in Indonesia.

Canada also recognizes Indonesia's place in Southeast Asia and its progressively more assertive and influential role internationally. Ottawa has found in Indonesia a close ally on law-of-the-sea issues. Canada also supports, and is the major source of funds for, an Indonesian initiative to mobilize international cooperation among the states of Southeast and East Asia to avoid conflict in the South China Sea, seen by many as the next flashpoint in the region.

The aid partnership flourished also because of the interpersonal relationships it created and then thrived on. Close personal and professional relationships have existed, not only at the ministerial level, but also at the middle-management and, indeed, the community level. Through these long-lasting links with individuals and certain government and non-government agencies, Canadians have played a major role in

such key areas as environmental protection, rural development, the role of women, education, fiscal and investment policy, agricultural development, and even religious affairs.

The sense of trust and respect created by these relationships permeated the whole of Indonesian-Canadian relations and created an atmosphere in which Canada's role in Indonesia grew quite out of proportion to its modest levels of aid, investment, and trade. It is this atmosphere, and the standing it has given Canada in Indonesia, that may be the most important factor of all in the Canadian-Indonesian relationship, and that, both sadly and ironically, was put at immediate risk by the dispute between the two governments over linking aid to human rights.

Toward Progress in Human Rights

When Indonesia assumed the chair of the Non-Aligned Movement in September 1992, the debate on human rights in Indonesia entered a new phase. The issue of human rights no longer related only to events within Indonesia; the level of debate was raised to that of the meaning of human rights itself.

With the end of the Cold War, the pressure on aid budgets reflecting economic difficulties, and "donor fatigue" brought about by challenges to the costs and benefits of foreign aid, donor countries are becoming more selective in allocating their aid. Conditions, related not only to human rights, but also to good governance and environmental protection, are being attached. Under these new pressures, the developing world is beginning to react.

As the geography of international political and economic dynamics shifts from East-West to North-South, the Non-Aligned Movement, comprising 108 countries, is shaping a new role for itself. Evolving out of the 1955 conference of Afro-Asian states in Bandung, Indonesia, to further the common interests of those countries allegedly aligned to neither of the world's two mutually antagonistic and competing East and West blocs, it now seeks to speak for the developing world, for the "South." Since Indonesia holds the chair of the Non-Aligned Movement, it has been instrumental in charting its new course. And among the issues on which the developing world is presenting a united front is the issue of "conditionality" of aid — especially aid being made conditional on Southern countries adopting Northern ethics.

The developing world's concept of human rights differs in important respects from the Euro-American concept, which gives primacy to the individual's political and civil rights, and frequently emphasizes minority and special group rights. The developing world's approach focuses on the rights of the community, which, where necessary, are given predominance over the rights of individuals or groups who would put themselves before the community. Inherent in the concept is the belief that individual rights can only be realized once broader rights and well-being are safely in place.

Other Cases: Africa, Central America and Asia

Another case involving Canada's linkage of aid to human rights arose at about the same time as the Dili incident. In Kenya, political oppression and gross mismanagement severely affected not only human rights but also the effective delivery of aid. Kenya's donor consortium presented a common front, setting conditions on the Kenyan Government relating to political and economic reform, including measures to further human rights, and establishing a process by which Kenyan compliance would be monitored.

CIDA's programs in, for example, South Asia, have also been sensitive to human rights issues. Concern over such problems as communal violence, the status of women, child labour and political repression, have resulted in reductions of CIDA assistance by one-third or more to Sri Lanka, India and Pakistan, and a redirection of aid away from the government sector.

Programs in El Salvador and Guatemala have long reflected the record of persistent and serious human rights abuses of those countries. Currently the programs in both countries are consciously directed entirely to the non-government sector. With the recent peace agreement in El Salvador, and following a review of the current situation by the consortium of aid donors to El Salvador, Canadian assistance may be gradually and cautiously increased.

Differences can be perceived with the Indonesian case. In South Asia, El Salvador and Guatemala, a set of prevailing conditions persistently detrimental to human rights led to a methodical and little-publicized review of aid programs in their individual contexts over a number of years. In contrast, the dramatic and highly publicized nature of the Dili incident, as well as its timing, attracted action at the political level. The consequent difficulty of moving away from or refining Ottawa's initial public response resulted in policy being frozen. A considered policy review, whereby the program might, for example, have been reshaped or redirected in a tailored and selective manner that took account of the context of Indonesian political and social dynamics as well as the broad spectrum of Canadian relations and contacts with Indonesians, was forestalled.

