

**DONOR RESPONSE TO HUMAN RIGHTS VIOLATIONS:
A REGIME IN FOREIGN AID?**

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ABSTRACT

Using regime theory, we consider in this thesis whether there is evidence of the gradual establishment of norms, principles, rules and regulations governing donor policies with regards to linking foreign aid to human rights practices. We hypothesize that, despite the constraints caused by the multiplicity of foreign policy objectives for any given donor, there is evidence of a developing human rights regime in the foreign aid policies and practices of donors of aid. Using a historical approach, we study the aid policies and practices of two international organizations (the United Nations and the Organization for Economic Co-operation and Development) and two aid donors (Norway and the United States). We investigate the donors' policy statements, monitoring mechanisms, policy implementation and changes in donor behavior for evidence of the presence of a regime. Our findings suggest regime development occurring over three distinct periods of time (1945-50; 1973-83; 1989-94), with the resulting regime operating at three distinct levels with varying degrees of efficiency and effectiveness.

RÉSUMÉ

En utilisant la théorie de régime, on discute donc cette thèse s'il existe de l'évidence d'un établissement graduel des normes, des principes, et des règlements qui gouvernent la politique à l'égard des liens de l'aide étrangère avec les méthodes des droits de l'homme. On fait l'hypothèse que, malgré les contraintes causées par la multiplicité des objectifs de la politique pour un certain donneur étranger, il y a de l'évidence qu'un régime des droits de l'homme commence à se développer dans la politique de l'aide étrangère et dans les méthodes des donneurs de l'aide. En abordant le sujet historiquement, on fait l'étude de la politique et méthodes d'aide avec deux organisations internationales (les Nations Unies et l'Organisation pour la Coopération et Développement Économique) et avec deux donneurs d'aide (la Norvège et les États Unis). On examine la politique des donneurs par rapport des comptes rendus, des mécanismes de contrôle, et l'accomplissement de la politique pour l'évidence de la présence d'un régime. Ce qu'on a trouvé suggère un développement d'un régime qui se présente pendant trois certaines périodes de temps (1945-48; 1973-83; 1989-84). Les régimes qui se sont réalisés fonctionnent à trois certaines niveaux et aux degrés variables d'efficacité.

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CHAPTER ONE - INTRODUCTION

In this thesis we wish to consider whether there is evidence of the gradual establishment of a regime concerning human rights within the foreign aid policies and practices of ODA donors. The understanding of "regime" that will be used here is based upon the definitions by Stephen Krasner and Robert Jervis. Krasner defines regime as

...sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations.¹

Robert Jervis adds further to the notion of regime. He makes the distinction that a regime

...implies not only norms and expectations that facilitate cooperation, but a form of cooperation that is more than the following of short-run self-interest.²

In other words, regimes can be used to describe a situation where actors in the international system agree upon certain norms and principles governing their actions in given areas. Regimes describe an arrangement between states less formal than international organizations, but at the same time an arrangement where decisions cannot solely be explained by an actor's immediate self-interest.

By applying the regime concept to foreign aid we are hoping to detect similarities in policy and behavior of donors of aid in an attempt to recognize patterns of international behavior. Detecting a pattern of consensus on what role human rights ought to play in the area of foreign aid planning, could provide us with predictions or expectations of outcomes, and add a certain degree of logic to the process of foreign aid policy making and implementation.

Do we find evidence of such a consensus governing donors' response to human rights violations in the post-war era? Important norms and principles were agreed upon by most countries immediately following World War II, in a response to the human atrocities that were disclosed in its aftermath, giving human rights a place in foreign policy prior to the initiation of the first foreign aid programs in the 1950's.³ It took until the 1970's however, before human rights became an important concern in the foreign aid debate and was incorporated into aid policy. In recent years we have witnessed an upsurge in the attention paid to human rights. Such rights certainly captured the public eye with the end of the Cold War and the "liberation" of Eastern Europe. Preliminary evidence shows that also in the foreign aid area emphasis upon human rights violations has increased. In the late 1980's and early 1990's we have witnessed greater outspokenness for using methods of inducement to ensure a good human rights standard by the recipients of aid.

These developments throughout the post-war era lead me to state the following hypothesis: Despite the constraints caused by the multiplicity of foreign

policy objectives for any given donor at any given time. I argue nevertheless that we find evidence of a developing human rights regime in the foreign aid policies and practices of the major donors of aid.

The realm of foreign aid is often thought of as one lacking in clarity and predictability. Some scholars have therefore sought to apply the regime concept in an effort to bring some order and rationality into the foreign aid debate. In previous work Robert E. Wood⁴ and David H. Lumsdaine⁵ each provide evidence of a regime in foreign aid. Lumsdaine found, by studying initial policy statements describing the basic motivations behind aid, that foreign aid itself has its foundation in donors' moral obligation to provide economic assistance. Lumsdaine explains that a shared sense of obligation signals the presence of a regime in foreign aid. He argues that aid cannot be fully accounted for on the basis of donors' economic and political interests alone, and that other norms and principles (such as the importance of alleviating poverty) are influential in deciding to whom and for what economic assistance is given. In the work conducted by Wood, evidence is presented for the existence of a regime governing the procedures for access to and distribution of economic assistance. My thesis provides an extension to previous work in the area, by specifically investigating the possible existence of a regime governing donor response to human rights violations by the aid-receiving government.

We understand the concept of human rights to mean

The protection for individuals from arbitrary interference with or curtailment of life, liberty, and equal protection of the laws by government, or private individuals and groups.⁶

We shall for the purpose of this study include discussion only with respect to rights as described in the International Covenant on Civil and Political Rights.⁷ Of particular importance in this regard are articles 1,6,7,9 and 18, stating the right to self-determination and a right to life; protection against torture and cruel treatment or punishment; the right to a fair trial and the right to freedom of thought, conscience and religion. Rights included in the Covenant on Economic, Social and Cultural Rights shall not be discussed here.⁸

When we use the term foreign aid in this thesis we understand it to mean

explicit transfers of real resources to less developed countries on concessional terms.⁹

Official Development Assistance (ODA), a more restrictive term, is defined by the Development Assistance Committee (DAC) of the Organization for Economic Co-operation and Development (OECD) as being foreign aid "carrying a grant element of at least 25%."¹⁰ For the purpose of this study we will consider only ODA. Consequently, what is referred to as Other Official Flows, aid carrying a grant element of less than 25%, will be omitted from this study. This definition excludes,

therefore, most lending from the IBRD, the IMF, regional development banks, and part of bilateral flows.

We will test our hypothesis regarding the existence of a developing regime by looking at the post World War II conduct of both international organizations and national donors respectively. First we will discuss significant policy statements of two international organizations; the United Nations (U.N.) and the Organization for Economic Co-operation and Development, to see if an "international opinion" has formed on the issue of linking foreign aid to human rights practices. The United Nations represents nearly all countries in the world, and the membership of the OECD includes most major as well as minor western donors of aid. The policy statements from these two organizations (with their wide-ranging membership) represents, I shall argue, a kind of global or world opinion regarding donor response to human rights violations. If we find evidence of organizational policy supporting the legitimacy of raising human rights concerns within the foreign aid debate, we will have an indication of a shared principle among aid donors, that including human rights concerns in foreign aid planning is legitimate and appropriate, suggesting an incipient regime.

If the evidence above suggests an incipient regime on this issue, is there any evidence of it in the behavior of individual OECD and U.N. members? This thesis can only be a preliminary study, but I shall attempt to examine the policies and practices of two donor countries, the United States and Norway. These particular donors were

chosen for the study based on how likely they would be to support the regime notion and respond (with new policy, better monitoring, and changes in aid programs) to human rights violations in an aid receiving country. We chose one donor that we considered the one least likely to comply with the regime principles, namely the United States. Thereafter, we chose a donor most likely to comply, namely Norway. As we will show in chapters four and five, several factors contributed to this view, the most visible factor being the two countries' voting patterns in international forums, most notably the United Nations. Norway has repeatedly championed human rights in the United Nations. It has supported almost all legislation that is intended to protect human rights and has adhered to the United Nations definition of what is included as rights and when one should consider them violated. The United States, on the other hand, has chosen to define its own set of human rights, as well as stipulating under what conditions they are considered violated, rather than following the international standards developed by the United Nations.¹¹ For example, until the Clinton Administration changed this position in 1993, the U.S. had not recognized economic, social and cultural rights as human rights. We therefore work under the assumption that these two donors represent the poles of opinion among western aid donors on this question. If their policies are seen to correspond and change in the same direction, it is likely that most of the remaining donors of aid will adhere to the same common principles and practices. But a further study would be needed to test this.

It is interesting to note that these two donors were the first to initiate an ODA program, already in the early 1950's. Norway's first project (to India) was actually financed while Norway was still receiving Marshall aid from the U.S. after World War II. The United States and Norway are also the two largest aid donors with respect to the size of aid allocated, each measured in a different way. The United States is the largest donor with respect to aggregate aid, while Norway is the largest supplier of aid as percent of GNP per capita.

To gather evidence of the development of a regime among donors of aid we will examine whether we find evidence of both a) articulated norms and principles, and b) change in actual aid giving behavior when investigating Norway's and the United States' foreign aid policies and practices in the post-war period. During our investigation of the two donor countries, we will use three indicators as evidence of a regime:

1) policy statements, 2) operating procedures and monitoring mechanisms,
and 3) policy implementation and practice.

First, we will examine the policy statements of each of the two donors to see whether norms and principles regarding human rights have been expressed in these statements. We will look for a commitment on the part of the donor to work towards the reduction of human rights violations, and a commitment to use foreign aid as a tool to accomplish this. Because of the two donors' different political histories and philosophies, we expect to observe outcomes colored by the Social Democratic

background of Norway and by the Realist school which has been dominant in American foreign policy.¹² We can also expect differences in policy making to arise due to the roles the two countries play on the international scene, one as a super power, the other as a small state. The United States role as a super power combined with the dominance of the Realist school has led to concerns over, and a focus upon, the country's national security, economy and political interests over and above other interests.¹³ We shall expect to find that policy on human rights will depend on the various administrations belief as to what extent economic, political and national security concerns are in conflict with concerns over human rights. Norway, being a small state, does not find itself bound by national security concerns, nor does it have to defend a large political and economic position. The small state factor combined with its history of social democracy and socio-economic focus has allowed for a foreign aid program that prioritize the poorest nations and victims of oppression, resulting in an increase in the attention paid to human rights issues in aid planning.¹⁴ The Norwegian foreign aid policy is expected to show a strong commitment to reducing human rights violations, and to use the aid program to aide in this matter.

Second, we seek to establish the presence of specific operating procedures and monitoring mechanisms which follow from the expressed norms and principles as applied to the foreign aid - human rights relationship. The operating procedures would be procedures that organize a possible response after documented human rights violations have taken place. They would include rules and regulations for a donor's action once violations have been determined, for example, the mandate of the

U.S. Congress that allows them to reduce or remove foreign aid to countries with an unsatisfactory human rights record.

Another indicator of regime is the presence of monitoring mechanisms. These are mechanisms put in place to determine the human rights record of a recipient, and the extent to which violations of human rights occur. Such monitoring could, for example, involve a team of experts stationed in the recipient country, or the established use of information from Non Governmental Organizations (NGOs), such as Amnesty International. The existence of these types of procedures and mechanisms signal the degree of seriousness of a donor about violations of human rights and intention to have it affect aid giving. Without mechanisms to determine whether the recipient violates human rights or, without a mandate to be able to respond to violations, one can assume that the donor is more likely to be passive in the event violations do occur.

Third, we attempt to determine whether policy implementation takes place, and if actual behavior follows from commitments expressed in the donors' policy statements. We mentioned monitoring mechanisms as a means of measuring real intent to protect human rights. Naturally, an even more important measurement of intent is whether donors act out what they commit to in policy. What is the actual response of the two donors to human rights violations by ODA recipients? We will look at five possible responses which could be undertaken after the donors have received confirmation that human rights violations have occurred. These would be: 1)

violation noted in public document or voiced through diplomatic channels, 2) freezing of aid at current levels or shift in channels of aid, 3) reduction in amount of aid allocated, 4) removing country from the aid program, and 5) aid allocated in support of human rights and/or democratization projects. We will seek evidence as to when and how the responses for the two donors in question may have changed over the post war period. This will enable us to gain information about when a possible regime started to develop and about its strengths and weaknesses.

We would understandably have to conduct a much larger study than the one attempted here to truly assess norm convergence among all donors of ODA. Optimally we would include all donors of ODA. However, time and space limitations made such a study unfeasible. Priority was given therefore, to an investigation of selected donor countries, and international norms and principles laid down in the charters of the U.N. and the OECD. This enables us to use an historical approach and gain a good understanding of each of the two donors' ODA history regarding the human rights issue. It also enables us to see changes over time in donors' response to human rights violations, an essential element when trying to show the evolution of norm agreement among donors of aid. We rejected a cross-sectional as not enabling us to see the evolution of a regime. Being an approach that considers data from one specific point in time only, it would naturally not show whether a donor has become more or less likely to be concerned with human rights violations.

We will now turn to chapters two and three, where we will examine the evolution of policies of the U.N. and the OECD, respectively. Thereafter, in chapters four and five, we will discuss and analyze policies and practices of the two donor countries, the United States and Norway. The conclusion will follow in chapter six.

CHAPTER TWO

THE UNITED NATIONS: SETTING THE STANDARD FOR INTERNATIONAL NORMS AND PRINCIPLES ON HUMAN RIGHTS AND FOREIGN AID

The Charter, The Declaration, and The Covenants:

Building the Foundation for Human Rights in the United Nations and the World

In 1940 H.G. Wells wrote a draft titled “World Declaration of the Rights of Man”, whose final version was the forerunner of the effort by the United Nations to implement a code of rights and duties in The Universal Declaration of Human Rights.¹⁵ When the United Nations was established following World War II, one of its most important mandates was to ensure that the situation that led up to the war would not repeat itself. The extensive human rights document that followed was a legacy of Hitler and the human tragedies experienced in the occupied territories. These concerns for humanity became the very building blocks of the United Nations. The Universal Declaration of Human Rights and the Covenants that followed have become main international reference points for all individuals or nations concerned with human rights. Human rights were no longer the exclusive preserve of the state, as had been the norm until then. Instead it had become a recognized international issue for the first time.¹⁶

The United Nations Charter states that "We the Peoples of the United Nations Determined...to reaffirm faith in fundamental human rights..." In article 55c of the charter it is expressed that the United Nations shall promote "...universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion." Furthermore, article 56 states that "All members pledge themselves to take joint action in cooperation with the Organization for the achievement of the purposes set forth in Article 55."¹⁷

In 1948 these general statements above were followed by The Universal Declaration of Human Rights, stipulating in detail the principles of the organization and its members in the area of human rights. Especially important are articles one (1) through twenty (20), including the right to life, liberty and security of person, the right to a fair trial, the right to freedom of movement, thought, conscience and religion, and the protection against slavery, torture, and cruel or inhumane treatment.¹⁸

A declaration is however only a statement of important norms and principles, and it is not legally binding. It was not until the Covenant on Civil and Political Rights was adopted by the United Nations in 1976, that human rights became protected by international law. The Covenant made provisions for the establishment of the U.N. Human Rights Committee and otherwise created a system to handle human rights reports and complaints, and the settling of disputes.¹⁹ In other words,

the Covenants opened up for the operationalization of the important and extensive U.N. human rights policy accomplishments.

