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**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND
THE EUROPEAN PARLIAMENT**

**Thematic Programme for the promotion of democracy and human rights worldwide
under the future Financial Perspectives (2007-2013)**

TABLE OF CONTENTS

1.	Introduction	3
2.	Context	3
2.1.	Analysis of the theme	3
2.2.	Existing policy and cooperation framework	4
2.3.	The EIDHR experience	5
2.4.	Justifications for a thematic programme	6
3.	Main features of the thematic programme for the promotion of democracy and human rights worldwide	6
3.1.	Scope and objectives	6
3.2.	Guidelines and priorities	7
3.2.1.	To enhance respect for human rights and fundamental freedoms where they are most at risk and provide support and solidarity for victims of repression or abuse	7
3.2.2.	To strengthen the role of civil society in promoting human rights and democratic reform, in supporting conflict prevention and in developing political participation and representation	8
3.2.3.	To strengthen the international framework for the protection of human rights, the rule of law and the promotion of democracy	10
3.2.4.	To build confidence in democratic electoral processes through further development of electoral observation	10
3.3.	Programming principles	11

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1. INTRODUCTION

With the aim to rationalise and simplify the current legislative framework governing external actions of the Community, the European Commission proposed a new set of six instruments under the Financial Perspectives 2007 to 2013. Three instruments (humanitarian aid, stability and macro-financial assistance) are of horizontal nature in order to respond to particular needs and circumstances. Three instruments (pre-accession assistance, support to the European neighbourhood and development cooperation and economic cooperation) are designed to implement particular policies and have a defined geographical coverage. In future, these instruments will provide the basic legislative acts for Community expenditures in support of external cooperation programmes including thematic programmes and will replace the existing thematic regulations.

According to these proposals, thematic programmes provide a distinctive value added and comprise activities complementing geographical programmes, which remain the privileged framework for Community cooperation with third countries¹.

The Commission has committed itself to enter into discussions with the European Parliament and the Council on the scope, objectives and priorities for each thematic programme on the basis of formal communications to both Institutions. The result of this process will provide the political orientations for the subsequent stages of programming, notably the thematic strategy papers to be drawn up in accordance with the provisions of the above instruments.

The present Communication relates to the thematic programme on the promotion of democracy and human rights worldwide. It draws on comments received in the course of a public consultation, which was organised by the Commission². Consultations will continue for subsequent stages of programming. In cooperation with the European Parliament, the Member states and partner bodies working with the thematic programme, the Commission will also seek to promote wider reflection and debate about the European role in democracy assistance and the promotion of human rights³.

2. CONTEXT

2.1. Analysis of the theme

Democracy and protection of human rights are universal values to be pursued in their own right; they are also seen as integral to effective work on poverty alleviation and achieving the Millennium Development Goals, as vital tools for conflict prevention and resolution, and as the indispensable framework for combating terrorism⁴. Democratic processes of accountability are also key to ensuring government transparency and combating corruption.

Democracy and the protection of human rights are inextricably linked: the fundamental freedoms of expression and association are the preconditions for political pluralism and democratic process, whereas democratic control and separation of powers are essential to sustain an independent judiciary and the rule of law which in turn are required for effective protection of human rights. Human rights may be considered in the light of universally accepted international norms, but democracy has to be seen as a process, developing from within, involving all sections of society and a range of institutions that should ensure participation, representation, responsiveness and accountability. The task of building and sustaining a culture of human rights and making democracy work for its citizens, though especially urgent and difficult in emerging democracies, is in fact a never-ending challenge, belonging first and foremost to the people of the country concerned.

Recent years have seen an increase in expectations, commitments and open debate about the promotion of democracy and human rights at all levels. Progress has been made, thanks in particular to local civil society mobilisation and international pressure: many countries have moved towards more open societies and fairer electoral processes; there is greater commitment and public awareness as well as more legislation and better enforcement on a range of human rights issues; development strategies give more voice to local communities, helping to empower the weak and excluded. However, multiple challenges remain: political elites too often remain unaccountable and unresponsive to citizens' expectations, sometimes reverting to repression of dissent and opposition voices. Ethnic, religious or class divisions in society may be exacerbated rather than channelled into democratic debate, building seeds of conflict and undermining pluralism and respect for human rights.

