

STANDING WITH THE VOICELESS OF THE WORLD

By David Kilgour

With the Beijing Olympics over, the world now seems likely to examine more carefully what China does at home and internationally. Its current record vexes some of us who believe that the core values of the Olympic Charter and Olympic movement stand for human dignity and equality for all members of the human family. The rise of China in recent years has been in the opposite direction, whether among its own people or in countries, such as Burma and Sudan, which are essentially now parts of its economic empire.

Many Canadians think our own national government should engage more effectively with vulnerable peoples. In the case of the cyclone that ravaged Burma in May, for example, the refusal of the country's military junta to accept external humanitarian relief left even more Burmese in peril. Did responsible governments around the world not have a responsibility to deliver humanitarian relief to as many Burmese victims as feasible, possibly by dropping food and medicines from aircraft covertly?

What of Sudan, where another military regime heavily under the influence of the party-state in Beijing has attempted for more than five years to destroy a large community of Africans in Darfur for blatantly racist reasons? The president of the International Criminal Court--Judge Philippe Kirsch of Canada--offered one good reason for indicting President Omar al-Bashir when he said recently that his court's concern is justice, not politics. Canada and 105 other countries--not including China--have by treaty become members of the court and given it jurisdiction over crimes such as genocide, crimes against humanity and war crimes. Unfortunately, Bashir is probably safe from any arrest warrant issued from the ICC while he remains president of Sudan.

Genocide Convention

Does the UN Genocide Convention of 1948 apply to Darfur as well? It certainly appears to in criminalizing acts anywhere intended to "destroy in whole or in part members of a racial, national, religious or ethnic group." Unfortunately, enforcement was and remains its fatal weakness. No actions were launched under its provisions against anyone for most of the six subsequent decades. The World Court dealt the convention a further blow last year in a decision -- almost unanimous -- that instruments of the government of Serbia were not responsible for the genocide which occurred in Bosnia in the 1990s.

Some jurists assert that the UN Genocide Convention is retroactive because it merely codifies pre-existing principles of international law. If so, it should apply to the Armenian Genocide of 1915, Stalin's Ukrainian Famine in the winter of 1932-33 and the Nazi Holocaust, which continued until Hitler's virtually final days as Fuhrer in 1945. How many lives might have been saved if the details of both the Holocaust and Ukraine's famine had become public knowledge sooner. The essential facts were known about both situations soon enough, but the real problem was the absence of the political will to end these crimes. Thus the "never again" of 1945 became the "again and again" of Rwanda and Darfur. One retired Canadian diplomat even said a couple of years ago: "Canada had no strategic interest in Rwanda," thereby admitting the normally-unspoken callousness of too many world diplomats and politicians in 1994 and today. Lest we forget, what follows is a brief roll call of subsequent kindred horrors.

Bosnia-Kosovo

With about 60 other governments, Canada deployed soldiers to both parts of the former Yugoslavia in the mid-1990s under the NATO banner. When the UN Security Council proved unable to act, primarily because Russia threatened continuously to use its permanent veto to protect the government of Serbia. Action came far too late. The ethnic cleansing that persisted in parts of Bosnia, including the brutal three-year siege of Sarajevo, will forever remind the world of the lack of political resolve among European governments and the UN Security Council during those years. Srebrenica, where 7,000 Muslim men and boys were slaughtered, also must not be forgotten.

Rwanda

The catastrophe in Rwanda is described carefully in Romeo Dallaire's book *Shake Hands with the*

Devil. Suffice it to say here that -- beyond the heroic roles played by Dallaire, Major Brent Beardsley and the locally-engaged staff at the Canadian mission in Kigali -- the performance of Canada's politicians, diplomats and other officials was deeply disappointing. One Rwandan nun told me in 1997 that her life was saved when a Canadian priest confronted a mob armed with machetes in rural Rwanda and persuaded them to leave. Linda Malvern's more recent work, *Conspiracy To Murder: The Rwandan Genocide*, notes that just before the killing began one new machete for approximately every three Rwandan men was imported into Rwanda from China.