Stimulated by reports not only from the Human Rights Commission but also from the U.N. Special Committee on Decolonization, ECOSOC passed E/RES/1235 in 1967. This resolution (originally intended only for situations of racism, colonialism, and alien domination but amended by western countries to include other human rights violations) authorized ECOSOC's suborgans to handle specific cases that revealed a pattern of gross violation of human rights. Consequently, the Human Rights Commission and its subcommissions were authorized to take up specific patterns of violations with full publicity.²⁰

Three years after the passage of resolution 1235, ECOSOC adopted E/RES/1503 which permitted its suborgans to handle private communications alleging violations of human rights. This resolution permitted "NGO's as well as individuals...to lodge an allegation confidentially with the Secretariat..."²¹ As a result of these two resolutions ECOSOC made possible the expanded activity of the Human Rights Commission. The inclusion of NGO's is significant in that it has been argued that including NGO's is essential in reaching improved human rights records. D.P. Forsythe credit much of human rights progress to the activity of nongovernmental international organizations:

Amnesty International, the International Commission of Jurists, the International League of Human Rights, and others like these have kept

the pressure on states to acknowledge and implement international human rights standards...Several observers believe that NGO activity is essential for continued efforts at protecting human rights.²²

In 1977, a year after the adoption of the Covenant on Civil and Political Rights the General Assembly passed resolution 32/130, under the heading "alternative approaches and ways and means within the U.N. system for improving the effective enjoyment of human rights and fundamental freedoms." The resolution stressed the indivisibility and interdependence of all human rights and clearly stated that human rights questions should be examined globally.²³

United Nation Policy Linking Aid and Human Rights

It was becoming apparent to the members of the U.N., that economic assistance did not reach its fullest potential in an environment where human rights were consistently abused. A general policy prescription, potentially applicable to all cases of gross and systematic human rights violations, was developed and worded as follows:

Whenever a recipient state adopts a repressive policy that results in gross disregard of civil and political as well as economic, social and cultural rights, the preliminary condition for making foreign economic assistance truly advantageous to the population of that state is a basic reorientation of the general policy of the government, and full restoration of all the basic human rights and fundamental freedoms.²⁴

In light of the above mentioned principle, the United Nations established the basis for linking aid and human rights by recommending the "withdrawal of aid in cases of authoritatively determined gross and systematic violations of human rights."²⁵ This indicated that the U.N. would use a punitive approach, in which removal of aid would be used in response to human rights violations. Such a punitive approach has been used in several cases. Chile was the first example of internationally coordinated withdrawal of aid on human rights grounds. Uganda, Sri Lanka, Kampuchea, Fiji, Haiti and Panama followed suit. The United Nations has furthermore compiled a list of gross human rights violators, targeting nations such as Argentina, Bolivia, Chile, El Salvador, and Guatemala, among others.²⁶ It was pointed out by David P. Forsythe that such a public listing of violators was part of the United Nations approach not to expect or seek short term change but to change human rights records over time:

One can say that the sum total of UN activity is supposed to socialize or educate actors into changing their views and policies on human rights over time toward a cosmopolitan human rights standard as defined by the United Nations instruments. Or one can say that the sum total of U.N. activity is to dispense or withhold a stamp of legitimacy on member states according to their human rights standard.²⁷

Although a punitive approach was the initial policy foundation of the UN link between human rights and aid (and still is with regards to gross and systematic

violations) it seems that the U.N. has developed a supportive rather than punitive link between human rights and aid where it is feasible. This approach of inducement is characterized by measures such as the targeting of aid to precisely defined beneficiaries, and the provision of direct assistance to the victims of oppression.²⁸ In short, aid that is meant to improve the human rights standard.

Furthermore, in the U.N., human rights violations often leads to pleas for international assistance to help victims and to prevent the continuation of repression. Consequently, U.N. resolutions on human rights violations more often than not address appeals for international assistance and humanitarian aid, rather than the removal of such. This is particularly relevant for the poorest of developing nations (Uganda, Bolivia, etc.), which need aid to set up national systems for the protection of human rights. It is also used in those cases where a change of government has taken place, where the newly established governments need assistance to redress the human rights question (Uruguay, Haiti, Guatemala, etc.).²⁹

Consequently, with respect to gross and systematic violations of human rights we find that two related principles are gaining acceptance in the U.N.: 1) The affirmation of humanitarian aid to victims of repression as a legal duty of states, and 2) the corollary duty not to provide aid to repressive regimes. You will have situations where ODA is discontinued to a government violating human rights, while at the same time humanitarian aid is initiated to the victims of the same government. The case of assistance to Afghanistan will illustrate this policy. The Commission on

Human Rights, in resolution 3(XXXVI) of 14 February 1980 regarding Afghanistan, called upon states to refrain from providing assistance to "the imposed regime", but at the same time appealed for assistance directly to the victims to recover their right to determine their own destiny.³⁰

The above can shed some light on why criticism has been voiced about the United Nations Development Program (UNDP) for not linking the aid they provide with the human rights records of various recipients. Van Boven investigated to what extent human rights considerations play a role in the policies and activities of the UNDP, and found that it appears human rights are only given marginal consideration. Van Boven cautions against criticizing the UNDP too quickly, however. He explains that in the technical terms of the U.N. human rights agenda, most situations of gross violations will move from the item on "consistent patterns of gross violations of human rights" to the item on "advisory services in the field of human rights," and will no longer be under the jurisdiction of the UNDP. Because the jurisdiction of these cases goes to another U.N. office, it appears the UNDP does not link aid with human rights. It moves out of the jurisdiction of the UNDP because the United Nations' humanitarian and emergency aid gain jurisdiction, seeking to reach the victims of gross human rights violations. Van Boven states that

in these situations there is a general political understanding [in the U.N.] that development in the human rights field warrant the discontinuation of the denunciatory approach in favor of the advisory and assistance approach.³¹

Consequently we see that in practice, the United Nations adopts a far more promotive approach to human rights violations than the more punitive approach indicated in policy statements. This underlines the role of the United Nations as a standard setter, a long term promoter, and a supporter of human rights and the victims thereof. Let us turn to a discussion of the U.N. instruments in place to carry out the U.N. human rights policy.

Basic U.N. Human Rights Instruments

After the Covenant on Civil and Political Rights came into effect, the adhering states selected a committee of eighteen members, named The Human Rights Committee. It was established as a committee that would review country reports and hear individual petitions from persons whose rights, it was alleged, had been violated. The Committee was established in accordance with Article 28 of the International Covenant on Civil and Political Rights. Article 40 to 45 of the Covenant describes its mandate to include: the study of reports on the measures adopted to give effect to the rights recognized in the Covenant, and on the progress made in the enjoyment of those rights; the transmission of its reports to the various countries involved in any given dispute, and the performance of certain functions in place to settle disputes. The receiving states (alleged violators) are to submit to the Committee within 6 months, a written statement clarifying the matter and the remedy, if any.³² This

Committee serves as an important monitor and an independent source of information, since it is not directly connected to any of the other U.N. organs.

The role of the General Assembly in human rights questions is described in Article 13 in the UN Charter. The Article stipulates that one of the functions of the General Assembly is to initiate studies and make recommendations for the purpose of

promoting international co-operation in economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.³³

The above is the general mandate of the United Nations, on which all other decisions are meant to be based. The very basis for U.N. decision making is consequently anchored in the human rights norms and principles of the organization.

Most human rights items however, originate in the Economic and Social Council (ECOSOC). Article 62 of the Charter states that the Economic and Social Council may “make recommendations for the purpose of promoting respect for, and observance of human rights and fundamental freedoms for all.” Furthermore, Article 64 empowers the Council to make arrangements with the U.N. members and the specialized agencies to obtain reports on the steps taken to carry out its recommendations, and to communicate these observations to the General Assembly.³⁴ Furthermore, Article 71 of the U.N. Charter authorizes the Economic

and Social Council to arrange for consultation with NGO's.³⁵ The Economic and Social Council therefore, both recommends action and monitors any such action or lack of action for the U.N.

To aid in the above matters the Council established the Commission on Human Rights. This commission meets annually and has an extensive point of reference that allows it to deal with almost any matter pertaining to human rights. Their mandate includes initiating studies, preparing recommendations, drafting international instruments, investigating allegations, and handling communications relating to any violations of human rights.³⁶ Because of its enormous mandate the Commission has established several sub-committees, among them the Ad Hoc Committee on Periodic Reports, important for monitoring reasons.³⁷ It has been observed by the members of the Commission that the representatives of the Commission on Human Rights continue to assert the principle of non-intervention when it favors their national interest, but in practice most members of the Commission have supported initiatives that protects the human rights of citizens against violations by their own governments.

After thirty years, the Commission has become the world's first intergovernmental body that regularly challenges sovereign nations to explain abusive treatment of their own citizens.³⁸

Monitoring And Reporting On Human Rights Practices

The United Nations' human rights treaties provide an international legal system of specific guidelines. Among them are reporting procedures, important for monitoring the worlds human rights effort. The reporting system established by human rights treaties requires governments to submit periodic information on their implementation of the human rights covenants. These reports represents the official information submitted by the various governments. Although these are somewhat subjective, they nevertheless give insight into the various governments' views on human rights, efforts to implement them or the lack of implementation, and their reactions to criticism. It has also been suggested in a report by the U.N. Secretary General that a human rights impact statement, similar in concept to an environmental impact statement, be undertaken prior to the commencement of specific developments projects or in connection with the preparation of a development plan or program."³⁹

In order to be in a position to respond quickly to gross human rights violations when these are reported, the U.N. established the "Emergency mechanism of the Commission on Human Rights."⁴⁰ The mechanism entails that the Secretary-General shall establish and maintain a list of independent experts on areas of the world. The group of experts shall collect information from all appropriate sources and produce a report summarizing that information as well as give recommendations on the situation at hand. The Secretary-General will then contact the member States

of the Commission and, if a majority agrees, an exceptional meeting of the Commission on Human Rights will be convened in accordance with Economic and Social Council resolution 1990/48 of 25 May 1990.⁴¹

Concluding Remarks

The most important contribution of the U.N. in the human rights and foreign aid area, is the extensive framework it provides, with the U.N. Charter, the Declaration of Human Rights, the Covenants on Civil and Political Rights and following resolutions intended to identify human rights for the purposes of protecting these rights around the world. The organization has provided international norms and principles expressing the importance of protecting human rights and the legitimacy and necessity of voicing human rights concerns in foreign policy. As such we see the United Nations providing an "international opinion" on the role of human rights, supported by its member states.

CHAPTER THREE

THE DEVELOPMENT OF OECD POLICY ON THE ISSUE OF HUMAN RIGHTS AND ECONOMIC ASSISTANCE: BRINGING HUMAN RIGHTS TO THE FOREFRONT OF THE INTERNATIONAL ECONOMIC DEBATE

The Organization for Economic Co-operation and Development has a membership that encompasses most western donors of foreign aid. As such its policy developments should indicate a degree of consensus on policy among the member states. When we examine OECD policy statements from the 1960's until today, there is clear evidence of a change in the degree of consideration given to the relationship between foreign aid programs and human rights violations, from not including human rights as an issue at all, to including it as one of OECD's main concerns. The data collected for this chapter has been collected from the Development Assistance Committee (DAC) Reviews, stating OECD policy in this area. Information other than policy statements and program goals, such as specific details of aid programs, direct responses to human rights violations, process for labelling violators, etc. are difficult to find. Only goals and general policy can be found here. Specific policies, implementation tools, choice of recipients, etc. are all part of individual countries' not OECD policy jurisdiction and found only in individual state documentation.

OECD policy statements are however very useful for the purpose of this study, because they provide information on opinions, goals and policy agreed upon by all OECD members on what role human rights ought to play in foreign aid planning. Should we find a trend of giving increased priority to human rights issues in OECD policy, we shall expect that this trend is present in the individual member's policies as well, supporting our hypothesis that we have a consensus on linking human rights concerns and foreign aid planning. In the sections below we have therefore sought to give an historical overview of the main areas of priority for the Development Assistance Committee of the OECD, leading up to the development of a policy that explicitly links its foreign aid policy with human rights practices.

Historical Background

The Organization for Economic Co-operation and Development was set up under a convention signed in Paris on the 14th of December 1960, by members of the Organization for European Economic Co-operation, and by Canada and The United States. Its initial goal was to promote policies designed to achieve highest sustainable economic growth, employment and living standard, as well as financial stability in the member countries and to promote the same for non-members worldwide.⁴²

The purpose and objective in relation to the developing world, was stated in the Resolution on the Common Aid Effort, adopted in March 1961. At the time, the

OECD focused on expanding the flow of resources to LDC's, improving the effectiveness of development assistance and providing increased assistance in the form of grants or loans on favorable terms. In all the initial policy statements there was a clear focus upon economic development of the recipient. This organization set out to produce viable and effective economic systems that would contribute directly to the various national economies and the world economy as a whole. There was no mention, at this point, of participatory or sustainable development, democracy or human rights. Specific concerns about non-economic issues, such as democratization and human rights, did not emerge until more than two decades later, mainly in the late 1980's and early 1990's.

The Foundation for a Human Rights Policy in the OECD

In a response to all the newly independent nations in the late 1950's and early 1960's more and more industrialized countries became foreign aid donors. Not only did the number of donors increase, but the functions they performed as donors became more varied and complex. Foreign aid was no longer merely funding for small specific projects, but encompassed a complex array of grants and loans; aid directly to governments and aid to individual projects; economic aid and aid for military purposes, etc. Consequently, the primary concern expressed in the 1963 DAC Review was to try to bring greater order and rationality to the development assistance area. A degree of standardization of terms and conditions was developed at

this time. Furthermore, DAC undertook an effort to appraise and improve the policies and operations of assistance programs. Most importantly, we saw the early establishment of an evaluation process put in effect in order to evaluate the results of aid programming.⁴³

The standardization and the evaluation process later would come to be very important for DAC's human rights policy with respect to guidelines for an evaluation of the various recipients' human rights practices. However, at this time, these were only common financial terms and conditions, and had no bearing on the question of human rights or democratization per se.

It was first in the early 1970's that the OECD started to show concern about development issues other than those of a solely financial character. By 1971/1972, several new concerns emerged in the OECD debates. We can see from the 1972 DAC Review that the need for a global economic system was becoming apparent, and the protection of the environment was rapidly gaining importance as an issue. A wish for world peace topped the political agenda. It was evident that disputes in the developing world had potential to, and did, contribute to world wide political instability, superpower involvement and the cold war. Most importantly, an underlying concern or a sense of a humanitarian obligation to fulfill for all their basic right to a decent life, emerged at this time.⁴⁴ One can say that we see the first signs of a recognition of basic human rights, or in the least, a recognition of basic human needs, and their importance as part of the development process.

Human Rights Entering OECD Policy Statements

The above issues and concerns about basic human needs slowly evolved so that by 1989 significant changes had taken place in DAC's priorities. In the 1989 DAC Review the OECD stated that while the key orientation for the 1990's, would be broad based economic growth, there would be increased emphasis on investment in people and "participatory development" where a majority of the population would have the opportunity to be involved in decision making:

A more equitable and participatory orientation of policies and resource orientation is not likely to occur without a minimum of democratic processes and economic and political pluralism through a broader sharing of economic and political responsibilities...⁴⁵

Furthermore the DAC also made reference to the legitimacy of raising human rights questions:

Respect for human rights, justice and equity are legitimate subjects for dialogue among sovereign partners. [emphasis added] Fuller mobilization of human resources and their productive energies will be facilitated when basic human rights are respected.⁴⁶

These statements indicated a willingness on the part of the DAC to take into account human rights violations, but fell short of stating that foreign aid allocations may be contingent upon the human rights record of the recipient. However, it strongly suggested that to question the existence of such violations should no longer

be considered as "meddling" in another country's affairs, and should no longer be perceived as a challenge to anyone's sovereignty, a view previously held by many governments.