Issues of democracy and human rights have become a systematic feature of EU foreign policy and external action through political dialogues and conditionalities, by mainstreaming these issues in cooperation programmes, and with specific projects. Comprehensive human rights-based approaches to development⁵ are becoming more widespread, as is support for state building, "good governance" and civil society development. It is a principle of development policy to ensure ownership by the partner country of the development and democratisation process, engaging governments and all leading local stakeholders, including parliaments.

Concerns with security and the fight against terrorism have tended to dominate international agendas, but they have also begun to highlight root causes of violence and the importance of ensuring human rights, rule of law and inclusive democracy to avoid alienating communities and creating conditions of insecurity. Conflict prevention has thus added a new dimension to development strategies and work with civil society.

2.2. Existing policy and cooperation framework

EU policy in support of democracy and human rights in third countries has been articulated and developed in Commission communications, European Parliament resolutions and Council conclusions over the years. As indicated in the Treaty mandates⁶, the objective of developing and consolidating democracy and the rule of law, and respect for human rights and fundamental freedoms is now a feature of all forms of co-operation with third countries.

Human rights have a high profile, with an Annual EU Report on Human Rights, specific Commission communications, Parliamentary resolutions and reports and Council positions relating to particular human rights issues⁷. The Council has also emphasized the mainstreaming of human rights and democratisation into external policies and actions and the importance of dialogue with civil society. In the enlargement process, the Copenhagen

political criteria on “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” provide a specific focus for the pre-accession strategy. These objectives are also supported in different ways in the Stabilisation and Association process⁸ and in the European Neighbourhood policy⁹. The Cotonou Agreement and the EU policy on governance and development¹⁰ include the protection and promotion of human rights and democracy as issues to be integrated in country strategies, dialogues and all relevant instruments. This is reflected most recently in the European Consensus on Development¹¹, in the EU Strategy for Africa¹² and in the latest Commission proposal relating to EU relations with Latin America¹³.

Tools for implementation of EU policies on democracy and human rights range from political dialogue and diplomatic demarches to various instruments of financial and technical cooperation. The European Initiative for Democracy and Human Rights (EIDHR) has had the specific mission to assist in meeting human rights and democracy objectives at international and national level, complementing action within the Community’s various national and regional cooperation programmes. It is currently based on two regulations¹⁴; its main policy framework is set by the 2001 Commission communication¹⁵ and the related positions by the Council and European Parliament¹⁶ (see 2.3 below).

With a developing EC role in crisis management in recent years, the human rights and democracy dimensions have also been highlighted in conflict prevention, peace building and post conflict reconstruction. The Rapid Reaction Mechanism¹⁷, also working with civil society and other local actors on human rights and democracy building, complements EIDHR by supporting urgent action in response to real or potential conflict situations.

2.3. The EIDHR experience

The EIDHR has evolved considerably since its creation and has been amply documented and evaluated¹⁸. Building on its key strength, which is its ability to operate without the need for host government consent, the main vocation of EIDHR has been to support civil society activity in the promotion of human rights and democracy. EIDHR partners are primarily international and local civil society organisations (CSOs)¹⁹, but also include international intergovernmental bodies with special expertise.

EIDHR has attempted to encompass a multiplicity of themes echoing EU Guidelines on Human Rights issues²⁰, as well as other specific objectives, mandates and suggestions from Council and Parliament, primarily concerned with human rights²¹. The emphasis has been on “single issue” projects, assessed on their individual merits. Whilst their collective impact or synergies at national level have not been so evident, most EIDHR projects, taken individually, have been of high quality, achieving positive outcomes often in difficult circumstances.

Quite distinct from its work with civil society, the EIDHR has a distinguished record of support for international human rights instruments and mechanisms and the international criminal justice system, including the International Criminal Court (ICC) and other *ad hoc* international criminal tribunals. This is in accordance with EU policy objectives²² and reflects the strong EU commitment to multilateralism.

The EIDHR has also been the instrument through which the Commission has developed the EU role as one of the leading actors in election observation, based on the principles and procedures outlined in the 2000 Communication on EU Election Assistance and Observation and endorsed by Council in 2001²³.

The current 2005-2006 programme of EIDHR groups these distinct types of action within four global “campaigns” - promoting justice and rule of law; fostering a culture of human rights; promoting the democratic process, and advancing equality tolerance and peace²⁴. It covers 68 countries, of which 54 have a micro project facility (favouring participation by local civil society organisations).