From Prime Minister Jean Chrétien to throughout the Canadian government, no one can claim any credit for responsible leadership during the events of April-July, 1994. Dallaire points out in his book, for instance, that as the UN Force commander he was expected to take Canadian peacekeepers with him on his assignment -- but he could obtain none to take from Ottawa. This, in turn, made it even more difficult to persuade other governments to provide soldiers. The indifference of our Foreign Affairs ministry's senior management to what was occurring will remain a cause of dishonor to our country.

Sudan

Consider only one of many incidents which have occurred in South Sudan. On February 26, 2002, the town of Nhialdiu was wiped out to make way for a Chinese oil well that now operates in nearby Leal. According to James Kynge's award-winning book of 2006, *China Shakes the World*, "Mortar shells landed at dawn, followed by helicopter gun ships directing fire at the huts where the people lived. Antonov aeroplanes dropped bombs and roughly 7,000 (Sudanese) government troops with pro-government militias then swept through the area with rifles and more than 20 tanks..." About 3000 of the town's 10,000 residents perished that day.

The genocide in Sudan's province of Darfur since April, 2003 has in all probability cost the lives of as many as 400,000 African Darfurians. The party-state in Beijing continues to assist Omar al-Bashir's regime in Khartoum, including financing and supplying arms in exchange for taking most of Sudan's oil production at much-reduced prices. China officially sold about \$80 million in weapons, aircraft and spare parts to Sudan during 2005 alone. This included an A-5 Fantan bomber aircraft, helicopter gunships, K-8 military attack aircraft and light weapons, all of which have been found in Darfur, transferred there in violation of UN resolutions.

China's government has long used the threat of its permanent veto at the UN Security Council to block effective UN peace activities in Darfur. It has essentially traded its veto (and many innocent lives) for cheap oil. Bashir appointed Musa Hilal, the one-time leader of the murderous militia, the Janjaweed, to a position in his government. Hilal has been quoted as expressing gratitude for "the necessary weapons and ammunition to exterminate the African tribes in Darfur." Not long ago, the Sudanese military ambushed a well-marked UN peacekeeping convoy in Darfur, later claiming it was a mistake. Virtually every independent observer says it was a deliberate attack.

Bashir's refusal to accept the UN-proposed roster of troops and civilian police offered by a number of governments reflects nothing more or less than his politically-based decision to deny the UN-African Union Mission in Darfur the personnel essential for an effective peace mission in Darfur.

When the active support for the Darfur genocide by China's government caused serious questions about about the Beijing Olympics, the party-state launched a propaganda campaign to re-position itself as a "friend of Darfur." In this misinformation effort, no mention was made of China's trivial humanitarian assistance in Darfur or of the fact that numerous water sources in Darfur have been deliberately destroyed by Sudan's regular forces and by the Janjaweed. Water sources are targeted by Khartoum's bombers; the Janjaweed have often denied civilian access to water points and have raped women and girls seeking to collect water for desperate families. Darfurians themselves now seem well aware of Beijing's role in their torment and destruction.

There is mounting concern that the Khartoum-Beijing alliance will cause the UN peacekeeping force in Sudan to be as ineffective as were the peacekeeping forces in Rwanda and Bosnia. The actions of the government of China across Darfur can only be seen as actively promoting the annihilation of an African people for economic advantage.

Burma

Burma's post-independence fledgling democracy was toppled in 1962 by the military dictatorship of Ne Win. In the national uprising during 1988 in which the army killed an estimated 3000 civilians, the Nobel Peace laureate Aung San Suu Kyi made her first speech as an opposition leader. When the junta allowed an election in 1990, Suu Kyi and her National League for Democracy (NLD) won about two-thirds of the votes cast. The generals allowed none of the elected representatives to take their seats and Suu Kyi has remained under house arrest for most of the past 18 years. The UN Special rapporteur has confirmed as a "state-instigated massacre" the attack on a Suu Kyi procession in May, 2003, northwest of Mandalay, when about 100 people were killed, including the NLD photographers; Suu Kyi was herself wounded.

In what became more pro-democracy protests last September, junta troops fired automatic weapons at peaceful demonstrators and entered monasteries to beat and murder Buddhist monks who had protested. The junta had earlier received a \$1.4 billion package of arms from Beijing -- so it seems clear where the fatal bullets and guns were made. At the UN Security Council, the representatives of China and Russia, who had earlier used their vetoes to remove Burma from the council's agenda (after keeping it off its agenda continuously since the country's crises of 1990 and 1988 until late 2005) even prevented the Security Council from considering sanctions. The two governments also managed to keep the Security Council from issuing a condemnation of the junta's use of deadly force.