OECD Explicitly Linking Aid And Human Rights

The linkage between foreign aid and a recipient's human rights performance became explicit in DAC's policy in 1990. "Democracy and development" was the number one priority on the agenda in the 1990 DAC Review. With the "liberation" of Eastern Europe and the end of the Cold War, emerged a whole new debate exactly around questions of democratization and human rights violations. Numerous discussions and policy statements emerged in the aftermath of these events. The DAC wrote in the Review that

With breathtaking speed the vocabulary of the development dialogue has shifted over the past year. The catalyst which crystalized the current widespread discussion of democracy and development was the demand of the people in Central and Eastern Europe for multi-party systems of government and market economies. Beyond Europe, similar forces have emerged in as diverse countries as Mongolia and Nepal, Mozambique and Benin, Haiti and Nicaragua.⁴⁷

The above supports the hypothesis that the end of the Cold War enabled a focus on human rights and democratization to occur. As a consequence of the above changes a number of DAC members were giving signals that aid allocation decisions

would be more influenced than in the past, by a country's record on human rights and democratic practice. Members of DAC stated at the 1990 meeting that "Overall, a recipient's economic, political and social performance should become a more important criterion in deciding on levels of aid."⁴⁸

The 1991 Review strengthened the policy statements of the previous year, retaining and expanding on "participatory development, governance and democracy" as its main priority. The members stated that the discussion would focus on human rights, and that they viewed this issue "as a key area of debate, as well as an issue affecting allocation of economic assistance."⁴⁹ [emphasis added] The members discussed explicitly the role of development co-operation in contributing to participatory development, and stated their conviction that

...there is a vital connection between open democratic and accountable political systems, individual rights and the effective and equitable operation of economic systems with substantial reductions in poverty...DAC members are encouraged to note that there is a large consensus on these values and orientations...⁵⁰

It was concluded from the discussions that the negative effect of human rights violations upon the process of economic development and democratization were a widely shared concern among the DAC members. Leading political figures of DAC countries did therefore publicly and explicitly link continuation of foreign aid programs with changes required of developing nations in respecting human rights and in improving governance.⁵¹ In the 1991 review DAC drew upon work by Pierre-

Claver Damiba of UNDP to explain their stand. In his recent article on "Governance and Economic Development" Pierre-Claver Damiba of UNDP notes that "mobilizing the development capacity of the people is only possible in a context where the blatant abuse of human rights...are checked, while accountability, probity and transparency in government are ensured."⁵²

In order to better facilitate such development the Review noted that a particular emphasis was to be placed upon assisting developing countries in strengthening institutions, policies and practices leading to good government, respect for human rights, and effective and accessible legal systems.⁵³ Throughout the above discussions it became clear that one needed a better dialogue between the donors and the recipients if the above concerns could be addressed. The process was initiated and two very important organizations developed, namely The Partnership for Democracy and Development (Central America) and The Global Coalition for Africa, both with the mandate of fostering dialogue and cooperation among nations in the two regions as well as with ODA donors supporting these nations. The organizations seek increased support for Central America and Africa in their goals of democratization, improved human rights and institution building.⁵⁴ Further dialogue between donors and recipients on human rights and democratization issues is said to be underway within the U.N. system, the Bretton Woods institutions and in bilateral relationships. France, the United Kingdom and Denmark are among several donors who have initiated such a dialogue with their respective recipients.⁵⁵

Concluding Remarks

A consensus has developed within the OECD that human rights and democracy are valuable in and of themselves and constitute legitimate goals for aid. This suggests the perceived appropriateness of integrating the development of human rights and democracy into aid policies. This consensus is reflected in the emergence of OECD policy statements on the issue. From not being present at all in the 1960's, the role of human rights considerations in foreign aid programs, slowly gained foothold in the 1970's and early 1980's, and was explicitly being stated as OECD policy in the late 1980's and early 1990's. Although this data includes only policy statements, it show significantly the trend of increasing importance given to human rights as a factor in foreign aid planning, and as a factor seen to affect the success of development itself. When we now turn to chapters four and five, we shall see if the OECD developments are mirrored by policy and behavioral developments of the two donors, Norway and the United States.

CHAPTER FOUR

THE UNITED STATES:

PRESIDENTIAL FLUCTUATIONS DEFINING THE ROLE FOR HUMAN RIGHTS IN U.S. FOREIGN AID PLANNING

Historical Background

The founding fathers of America had an almost automatic preference for the realist over the ideological approach to foreign policy, due to their fundamental beliefs. Although they certainly allowed for decisions based on moral convictions, especially early on, they never the less believed that most nations pursued their interests in a universal system of power politics where the security and interests of the nation state were the primary concern. As the United States became more vulnerable to outside pressures, it also developed stronger leanings towards realism.⁵⁶ A realist generally believes that considerations of national interest determine policy decisions. National interest, in turn, is normally defined in terms of the physical security and economic well-being of the nation.

While very important in American political history, realism has not had a monopoly in the policy making process. The nation has also been committed to such principles as justice, equality, freedom, and the importance of the individual, all remnants from the Greeks and Romans and the Judeo-Christian traditions that also

influenced the United States early on.⁵⁷ The latter principles created in the American political culture a school of idealism that has posed a challenge to the realist approach. Consequently, the nation's political history of ideology can be seen as setting the stage for an emphasis on human rights, if and when the conditions were right. The emphasis on human rights surfacing right after World War II and at varying times thereafter, can be understood, argues A. Glenn Mower, as a stage in a long struggle to give idealism a more prominent place in the making of American foreign policy, long dominated by realism.⁵⁸ The presence of such a relationship between the forces of realism and idealism explains to some degree the fluctuations we find from presidency to presidency, where each individual administration and the political party it represents, has a strong preference for either idealism or realism, but seldom a little of both. This factor, in a system that can best be described as a two party system, where the Republican party strongly favors realism and the Democratic party is leaning further towards idealism, has led to a political situation where we find relatively large changes in policy with each new administration. We shall see this clearly when looking at the varying degrees of emphasis placed upon human rights in foreign aid planning in the post war period.

Human Rights Policy in U.S. Foreign Aid Planning

U.S. policy from 1945 to 1960

The first clear U.S. policy on the relationship between foreign policy and human rights took place in the period from 1940 to 1948 and was characterized by human rights idealism. After the end of World War II, the U.S. Government worked successfully to institutionalize human rights standards in the post-war international order. Together with other nations, the U.S. created a set of norms and principles around the human rights issue, all of which was embedded into the United Nations system. The idealistic mood persisted until 1948 when it reached its high point with the proclamation of the Universal Declaration of Human Rights with Eleanor Roosevelt as chair of the U.N. Human Rights Commission. 1948 was also the turning point for the idealistic sentiments in the U.S., with the beginning of the Cold War and the following emphasis on the East-West conflict and anti-communist policy.⁵⁹

The period from 1948 to 1960 was a period throughout which human rights goals in foreign policy were viewed as unrealistic or as secondary goals. This happened through four years of Democratic President Truman, and eight years of Republican President Eisenhower. Human rights were during this period mainly used in Cold War rhetoric.⁶⁰ David Weissbrodt found that during the 1950's and 1960's the U.S. government

protested vigorously against violations of human rights by Communist governments which seized and maintained power in Eastern Europe, North Korea, Tibet and Cuba. But the [U.S.] government fell strangely silent about massacres and other grave human rights violations in Algeria (1958), South Africa (1960), Indonesia (1965), Burundi (1971), East Pakistan (1971), and the Sudan (1971).⁶¹

The above statement shows how the United States responded as early as in 1958 to human rights violations in recipient countries, but at the time only towards a selected group of countries. Jan Egeland attributes the early response to the fact that the U.S. preferred to use bi-lateral rather than multi-lateral channels in foreign policy. This is in contrast to Norway's foreign policy at the time, where a multi-lateral approach was favored. The selective response, Egeland argued, was a result of the importance the U.S. bi-lateral aid program played as a tool in ensuring U.S. interests abroad.⁶² Consequently, this led to the early emergence of an extensive, but selective use of human rights conditionality in the U.S. aid program. As we shall see below, the three decades since 1960 held some of the most decisive changes in the human rights policy and the use of human rights conditionality in the United States aid program.

Richard Nixon and Henry Kissinger's "Realpolitik"

In 1968, when Richard Nixon became President, and Henry Kissinger dominated the foreign policy area, the U.S. entered a period in which foreign policy

became "Realpolitik" in its extreme. Detente vis-a-vis the Soviet Union as well as friendly relations with all U.S.-aligned regimes had priority. Human rights were secondary objectives, and promoted very quietly in order not to alienate either the East or the West. In a discussion with Congress in 1976, over the issue of human rights legislation, Kissinger pointed out that although the Administration was against human rights violations, it found that at the time any legislation on the issue would be "too inflexible, too public, and too heavy handed a means to accomplish what it seeks".⁶³ Consequently, human rights had relatively low priority during the Nixon administration, a factor that may have helped to elevate human rights when Carter took office.

The Carter Presidency - human rights gain importance in foreign aid planning

After the initial period of American idealistic interest in human rights in the late 1940's, it more or less disappeared from U.S. foreign policy until Carter took over the Presidency in 1977. Why did human rights come to play such an important part in America's foreign policy at this particular time, that it was not only a distinguishing feature of the Carter presidency, but a foreign policy element that subsequent administrations could not ignore?

It was a combination of both international and domestic factors that initiated an enlarged role for human rights in foreign policy and, as well, linked human rights

practice with the foreign aid program. On the international scene, the New International Economic Order was discussed widely, bringing with it a general focus on the developing world. Pressures from the United Nations and from other donor countries regarding aid conditionality, helped in creating an emphasis on human rights, and the use of the aid program to respond to human rights violations.

Domestically, the failure of the Vietnam war and the collapse of the Nixon presidency in the wake of Watergate, created a feeling of distrust among the American people. Furthermore, U.S. foreign policy under Nixon and Kissinger was widely perceived as pushing realism to the extreme, using economic and military power to ensure U.S. interests abroad. This dissatisfaction on the part of the American people led to pressures for a moral component to U.S. foreign policy, and demands that issues such as human rights violations, should influence foreign policy planning to a greater extent. It suggested a new mood in the United States that was favorable to the kind of leadership that Carter offered.⁶⁴

In addition to the above mentioned factors, the U.S. Congress was by far the most important domestic actor in elevating the importance of human rights. In the early 1970's Congress was becoming very dissatisfied with the policies of both Nixon and Ford. The association of the United States with South Vietnam and Chile prompted a series of hearings on the relationship between human rights and foreign policy. As a result Congress passed a series of laws that increasingly called for the elevation of human rights to a prominent place in American foreign policy.⁶⁵ The

human rights legislation that Congress adopted provides the final and most tangible explanation for the fact that human rights assumed the high priority position, in policy making, that it did at this particular point in time, the mid to late 1970's. Because of this Congressional action, Jimmy Carter assumed office under a clear legislative mandate to give a central place to human rights in policy making decisions.⁶⁶ Nicaragua, El Salvador, and Guatemala are a few of the cases where he carried out this policy.⁶⁷

The Reagan Presidency and the "doctrine of constructive engagement"

Determined to bring an end to what he argued was the "weakness" in U.S. foreign policy during the Carter period, Reagan adopted the most ideologically based right wing approach since World War II. But in contrast to both Carter's "public condemnation" strategy and Kissinger's "quiet diplomacy," Reagan decided to use "democracy" and "human rights" actively in his policy against communist expansion.⁶⁸ Reagan viewed the Soviet Union and communism as a real threat against the United States' security interests and against the good of the world in general. In responding to this perceived threat, the Reagan Administration sought allies in authoritarian countries as well as in democratic ones. Although Reagan did not necessarily agree with authoritarian policies, he argued that authoritarian allies were a necessity in the fight against communist expansion, and a much better alternative than pure totalitarian states. Reagan consequently chose a human rights policy that condemned violations in totalitarian states, but a policy that used very quiet

diplomacy in relation to "friendly" authoritarian regimes, ensuring that important allies would not be alienated. The Reagan Administration argued that "a true human rights policy" is one which chooses the lesser over the greater evil, and a policy that lends support to authoritarian regimes (however grudgingly) in order to minimize the greater evil of totalitarianism. David Carleton and Michael Stohl argue that the policy implications of this approach are brought to light when one understands that

the Reagan Administration regarded authoritarian regimes, by definition, as those regimes friendly to the United States, while totalitarian regimes were, by definition, those friendly to the Soviet Union.⁶⁹

As a result, the Reagan administration could assert that human rights interests and United States security interests were parallel. As explained by the Secretary of State at the time, Alexander Haig, the "first imperative" of a human rights policy "is to strengthen the United States, its allies and friends, the main safeguard against totalitarian aggression."⁷⁰

Although Reagan's policy included human rights as an issue, in practice little was done to promote human rights or condemn its violators, unless it played a role in the East-West focus of the Government. This was for example the case with regards to Guatemala in 1981, when aid was initiated by the Reagan Administration despite clear evidence of a worsening human rights situation. The steps taken in the Guatemala case were explained by the State Department as part of their "doctrine of

constructive engagement", where more, rather than less aid, were seen as the best solution to reduce human rights violations.⁷¹ In these cases continuing or initiating an aid program, rather than removing one, would, it was argued, ensure further U.S. influence in the region, which was the basis for the doctrine of constructive engagement. The Administration's logic was based upon the preference for using diplomacy rather than public criticism with friendly governments. They did not want to isolate the recipient, but rather use U.S. influence to effect desirable change.⁷² As a result the Reagan Administration's policy stated that "we are reluctant to use economic aid as a tool for our policy; we rely on persuasion rather than intimidation."⁷³

Reagan however, had to work hard with Congress who on several occasions made the above policy difficult to carry out. When the Reagan administration tried to nominate Ernest Lefever (a Republican candidate known to be against actively linking aid and human rights) as the new Assistant Secretary of State for Human Rights and Humanitarian Affairs, the strong opposition to the Lefever nomination from diverse sources, Congressional, public interest, academic and religious, revealed that the issue of human rights had a vocal constituency much larger than the new administration had anticipated. The Administration finally had to withdraw the Lefever nomination.⁷⁴ After Reagan took office, he wished to reverse much of the aid-human rights legislation passed during the Carter Presidency. Reagan was successful to the extent that Congress allowed him. One can say that in the period of the Reagan and

Bush Presidency, it was Congress who fought to keep human rights on the foreign aid agenda.

The Clinton Presidency and the end of the Cold War

With the end of the Cold War domestic and international expectations changed with regards to the role of human rights in U.S. foreign policy. This coincided with a change in the White House, where the incoming Democratic Administration was more favorable to a place for human rights in foreign policy. Many believed that with the void in American foreign policy due to the end of the Cold War, and with an incoming Democratic President, one would find a renewed interest in human rights. The President of the Progressive Policy Institute, Will Marshall, argued that the U.S. had to design a whole new conceptual basis for foreign policy.⁷⁵ Due to the end of the Cold War and the normalization of the relationship with the Soviet Union, the Clinton Administration did not find itself pressured by concerns of communist expansion, and a foreign aid program directed primarily by national security concerns lost much of its rationale. In an article by Susumu Awanohara in the Far Eastern Economic Review, it was pointed out that former opponents of an active policy on human rights and democratization, now advocated such policy. The article maintained that those formerly opposed are more willing to pursue democracy and human rights in the Third World, because they no longer fear it will destabilize allies and friends needed to contain Moscow.⁷⁶

In the aftermath of the Cold War, the United States strongly supported democracy and respect for human rights in the former Soviet Union and in Eastern Europe. This led to a strengthened role for human rights in other areas as well. One can assume that the U.S. found it difficult to support human rights in one instance and ignore it the next, and so the human rights and democratization focus with regards to Eastern Europe carried over into foreign policy and the foreign aid debate. As a consequence we saw renewed U.S. interest in human rights and democratization in the early 1990's. This coincided with pressures for democratization and human rights from international organizations, NGO's and other foreign aid donors, resulting in widespread attention to these issues. In a later section we shall investigate how this affected U.S. behavior as an aid donor, but first we will look at what changes Clinton undertook to facilitate the promised focus on human rights.

Mr. Clinton's aides have suggested that his "activist" temperament, idealism and a belief in the possibilities of American power, may suggest more actions in the name of "human rights," elevating, as Carter did in his time, human rights and democracy after a long period where human rights were seen to have low priority on the foreign policy agenda.⁷⁷ Domestically, we can discover a renewed focus on human rights when looking at the selection of people to fill key post in the Administration. Warren Christopher and Anthony Lake, the new Secretary of State and National Security Advisor respectively, both served under President Carter, as did Samuel Berger (Lake's Deputy) and Madeleine Albright, the new U.S. ambassador to the U.N. The Clinton Administration therefore, will be linked, through its personnel and

its emphasis on human rights, to the policies of President Carter's State Department under Cyrus Vance.⁷⁸

Clinton has furthermore established or elevated offices responsible for the promotion of democracy at both the State and Defense Departments as well as the National Security Council, generally appointing people with strong liberal leanings. In the National Security Council, Richard Clark has been appointed senior director for global affairs, responsible for the same diverse areas as the State Department's Wirth. He is assisted by two directors, one for democratization and the other for human rights. All three are new positions. In the State Department, Secretary of State Warren Christopher promised that the United States would "part company with those who preach intolerance, abuse human rights and resort to violence in pursuit of their political goals."⁷⁹ A new position has been created as Undersecretary of State for Global Affairs in charge of, among other things, democracy, human rights, labour, environment and population. This new position will mean that democracy and human rights will be represented at the highest levels of the Department of State.⁸⁰ At the same time, the Bureau for Human Rights and Humanitarian Affairs, headed by assistant Secretary of State John Shattuck, will be reorganized into the Bureau for Democracy, Human Rights and Labour. The Bureau was created in the early 1970's, but has only recently gained in importance. Patricia M. Derian, the first Assistant Secretary of State for Human Rights and Humanitarian Affairs, informs us of how little importance her office held at the time she occupied the position as first Assistant Secretary. Comparing it to the present situation however, she finds that

human rights has gained in importance and has moved to the center of foreign policy debates in Washington, spurred by the pressures from Congress and an active lobby of rights and relief organizations. She describes how the subject is brought up in all Congressional debates on foreign aid and that, in her view, "few nations find they can defy human rights scrutiny without diplomatic consequence."⁸¹ With the changes that Clinton proposed, it is likely the Bureau will only increase in importance in the coming years.