Multiple mandates and high levels of expectation have tended towards an ever broader set of objectives, issues and eligible countries for EIDHR, whereas high oversubscription rates²⁵ have meant pressures to prioritise more severely and enhance complementarity with national programmes. For the new thematic programme, there is an opportunity to review and refine objectives and methods of priority setting.

2.4. Justifications for a thematic programme

The justification for a separate thematic programme common to all four new instruments derives from the fact that the promotion of democracy and human rights figures among the proposed objectives and eligible measures of all three geographic instruments (ENPI, DCECI and IPA) as well as the Instrument for Stability. Opportunities for specific interventions will arise in the context of geographic programmes. However, democracy and human rights are *par excellence* issues of global concern and relevance. Hence the need for an EC capacity to articulate and support specific objectives and measures at international level, which are neither geographically linked nor crisis related²⁶. Furthermore, global campaigns relating to human rights and democracy require a transnational approach and may involve operations both within the EU and in a range of partner countries²⁷. For operations such as EU election observation, a single thematic programme is required to ensure policy coherence, a unified management system and common operating standards.

In addition, the independence of action offered by a thematic programme is a critical feature of cooperation with civil society organisations at national level, most especially on issues of democracy and human rights. A thematic programme should also have flexibility and the ability to respond to changing circumstances or to support innovation, contrasting with the long term programming approach of the geographic programmes. Being common to all four instruments and thus intercontinental in scope, it may also offer benefits in terms of added credibility for partner organisations and extra visibility for the EU.

3. MAIN FEATURES OF THE THEMATIC PROGRAMME FOR THE PROMOTION OF DEMOCRACY AND HUMAN RIGHTS WORLDWIDE

3.1. Scope and objectives

The general aim of the new thematic programme, providing continuity with and drawing on the experience of EIDHR, would be to contribute to the development and consolidation of democracy and respect for human rights in third countries, in accordance with EU policies and guidelines. It would be global in scope, relating to a similar range of issues and countries as EIDHR, yet more strategic and flexible in its approach. It would continue to complement geographical programmes and, in particular, support an approach which integrates democracy building and the protection of human rights, making also the link with security and development, especially on conflict prevention. It would place emphasis on supporting civil society in becoming an effective force for dialogue and reform, contributing to national

ownership of this process. The programme would therefore work primarily with and through civil society. This would, as with EIDHR, give the programme its critical profile.

The two key strategic objectives of the programme would be:

- **To enhance respect for human rights and fundamental freedoms where they are most at risk and provide support and solidarity to victims of repression or abuse**
- **To strengthen the role of civil society in promoting human rights and democratic reform, in supporting conflict prevention and in developing political participation and representation**

The programme, which would not require the formal consent of the governments of the countries concerned, should provide specific financial and technical assistance for operations that cannot be carried out through mainstreaming in an appropriate or effective manner by other EC programmes²⁸. It should have the capacity to support activities at international, regional, national and local level. Within the EU, it should also be able to support activities directly related to third country human rights abuses, for example assistance for the rehabilitation of torture victims from third countries.

The programme would have a conflict prevention and resolution dimension, interfacing as appropriate with the crisis response interventions foreseen for the new Stability instrument. It would complement the geographical programmes and the other thematic programmes, especially those on non-state actors, on human and social development and on migration and asylum, which integrate the protection of human rights and underpin democratic processes in various ways²⁹.

The programme would have a complementary objective to reflect the EU's continuing strong commitment to multilateral cooperation in the field of democracy and human rights:

- **To strengthen the international framework for the protection of human rights, the rule of law and the promotion of democracy**

Finally, the programme as it was the case with EIDHR will cover the work in the field of electoral observation, which will continue to be an essential area of EU activity in support of democracy and human rights. The thematic programme offers the framework for a single unified policy and management of EU electoral observation missions worldwide with the following objective:

- **To build confidence in democratic electoral processes through further development of electoral observation**

3.2. Guidelines and priorities

3.2.1. To enhance respect for human rights and fundamental freedoms where they are most at risk and provide support and solidarity for victims of repression or abuse

The general aim under this strategic objective would be to develop the political space within which civil society may develop, contribute to pluralism in society and promote human rights and democracy. The focus would be on situations where there is a serious lack of fundamental freedoms, where civil society operates with difficulty and where there is little room for

political pluralism. Some countries suffer from state repression, in others fundamental freedoms and human rights are endangered as a result of state weakness, collapse or violent conflict. These situations may arise in countries with which the EU may not yet have entered into a contractual relationship, or partner countries with which general cooperation may have been partly or fully suspended, and in other fragile states and difficult partnerships³⁰.

