

EUROPEAN PARLIAMENT



Directorate-General External Policies

Policy Department

Programming document 2005/6 - European Initiative for Democracy and Human Rights - Committee on Development, Tuesday 15 March 2005

NOTE

Abstract:

The **European Initiative for Democracy and Human Rights (EIDHR)** is the financial instrument which underpins and complements the European Union's human rights and democratisation policy. It provides financial support predominantly to civil society and non-governmental organisations.

The document under scrutiny establishes the **programming** of the EIDHR **for the budgetary years 2005 and 2006**. Members will find in the document a brief presentation of the programming document and some ideas of questions that could be raised in relation to the document.

ExPo/B/POLDEP/Note/2005/081

14 March 2005

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This note was requested by: the European Parliament's Development Committee

This paper is published in the following languages:

English

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Brussels, European Parliament, March 2005.

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Programming document 2005/6 - European Initiative for Democracy and Human Rights

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General presentation

The **European Initiative for Democracy and Human Rights (EIDHR)** is the financial instrument which underpins and complements the European Union's human rights and democratisation policy. It provides financial support predominantly to civil society and non-governmental organisations.

The document under scrutiny establishes the **programming** of the EIDHR for the **budgetary years 2005 and 2006**. It is based on a global, operational budget for these two years of € 207 million, in line with the Commission proposed draft EU budget for 2005.

Reforms' objectives

In the light of continued serious human rights and democratisation problems encountered in many parts of the world and the limited availability of funds under the EIDHR to address those problems, the programming aims to **maximise the effectiveness, impact and visibility of EIDHR-sponsored operations** through a more concentrated and better targeted approach. To achieve this, EIDHR support will be delivered in the future through a set of **four thematic campaigns** directed at the **global level and at the level of selected regions and countries**. Each campaign comprises a limited number of well-defined, inter-related thematic objectives to be pursued, in line with the EIDHR's legal base and corresponding to the most pressing needs for human rights and democratisation support. In principle, **all countries selected will be targeted by two of the four campaigns**. In 2005-2006, greater emphasis will be placed on strengthening democratisation processes and the regions covered by the European Neighbourhood Policy.

Four Thematic campaigns

Campaign 1: Promoting justice and the rule of law

The campaign will advance the "global public good" of the **international criminal justice system** and work for **the universal abolition of the death penalty**. It will also reinforce the work of international mechanisms which **monitor and report** on respect for human rights and related **treaty obligations**.

Campaign 2: Fostering a culture of human rights

Through its focus on **human rights education, training, monitoring and awareness raising**, Campaign 2 will seek to empower individuals and civil society to enhance respect for human rights and prevent human rights violations, especially as they relate to the rights of marginalised or vulnerable groups, as well as **torture**. In its support for the rehabilitation of torture victims, the campaign acknowledges that offering assistance to those who have suffered human rights violations is a critical element in the process of acquiring and disseminating knowledge on human rights.

Campaign 3: Promoting the democratic process

The campaign will promote the development of participatory democracy as well as foster an informed pluralistic discourse within civil society on democratisation and fundamental rights, including through the development of the freedom of association and the freedom of expression.

Campaign 4: Advancing equality, tolerance and peace

Focusing on political, civil and cultural rights, the campaign embraces the issues of **racial discrimination and xenophobia**, the **rights of people belonging to minorities and indigenous peoples**. The campaign underscores the critical influence of these issues in the field of **conflict prevention and post-conflict reconciliation**.

New procedures for projects selection

As a rule, the campaigns will be implemented on the basis of **calls for proposals** for both macro- and microprojects.

As set up by the new regulations, the Commission will use a two-stage approach, where applicants submit a preliminary proposal, or concept paper, outlining their proposal with an overall budget. Applicants will be assessed for eligibility and the concept for its relevance to the priorities.

In the second phase, eligible applicants with the most relevant concepts will be invited to submit detailed proposals. The technical and financial aspects of detailed proposals will then be assessed, and the highest scoring proposals will be recommended for funding.

The aim of this new procedure is to reduce the initial burden of work and cost on applicants that is involved in producing a fully detailed proposal, and increasing the chance of success in the later stage. It should also give greater weight to 'southern' applicants.

A few questions :

The EIDHR programming document for 2005-2006 extends the number of eligible countries from 32 to 68. **There seems to be a clear focus on the Mediterranean/Middle-East + Wider Europe.** However **Africa has clearly been set aside as only 2 new countries were added (and for very specific reasons (Uganda and Somalia)).** We would like to understand **what was the rational of this decision.** It is highly questionable why sensitive countries such as Cameroon, Togo or countries where the HR situation is going backwards such as Kenya, Senegal or countries where death penalty were recently executed such as Chad, Botswana... are not eligible for funding at national level. It is all the more difficult to understand that closed countries such as Saudi Arabia, Turkmenistan... are eligible whereas it will be almost impossible to find civil society partners there to implement the EIDHR.

- The European Parliament welcomes the **transfer of competence to the delegations** of the European Commission, which in a sense is an innovative application of the important subsidiarity principle. Meanwhile, the EP is concerned that this transfer **may entail some erosion in the consistency and coherence of the Commission activities on human rights**, notably if the delegations are not equipped enough (in **staff and administrative support** essentially) to manage their new functions and if the headquarters' role of coordination and **supervision** is not clearly reinforced. Can the Commission provide the MEPs with some updated hindsight on the steps already made as well as give us some guarantees that this transfer is indeed benefiting the best management of the EIDHR?