The new focus of the 1990's is also reflected in the policies of USAID. Since 1990, USAID has made promotion of democracy one of its central aims. The agency's Administrator Brian Atwood said he would press further to link U.S. aid with good governance and human-rights performance. "We can no longer afford to be in countries where corruption, authoritarianism or incompetence makes development doubtful," Atwood said recently.⁸² It is interesting to note that in fact, on some level, the United States is seen as the most articulate proponent of democracy through its foreign aid program because of the Aid Democracy Initiative, launched in 1991. Part of this democracy initiative is focused on the protection of human rights.⁸³ In compliance with legislation integrating human rights criteria with U.S. economic aid, AID has programs for some \$70 million per year in Latin America and the Caribbean for activities that support democratic practices. A major item is to help improve the administration of justice, by for example improving criminal investigation procedures and techniques, training judicial personnel, upgrading local law libraries, publishing case reports and textbooks.

Through small grants repeated over the past ten years, and in cooperation with other donors, AID has been helping the Inter-American Institute for Human Rights (IIHR), a regional, nongovernmental, academic institution dedicated to promoting human rights by hosting education programs among other things. In 1983, IIHR created an affiliate body to encourage and provide technical support to the electoral process with activities such as training of local-level electoral officials and poll-watchers in Guatemala or assisting a voter education and registration program in Chile.⁸⁴

Upon taking office, the Clinton Administration immediately indicated they would shift the focus to global issues, rather than the traditional bi-lateral aid programs.⁸⁵ The new focus with respect to foreign aid would be one of democratization, where the U.S. would work in close cooperation with the United Nations and other regional and international organizations. At the U.N. World Conference on Human Rights in Vienna in June 1993, Clinton announced that the U.S. would also recognize economic, social and cultural rights. Previous administrations had recognized only civil and political human rights as universal, preferring to describe the other group as goals.⁸⁶ In light of the proposal for a stronger global focus in foreign policy and stronger ties to international organizations such as the U.N., the above change can be seen as a first step in the direction of adjusting policy to make it agree with the U.N. standard on human rights. In Clinton's address to the U.N. General Assembly in New York on Sept. 27, 1993 he

stressed the need for democracy and argued that democracies with the rule of law and respect for political, religious, and cultural minorities are more responsive to their own people and to the protection of human rights.⁸⁷ He also stated that we should "work with new energy to protect the world's people from torture and repression." Clinton called on the General Assembly to create, "at long last, a high commissioner for human rights. I hope you will do it soon and with vigor and energy and conviction."⁸⁸

In line with the call for a stronger global focus, the United States seemed to defined a new role for itself, as a leader in humanitarian operations or interventions. Several recent events, such as the missions to Somalia, Yugoslavia, Iraq and Rwanda, and the Clinton Administration's strong support for the prosecution of war criminals in former Yugoslavia,⁸⁹ underlines this focus. Humanitarian interventions are strongly linked to human rights questions since such interventions are generally a response to severe cases of human rights violations, often against a large defined group of the population. In the cases cited above humanitarian interventions were conducted in order to help people subjected to various human rights violations, such as torture, imprisonment and racial and ethnic discrimination. Rather than conducting these missions unilaterally however, it has become important for the U.S. to be part of a United Nations or NATO led operation, signaling a global or international approach to these crises and to the question of human rights.

Despite the above developments and promises to elevate human rights and democratization, the Clinton Administration has been criticized for a lack of initiative against human rights violators. This criticism is however, linked specifically to issues of trade, and especially when faced with questions about China and North Korea, and the renewal of their Most Favored Nation status. Being a matter of trade rather than aid, it falls outside the scope of this thesis. It is nevertheless important to note that President Clinton did not fulfill his promise to link trade with human rights. One has to keep in mind however, that had Clinton actually linked trade with human rights practices as strongly as he initially promised, it would have been a very radical step compared to other investors, including those that consider themselves ardent supporters of human rights. What we are merely seeing signs of today is an increased willingness to link foreign aid and human rights, while trade issues have so far been excluded as "politically impossible", except for extreme cases of gross human rights violations, such as in the case of South Africa.⁹⁰

The fact that human rights have not gained more importance in trade discussions does not make events taking place in the aid and human rights area less significant. It has been pointed out that the test of whether human rights violations are taken seriously, lies in those cases where the U.S. responds to violations despite competing military or economic interests, such as in their bi-lateral relationships with Israel, Egypt and Turkey.⁹¹ Although these programs are hard to touch, due to the commitments made in the peace agreements of 1979, changes are occurring. It is important to note that with respect to the situation in Turkey, American security

interests have traditionally eclipsed human rights considerations, but this policy is slowly changing. In a June 1993 visit to Turkey, Warren Christopher ended America's historic silence on the question of Turkish human rights, announcing that the U.S. government had a plan to work with Turkey to improve its human rights record. American officials stated that the Clinton administration had three goals: "to work to eliminate torture in Turkey; to improve freedom of expression; and to eliminate disappearances, illegal use of force, and extrajudicial killings."⁹²

As we shall see later in the section on actual U.S. aid program changes, we find, during the Clinton Presidency, an increase in the number of countries where violations were responded to, whether by diplomatic means or more overt methods of public condemnation or other changes in the allocation of aid. The Administration stepped up the pressure on such old friends as President Suharto of Indonesia, it improved and increased activities that promote human rights, and it spoke out more publicly about human rights violators.⁹³

U.S. Congressional Legislation: Linking Foreign Aid and Human Rights Practices and Providing Operating Procedures and Monitoring Mechanisms

Throughout the widely fluctuating policies on aid and human rights from one presidency to the next, Congress has marked itself as a stabilizing force and a proponent and protector of human rights concerns. Under a series of laws enacted by

the U.S. Congress in the early 1970's, following Administrations were mandated to incorporate human rights explicitly into this country's foreign policy. This legislation originated in a sense of dissatisfaction on the part of Congress with respect to the policies of the Nixon and Ford Administrations, as we mentioned earlier. It was the association of the U.S. with South Vietnam and Chile which prompted a series of hearings on the relationship between human rights and foreign policy. The hearings were conducted by the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, presided over by Donald M. Fraser. These hearings led, in 1974, to the first elements in what has become a considerable body of legislation designed to achieve two major objectives: the promotion of human rights abroad and the dissociation of the United States from repressive regimes.⁹⁴

With respect to foreign aid, the Fraser hearings led to a series of resolutions and laws explicitly stating that U.S. aid programs are conditional upon human rights conditions in the recipient countries. Section 502B of the Foreign Assistance Act of 1961 was amended to include a clear prescription for a foreign policy that would include human rights.⁹⁵ The portions that were specifically concerning foreign aid became known as the Harkin amendment, named after its sponsor, Democrat Tom Harkin. The Harkin amendment, or Section 116 of the Foreign Assistance Act states:

No assistance may be provided under this part to the government of any country which engages in a consistent pattern of gross violations of internationally recognized human rights, including torture or cruel, inhumane, or degrading treatment or punishment, prolonged detention without charges, causing the disappearance of persons by the

abduction and clandestine detention of those persons, or other flagrant denial of the rights to life, liberty, and the security of person, unless such assistance will directly benefit the needy people in such country.⁹⁶

The amendment had certain exceptions however, that have at one time or another been used to justify the continuation of aid. The exceptions apply only if it can be shown that the assistance will directly benefit the "needy people of such a country." To counteract a possible corruption of this exception, Congress can ask for information demonstrating that the aid will directly benefit the needy. Congress also has the power to initiate action to terminate aid to any country if Congress disagrees with the Administration's justification for continued aid.⁹⁷

The general norms expressed in the Harkin Amendment was followed by quite extensive country specific legislation. In the case of El Salvador Congress adopted very specific language regarding human rights in El Salvador:

From 1981 to 1984, Congress repeatedly passed legislation requiring the president to make a "certification" every 180 days that progress was being made on specified human rights matters if economic and security assistance to that country [El Salvador] were to continue.⁹⁸

These country specific legislations generally left little room for the administration to make any changes, and was maybe the most effective tool of Congress to ensure compliance with human rights policy in the aid program.

Much of the legislation passed was negative in nature, in that it seeks to restrict aid in response to human rights violations. But Congress also passed legislation more positive in nature, seeking to establish programs that would promote better human rights practices and encourage the protection of human rights. Section 116E of the Foreign Assistance Act stipulates that the President is authorized and encouraged to use funds for

...studies to identify, and for openly carrying out, programs and activities which will encourage or promote increased adherence to civil and political rights, as set forth in the Universal Declaration of Human Rights, in countries eligible for assistance under this chapter.⁹⁹

As we will see later in the section on actual U.S. behavior, this move to include the promotion of human rights, not just negative sanctions, had started to effect U.S. aid behavior by 1983, and had increased by 1993.

In addition to specific policy legislation, Congress thought it important to institute an administrative basis for the human rights policy. In 1977, Congress created the Bureau of Human Rights and Humanitarian Affairs and a Coordinator of Human Rights (later upgraded to Assistant Secretary) in the Department of State. At this time Congress also wrote into law formal requirements country reports be submitted to Congress annually, resulting in the very extensive and thorough U.S. Country Reports on Human Rights.¹⁰⁰ The various embassies prepare an initial draft of the report, after having gathered information from a variety of sources, including

government officials, jurists, military sources, journalists, human rights monitors, academics, and labor union members.¹⁰¹ The draft reports are then sent from each embassy to Washington, where they are reviewed by the Bureau of Human Rights and Humanitarian Affairs, in cooperation with other relevant offices in the State Department. At this point other groups also contribute information, such as U.S. or international human rights groups, representatives from the United Nations and experts from international and regional organizations. Once completed, the annual human rights country reports are used as the basis for U.S. foreign policy making and foreign aid allocations.¹⁰²

Congress furthermore required the executive agencies involved to report to Congress on how human rights had been taken into account in their various policies. Forsythe describes that

This requirement has been attached to legislation affecting not only the Department of State and the Agency for International Development but also the Department of the Treasury, the Department of Commerce, the Overseas Private Investment Corporation, and the Export-Import Bank.¹⁰³

Through the above legislation we see how Congress has worked hard at creating a legal framework and some accountability in the administration to ensure a role for human rights in foreign aid planning, throughout any possible fluctuations on the part of changing administrations. The extent of the activity of Congress from 1970 to the 1980's is described by A. Glenn Mower:

By 1983 there were fifty-four specific pieces of legislation in this field [linking aid to human rights practices], under nine categories...Of the fifty-four specific enactments, twenty-six contain general policy statements, and twenty impose certain prohibitions and/or restrictions.¹⁰⁴

This legislation indicated that human rights had gained a permanent place in U.S. foreign aid planning and foreign policy decision making, and that the exceptions to the rules stipulated in the Harkin Amendment, now had to be publicly justified. With this, Congress had managed to institutionalize human rights in the policy making process. The following administrations could maneuver around it only with great difficulty.

Donor Behavior: Changes in the U.S. Aid Program in Response to Human Rights Violations by Recipients of Aid

In addition to policy statements and aid planning procedures, we wanted to test whether a regime was developing by actually looking at how the donor responded to recipient violations. Would we in fact find an increase in responses that coincided with the gradual strengthening of policy, or would we find a stagnating or decreasing trend in practice, contradicting verbal commitments? We investigated the aid program appropriations made during three separate years, each a decade apart, namely 1973, 1983 and 1993, to see what trends would become apparent to us. A

list of recipients for each of the three years was compiled, together with corresponding human rights records for the same years, all presented in table 4.1.¹⁰⁵ Furthermore, based on information from various U.S. Congressional Reports, we classified the various responses to violations into five categories: 1) violation noted in public document or voiced through diplomatic channels, 2) freeze of aid at current levels or shift in channels of aid, 3) reduction in amount of aid allocated, 4) removal of the aid program, and 5) aid allocated in support of human rights and/or democratization projects.¹⁰⁶ We have provided, in table 4.2, an overview of which recipients were responded to, and how they were responded to for the years 1973, 1983 and 1993. By investigating changes over a thirty year period it shall become apparent to us any trends or patterns of change occurring, in the frequency and types of responses to recipients violating human rights. The year 1993 was chosen as the most recent year for which material was available. We furthermore investigated changes in the aid program in ten year intervals, namely for 1983 and 1973. This provided us with a long term perspective on the changes occurring up until 1993. We will now turn to a discussion of the findings presented in the tables.

The data in table 4.2 for 1973 show only two responses to human rights violators, namely towards Chile and South Vietnam. Chile received a request to improve its human rights situation following the 1973 coup, if they wished to ensure further funding from the U.S. Vietnam's human rights violations were responded to by a reduction in the aid allocated. No other recipients, slight or gross violators were responded to in 1973. We can conclude from this data that the responses were

Table 4.1: U.S. Development Assistance Recipients and Corresponding Human Rights Records for 1973, 1983, and 1993.

1973		1983		1993	
Recipient	Human Rights Record	Recipient	Human Rights Record	Recipient	Human Rights Record
Afghanistan	M	Bangladesh	M/G	Afghanistan	G
Bolivia	M	Bolivia	S/M	Bangladesh	M/S
Brazil	M	Brazil	S/M	Bolivia	S/M
Chile	G (1974)	Chile	M/G	Costa Rica	S
Colombia	S	Colombia	S	Egypt	G/M
Dom. Repub.	S/M	Dom. Repub.	S	El Salvador	M
Ecuador	M/G	Ecuador	S	Guatemala	M
Egypt	G/M	Egypt	M	Haiti	G
Ethiopia	M/G	Ethiopia	G	Honduras	M
Ghana	G	Ghana	G/M	India	M
Guatemala	S/M	Guatemala	G/M	Indonesia	G/M
India	S/M	India	S/M	Israel	S
Indonesia	M	Indonesia	M	Jamaica	S/M
Iran	M/G	Israel	S	Jordan	M
Israel	S	Jordan	G/M	Kenya	G/M
Jordan	G/M	Kampuchea	G	Mexico	M
Kampuchea	M/G	Liberia	M	Morocco	M
Korea	--	Mexico	M	Pakistan	M
Laos	M/G	Morocco	M	Panama	S/M
Liberia	G/M	Pakistan	G/M	Peru	M
Morocco	M	Peru	S/M	Philippines	M
Nigeria	M/G	Philippines	M	Somalia	G
Pakistan	M	Thailand	M	Sri Lanka	M
Panama	G	Tunisia	M	Sudan	G
Peru	G/M	Turkey	M	Tanzania	M/G
Philippines	M/G	Zaire	G/M	Thailand	M
Thailand	G/M			Zaire	G
Tunisia	G/M				
Turkey	M				
Venezuela	S				
Vietnam	--				
Zaire	G				

Note: S = Slight violator, M = Moderate violator, G = Gross violator. This coding has been derived from the Freedom House Annual Country Reports rankings of freedom. See Appendix to Table 4.1 below for explanation on coding and ranking methods.

Sources: The list of U.S. development assistance recipients was obtained from the Handbook of International Economic Statistics, Dir. of Intelligence, Washington D.C. : U.S. Government Printing Offices, (1975:63), (1984:118-119), (1993: 162). The human rights records were obtained from Freedom House Annual Country Reports for 1973, 1983, and 1993. Amnesty International Country Reports for 1973, 1983, and 1993 were used as cross reference.