The main emphasis would be on promoting fundamental freedoms of expression and association and the protection of human rights defenders, since these are the preconditions for normal civil society activity and any advance towards democracy³¹. Action should where possible take a holistic approach, insisting on the links between the different freedoms underlying an open society and the basic principle that “all human rights are universal, indivisible and interdependent and interrelated”³². All action should be conflict prevention orientated and may, according to the specifics of each country, also refer to particular human rights issues³³. At national level, civil society activity under this objective might range from awareness raising or education and training, to dialogues with key stakeholders in the country concerned or to more specific advocacy related to human rights defenders. The specific aim may be ratification of international conventions and changes in legislation, issues of enforcement and judicial process, electoral integrity or much broader issues of law and order. Such issues may have been the subject of a concerted EU response to a crisis situation (as foreseen under the proposed Instrument for Stability), where the thematic programme might support a more sustained intervention by civil society in the field of conflict prevention and resolution.

Regional projects could be considered where there is potential for effective peer pressure with influential stakeholders from neighbouring countries or through regional bodies.

The particular circumstances of each situation will determine what kinds of action are possible and how far it is feasible to involve local civil society organisations, so as not to put partners at risk and avoid creating further resistance to democratic reform. Non-governmental organisations at international or regional level, or in some cases intergovernmental bodies, may sometimes serve as intermediaries with local civil society actors and human rights defenders.

The programme will require the flexibility to respond to changing circumstances and opportunities for action as they arise.

A separate aim, which comes under this general strategic objective, relates to **solidarity with victims of repression**, in particular support for the rehabilitation of victims of torture and ill treatment. The programme would continue with the same kind of support as provided over the years, for rehabilitation centres, both inside and outside the EU. This demonstrates EU solidarity in a practical way and complements general advocacy and political demarches against torture at national and international level. Recent evaluations of March 2005 and November 2003³⁴ have proposed a number of measures to enhance the effectiveness of rehabilitation processes.

3.2.2. To strengthen the role of civil society in promoting human rights and democratic reform, in supporting conflict prevention and in developing political participation and representation

The general aim under this strategic objective is to work together with civil society, in those countries where there is sufficient freedom and room for manoeuvre, to assist it in developing

cohesion and in becoming an effective force for democratisation, conflict prevention and protection of human rights. This approach is also intended to encourage cooperation among civil society organisations (CSOs), moving beyond single issue campaigning (which tends to fragment the efforts of civil society). Complementary support for small scale initiatives by local CSOs would also be included under this heading.

There would be three levels of activity under this heading:

At **national level**, the emphasis would be to support civil society dialogue and cooperation, for example:

- cooperation among CSOs to work in mutual support, build broad coalitions across different regions, communities and identity groups and engage socio-economic actors in supporting common agendas for human rights and democratic reform. This may include joint campaigning or education activity, cooperation on monitoring human rights and political reforms, etc. Themes need not be predetermined since they would derive from local priorities but they should seek to include cross cutting issues such as gender equality, core labour standards, rights of indigenous peoples, children and other vulnerable groups;
- civil society dialogue in deeply divided societies, bringing together a wide range of stakeholders³⁵ to analyse, debate and build consensus on controversial areas of policy (e.g. minorities, amnesty and reconciliation, religion and politics). Conflict prevention and gender dimensions would be very important in this context;
- initiatives by civil society to develop dialogue with political parties, elected representatives and institutions, e.g. with the view to enhancing political representation and participation (including the empowerment of women and other underrepresented groups), responsiveness and accountability. A multiparty approach, including all major parties professing a democratic commitment, would need to be the norm. Direct support for party development would not be envisaged.

At **regional or transnational level**, the emphasis would be on cooperation to add value and improve effectiveness to action at national level. This might be focused on issues such as:

- cooperation among CSOs from specific regions plagued by conflicts with transnational implications (e.g. Great Lakes, Manu river region, Western Balkans);
- cooperation and dialogue on deeply divisive political issues that may be best opened up for discussion at transnational level (e.g. religious minorities and secularism, reconciliation and justice);
- capacity building support which can provide distinct added value and effectiveness for transnational CSO networks (e.g. working together to produce materials in common regional languages).