The Nargis cyclone in the Irrawaddy delta struck in May, which the junta first pretended (by continuing to broadcast an opera on government television) had never happened. The regime newspaper later suggested that foreign humanitarian aid was unnecessary because the victims could live on frogs. Its priority was attempting to bully citizens into making the dictatorship constitutional in a referendum on a junta-drafted constitution.

Beijing protects the generals in exchange for most of the country's natural gas. It also has gained the right to build a \$2 billion oil pipeline from Burma's coast on the Bay of Bengal to China's Yunnan province. This will allow China to take delivery of Middle East oil without passing through the narrow Strait of Malacca, which could be shut down in the case of a serious conflict.

North Korea

The brutal dictatorship of Kim Jong Il rivals that of Robert Mugabe's Zimbabwe for any "worst governance" gold medal today. It is no coincidence that Beijing supports both regimes, although its attempt to ship \$70 million in arms to Mugabe after he lost the first round of the recent presidential election was blocked when dock workers in South Africa refused to unload ships carrying the weapons and were supported by the South African courts. According to the International Crisis Group (ICG) in Brussels, China now does about \$2 billion in annual bilateral trade and investment with North Korea. About 150 Chinese companies operate in the country.

The ICG asserts that China's priorities with the government in Pyongyang currently include:

- incorporating North Korea into the development plans of its three northeastern provinces to help them achieve stability;
- achieving credit in China, in the region and in the U.S. for its help in achieving a denuclearized North Korea;
- maintaining the two-Korea status quo, as long as it can maintain influence in both capitals as leverage with the U.S. on the Taiwan issue;
- and avoiding a situation where a nuclear North Korea leads Japan and/or Taiwan to become nuclear powers.

In October, 2006, after North Korea had completed an underground test of nuclear weapons, the *Economist* magazine called on the U.S., China and Russia to make sacrifices to avoid a nuclear arms race in Asia and the Middle East. "The Chinese could, if they wished, starve North Korea's people and switch off the lights," the magazine noted in its lead editorial, but added that pressure of any kind was unlikely to persuade Kim to give up his bomb.

Iran

Systematic human rights abuses by the Iranian government currently include the persecution of ethnic

and religious minorities and women (in a kind of gender apartheid, under Sharia law the life of a woman is worth half that of a man); and the imprisonment, torture and execution of political prisoners and prisoners of conscience. The regime maintains complete control over the country's media.

In trading with Iran, countries legitimize its government and help to maintain regime officials in positions of absolute power. Trade and investment from abroad also provide Tehran with funds that often are not used for the health, education and general welfare of Iranians but instead for funding terrorist groups abroad, including Hezbollah and Hamas, under the mantle of "expanding the Islamic Empire."

China-Iran trade has grown from \$200 million in 1990 to \$10 billion in 2005. It includes conventional arms and ballistic missiles for Iran despite Tehran's declared hostility to "godless communism" and Beijing's severe persecution of its Uyghur Muslims. Beijing simply ignores the realities of theocratic rule in Tehran. A major attraction for Tehran is Beijing's permanent seat on the UN Security Council, which is useful for resisting Western pressure on nuclear and other issues.

There are indications that China has helped with Iran's Shahab-3 and Shahab-4 medium-range ballistic missiles. Both are capable of reaching any state in the Middle East; the Shahab-4 could hit significant portions of Europe. Two years ago, the U.S. government imposed penalties on eight Chinese companies for exporting material that can be used to improve Iran's ballistic missile capability. In the Middle East, China's policy of providing Iran with nuclear weapons technology is injecting a highly-destabilizing element into the region.

By providing Iran with weapons that could be used in support of Islamic fundamentalism, the potential for religious conflict becomes greater. Old hatreds between Iranian and Iraqi religious groups could flare up in the future. Nuclear weapons would give Iran a strategic weapons system that could allow the regime to act even more aggressively. Israel could be brought further into the situation, believing that the only reason Tehran would want a nuclear weapon is to use it against Israel. China's goal of securing reliable sources of oil and gas is probably being hindered rather than helped by its weapons sales to Iran by encouraging the Americans to extend their military presence there to deter Iran's use of force.