Appendix to Table 4.1

The human rights rating for each recipient country was derived from the ratings established by Freedom House, published in the Freedom House Annual Country Reports. Freedom House rates the countries according to Political Rights and Civil Liberties. In the checklist for Political Rights they include:

- 1) free and fair elections
- 2) equal campaigning opportunities
- 3) extent of unelected elements reducing or superceding elected power
- 4) existence of pluralistic system/multiparty state
- 5) existence of significant opposition vote/power
- 6) extent of people's self-determination
- 7) existence of minority rights
- 8) extent of decentralized power where elected regional bodies are allowed to govern

The checklist for Civil Liberties include:

- 1) existence of a free and independent media
- 2) freedom of discussion, demonstration, and assembly
- 3) non-discriminatory judicial system
- 4) respect of the citizens by security forces
- 5) protection from unjustified political terror, imprisonment, exile or torture
- 6) existense of free trade unions and peasant organizations
- 7) free private and public religious expression

The Freedom House rate each country on a seven (7) category scale for political rights and civil liberties. On each scale, one (1) represents the most free and seven (7) the least free. For example, those countries rated a one (1) have complete self-determination and freedom of expression. On the other hand, those countries rated a seven (7) include places where political rights are absent or virtually non-existent due to the oppressive nature of the regime; there are almost always political prisoners and other signs of political terror, and justified fear of the state's repressive nature characterizes society.

For the purpose of this study, we have combined the ratings in the political rights and civil liberties scales, and recoded these to letter ratings to facilitate readability. We have grouped together Freedom House numerical ratings into the letter codes S (slight), M (moderate), and G (gross) with the corresponding assignments: S = 1-2, M = 3-5, and G = 6-7.

Table 4.2: Changes in the U.S. Aid Program in Response to Human Rights Violations by Aid Recipients for 1973, 1983 and 1993.

Type of response	1973	1983	1993	
Violation noted in public document or voiced through diplomatic channels.	Chile	El Salvador Uganda Zimbabwe Guatemala	India Colombia Egypt Indonesia Philippines	Sri Lanka Turkey Algeria
Freeze of aid at current levels or shift in channels of aid.		Haiti	El Salvador Guatemala Guyana	Uganda Nicaragua Haiti
Reduction in amount of aid allocated.	Vietnam (South)	Kampuchea	Indonesia Kenya Malawi	Peru Nigeria
Removal of the aid program.			Zaire Sudan	Syria
Aid allocated in support of human rights and/or democratization projects.		Liberia <u>Other Funding:</u> - Establishment of the National endowment for Democracy Act. - Appropriations for Human Rights Activities under Section 116(e) of Foreign Assistance Act. - NGO's in Southern Africa. - Economic Support Fund.	South Africa Angola El Salvador Guatemala Indonesia Morocco Mozambique <u>Other Funding:</u> - Development Fund for Africa. - Economic Support Fund. - Labor Unions.	Kenya Philippines Namibia Tunisia Liberia Eritrea
Total of responses per year	2 responses	7 responses	35 responses	

Sources:

- U.S. Congress. House. Committee on Appropriations. "Foreign Assistance and Related Programs Appropriation Bill 1974." 93rd Congress, 1st session, December 4, 1973. Report No. 93-694.
- U.S. Congress. House. Committee of Conference. "Foreign Assistance Act of 1973." 93rd Congress, 1st session, November 27, 1973. Report No. 93-664.
- U.S. Congress. Senate. Committee on Appropriations. "Foreign Assistance and Related Programs Appropriations Bill, 1974." 93rd Congress, 1st Session, December 13, 1973. Report No. 93-620.
- U.S. Congress. House. Committee on Conference. "Conference Report." 98th Congress, 1st session, November 17, 1983. Report No. 98-563.
- U.S. Congress. House. Committee of Foreign Affairs. "International Security and Development Cooperation Act of 1983." 98th Congress, 1st session, May 17, 1983. Report No. 98-192.
- U.S. Congress. House. 103rd Congress, 1st session, 1993. Report No. 103-267.
- U.S. Congress. House. Committee of Conference. 103rd Congress, 1st session, September 28, 1993. Report No. 103-267.
- U.S. Congress. Senate. Committee on Appropriations. "Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1993." 102nd Congress, 1st session, September 23, 1992. Report No. 102-419.
- U.S. Congress. Senate. Committee on Foreign Relations. "Foreign Assistance Act of 1993." 103rd Congress, 1st session, September 16, 1993. Report No. 103-144.
- U.S. Congress. Senate. Committee on Appropriations. "Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1994." 103rd Congress, 1st session, September 13, 1993. Report No. 103-142.

sporadic, and inconsistent with the actual level of human rights violations in the various recipient countries. When we think back to the presidential policy section, we note that the results from table 4.2 for 1973, reflects the policy of the time period, of placing national security first, and human rights concerns second. It was partly this inaction on human rights in the late 60's and early 70's that caused the changes in policy and a subsequent increase in responses by 1983.

By 1983 the number of responses had increased to seven, and a new dimension of human rights and democratization funding had emerged. We see four responses (El Salvador, Uganda, Zimbabwe, Guatemala) where the violation was noted in a public document or voiced through diplomatic channels, one response to Haiti where aid was frozen at current levels, one response to Kampuchea with a reduction of aid allocated, and one response to Liberia with additional funding earmarked for human rights and/or democratization projects. It is in this latter category that we see some fundamental changes for 1983. Funding for the support of human rights and democratization projects had by 1983 entered into the aid and human rights debate. The result was additional funding for human rights work in Liberia, as well as funding for organizations and individual projects targeting the victims of human rights violations, or for projects seeking to improve the human rights situation in a given area. As we noted in the section on Congressional legislation, by 1983, Congress had passed extensive legislation linking human rights and foreign aid. Congress had also initiated legislation that called for funding to promote the protection of human rights. The data for 1983 show the effect of this

legislation on various country specific aid programs, as well as projects for the promotion of human rights. The number of responses to individual countries has increased, and we see that funding was extended for projects designed to promote human rights. There is however no correlation between the severity of a violation and a strong response, meaning that gross violators may have received a mild response only, or no response at all. What we are seeing is an increasing trend, where human rights violations are taken into account in foreign aid planning with more frequency.

The data in table 4.1 and 4.2 show that by 1993 the number of responses had increased significantly to thirty-five responses, up from seven in 1983. In 1993 we see a greater variation in the type of responses, as well as in the countries targeted. We find that eight recipients had been notified in public documents or through diplomatic channels of an unacceptable human rights situation. For a normal relationship to continue with the U.S., the situation had to be improved. Six recipients had their aid levels frozen or allocated through a different channel. If aid is allocated through a different channel, this generally means that no (or less) aid is allocated directly to the recipient government, but is channeled instead through non-governmental groups and to specific projects. This is a very common and effective response that will bring funds to the victims of violations, but not to the government who victimizes them. Furthermore, five recipients had their aid allocation reduced, and three recipients actually suffered a termination of their respective aid program. We also see further increase in funding for organizations and projects promoting human rights and democratization. In 1993 however, more funding under this

category, is targeted to specific countries, and less to organizations and specific projects. An interesting addition is the inclusion of labor unions as important actors in promoting human rights and democratization. The data for 1993 corresponds with the heightened emphasis on human rights and democratization that occurred with the end of the Cold War.

In conclusion on the data presented in table 4.1 and 4.2, we clearly see a gradual increase in the number of responses to recipients violating human rights. It has increased from two responses in 1973, to seven responses in 1983, to thirty-five country responses in 1993. We also witness a shift in the preference for punitive vs. promotive responses, where the latter is gaining in acceptance in the early 1990's. Although not every violator is responded to, and although other foreign policy concerns override human rights in several instances, the large numbers that are responded to suggest a real effect on the outcome of foreign aid appropriations, and it suggests that the issue of human rights in foreign aid planning is seriously taken into account in the aid decision-making process.

Concluding Remarks

Initially, when the international human rights standards were set after the end of World War II, they were a response to the horrors of the ethnic cleansing and genocide pursued by Hitler. This is not unlike what we see today in Yugoslavia, Rwanda, Somalia, Iraq, and elsewhere - a more or less systematic elimination or a

driving out at the least, of specific ethnic groups. Today, as fifty years ago, this has spurred international attention, where countries have used the U.N. and other joint organizations to try to stop the atrocities.

The U.S. has recently championed this idea of joint international humanitarian interventions, and showed a willingness to engage in international missions designed to halt blatant abuse of human rights. This active stance bears resemblance to the time of the Carter Presidency, which managed to give human rights a permanent place in U.S. policy making, linking human rights with economic assistance. It is too early to draw good conclusions from the present period. But we can say with certainty, that it has brought renewed attention to the role of human rights in U.S. foreign policy. The American political system however is very dependent on shifts in domestic interests and international allies, and is rather been unpredictable when it comes to actual practice against human rights violators. Congress and Carter managed to institutionalize human rights within the U.S. political system, to the extent that it constrained unwilling administrations. The legislation passed by Congress in the 1970's, put constraints on Reagan and greatly affected the outcome of decision making. Despite the recent trade agreement with China, it remains to be seen whether Clinton's promise to strengthen the link between aid and human rights further in the American political system will be carried out, and make U.S. human rights action in that field more predictable. What has been shown however, is that there has been a clear increase in the number of responses on the part of the U.S. towards many of those aid recipients that violate human rights. We have seen that throughout the

fluctuations of several presidential periods, with varying opinions on the aid/human rights issue, the U.S. has still developed a mandate to include human rights issues in aid planning. We see Congressional legislation ensuring such a mandate in the future, and we see that in addition to the legislation and the policy statements, we find behavioral evidence that indicate a gradually increasing role for human rights in foreign aid planning.

CHAPTER FIVE

A STABLE POLITICAL ENVIRONMENT CREATES LONG LASTING ROLE FOR HUMAN RIGHTS IN NORWEGIAN FOREIGN AID PLANNING

Historical Background

The Norwegian foreign aid program, as well as the nation's focus on human rights can best be understood when seen in context of the dominance of the Labour Party since the mid-1930s, creating deep rooted social-democratic principles. The Labour Party (a large and influential political party in Norway) always emphasized solidarity, both in a domestic and in an international setting. This meant that one saw it as a duty to provide for other people and nations, a chance to have a decent life. Consequently the solidarity factor played a major role in establishing Norway's first foreign aid program.¹⁰⁷ Furthermore, if one takes a look at the Norwegian political party system, political polarization is largely absent. Foreign policy decision-making is more often than not independent of party lines, especially on the question of human rights and foreign aid. This factor creates a very stable political environment. The differences among political groups tend to be about channels, methods, and amounts of aid, rather than whether one should have an aid program, or link such a program to human rights. Consequently, most political parties support a large foreign aid budget with relatively strong ties to human rights practices, with the Labour Party as the most ardent proponent of this link.

In the 1950's, during the initial stages of the Norwegian foreign aid program, economic or military interests were not a large factor in foreign aid planning. There are several reasons for this. Foreign aid policy was colored by a value system that emphasized freedom and peace. Norway had been under German occupation during World War II, and consequently advocated peace and freedom in the years that followed the war.¹⁰⁸ This emphasis led to a foreign policy that supported a global approach through an active participation in the U.N. system.¹⁰⁹ Close cooperation and support of the United Nations, as well as other international organizations, was believed to enhance peace and stability, and secure against a repetition of the human rights atrocities seen during World War II. In the light of these events and sentiments, the basis for the Norwegian foreign aid program can be seen as a combination of idealistic and political interests - for the betterment of mankind, and for peace and stability.

The first two post-war years were colored by hopes of a potential Norwegian role as a "bridge-builder" in international relations. However, by 1947-48 the foreign policy debate within the governing Labour party reflected increasing anxiety about the growing East-West tension. This reoriented the perspectives from international "idealism" to strategic "realism".¹¹⁰ In 1949 the Norwegians "chose sides" and joined NATO.

When the Norwegian foreign assistance program was initiated in the early 1950's, it was not however, in response to national security concerns, nor was it predominantly anti-communist in its orientation. Norwegian aid has always been non-military, and it has been directed at socio-economic development of the poorest populations in the poorest countries. The most effective foreign aid lobby has been the ad hoc alliance of socialist and Christian groups whose common ideological platform expressed a sense of international responsibility for the implementation of economic and social human rights. Foreign aid also corresponded to the idea of the welfare state so dominant in Norway. This idea builds on the principle of social justice and ensures, through government programs, that people's basic needs are met. The principle of a welfare state was explicitly applied to the Norwegian foreign aid dialogue in the 1970's, when it became evident that economic growth alone could not solve the problems of the developing world. The Norwegian government adhered to the theory that one had to ensure that basic needs, such as education, health, employment, food and housing, were being met. A further argument often advanced by Norway was how world peace would be served through socio-economic security.

Jan Egeland suggested that when the foreign aid program was initiated in the early 1950's, it constituted a much needed foreign policy compromise with the left wing of the governing Labour Party. The tension within the Labour Party in connection with Norway's joining NATO in 1949 was further aggravated by differences of opinion as to public spending on the military.¹¹¹ It has been argued that the initiation of Norway's first foreign aid program was an attempt by the Labour

government to appease those unhappy with the NATO membership and the arms-buildup. A foreign aid program at this particular point in time served as a compromise between those who favored NATO and those who emphasized peace and socio-economic advancement.

Linking Human Rights And Foreign Aid - Norwegian Policy Development

Norway's first initial policy statements on human rights came, as was true for so many nations, in the aftermath of World War II. These statements were issued in support for the U.N. system, and in support for the need of an international body to oversee and guarantee against a repetition of the atrocities of the Nazi era. Norway immediately supported the Universal Declaration of Human Rights, and adopted its norms and principles in the Norwegian policy statements.

This focus on human rights in foreign policy was established prior to the first beginnings of an aid program. When such a program was undertaken, human rights did not immediately emerge as an issue in the bi-lateral aid projects. Human rights rather emerged in a gradual fashion, with the first signs barely apparent in Norway's first foreign aid program to India in 1952. This project was known as the Indo-Norwegian Fisheries Project, and because it took place before the establishment of an official Norwegian foreign aid program, the India Fund (Indiafondet) was established to handle the project and its finances. Although financed in its entirety by Norway,

the actual planning for this first bilateral aid program was done in cooperation with the United Nations. India was specifically chosen as the first recipient because the country had already gained independence, something not very common in the early 1950's. Importantly, India was also chosen because its government was seen as relatively honest and organized, and it was Asia's largest democracy.¹¹² Significantly, in the very first aid program, we see the mention of democracy as a criterion for choosing India as the recipient. Democracy, as a selection criteria however, was not to be used on a regular basis until two decades later.