At **local level**, there would be a grant facility for small scale initiatives by local CSOs, as with the current provisions for micro projects, though more accessible to small CSOs³⁶. This could contribute to strengthening the representivity of civil society, for example by supporting activities of new CSOs formed by groups whose interests were hitherto underrepresented, or otherwise contributing to the empowerment of such groups (whether from remote areas, minority or disadvantaged groups etc). The particular needs and priorities for civil society

dialogue could be defined more precisely in consultation with civil society representatives on the ground. This could also facilitate complementarity with geographical programming as well as enhance local ownership of the democratization process³⁷.

As regards geographical priorities for this strategic objective, it is clear that the interventions foreseen could benefit a large number of countries. The programme also needs the flexibility to respond to “windows of opportunity”. Rather than spread resources more thinly than at present, however, the intention for the first phase of activity would be to maintain some continuity, for example by including those countries that already have a successful experience of an EIDHR micro-project facility, that have a relatively open society and where EC support for civil society can be effective. It should also be feasible to move on from certain countries, for example by fixing a 5-7 year time horizon to achieve some targets for sustainability and consolidation of local civil society activity. This might be done in discussion and preparation with the major stakeholders in the country concerned.

3.2.3. To strengthen the international framework for the protection of human rights, the rule of law and the promotion of democracy

The general aim under this heading is to continue to contribute, as EIDHR has done, to the effectiveness of international instruments in accordance with EU policy priorities. In so far as not covered by other financial instruments and programmes, this new programme may assist the functioning of:

- core human rights instruments, through the appropriate UN agencies, bodies and mechanisms such as OHCHR, CEDAW, ILO etc.;
- international criminal justice mechanisms such as the International Criminal Court.³⁸
- regional human rights instruments;
- regional networks for the training of specialists from developing countries in the application of international human rights instruments;
- specific international instruments designed to support democracy building initiatives³⁹. This may extend to joint initiatives with regional organisations such as the Council of Europe;
- civil society campaigns on specific human rights issues, especially in so far as they relate to UN initiatives (e.g. World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance).

Priorities under this heading would be decided in the light of EU objectives and in dialogue with relevant organisations. Civil society organisations and networks may also act as implementing partners in this context.

3.2.4. To build confidence in democratic electoral processes through further development of electoral observation

Electoral observation is a highly sensitive area, which has given the EU a high profile and authority, strengthening its position in political dialogues, and contributing to the promotion of human rights and democracy. It has helped to encourage professionalism and transparency

in electoral management, discourage irregularities and abuse and inspire confidence in the electoral process. The coordinating and management role of the European Commission has ensured a high level of consistency across various EU Election Observation Missions (EU EOMs) thanks to unified methodology and programming, as well as political independence and visibility. The main aim under this heading is to continue, as EIDHR has done, to use the thematic programme as the vehicle for support for EU electoral observation capacity. It may also contribute to building electoral observation capacity at regional and national level.

It is foreseen that EU EOMs can be further consolidated in terms of programming and implementation. The Commission has endorsed the newly agreed global principles for international election observation⁴⁰ and will continue to cooperate with other bodies experienced in electoral observation such as the OSCE. The new programme should continue to focus on a limited number of polls, which fulfil the criteria of usefulness, advisability and viability, while improving quality and gradually increasing quantity. Priorities for election observation missions will continue to be decided in a flexible way in the light of the calendar of elections and political developments, and considerations set out in the Communication on EU Election Assistance and Observation and endorsed by Council in 2001⁴¹.

Observation of upstream issues (e.g. voter and candidate registration) and monitoring media may be developed, reports made more precise and assistance in follow-up made more systematic with the aim to further support democratisation and human rights related issues. Observation missions adapted to conflict situations and post conflict elections are also due to be further developed.

If not otherwise covered by geographical programmes, this thematic programme would also contribute to electoral observation capacity building at regional level, as now through regional organisations, such as the African Union (AU), or in future with other regions, e.g. the Arab world. The programme would, similarly, contribute to supporting local observer and monitoring capacity as well as wider initiatives to enhance participation and trust in the electoral process⁴².