- The EIDHR's added value relies on the fact that it can be implemented without the agreement of the governments. It is understood that the **EIDHR is a complementary instrument**, used in addition with other financial instruments, notably geographical instruments, such as CARDS, TACIS, MEDA, ALA or the EDF. All these funds can potentially be used to finance human rights activities, but **it is not obvious, reading the programming document, that the choice of the budget lines is always clear-cut.** For instance, regarding human rights and democracy activities in ACP countries, **how is EIDHR co-ordinated with the projects financed under the EDF?** Or, in the case of electoral observations' missions and the funding of pre- and post-electoral assistance, what are the practical principles that guide the choice of the Commission on the use of either EIDHR or a geographical programme ? As these missions must always be implemented following official invitations from the host governments, it is questionable why it should be financed by the EIDHR and not by the geographical instruments.

- In many eligible countries, **one can believe that the government may be willing and ready to finance NGOs' projects on some particular - not so sensitive - issues** such as children or women rights. Was such an analysis done, country by country ? On the contrary the fight against impunity (outside the ICC and ad hoc tribunals) is not eligible anymore while many governments tends to be reluctant to such ideas (ex: new impunity law in Senegal...).

- I would like to raise a **general question about the management of the project cycle by the Commission**. As we all know, prior to the reform of the management of external assistance, the first stages of the project cycle were the responsibility of the Directorate General for External Relations and the Directorate General for Development, while implementation and evaluation were handled by the Common Service for External Relations (SCR). This division of responsibilities led to unclear responsibilities and inefficient use of resources, and eventually the reform of 2001 clarified responsibilities and streamlined procedures, placing the reunified project cycle in the hands of the EuropeAid Co-operation Office. How would the Commission assess the management of the project cycle, under the IEDHR, as it is today? **Has the reform brought about the necessary changes, or have new difficulties arisen? How is DG DEV involved in the programming exercise ?**

- The EIDHR represents a crucial support for many NGOs around the world. Therefore, the **funds available under the EIDHR should be first and foremost aimed at supporting and facilitating the activities of NGOs rather than governmental bodies and international organisation**. The programming document foresees the cooperation with international bodies such as the OSCE, the Office of the High Commissioner for human rights and the ICC, eligible for EIDHR funding under some conditions. While these organisations can make fundamental contributions to the promotion of democracy and human rights, their activities should be mostly funded by other means. Shouldn't the limited funds available for the EIDHR continue to be devoted to civil society?

- As stated in the programming document, a specific element of the second campaign is support for the **human rights dialogues** in which the EU is currently engaged in **with China and Iran**. **What kind of project can be financed under this element?** Is EIDHR going to be used as a financial tool to finance bilateral relations which are conducted at the State level? It is not clear if this element can help financing civil society project, unless it means that civil society is expected to be integrated to a greater extent in the political dialogues, and allowed to conduct parallel meetings.

- As it is largely acknowledged, the added value of the EIDHR is the crucial support it brings to many NGOs around the world. However, I am concerned about the fact that the **EIDHR may not correctly address the capacity-building of many NGOs in the developing countries**, and fails, in some way, to help NGOs strengthening their capacity to manage projects. Moreover, and as acknowledged by the Commission itself in the programming document, the **speed of decision-making by the Commission and the length of time required to prepare projects** is a disadvantage to many NGOs in the third countries, and jeopardise their existence. But the Commission fails to propose remedies to this problem. What is suggested by the Commission, in order to, on one side, help the NGOs to raise their capacity to implement projects, and, on the other side, to ameliorate and simplify the procedures used by the Commission? **Moreover flexibility should be the rule and for instance one should find ways to support relevant non recognised NGOs...**

- Over the years, it has been acknowledged that some extremely important tools needed to be improved and integrated to a greater extent in the activities of the Commission relating to the EIDHR. Most significantly, **country strategic papers** needed to address the human rights situation in each country automatically, and **indicators** of the improvements to be elaborated more accurately. The Commission has already given some insurance that the reflection on how to enhance the efficiency of indicators and on the insertion of human rights concerns in all strategic documents were under way. How is the situation now ? Has the Commission sharpened its tools in order to have a better understanding of the concrete human rights situation in the countries, before as well as after the implementation of projects?

- Some **criteria** that beneficiaries have to comply with in order to be eligible seem quite **hard to achieve, and may potentially diminish the impact of the EIDHR** projects. Indeed, I am particularly concerned by the rule according to which any **regional project** has to cover at least **three countries within the eligible regions**, as they appear in Table 5 of the document. As a matter of fact, this condition may disqualify sound and interesting projects, under the single pretence that they fail to cover three eligible countries, when they might still cover the majority of the countries in the region. This outcome would be highly unsatisfactory. Has the Commission anticipated this possible problem while assessing the criteria for eligibility? What can be done to prevent such effects? Many MEPs, alongside major NGOs active in this field, would like to suggest that this **criteria should be brought back to two eligible countries**, in addition to at least one other non-eligible country, in the region, to be eligible to a regional project.