In 1962 Norway's main goal for aid was to "further economic, social and cultural growth in developing nations," a much broader goal than most donors' heavy economic emphasis at the time.¹¹³ By 1971 this goal had evolved to include equality and social justice, economic liberalization (related to the world economic system), democratic development, and human rights. The Labour government under Prime Minister Bratteli, published a fundamental report stating that ODA would thereafter be concentrated mainly on those recipients respecting social justice.¹¹⁴

A first limited Norwegian human rights standard was introduced in the 1975-76 session of the Parliament. Here, the parliamentarians, on their own initiative, agreed that a consideration for allocation of aid should be the partner country's commitment to implementing economic, social and civil rights as given in the Universal Declaration of Human Rights and the UN Covenants.¹¹⁵ A year later more specific policy statements on human rights' role in the aid program were passed by the Norwegian Parliament. Influenced by the pressure for a New International

Economic Order, and the idealistic mood set by the United States with Carter and the U.S. Congress championing human rights, a new policy focus emerged in Norway. As a result, Norway's aid program gained four new dimensions. It was to promote a reduction of the economic dependence of developing countries, equitable distribution of resources within the recipient nation, democratic development, and basic human rights.¹¹⁶

A statement issued in the Norwegian White Paper no.93 (1977), called attention to the fact that "by tradition, human rights have been understood to constitute an important part of Norwegian foreign policy," reflecting the central place of individual rights in Norwegian society. But throughout these discussions it also became apparent that the pursuit of a foreign policy with a strong human rights emphasis could strain Norway's relations with some governments:

After having balanced these two considerations against one another, the Government's conclusion is that the work of expanding the protection of human rights should continue to be both an integrated and substantial part of Norwegian foreign policy.¹¹⁷

The specific policy stated that Norway expected the recipient nations to participate actively in meeting the standards set forth in the U.N. Declaration of Human Rights and the human rights conventions.¹¹⁸ These were all principles that came to the forefront in 1976, coinciding with the principles and policies becoming established in the United States at the same time. The end result of the human rights effort during the 1970's was the Norwegian White Paper #36 (1984), stipulating that

...the government may divert, limit or terminate assistance if local authorities accept, execute or are co-responsible for human rights abuse...industries established with Norwegian economic assistance should accept a social clause on the rights of labour...Voluntary organizations manage to reach the victims in politically sensitive conflicts, the government will give increased resources to their human rights-related activities...also local organizations in developing countries should get increased assistance for relief to victims of human rights violations and programs for human rights awareness.¹¹⁹

The Ministry of Development Co-operation has in active cooperation with the Ministry of Foreign Affairs supported activities and programs that seek to prevent or reduce human rights violations. The Norwegian White Paper #13 (1989), states that such programs take place to a large degree, and more successfully, when in cooperation with NGOs working in the human rights field in the recipient country. The funding from the Norwegian Government to NGOs was increased in 1988 in an attempt to effect directly the reduction of human rights violations. Aid to Central America as one example, incorporated these principles.¹²⁰

Due to political similarities among the Nordic countries, these nations are able to establish joint policy statements on important international issues, such as foreign aid and human rights. Because of the small size of these countries, they find it helpful and often necessary to join together and form a larger voting bloc at the U.N., the OECD, or within other international organizations. After renewed interest in human rights surfaced with the end of the Cold War, the Nordic Ministers of Development

Co-operation in September 1991, published a joint statement in which they emphasized the importance for development of open democratic systems and respect for human rights. Noting that the development of democratic societies had always been a central goal in the development policy of the Nordic countries, and that the past year had been characterized "by profound political change which has proven that the popular demand for democracy carries tremendous influence both at the national and international level", the Ministers emphasized that "the connection between democracy, human rights and sustainable development has become more and more evident". They concluded:

In the context of international development co-operation it has now been recognized that open democratic systems and respect for human rights give impetus to efforts to achieve development, economic efficiency and equitable distribution.¹²¹

Operating Procedures: Institutions and Procedures for Foreign Aid Planning

Now that we have accounted for the development of various policies that constitute the foundation for a human rights concern in foreign aid planning, we need to examine the existence of institutions, monitoring mechanisms and operating procedures in place to carry out these policies. Without an apparatus in place to carry out the human rights policy in aid programming, we will find the human rights mandate to be merely nice rhetoric. Such an apparatus for the operationalization of human rights in aid programming will constitute the "rules and decision-making

procedures" of a regime. We have seen how policy have been founded upon norms and principles ensuring the importance of the human rights issue. Now we turn to the examination of the presence of rules and regulations needed to put into practice norms and principles. First we will examine institutions responsible for aid programming, thereafter those procedures used by these institutions in the foreign aid planning process.

Institutions responsible for aid programming

The first institution responsible for managing the Norwegian foreign aid program was "Norsk Utviklingshjelp" (Norwegian Development Aid), later renamed to "Direktoratet for Norsk Utviklingshjelp" (Norwegian Agency for International Development - NORAD). NORAD was established in 1962 and became responsible for managing all bi-lateral aid, while multi-lateral aid was under the Ministry of Foreign Affairs. This was important since NORAD was much more technocratic than the politically motivated Ministry of Foreign Affairs. It was easier for NORAD, which had no political mandate as such, to follow strictly those guidelines provided by legislation, and not sway to the pressure of domestic or international alliances. This is not to say that political allies had no influence. It only points to a factor that gives the Norwegian foreign aid debate more long term stability.

Importantly, in 1984 all aspects of the foreign aid program (bi-lateral and multi-lateral) came under the jurisdiction of the new Ministry of Development Co-

operation ("Departmentet for Utviklingshjelp - DUH"), with a cabinet minister responsible to Parliament.¹²² This meant that foreign aid had gained enough importance and was given priority to the extent that it now was represented by its own government department. Responsibilities for multi-lateral and disaster relief aid were subsequently transferred from the Ministry of Foreign Affairs to DUH. NORAD was preserved as an agency within DUH, responsible for the bi-lateral aid program, and reorganized into several offices, each responsible for its own specialty area, such as agriculture, education, health, etc. In March 1989, NORAD was further reorganized along geographical lines, where each sector would cover a specific region, allowing for a strengthening of its program management capacity and country specific expertise.¹²³ This expertise is invaluable in the linking of aid to human rights practices, especially so for monitoring purposes. It is also a system that is relatively autonomous from political shifts, creating the basis for a very stable human rights and aid policy-making environment.

Procedures for planning the individual aid programs: ensuring a dialogue on human rights between donor and recipient

For the priority recipients, aid program planning is done on a four year basis that is followed up with an annual review and evaluation. The main guidelines for each program are decided upon by the Norwegian foreign aid administration, while the initiative to develop details of the program within these guidelines is left to the recipient. The main guidelines are decided in an annual meeting, and adjusted each

year according to the experience from the proceeding year. The recipient is thereafter informed of the size of the program for the next four years, and invited to supply suggestions for the use of funds allocated. These suggestions are evaluated by the Norwegian representatives in NORAD's office in the recipient nation, thereafter sent to DUH in Norway. Talks are then initiated in the finance ministry, where general questions are raised. More specific questions are treated by the respective sector offices in DUH/NORAD, and the various options are discussed in the Norwegian Parliament, where the individual programs are finally accepted, readjusted or rejected. This rather extensive dialogue that takes place between Norway as donor and the recipient country allows for discussions and appropriate responses with respect to alleged human rights violations.

Monitoring mechanisms in place to evaluate the aid program and the current human rights situation

The monitoring mechanisms within the Norwegian aid bureaucracy are quite extensive and detailed. NORAD has offices in each of the priority countries. Evaluation and assessment of the Norwegian ODA program is facilitated by these, as well as by a delegation sent to the specific recipients for annual program evaluation, a practice established in 1972.¹²⁴

Furthermore, White Paper no.36 (1984-85), reports on a decision to conduct in depth country analyses every fifth year of priority countries and other significant

recipients. Research is conducted in order to assess the total economic, political and social development in the recipient nation, as well as the Norwegian ODA program in that nation over the last ten years. This research is performed by an independent consultant or a research institute and are used in assessing the future direction of individual ODA programs. The increased emphasis given to human rights in 1984 led to an annual report titled "Menneskerettighetene I Norges Hovedsamarbeidsland" ("Human Rights in Developing Countries").¹²⁵ This report is politically independent in that it is developed by various research institutes not connected to the Ministry of Development Co-operation, and as such offer impartial, reliable data. An evaluation of the multi-lateral aid program is conducted and published in a report titled "Evaluation of Multilateral Aid Through the U.N. System."¹²⁶

The final step of the evaluation process is the country analysis conducted by the Ministry of Development Co-operation, based upon information from the reports above and from various international organizations, such as the U.N. and Amnesty International. This final analysis is used to develop the specific guidelines for the future ODA program of each recipient for the next five years. At the completion of the processes above, talks are held on a political level with the governments of respective recipients. The results are brought to sessions in the Parliament where the details of the respective ODA programs are developed.¹²⁷

The above evidence show a very strong and effective system for operationalizing and monitoring the foreign aid program. Especially important is the

extensive monitoring apparatus, including the use of independent agencies to ensure objectivity, signaling that Norway takes human rights violations seriously, and is willing to exert effort to document abuses. In the next section we will turn to actual donor behavior in response to human rights violations by the recipients. To what extent does the donor respond to violations and alter the aid program, as promised in policy statements?

Donor Behavior: Changes in the Norwegian Aid Program in Response to Human Rights Violations by Recipients of Aid

Just as in the discussion regarding the United States in the previous chapter, we investigated whether a regime was developing by actually looking at how the Norwegian government responded to recipient violations. Would we in fact find an increase in responses that coincided with the gradual strengthening of policy, or would we find a stagnating or decreasing trend in practice, contradicting to verbal commitments? As with the U.S., we investigated Norway's aid program during three separate years, each a decade apart, namely 1973, 1983 and 1993, to see what trends would become apparent. Based on Norwegian White Papers, a list of recipients for each of the three years was compiled, together with corresponding human rights records¹²⁸ for 1973, 1983, and 1993. This data is provided in table 5.1. Furthermore, we classified the various responses to violations into the same five categories as for the U.S. case: 1) violation noted in public document or voiced through diplomatic

Table 5.1: Norwegian Development Assistance Recipients and Corresponding Human Rights Records for 1973, 1983, and 1993.

1973		1983		1993	
Recipient	Human Rights Record	Recipient	Human Rights Record	Recipient	Human Rights Record
Bangladesh	M/S	Bangladesh	M/G	Afghanistan	G
Botswana	M/S	Botswana	S/M	Angola	G
Ghana	G	Ghana	G/M	Bangladesh	M/S
India	S/M	India	S/M	Botswana	S/M
Kenya	M	Indonesia	M	China	G
Madagascar	M	Jamaica	S/M	El Salvador	M
Nigeria	M	Kenya	M	Eritrea	M/G
Pakistan	M	Madagascar	M	Ethiopia	M/G
Sri Lanka	S	Mozambique	G	Guatemala	M
Sudan	G/M	Pakistan	G	Guinea	M/G
Tanzania	G	Papua New Guinea	.	India	M/S
Turkey	M	Portugal	S	Indonesia	G/M
Uganda	G	Sri Lanka	M	Lesotho	M
Vietnam	--	Sudan	M	Mali	S
Zambia	M	Tanzania	G	Maldives	G/M
		Uganda	M	Mozambique	M/G
		Vietnam	G	Namibia	S/M
		Zambia	M/G	Nepal	M
		Zimbabwe	M	Nicaragua	M
				Pakistan	M
				Philippines	M
				Sierra Leone	G
				Somalia	G
				Sri Lanka	M/G
				Sudan	G
				Tanzania	M/G
				Uganda	M
				Fmr. Yugoslavia	G/M
				Zambia	M
				Zimbabwe	M

Note: S = Slight violator, M = Moderate violator, G = Gross violator. This coding has been derived from the Freedom House Annual Country Reports rankings of freedom. See Appendix to Table 5.1 below for an explanation on coding and ranking methods.

Sources: The list of Norwegian development assistance recipients was obtained from Norwegian White Papers / DUH annual reports for 1973, 1983, and 1993. The human rights records were obtained from Freedom House Annual Country Reports for 1973, 1983, and 1993. Amnesty International Country Reports for 1973, 1983, and 1993 were used as cross reference.

Appendix to Table 5.1

The human rights rating for each recipient country was derived from the ratings established by Freedom House, published in the Freedom House Annual Country Reports. Freedom House rates the countries according to Political Rights and Civil Liberties. In the checklist for Political Rights they include:

- 1) free and fair elections
- 2) equal campaigning opportunities
- 3) extent of unelected elements reducing or superseding elected power
- 4) existence of pluralistic system/multiparty state
- 5) existence of significant opposition vote/power
- 6) extent of people's self-determination
- 7) existence of minority rights
- 8) extent of decentralized power where elected regional bodies are allowed to govern

The checklist for Civil Liberties include:

- 1) existence of a free and independent media
- 2) freedom of discussion, demonstration, and assembly
- 3) non-discriminatory judicial system
- 4) respect of the citizens by security forces
- 5) protection from unjustified political terror, imprisonment, exile or torture
- 6) existence of free trade unions and peasant organizations
- 7) free private and public religious expression

The Freedom House rate each country on a seven (7) category scale for political rights and civil liberties. On each scale, one (1) represents the most free and seven (7) the least free. For example, those countries rated a one (1) have complete self-determination and freedom of expression. On the other hand, those countries rated a seven (7) include places where political rights are absent or virtually non-existent due to the oppressive nature of the regime; there are almost always political prisoners and other signs of political terror, and justified fear of the state's repressive nature characterizes society.

For the purpose of this study, we have combined the ratings in the political rights and civil liberties scales, and recoded these to letter ratings to facilitate readability. We have grouped together Freedom House numerical ratings into the letter codes S (slight), M (moderate), and G (gross) with the corresponding assignments: S = 1-2, M = 3-5, and G = 6-7.

channels, 2) freeze of aid at current levels or shift in channels of aid, 3) reduction in amount of aid allocated, 4) removal of the aid program, and 5) aid allocated in support of human rights and/or democratization projects. We have provided, in table 5.2, an overview over which recipients were responded to, and how they were responded to for the years 1973, 1983 and 1993. We will now turn to a discussion of the findings presented in the tables.

When viewing the data in table 5.2 from 1973, we see that only two recipients were responded to, namely Chile and Uganda. Chile had its aid frozen at 1973 levels, and the funds were reallocated through non-governmental channels, due to the coup in Chile the same year. Uganda's aid program was terminated based on reports of gross human rights violations in that country. With only two responses, it is evident from table 5.1 and 5.2 that in 1973, many recipients violated human rights grossly, but without a response from the Norwegian government. There were furthermore no mention, at this point in time, of funding in support of projects in place to encourage or build good human rights practices.

By 1983, the number of responses had increased somewhat since 1973. We found that five recipients had been responded to due to human rights violations. Four of the violators, South Africa, Iran, Afghanistan and El Salvador, were responded to under the first category, "violation noted in public document or voiced through diplomatic channels," but without further repercussions, except in those cases where a possible aid program was not initiated due to reports of human rights violations. Sri

Table 5.2: Changes in the Norwegian Aid Program in Response to Human Rights Violations by Aid Recipients for 1973, 1983 and 1993.

Type of response	1973	1983	1993
Violation noted in public document or voiced through diplomatic channels.		South Africa Iran Afghanistan El Salvador	
Freeze of aid at current levels or shift in channels of aid.	Chile		Angola
Reduction in amount of aid allocated.		Sri Lanka	Zambia
Removal of the aid program.	Uganda		
Aid allocated in support of human rights and/or democratization projects.			Bangladesh Namibia Nicaragua Mozambique Pakistan Sri Lanka Tanzania Zimbabwe South Africa Chile El Salvador Eritrea Ethiopia Kampuchea Nigeria Uganda Angola Guatemala Vietnam <u>Other Funding:</u> - U.N. Human Rights Center. - U.N. Fund for Torture Victims. - Latin American Human Rights Organization (ALDHU). - Southern African Development Community (SADC). - The Institute for Human Rights/Norwegian Resource Bank for Democracy (NORDEM). - International Alert. - Defense for Children International.
Total of responses per year	2 responses	5 responses	21 responses

Sources: Norwegian White Papers. "Om Norges Samarbeid Med Utviklingslandene." Oslo: NORAD and the Norwegian Department of Foreign Affairs. Annual Reports : 1972-1994.

Lanka was also responded to by a reduction in the amount of aid allocated in 1983. Although we find an increase in responses, we still see that most violators were not responded to, and that the changes in aid programs were not directly related to the level of violations reported. Sri Lanka, for example, was only rated as a moderate violator of human rights, while other nations, such as Tanzania, Pakistan, etc. were rated as gross violators, but received no response from the Norwegian government.

It is when reviewing the data from 1993 that we see major changes having taken place in the aid and human rights debate. The major change is to be found in the type of responses and the inclusion of funding specifically for human rights and democratization projects and organizations connected to them. During this year table 5.2 show two traditional responses, to Angola and Zambia, freezing aid and reducing aid respectively. The remaining nineteen responses to bi-lateral recipients came under the category of "aid allocated in support of human rights and/or democratization projects." Furthermore we find, under the heading "other funding" in table 5.2, allocation extended to several other groups, such as the Latin American Human Rights Organization and the U.N. Human Rights Center. The data from 1993 show a clear shift away from a punitive approach to one of encouraging and providing funding especially earmarked for human rights and democratization projects. In those cases where human rights were grossly violated the discussion did not so much evolve around not giving aid, but rather to whom the aid should be given - namely the victims of violations or organizations in place to prevent further abuses.

In summing up on this section on changes in the Norwegian aid program due to human rights violations by aid recipients, we see that the number of responses have increased significantly from two responses in 1973, to five responses in 1983, to twenty-one country responses in 1993. Despite the fact that many violators were not responded to, or not responded to very forcefully over the years, we most certainly see a trend of increase in the number of responses and in responses that are earmarked directly for the victims of violations.