3.3. Programming principles

Four-year (2007-2010) and subsequently three year (2011-2013) Thematic Strategy Papers (programming documents) will be decided by the Commission following Comitology procedures. On the basis of this multi annual programming, the Commission shall adopt annual action programmes which establish specific objectives, priority actions to be supported, anticipated results as well as indicative amounts, taking into account relevant initiatives funded under other programmes. The programme will be managed by the Commission, using all available tools in compliance with the Financial Regulation and its implementing rules⁴³.

As for the mid-term review, an external evaluation of the operations during the first three years (2007-2009) will be carried out to provide input to the preparations for the second Thematic Strategy Paper (2011-2013). The reports will be transmitted to and discussed with Council and the European Parliament.

ANNEX: Footnotes

- ¹ See Communication from the Commission to the Council and the European Parliament on “External Actions through Thematic Programmes under the Future Financial Perspectives 2007 – 2013” - COM(2005) 324, 3.8.2005.
- ² For feedback, see http://europa.eu.int/comm/external_relations/consultations/er.htm
- ³ The Annual NGO Forum on Human Rights may be further developed in this perspective and other complementary initiatives considered.
- ⁴ See for instance the most eloquent exposition in “In Larger Freedom” UN 2005.
- ⁵ See UN Programme for Reform 1997 and the inter-agency “Common Understanding” on a human rights-based approach to development cooperation of May 2003.
- ⁶ Article 11(1) TEU; Articles 177(2), 181a(1) TEC.
- ⁷ Guidelines to EU policy towards third countries on the death penalty, June 1998; Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, April 2001; EU Guidelines on children and armed conflict, December 2003; EU Guidelines on human rights defenders, June 2004.
- ⁸ Cf. Zagreb summit in November 2000 http://europa.eu.int/comm/enlargement/intro/sap/summit_zagreb.htm
- ⁹ Cf. Strategy paper COM(2004) 373 of 12.5.2004, Council conclusions of 14.7.2004.
- ¹⁰ Cf. Commission Communication COM(2003) 615 final of 20 October 2003, Council conclusions of 17.11.2003.
- ¹¹ Cf. Communication on the European Development Policy “The European Consensus”, COM(2005) 311 final of 13.7.2005; Joint Statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission “The European Consensus on Development adopted on 22 November 2005.
- ¹² “The EU and Africa: towards a strategic partnership” adopted by the European Council, 15-16 December 2005.
- ¹³ Commission Communication to the European Parliament and the Council “A stronger partnership between the EU and Latin America” - COM(2005) 636 of 8.12.2005).
- ¹⁴ Council Regulation (EC) No 975/1999, as amended by Regulation (EC) No 1882/2003, and Regulation (EC) No 2240/2004; Council Regulation (EC) No 976/1999, as amended by Regulation (EC) No 907/2003, and Regulation (EC) No 2242/2004.
- ¹⁵ The EU’s Role in Promoting Human Rights and Democratisation in Third Countries, COM(2001) 252 of 8.5.2001; Commission Staff Working Document SEC(2004) 1041 of 30.7.2004.
- ¹⁶ Cf. Council conclusions on the European Union’s role in promoting Human rights and Democratisation in third countries of 25 June 2001; Resolution of the European Parliament of 25 April 2002; Council conclusions of 23 February 2004.
- ¹⁷ Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism.
- ¹⁸ Cf. the most recent thematic evaluation relating to EIDHR support to racism, xenophobia and minorities projects http://europa.eu.int/comm/europeaid/projects/eidhr/documents_en.htm#eidhr; cf. also the most recent general evaluation of EIDHR “No lasting peace and prosperity without democracy and human rights” (July 2005) commissioned by the European Parliament’s AFET Sub-committee for Human Rights and carried out under the auspices of the Netherlands Institute for Multiparty Democracy (NIMD) <http://www.nimd.org/upload/publications/2005/epfinal.doc>
- ¹⁹ The term “civil society organisation” is intended to include a broad range of partners in civil society, including trade unions, employers’ associations, faith based groups, think tanks etc.
- ²⁰ See footnote 9.
- ²¹ EIDHR has given high priority and visibility over the years to the abolition of the death penalty, the fight against torture and campaigns against racism and discrimination of minorities. It has also put a focus on the rights of women, children and indigenous peoples. It supports freedom of expression and association and pluralism in the media, and promotes the rights of human rights defenders. It has a special mandate to support the protection and rehabilitation of victims of torture, assisting projects both inside and outside the

EU. It has also been a prime source of support for the launching of specialised higher education in human rights. In addition, EIDHR has to a certain extent also given support for civil society development, democratic culture and pluralism and democratic institution building.