In Kenya, and to a degree in El Salvador, unanimity among its aid donors has been key to the effectiveness of the action taken. In the Indonesian case, Canada stood alone in maintaining a bilateral aid suspension. In these circumstances, the question of the effectiveness of the Canadian position in bringing about an improvement in the human rights situation cannot be avoided.

If Canada helped develop a universally accepted set of concepts of human rights, it could revitalize the country's role as a link between North and South.

Attempts by the United Nations to define and protect human rights reflect an effort to reconcile these different perspectives. The 1948 UN Universal Declaration of Human Rights, and later covenants and protocols, covered a broad spectrum of human rights, political, civil, social and economic. However, developing countries saw the need to elaborate further a more "comprehensive" approach that emphasized the inter-relatedness of various rights. This "comprehensive" approach was embodied in the UN 1986 Declaration on the Right to Development. While not all developing countries subscribed, at least immediately, to the 1948 declaration or its covenants, the 1986 declaration was subscribed to by all the developing and socialist world at the time, but by only some developed countries. Canada was among those who voted in favour of the resolution.

Article 1 of the declaration reads:

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

The developing world's new common front on human rights emerged from the Tenth Conference of Heads of State or Government of the Non-Aligned Movement in Jakarta in September 1992. The conference unanimously accepted a statement on human rights, contained in Paragraph 18 of its final document, the "Jakarta Message." An integral theme of the statement was a rejection of the concept of linking aid to human rights. The statement, which will be actively promoted at the Second World Conference on Human Rights in June, 1993, reads:

We affirm that basic human rights and fundamental freedoms are of universal validity. We welcome the growing trend towards democracy and commit ourselves to cooperate in the protection of human rights. We believe that economic and social progress facilitate the achievement of those objectives. No country, however, should use its power to dictate its concept of democracy and human rights or to impose conditionalities on others. In the promotion and the protection of these rights and freedoms, we emphasize the inter-relatedness of the various categories, call for a balanced relationship between individual and community rights, uphold the competence and responsibility of national governments in their implementation. The Non-Aligned countries therefore shall coordinate their positions and actively participate in the preparatory work of the Second World Conference on Human Rights in June 1993, in order to ensure that the conference addresses all aspects of human rights on the basis of universality, indivisibility, impartiality and non-selectivity.

The essence of Canadian policy of linking aid to human rights is rejected, therefore, not only by Indonesia, but by the whole of the developing world.

A number of questions arise. What is the objective of linking aid to human rights and can this objective be achieved through current Canadian policy? Is a flexible policy that recognizes the political dynamics of individual countries and seeks to encourage progress in human rights likely to yield results in, for example, Indonesia or will a punitive policy of condemnation and unilateral withholding of aid be more effective? Does Canada's current stand on aid and human rights deny Canadian foreign policy the ability to use selectively and strategically a variety of policy instruments to further the development of human rights?

Canada's interests, and the prospects of Canada contributing toward real progress in human rights, may lie not in continued confrontation with Indonesia over East Timor, but in finding ways to establish a constructive dialogue. As current leader and spokesman of the renewed Non-Aligned Movement, Indonesia will play a major role leading up to the Second World Conference on Human Rights in June 1993. This must be recognized. If, working with — and not against — the developing world, the Canadian Government were to devote its energies to the development of a universally accepted set of concepts on human rights and to an increased commitment to them by all members of the international community, it could revitalize Canada's traditional role as a link between North and South and, at the same time, realize its goal of enhancing human rights, not only in Indonesia, but in the world at large.

About the author:
Christopher J. Dagg, *Project Director, Eastern Indonesia University Development Project at Simon Fraser University.* After study at the University of British Columbia and Queen's, Christopher Dagg undertook research on Indochina for the Canadian Institute of International Affairs. Joining the Department of External Affairs in 1966, he served on Canadian delegations to the International Commission in Vietnam and to the 1973 International Conference on Vietnam in Paris. Since 1971, Mr. Dagg has become an Indonesian specialist, working in the country from 1971 to 1984 as First Secretary at the Canadian Embassy, and later, on local development programs in Sulawesi with P. T. INCO Indonesia. He has also worked as regional advisor and manager of Guelph University's Sulawesi Regional Development Project. Mr. Dagg is Vice-Chairman of the Board of Trustees of Obor, a New York-based NGO that promotes the publication of works on civil rights and development issues in South and Southeast Asia, and also advises on international and security issues at Indonesian-chaired workshops on conflict resolution among states bordering the South China Sea.