Concluding Remarks

The role of human rights in the Norwegian aid program has slowly evolved throughout the post-war period. We see initial norm establishment in the immediate post-war era, further development of institutions and policy in the 1960's and 1970's, in which human rights were institutionalized in the foreign aid program, and since that time, an increased commitment to act on human rights violations. The effort at incorporating the idea of human rights in Norwegian foreign policy making does not receive much vocal opposition, since the political history of social democratic principles supports such thinking. One also finds a large degree of policy consensus in the government. The Norwegian policy consensus springs from the fact that, with the exception of relatively small parties at the two extremes of the political spectrum (currently the Socialist Left Party and the Progress Party), all parties represented in the Parliament can be characterized by having a relative large degree of

consensus, especially with regards to foreign policy issues. This is also the case between the Labour Party and the Conservative Party, Norway's two largest political parties. This degree of consensus creates political stability without major shifts from one administration to the next. Of course there are different political opinions on foreign policy issues in Norway as well. But rather than discussing whether or not human rights should be incorporated into foreign policy, the different political factions more often discuss the extent of incorporation, for example in cases where aid, trade and human rights concerns might be in conflict with each other. The conflict may arise over a trade versus aid question, where the Conservative party is more likely to emphasize trade, while the Labour party may emphasize a larger aid component, while both would never the less opt for a relative large component of both aid and trade. With respect to actual donor behavior, Norway's pattern follow much the same pattern as for the United States. We saw that the level of responses against recipients violating human rights had increased dramatically from 1973 to 1993. By 1993, somewhat later than for the U.S., Norway had started to focus on promoting good human rights records by extending an increasing amount of funding to individual recipients and organizations for human rights and democratization projects. Although we can see discrepancies as to which countries are responded to, for example when the level of human rights violations does not always correspond with the level of response, we can also say with confidence that a clear trend is developing of better policy, better organizations and institutions, and better levels of responses in the Norwegian field of human rights and foreign aid.

CHAPTER SIX - CONCLUSION

The evidence shows that, from the immediate post-war period until today, we have had a gradual development of an agreement on norms, principles, rules and decision-making procedures governing donors' response to human rights violations.

We find three distinct time periods where such developments have taken place. There is evidence that in the period of 1945-1948, donors, in cooperation with the United Nations, developed the first set of norms and principles with regards to human rights, defining a place for it in foreign policy.

In the period of 1973-1983, donors built upon this and introduced numerous pieces of legislation that provides rules and regulations for linking foreign aid to a recipient's human rights record. We see this happening in the United Nations with the signing of the Covenants, in the OECD with the very first mention of a concern over the relationship between development and human rights practices, in the United States with legislation and policy developed by Congress and President Carter, and in Norway with the first official policy statements linking aid to human rights. Our data has shown there to be an increase in the number of actual responses to recipients who violate human rights. By 1983, we see that for both Norway and the United States, policy had begun to affect the outcome of foreign aid programs. Moreover, by this time, the U.S. had begun to take preliminary steps to introduce programs designed to promote human rights, and not merely to punish the violators.

In the post Cold War period, or early 1990's, we see a renewed and enlarged role for human rights. Spurred by the promotion of human rights and democratization in Eastern Europe, such priorities were extended to foreign policy in general, influencing policy towards developing nations as well. During this period, we witness a broadening of policy statements linking human rights practices to the foreign aid program, making aid allocations contingent upon the recipients' human rights practices. By 1993, it has become evident that the donor's behavior has changed as a consequence of having taken human rights performances into account when planning the individual aid programs. Most notably, with respect to the aid programs of Norway and the United States, the facts have shown that by 1993, there occurs a sharp increase in the number of actual responses to recipients violating human rights. Although there still exist numerous cases in which aid was not altered due to human rights violations, there is clear evidence of a trend of increasing responses. We see, furthermore, a significant shift in the types of responses, going from mainly punitive to more promotive types of responses, on the part of both Norway and the United States. This factor suggests that the donors are not only seeking to punish those violating the rights, but also seeking to assist the victims of violations, and to assist countries in improving their human rights record. This shift to fund the promotion of good human rights practices, allow the donor to support human rights, while at the same time continue a relationship with various recipient governments, something that may not have been possible had only a punitive approach been used. We were unable to locate the exact beginnings of such a policy

shift, but it is clear, that by 1990, such an approach was heavily favored by the members of the U.N., and the OECD, and specifically by the two donors discussed in this thesis, Norway and the United States. It is interesting to note the similar development in actual donor behavior between the U.S. and Norway. These two donors are perceived by many to represent differing views on the degree of emphasis to be placed on moral foreign policy issues such as human rights and foreign aid. We have shown that Norway has gradually and consistently increased the importance of human rights in determining its foreign aid allocations, while in the case of the U.S., the emphasis given to human rights has often shifted with each incoming administration. Despite these differences however, both donors show such similar behavior in actual responses to human rights violations as to indicate the existence of an overriding international force or signs of an operating regime. Hence, we can conclude that the evidence presented show a gradual development of norms and principles, rules and decision making procedures, on linking foreign aid with human rights, and that this development has affected donor behavior in the area, signaling the presence of an incipient regime influencing foreign aid decision-making.

Evidence furthermore shows that the regime is operating at three varying levels of effectiveness and efficiency. First, we find that at the level of norms and principles the regime is very effective. Both donors and international organizations declare in policy statements their intent to protect human rights, independent of political sentiments and not subject to sudden changes. This level was developed

relatively early during the time the U.N. system was developed, and has grown in strength in the post war period.

Second, we find that at the level of operating procedures and monitoring mechanisms, the regime is still quite effective, but less so than with regards to norms and principles. On this level, we find greater variation in the willingness of the donor to allow for an objective monitoring process. Furthermore, we find wide variations in the degree of autonomy possessed by the various agencies involved in the aid and human rights process. In the chapter on the United States we showed that the main agency involved in monitoring human rights is the State Department. Consequently, monitoring *may* be skewed as a result of the State Department's strong participation in the administration and with numerous, not unbiased, political interests to take into consideration. This organizational factor may be true for several donor countries. We saw in the U.S. case that any use of United Nation's monitoring mechanisms has been only slight, although President Clinton has promised to increase such cooperation. In the Norwegian case we also found evidence of political influences, but to a much lesser degree. We consider significant our findings that the Norwegian government makes regular use of independent agencies involved in monitoring human rights violations, as well as maintaining extensive cooperation with the United Nations monitoring system.

Third, on the level of policy implementation and actual practice, we see that although human rights have an impact on the outcome of foreign aid allocation, it is

much less consistent than the other levels, and consequently represents the weak link in the human rights/aid regime. However, we found clear evidence of a pattern or a trend of changing behavior on the part of the donors, namely, that of increasing the responses to human rights violators by initiating changes in the aid program. Such responses were barely present in 1973, but by 1983 it had increased to five responses for Norway, and seven responses from the United States. By 1993, the number of responses had increased significantly to twenty-one responses for Norway, and thirty-five responses for the United States. Although the responses were not always consistent with the levels of violations, it never the less signified an important trend where human rights records are increasingly taken into account.

We conclude that the varying degrees of effectiveness and efficiency shown above correspond with the three time periods mentioned at the beginning of this chapter. The most effective level is the one abided by first and the one that has been adhered to the longest, that of norms and principles. The least effective level is that of implementation and practice, which is the one most recently entered into donor policy-making process. We can see it as a sort of socialization process, where norms and principles lead to rules and regulations, which lead to actual implementation. It is still too early to draw long-term conclusions with regards to donors' willingness to act. Even so it is undeniably the case that donors remain more likely to commit to norms and principles in their ODA policy statements, and that they are somewhat hesitant to show the same commitment in practice. Naturally it is the most visible cases, such as the Tian-an-mien square incident and the events in South Africa, that

receive the most attention. However there is a clear indication that donors do increasingly respond to violations of rights, telling the international community, and more importantly the victims of human rights violations, that the violations will be responded to. Rather than indifference to human rights violations, the evidence show that the degree of norm incorporation and the level of response to recipient violations, have resulted in a high probability of influencing expectations on the part of donors and recipients alike.

END NOTES

1. Stephen D. Krasner. "Structural Causes and Regime Consequences: Regimes as Intervening Variables." International Organization, vol.36, no.2 (spring 1982):2.
2. Robert Jervis. "Security Regimes." International Organization, vol.36, no.2 (spring 1982):173.
3. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: Norwegian University Press, 1988:105.
4. Robert E. Wood. From Marshall Plan to Debt Crisis: Foreign Aid and Development Choices in the World Economy. Berkley: University of California Press, 1986.
5. David H. Lumsdaine. Moral Vision in International Politics: The Foreign Aid Regime 1949-1989. Princeton: Princeton University Press, 1993.
6. Jack C. Plano and Roy Olton, eds. The International Relations Dictionary. Santa Barbara and Oxford: ABC-Clio, Inc., Clio Press Ltd., 1988:301.
7. Adopted and opened for signature, ratification and accession by General Assembly Resolution 2200 A(XXI) of 16 December 1966 in the International Bill of Human Rights. Entry into force: 26 March 1976.
8. Although not independent of, or less important than the civil and political rights, social , economic and cultural rights will not be discussed in this thesis
9. J. Bhagwati and R.S. Eckhaus, eds. Foreign Aid. Suffolk: Richard Clay Ltd. 1970:7.
10. OECD. Development Co-operation: Efforts and Policies of the Members of the Development Assistance Committee. 1984:202. (This source will hereafter be referred to as the DAC Review).
11. David Carleton and Michael Stohl. "The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan." Human Rights Quarterly, vol.7 (May 1985):207.

12. Refer to Mower on realism vs. idealism in American foreign policy: Glenn A. Mower Jr. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood Press, 1987:7.
13. Jan Egeland, Impotent Superpower - Potent Small State. Oslo: University of Oslo Press, 1988:108.
14. *ibid*, p.110
15. Linus Pauling, ed. World Encyclopedia of Peace. New York: Pergamon Press. 1986:423.
16. Jack Donnelly. Universal Human Rights in Theory and Practice. Ithaca and London: Cornell Univ. Press, 1989:210.
17. United Nations. The Charter of the United Nations. 1945: Articles 55 and 56.
18. Ian Brownlie, ed. Basic Documents on Human Rights. Oxford: Oxford University Press, 1992:22-25.
19. *ibid*, p.134-135.
20. David P. Forsythe. "The United Nations and Human Rights, 1945-1985." Political Science Quarterly, vol. 100, no.2 (Summer 1985):257.
21. *ibid*.
22. *ibid*, p.262.
23. Theo Van Boven. "Human Rights and Development: the U.N. Experience." in Daniel P. Forsythe, ed. Human Rights and Development: International Views. New York: St. Martin's Press, 1989:121-122.
24. A. Cassese, UN Special Rapporteur. "Study of the impact of foreign economic aid and assistance on respect for human rights in Chile." U.N. Doc. E/CN.4/Sub.2/412 (vol.IV), para. 541.
25. Katarina Tomasevski. Human Rights and Development. New York: St. Martin's Press, 1989:49.

26. David P. Forsythe. "The United Nations and Human Rights, 1945-1985." . Vol.100, no.2 (Summer 1985):256.
27. *ibid.* p.265.
28. Katarina Tomasevski. Human Rights and Development. New York: St. Martin's Press. 1989:49.
29. *ibid.* p.88.
30. *ibid.* p.87. For specific information see U.N. Doc. E/CN.4/17/Add.1 of 23 February 1988, para.23.
31. Theo Van Boven. "Human Rights and Development: The U.N. Experience." in David P. Forsythe, ed. Human Rights and Development: International Views. New York: St. Martin's Press. 1989:130.
32. Committee on Foreign Affairs. "U.N. Organs and Organizations: United Nations Bodies Primarily Concerned with Human Rights." in Human Rights Documents: Compilation of Documents Pertaining to Human Rights. New York: U.S. Government Printing Office, 1983:594.
33. *ibid.* p.586.
34. *ibid.* p.588.
35. *ibid.* p.594.
36. *ibid.* p.589.
37. *ibid.* p.590-593.
38. David P. Forsythe. "The United Nations and Human Rights, 1945-1985." Political Science Quarterly, vol. 100, no.2 (Summer 1985):249-269.
39. *ibid.* p.124

40. Commission on Human Rights Report on the Forty Eight Session (27 Jan - 6 March 1992), Economic and Social Council Official Records, 1992:133, Supplement no.2, United Nations. p.132.
41. *ibid*, p.133.
42. OECD DAC Review, 1991:4.
43. OECD DAC Review, 1963:7 & 31.
44. Details on these debates can be found in the 1972 OECD DAC Review.
45. OECD DAC Review, 1989:54.
46. *ibid*, p.78.
47. OECD DAC Review, 1990:11.
48. *ibid*, p.12.
49. OECD DAC Review, 1991:33.
50. *ibid*, p.44.
51. *ibid*, p.45.
52. OECD DAC Review 1991. (Pierre-Claver Damiba's article "Governance and Economic Development," appeared in Africa Forum, vol.1, no.1, 1991)
53. OECD DAC Review, 1991:44
54. For more detail on these two organizations look to the OECD DAC Review, 1991:33.
55. For an overview of these donors' recent initiatives see the OECD DAC Review, 1991:45-52 and 1991:63-66.

56. For an introduction to American foreign policy see:
Glenn A. Mower, Jr. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood Press, 1987:7-12;
and
A. Wolfers and L. W. Martin, eds. The Anglo-American Tradition in Foreign Affairs: Readings From Thomas Moore to Woodrow Wilson. New Haven: Yale University Press, 1956:ix-xxvii.
57. Glenn A. Mower, Jr. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood Press, 1987:9.
58. *ibid.* p.7
59. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: Norwegian University Press, 1988:38
60. *ibid.* p.39.
61. *ibid.* p.40-41
62. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: University of Oslo Press, 1988:48.
63. *ibid.* p.42.
64. Glenn A. Mower, Jr. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood Press, 1987:13.
65. *ibid.* p.14.
66. *ibid.*
67. These cases represents very interesting case studies on the change in policy from the Carter to the Reagan Presidency. For detailed information look in David P. Forsythe. Human Rights and U.S. Foreign Policy: Congress Reconsidered. Florida: University of Florida Press, 1988:90-100.
68. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: University of Oslo Press, 1988:42.

69. David Carleton and Michael Stohl. "The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan." Human Rights Quarterly. vol.7 (May, 1985):210.
70. *ibid.*
71. For an example of such usage look in David P. Forsythe. Human Rights and U.S. Foreign Policy: Congress Reconsidered. Florida: University of Florida Press, 1988:90-100.
72. American Association for the International Commission of Jurists. "Human Rights and U.S. Foreign Policy: The First Decade 1973-1983," 1984:41.
73. *ibid.*, p.43.
74. *ibid.*, p.34-35.
75. Anthony Hartley. "The Clinton approach: idealism with prudence." World Today. vol.49 (February 1993):27.
76. Susumu Awanohara. "Spreading the Word: Clinton gives priority to promoting democracy." Far Eastern Economic Review, vol.156 (January 21, 1993):23.
77. Anthony Hartley. "The Clinton Approach: Idealism With Prudence." World Today, vol.49 (February 1993):29.
78. *ibid.*, p.27.
79. David P. Forsythe. Human Rights and Development: International Views. New York: St.Martin's Press, 1989:39.
80. Susumu Awanohara. "Do Unto Others...Clinton's human rights thrust abroad takes shape." Far Eastern Economic Review, vol.156 (July 1, 1993):18
81. Barbara Crossette. "U.S. Human Rights Office Grows in Influence." The New York Times. Sunday, January 19, 1992:8.
82. Susumu Awanohara. "Do Unto Others...Clinton's Human Rights Thrust Abroad Takes Shape." Far Eastern Economic Review, vol.156 (July 1, 1993):18.

83. OECD DAC Review 1991:61.
84. *ibid.* p.64.
85. Carroll J. Doherty. "Foreign Aid." Congressional Quarterly Weekly Report, vol.51, no.8 (February 20 1993):379.
86. Paul Lewis. "Splits May Dampen Rights Conference." New York Times, June 6, 1993:1 & 14.
87. Congressional Quarterly Weekly Report, vol.51, no.39, (October 2, 1993):2680.
88. *ibid.* p.2682.
89. Holly J. Burkhalter. "The 'Costs' of Human Rights." World Policy Journal, vol.11, no.1 (Spring 1994):40.
90. for more information on the South Africa case see Jan Egeland. Impotent Superpower - Potent Small State Oslo: University of Oslo Press, 1988:87-104.
91. Holly J. Burkhalter. "The 'Costs' of Human Rights." World Policy Journal, vol.11, no.1 (Spring 1994):42
92. *ibid.* p.45.
93. *ibid.* p.42.
94. Glenn A. Mower Jr. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood press, 1987:61.
95. *ibid.*
96. Committee on Foreign Affairs. "Human Rights Documents: Compilation of Documents Pertaining to Human Rights." Washington: U.S. Government Printing Office, 1983:27.
97. *ibid.* p.27.