- ²² Cf. Revised Action plan to follow-up on the common position on the International Criminal Court, Council Common Position of 16 June 2003 on the International Criminal Court; Resolution of the European Parliament on the General Affairs Council's position concerning the International Criminal Court of 24 October 2002.
- ²³ Commission communication EU Election Assistance and Observation COM(2000) 191 of 11.4.2000; Council conclusions of 31 May 2001; Resolution of the European Parliament of 15 March 2001.
- ²⁴ European Initiative for Democracy and Human Rights Programming for 2005 and 2006 C(2004) 4475 of 612.2004. The four campaigns break down into 17 types of action, with 3 further cross cutting themes (children and women, indigenous peoples, conflict prevention).
- ²⁵ The ratio of project applications to successful projects was 10:1 for the calls for proposals in 2004.
- ²⁶ This would, for instance, cover support for UN initiatives, global advocacy and multilateral cooperation on democracy and human rights that have a global perspective. Examples drawn from EIDHR's current experience would also include support for the establishment and functioning of international instruments of human rights and criminal justice.
- ²⁷ Such is the case for instance for the protection and rehabilitation of victims of ill treatment and torture. Few other instruments exist to respond to the continuing need for support in this area.
- ²⁸ Subsidiarity in this sense would mean that training and technical assistance for capacity building of national public institutions, such as the judiciary, election management bodies, or parliaments, which are essential aspects of cooperation on democracy and human rights, would normally form part of the larger geographical programmes agreed with the governments concerned. The same would usually apply in the case of assistance to regional intergovernmental bodies.
- ²⁹ Activities foreseen in these thematic programmes such as the participation of non-state actors in development strategies, promotion of social rights, the protection of migrants from exploitation and exclusion would thus be outside the particular focus of the thematic programme on democracy and human rights.
- ³⁰ The countries that may be targeted will undoubtedly change over time, as some countries experience a change of regime, moving onward with democratization, and as others - previously more free - may revert to greater repression and restrictions on human rights and freedoms or descend into public disorder.
- ³¹ Action through civil society would complement other EU tools, such as political dialogue, demarches, sanctions, etc, that bring pressure on governments to take action to enlarge basic freedoms of expression and association and establish or restore the rule of law.
- ³² Vienna Declaration and Programme of Action as adopted by the World Conference on Human Rights on 25 June 1993 (Vienna Consensus) UNGA document A/CONF.157/23 of 12 July 1993, notably paragraph 5 and paragraph 8.
- ³³ Particular issues may include those human rights covered by EU Guidelines such as torture, death penalty, children in armed conflict and human rights defenders other vulnerable groups. They may also cover media freedom, trade union freedoms, forced labour, women's rights and gender equality, trafficking in human beings, stigma and discrimination (on grounds of race, religious, ethnic and caste origin, sexual orientation, disease, disability etc).
- ³⁴ Cf. europa.eu.int/comm/europeaid/projects/eidhr/documents_en.htm#evaluations
- ³⁵ Social dialogue may have a particular role in this context
- ³⁶ The assumption here is that, in accordance with the Commission proposal to amend article 164 of the Regulation for the implementation of the Financial Regulation, simplified procedures will be agreed for grants under €25 000, making it feasible for small CSOs to participate in calls for micro projects, SEC(2005) 1240 of 12.10.2005.
- ³⁷ Situations vary so consultations of this kind could be piloted and developed gradually in conjunction with the new round of programming 2007-2010 and 2011-2013.
- ³⁸ This may extend to international and national tribunals set up under an international mediated peace agreement, if not otherwise supported through the Stability instrument.

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- ³⁹ Such as the newly established UN Democracy Fund.
- ⁴⁰ The Declaration of Principles for International Election Observation and a Code of Conduct for International Observers endorsed under UN auspices on 27.10.2005.
- ⁴¹ COM(2000) 191 of 11.4.2000, Council conclusions of 31 May 2001.
- ⁴² Parallel initiatives in election assistance to develop local capacity for sustainable and professional election management and infrastructure should normally be supported in a timely manner through geographic programmes.
- ⁴³ The amendments to the Financial Regulation and the implementing rules, as proposed in COM(2005) 181 of 3.5.2005 and SEC(2005) 1240 of 12.10.2005, could enhance the efficiency of the thematic programme.