Canada initiated the successfully-passed UN General Assembly resolution in late 2007, which drew attention to numerous human rights abuses in Iran, including confirmed instances of torture and cruel, inhuman or degrading treatment or punishment (flogging and amputations) and execution of persons who were under the age of 18 at the time their offence was committed.

In recent months, the Government in Tehran has locked up all seven senior leaders of the country's 300,000-member Baha'i spiritual community. Not a word was heard about them for almost four weeks. It also fired missiles at the approximately 4,000 UN-protected residents, including about 60 Canadian citizens living in Ashraf city in Iraq.

Inside China

The list of groups and individuals persecuted across China is long and new victims were added during the recent Beijing Olympics, including the two women in their 70s sentenced to a labour camp for attempting to hold a legal protest during the Olympics. There is not much doubt, however, that overall the Falun Gong community is the most inhumanly treated. David Matas, the Winnipeg-based international human rights lawyer, and I concluded our own independent investigation last year. We found to our deep and continuing concern that, since 2001, the government in China and its agencies have killed thousands of Falun Gong practitioners, without any form of prior trial, and then sold their vital organs for large sums of money, often to "organ tourists" from wealthy nations. We amassed a substantial body of evidence and became convinced beyond any doubt that this crime against humanity has occurred and is still happening. (Our report can be accessed at www.organharvestinvestigation.org).

Matas and I interviewed a number of Falun Gong practitioners sent to forced labour camps without any form of prior hearing since 1999, who managed later to leave both the camps and China itself. They told us of working in appalling conditions for up to 16 hours daily with no pay and little food, with many of them sleeping in the same room. They made export products, ranging from garments to chopsticks to Christmas decorations for multinational companies.

These macabre deaths would not be occurring if the Chinese people enjoyed the rule of law and if their government believed in the intrinsic importance of each one of them without favour. In my judgment, it is the lethal combination of totalitarian governance and "anything is permitted" economics that allows this kind of governance to persist.

The Chinese Medical Association agreed with the World Medical Association quite recently that "organ tourists" will not be able to obtain further organ transplants in China. Whether this promise was anything more than public relations intended to benefit the Beijing Olympiad remains to be seen. Another worry is that organs seized from unwilling "donors" across China will now go to wealthy Chinese patients with the grotesque commerce thus continuing in the same volume. Virtually all independent bodies agree that human dignity across China deteriorated in the run-up to the Games. Because of extensive reporting by the world's independent media to their home countries before and during the Games, however, many are now better informed about exploited Chinese workers, official nepotism and corruption, harassment of religions and democrats, and the constant party-state abuse of the natural environment.

Responsibility to Protect (R2P)

In all these situations, pervasive indifference from the international community encourages them to continue. Human dignity on our shrunken planet, however, is becoming more indivisible by the day. The R2P concept is a Canadian concept, adopted at the 2005 UN World Leaders Summit at UN headquarters. The formal outcome document released at the summit said that nations have "the responsibility to protect" their populations "from genocide, war crimes, ethnic cleansing and crimes against humanity." The international community's obligation is to "help states exercise this responsibility." R2P can be invoked by the international community through the UN Security Council "on a case-by-case basis" and "in co-operation with relevant regional organizations as appropriate" when national states are "manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity."

No mention was made of natural disasters, but it seems clear that when a regime, such as Burma's, denied much-needed food and medicine to its people, it was engaging in a crime against humanity and should thus be subject to intervention by other governments under R2P. Unfortunately, military force can be used only with the authorization of the often immobilized UN Security Council.

A major challenge for R2P in the future is that the party-state in China strongly favors a 'walled world' in which sovereign authoritarian governments can do as they wish to their own populations with impunity. Over the past three decades, as approximately fifty countries in various parts of the world have adopted one or another form of multi-party democracy and the rule of law, Beijing's party-state observed this phenomenon with horror. It champions, finances and protects dictatorships -- there are still about 40 of them of differing colourations left around the world -- wherever it has influence.