98. for more information on this case see David P. Forsythe. Human Rights and U.S. Foreign Policy: Congress Reconsidered. Gainesville: University of Florida Press, 1988:14.
99. Committee on Foreign Affairs. "Human Rights Documents: Compilation of Documents Pertaining to Human Rights." Washington: U.S. Government Printing Office, 1983:28.
100. U.S. Department of State. Country Reports on Human Rights Practices for 1993. Washington: U.S. Government Printing Office, 1994:xi.
101. *ibid*, p.xii.
102. *ibid*, p.xiii.
103. David P. Forsythe. Human Rights and U.S. Foreign Policy: Congress Reconsidered. Gainesville: University of Florida Press, 1988: 17.
104. *ibid*, p.63.
105. the information for table 4.1 has been collected from the following sources: Amnesty International Report.. Freedom in the World: The Annual Survey of Political Rights and Civil Liberties.. and the Handbook of International Statistics, 1973, 1983, and 1993.
106. the information has been collected from U.S. Congressional Report numbers: 93-694, 93-664, 93-620, 98-563, 98-192, 103-367, 103-267, 102-419, 103-144, and 103-142, and the results are presented in table 4.2 of this thesis.
107. Helge Pharo. "Indiafondet: Norsk Bistand i Utviklingshjelpens Barndom." in T.L. Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:21.
108. Olav Stokke, ed. "Samarbeidet med Utviklingslandene: Idealer i Brytning." in J.J. Holst and D. Heradstveit, eds. Norsk Utenriks Politikk. Oslo: Tano A.S., 1985:190.
109. *ibid*, p.191.

110. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: Norwegian University press, 1988:39.
111. *ibid*, p.110-111.
112. Helge Pharo. "Indiafondet: Norsk Bistand i Utviklingshjelpens Barndom." in T.L. Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:21.
113. Olav Stokke, ed. "Hovedlinjer I Bistandspolitikken: Mal, Strategier og Prinsipper." in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:40.
114. White Paper no.29. "Om Norges Samarbeid Med Utviklingslandene I 1971." NORAD and the Norwegian Department of Foreign Affairs. Oslo, Norway, 1971:72.
115. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: Norwegian University press, 1988:122.
116. Olav Stokke, ed. "Hovedlinjer I Bistandspolitikken: Mal, Strategier og Prinsipper." in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:41.
117. White Paper no.93. Oslo, Norway, April 22, 1977:33.
118. Olav Stokke, ed. "Hovedlinjer I Bistandspolitikken: Mal, Strategier og Prinsipper." in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:48.
119. Jan Egeland. Impotent Superpower - Potent Small State. Oslo: Norwegian University Press, 1988:124.
120. White Paper no.13. "Om Norges Samarbeid Med Utviklingslandene I 1988." Oslo, Norway, 1989-90:7.
121. OECD DAC Review, 1991:66.

122. Tore Linne Eriksen. "Fakta om Norsk Utviklingshjelp." in Tore Linne Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk Ved Norsk Utviklingshjelps Historie. Oslo:Universitetsforlaget, 1987:7-9.
123. OECD DAC Review 1989:169.
124. Olav Stokke, ed. "Hovedlinjer I Bistandspolitikken: Mal, Strategier og Prinsipper." in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:49.
125. Olav Stokke, ed. "Hovedlinjer I Bistandspolitikken: Mal, Strategier og Prinsipper." in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget, 1987:41.
126. Norwegian White Paper no.13, "Om Norges Samarbeid Med Utviklingslandene I 1988." Oslo, Norway, 1989-90:107.
127. Norwegian White Paper no. 61, "Om Norges Samarbeid med Utviklingslandene i 1987." Oslo, Norway, 1987:106.
128. the information for table 5.1 has been collected from the following sources:
Amnesty International Report.. Freedom in the World: The Annual Survey of Political Rights and Civil Liberties.. Norwegian White Papers, 1973, 1983, and 1993.

BIBLIOGRAPHY

American Association for the International Commission of Jurists. 1984. "Human Rights and U.S. Foreign Policy: the First Decade 1973-1983."

Amnesty International. Amnesty International Report. New York: Amnesty International Publications. Annual Reports: 1973, 1983, and 1993.

Awanohara, Susumu. 1993. "Do Unto Others...Clinton's Human Rights Thrust Abroad Takes Shape." Far Eastern Economic Review, vol.156, (July 1):18

_____. 1993. "Spreading the Word: Clinton gives priority to promoting democracy." Far Eastern Economic Review, vol.156, (July 1):18.

Bhagwati, J. and Eckhaus R. S., eds. 1970. Foreign Aid. Suffolk: Richard Clay Ltd.

Brownlie, Ian, ed. 1992. Basic Documents on Human Rights. Oxford: Oxford University Press.

Burkhalter, Holly J. 1994. "The "Costs" of Human Rights." World Policy Journal, vol.11, no.1 (spring):39-49.

Carleton, David and Michael Stohl. 1985. "The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan." Human Rights Quarterly, vol.7 (May):205-229.

Cassese, A. UN Special Rapporteur, "Study of the impact of foreign economic aid and assistance on respect for human rights in Chile." U.N. Doc. E/CN.4/Sub.2/412 (vol.IV), para. 541.

Central Intelligence Agency. Handbook of International Statistics. Washington D.C.: US Government Printing Office. Annual reports: 1973, 1983, and 1993.

Committee on Foreign Affairs. 1983. "U.N. Organs and Organizations: United Nations Primarily Concerned with Human Rights." Human Rights Documents: Compilation of Documents Pertaining to Human Rights. New York: U.S. Government Printing Office.

Congressional Quarterly Almanac. vol. XLIX, 1993:505-530.

Congressional Quarterly Weekly Reports. vol. 51, 1993.

Cooper, Charles and J.V. van Themaat. 1989. "Dutch Aid Determinants, 1973-85" in Olav Stokke, ed. Western Middle Powers and Global Poverty: The Determinants of the Aid Policies of Canada, Denmark, the Netherlands, Norway and Sweden. Uppsala: Scandinavian Institute of African Studies.

_____. 1989. "The Netherlands: Principles and Pragmatism" in Cranford Pratt, ed. Internationalism Under Strain: The North-South Policies of Canada, the Netherlands, Norway, and Sweden. Toronto: University of Toronto Press.

Crossette, Barbara. 1992. "U.S. Human Rights Office Grows in Influence." The New York Times. Sunday, January 19:8.

Doherty, Carroll J. 1993. "Foreign Aid." Congressional Quarterly Weekly Report, vol.51, no.8, (February 20):379.

Donnelly, Jack. 1989. Universal Human Rights in Theory and Practice. Ithaca and London: Cornell Univ. Press.

_____ 1986. "International Human Rights: A Regime Analysis." International Organization, vol.40, no.3 (summer):599-642.

Dore, Ronald. 1982. "Japan and the Third World: Coincidence or Divergence of Interests" in Robert Cassen et al, eds. Rich Country Interest and Third World Development. London and Canberra: Croom Helm Ltd..

Egeland, Jan. 1988. Impotent Superpower - Potent Small State. Oslo: Norwegian University Press.

Eriksen, T.L. ed. 1987. Den Vanskelige Bistanden: Noen Trekk Ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget. (Translated: "Difficult Foreign Aid: Some Features of the History of Norwegian Development Assistance).

Faaland, Just and O.D.K.Nordbye. 1982. "Interests of Scandinavian Countries in Third World Development" in Robert Cassen et al, eds. Rich Country Interest and Third World Development. London and Canberra: Croom Helm Ltd.

Forsythe, D. 1989. Human Rights and World Politics. Nebraska: University of Nebraska Press.

_____ 1987. Human Rights and U.S. Foreign Policy: Congress Reconsidered. Gainesville, Florida: University of Florida Press.

_____ 1985. "The United Nations and Human Rights, 1945-1985." Political Science Quarterly, vol.100, no.2 (summer):249-269.

Freedom House. Freedom in the World: The Annual Survey of Political Rights and Civil Liberties. New York: Freedom House. Annual Reports: 1973, 1983, and 1993.

Geet, Dick van. 1973. "Netherlands Aid Performance and Development Policy" in Bruce Dinwiddy, ed. Aid Performance and Development Policies of Western Countries: Studies in US, UK, E.E.C., and Dutch Programs. London: Praeger Publishers.

Haggard, Stephan and B.A. Simmons. 1987. "Theories of International Regimes." International Organization, vol.41 (summer):491-517.

Handbook of International Economic Statistics, Directorate of Intelligence, Washington D.C.: U.S. Government Printing Office, 1975, 1989, and 1993.

Hartley, Anthony. 1993. "The Clinton approach: idealism with prudence." World Today, vol.49, (February):27-29.

Helleiner, G. 1982. For Good or Evil: Economic Theory and North South Negotiations. Toronto: University of Toronto Press and Oslo: Universitetsforlaget.

Hewitt, Adrian. 1991. "Aid Without Power." Development Policy Review, vol.9, pp.217-226.

Hoffman, S. 1981. Duties Beyond Borders. Syracuse, New York: Syracuse University Press.

Hoogvelt, Anki M. 1982. The Third World in Global Development. London: The MacMillan Press, Ltd.

Hveem, Helge. 1989. "Norway: The Hesitant Reformer" in Cranford Pratt, ed. Internationalism Under Strain: The North-South Policies of Canada, the Netherlands, Norway, and Sweden. Toronto: University of Toronto Press.

Jervis, Robert. 1982. "Security Regimes." International Organization, vol.36, no.2 (spring):357-376.

Keohane, Robert O. 1982. "The Demand for International Regimes." International Organization, vol.36, no.2 (spring):325-356.

_____ and J.S.Nye 1977. Power and Interdependence. Boston: Little and Brown.

Krasner, Stephen D. 1982. "Structural Causes and Regime Consequences: Regimes as Intervening Variables." International Organization, vol.36, no.2 (spring):1-21.

_____ 1981. "Transforming International Regimes: What the Third World Wants and Why." International Studies Quarterly, vol.25, no.1(March):119-148.

Lewis, Paul. 1993. "Splits May Dampen Rights Conference." New York Times, (June 6):1 & 14.

Lumsdaine, David H. 1993. Moral Vision in International Politics: The Foreign Aid Regime 1949-1989. Princeton Princeton University Press.

McCormick, James M. and N.J.Mitchell. 1989. "Human Rights and Foreign Assistance: An Update." Social Science Quarterly, vol.70, no.4 (December):969-979.

Mower, Glenn A. Jr. 1987. Human Rights and American Foreign Policy: The Carter and Reagan Experiences. New York: Greenwood Press.

Norwegian White Papers. "Om Norges Samarbeid Med Utviklingslandene," Oslo: NORAD and the Norwegian Department of Foreign Affairs, 1950-1994.

OECD. Development Co-operation: Efforts and Policies of the Members of the DAC. Paris: OECD. DAC Annual Reports.

Pauling, Linus ed. 1986. World Encyclopedia of Peace. New York: Pergamon Press. p.423.

Pharo, Helge. 1987. "Indiafondet: Norsk Bistand I Utviklingshjelpens Barndom." in T.L. Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget. (17-34).

Plano, Jack C. and Roy Olton, eds. 1988. The International Relations Dictionary. Santa Barbara and Oxford: ABC-Clio, Inc./Clio Press Ltd. Entry no.406, p.301.

Pratt, Cranford. 1990. Middle Power Internationalism: The North-South Dimension. Montreal: McGill-Queen's University Press.

Riggs, Robert E. and J.C.Plano. 1988. The United Nations: International Organization and World Politics. Pacific Grove, California: Brooks/Cole Publishing Company.

Rosenau, J. 1990. Turbulence in World Politics. Princeton: Princeton University Press.

Selim, H.M. 1983. Development Assistance Policies and the Performance of Aid Agencies: Studies in the Performance of DAC, OPEC, the Regional Development Banks and the World Bank Group. New York: St.Martin's Press.

Sewell, John and John Mathieson. 1982. "The United States and the Third World: Ties That Bind" in Robert Cassen et al, eds. Rich Country Interest and Third World Development. London and Canberra: Croom Helm Ltd.

Skogmo, Bjorn. 1985. "Norge I FN - Illusjoner, Virkelighet og Visjon." in J.J.Holst and D.Heradstveit, eds. Norsk Utenrikspolitikk. Oslo: Tano A.S. (143-166).

Stokke, Olav. 1989. "The Determinants of Norwegian Aid Policy" in Olav Stokke, ed. Western Middle Powers and Global Poverty: The Determinants of the Aid Policies of Canada, Denmark, the Netherlands, Norway and Sweden. Uppsala: Scandinavian Institute of African Studies.

_____. 1989. "The Determinants of Aid Policies: Some Propositions Emerging From a Comparative Analysis" in Olav Stokke, ed. Western Middle Powers and Global Poverty: The Determinants of the Aid Policies of Canada, Denmark, the Netherlands, Norway and Sweden. Uppsala: Scandinavian Institute for African Studies.

_____. 1987. "Hovedlinjer I Bistandspolitikken: Mal Strategier og Prinsipper" in T.L.Eriksen, ed. Den Vanskelige Bistanden: Noen Trekk ved Norsk Utviklingshjelps Historie. Oslo: Universitetsforlaget.

_____. 1985. "Samarbeidet Med Utviklingslandene: Idealer og Interesser I Brytning" in J.J.Holst and D.Heradstveit, eds. Norsk Utenrikspolitikk. Oslo: Tano A.S.

Tomasevski, Katarina. 1989. Development Aid and Human Rights. New York: St.Martin's Press.

_____. 1989. Development Aid and Human Rights. New York: St. Martin's Press.

United Nations. 1945. United Nations Charter.

_____. 1948. Universal Declaration of Human Rights.

_____. 1966. Covenant on Civil and Political Rights.

_____. Official Records of the General Assembly.

U.S. Congress. House. Committee on Appropriations. "Foreign Assistance and Related Programs Appropriation Bill 1974." 93rd Congress, 1st session, December 4, 1973. Report No. 93-694.

U.S. Congress. House. Committee on Conference. "Foreign Assistance Act of 1973." 93rd Congress, 1st session, November 27, 1973. Report No. 93-664.

U.S. Congress. Senate. Committee on Appropriations. "Foreign Assistance and Related Programs Appropriation Bill 1974." 93rd Congress, 1st session, December 13, 1973. Report No. 93-620.

U.S. Congress. House. Committee on Conference. "Conference Report." 98th Congress, 1st session, November 17, 1983. Report No. 98-563.

U.S. Congress. House. Committee on Foreign Affairs. "International Security and Development Cooperation Act of 1983." 98th Congress, 1st session, May 17, 1983. Report No. 98-192.

U.S. Congress. House. 103rd Congress, 1st session, 1993. Report No. 103-267.

U.S. Congress. House. Committee of Conference. 103rd Congress, 1st session, September 28, 1983. Report No. 103-267.

U.S. Congress. Senate. Committee on Appropriations. "Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1993." 102nd Congress, 1st session, September 23, 1992. Report No. 102-419.

U.S. Congress. Senate. Committee on Foreign Relations. "Foreign Assistance Act of 1993." 103rd Congress, 1st session, September 16, 1993. Report No. 103-144

U.S. Congress. Senate. Committee on Appropriations. "Foreign Operations, Export Financing, and Related Programs Appropriations Bill, 1994." 103rd Congress, 1st session, September 13, 1993. Report No. 103-142.

Van Boven, Theo. 1989. "Human Rights and Development: the U.N. Experience." in Forsythe, Daniel P. ed. Human Rights and Development: International Views. New York: St. Martin's Press.

Wilkinson, Jonathan. 1991. "Global Human Rights: An Empirical Enquiry". M.A.Thesis, McGill University, Montreal, Canada.

Wolfers, Arnold and L. W. Martin, Eds. The Anglo-American Tradition in Foreign Affairs: Readings From Thomas Moore to Woodrow Wilson. New Haven: Yale University Press. 1956.

Wood, Robert E. 1986. From Marshall Plan to Debt Crisis: Foreign Aid and Development Choices in the World Economy. Berkeley: University of California Press.

Young, Oran R. 1989. International Cooperation: Building Regimes for Natural Resources and the Environment. Ithaca: Cornell University Press.

_____. 1982. "Regime Dynamics: The Rise and Fall of International Regimes." International Organization, vol.36, no.2 (spring):277-298.