Chinese diplomats do their utmost to persuade governments in developing countries that following the China Model would free them from the often-painful social consequences of the stringent economic discipline in place since the financial crises in Asia, Latin America and Russia in 1997 and afterwards, and the rigorous loan requirements which both the World Bank and the IMF enforce. One-party regimes are thus able to push back nowadays with more confidence against independent media, civil society groups and human rights organizations. Plentiful aid from Beijing for governments with natural resources gives options to leaders who previously had been compelled to rely on donor countries that insisted on progress on human dignity among their nationals. Canadians, Europeans and others, who favor some pooled sovereignty in institutions like the EU and NATO are thus competing increasingly with the Great Wall approach of the Beijing government.

Complicating the world scene even further is the reality that if "anything goes" in the economy of China, "bespredel" (a Russian word that means "without limits") appears to be an accurate way to describe Russian foreign policy under Vladimir Putin as prime minister. Georgia's government, of course, should never have attacked South Ossetian's capital of Tskhinvali with rockets.

Policy Proposals

Here are five policy proposals in respect of Canada-China relations intended to assist the voiceless in both China and Canada:

1) Zero tolerance for unfair trading practices.

There should in future be zero tolerance in Canada when unfair trade practices are used by the government of China or exporters there, including currency manipulation of the yuan, theft of intellectual property and the continued refusal to honour commitments made by Beijing to the World Trade Organization upon joining in 2001. Japan, India, South Korea and the other rule-of-law democracies in Asia and the Pacific must be our favoured trading partners in the region until the government of China begins to respect the rules of international commerce.

2) Canadian jobs and our own economy must be the priority.

According to a fairly recent survey of more than 1,000 Canadian businesses by the Canadian Manufacturers and Exporters, one-fifth of Canadian manufacturers responded to the rising loonie by shifting production to China. A Montreal business leader told me that approximately 50 companies from his province would not be manufacturing in China now without Export Development Corporation (EDC) financial help. This should stop. No taxpayer money should be going to relocate Canadian jobs to China or anywhere else. Goodyear Tire laid off about 850 employees when it closed its manufacturing facility near Montreal last year in favour of moving to China, yet tires made in China have since been recalled elsewhere as safety hazards.

3) Canadian values must be asserted continuously in dealings with Beijing.

All rule-of-law governments, including Canada's, must cease being naive about the party-state in Beijing. The regime continues to rely on repression and brutality to maintain itself in office, but what are Canadian diplomats in China doing effectively to show themselves to be the friends of the poor, persecuted and voiceless across China? What are they doing to advance the rule of law and human dignity? Fully realizing the differences, Canada might seek a role in China not very different from the one we had in establishing popular democracy in South Africa in the late 1980s, which is viewed by some as our country's finest leadership role internationally in many years.

4) Apply some lessons of non-violent civic resistance elsewhere to China.

There are lessons to be applied very carefully in China (in light of the Tiananmen protest experience in 1989 and elsewhere since) from the non-violent civic resistance which occurred in Russia, Ukraine, the Philippines, Chile, Poland, Hungary, East Germany, Czechoslovakia, the Baltic states, South Africa, Serbia, Peru, Georgia, Romania and other nations. Each situation was different in terms of boycotts, mass protests, strikes and civil disobedience. In all, however, authoritarian rulers were delegitimized and their sources of support, including their armed defenders, eventually abandoned them. The government of Canada should make it clear to all that it stands with the oppressed hundreds of millions of nationals in China and its client states elsewhere and seeks a peaceable transition to the rule-of-law, respect for all, and democratic governance.

5) Let's stop listening exclusively to self-interested China business lobbies.

It is now clear that economic liberalization in China is not necessarily going to lead to the end of political Leninism in Beijing and its client countries. Torture and coerced confessions, party-state killing of Falun Gong practitioners and others extra-judicially, systematic abuse of the Tibetan and Uyghur minorities, the widespread use of forced labour to manufacture exports, nation-wide exploitation of Chinese workers and families, the lack of social programs for most Chinese--all are incompatible with human dignity and the norms of the 21st century. There is no rule-of-law anywhere in China and its 'courts' are a sham. The party-state shows continuing contempt for the natural environment except in Beijing before and during the Olympics. Many 'experts' on China abroad, including Canada, often kowtow to the party-state because they think that their careers require support by the Party. It's time to draw conclusions about China from facts alone.