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Editorial

Human Rights and Democracy: Waiting for the «silver thread» to become visible and credible

by Barbara Lochbihler, Chair of the Subcommittee on Human Rights

The EU's foreign policy is currently at a crossroads. Which avenues EU leaders will pursue in the coming months will determine whether we can become the kind of global player that many European citizens would like the EU to be.

On paper, it looks pretty clear what should guide us in our external relations, namely the principles which are said to “have inspired the creation of the Union”. Human rights and the rule of law coupled with cross-national solidarity and the respect for international law are, according to Article 21 of the Lisbon Treaty, the guidelines for our external actions. The Treaty also says that the Union's external actions shall be consistent and that other (internal) EU policies shall contribute to this consistency and coherence.

Making democracy, human rights and the rule of law the guiding principles of our foreign policy would first and foremost require making best use of the existing external policy tools and to coordinate them systematically to that end. Among these tools we can use classic diplomacy and within it, for example, Human Rights Dialogues with third countries, demarches as well as public diplomacy. The EU also has considerable legal means as leverage such as Human Rights Clauses in agreements with third countries. We can politically promote international treaties and coalitions to uphold human rights – examples of this are campaigns for the abolition of the death penalty, or the banning of cluster bombs.

The EU's budget provides for a number of programmes which can be used or are meant to foster democracy and human rights, including the *European Instrument for Democracy and Human Rights*, the *Instrument for Stability* as well as the thematic and geographical programmes financed by the *European Development Fund*. Aid can be subjected to positive and negative conditionality. The EU can use smart sanctions such as those targeting the political elite of a corrupt or repressive regime. We can offer closer cooperation and partial integration of markets for democratising countries.

In order to satisfy the Treaty requirements of consistency and coherency we need a comprehensive stocktaking: To what extent do our various sector policies – from development aid to agriculture and fisheries, trade or energy security, and our positions on issues such as international economic and financial regulation (or the lack thereof) – help or hinder people around the globe to enjoy their human rights? And do these

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policies contribute to democratic state building and democracy taking root in other countries?

In other words: Are the EU and the Member States seen as part of the solution or part of the problem? Can ordinary people in countries around the world truly feel that the EU is an honest advocate of their rights? We need to ask ourselves why we have not undertaken such a stocktaking exercise: is it because it is a huge task, or are we afraid of what we might find?

If the Lisbon Treaty is taken seriously, its implementation should mark a clear break with the recent past, when “interest led” foreign policies have been in vogue and double standards pervasive. The EU’s external policy documents did speak of democracy and human rights. But Europe’s credibility has suffered because of mismatching words and deeds. Confronted by people of our southern neighbourhood, we now see that this type of foreign policy was neither smart nor value-based.

The key event shaping the human rights agenda in 2011, the Arab Spring, has provided another reminder of the fact that the European Union could do more in terms of human rights protection. For decades, indeed, European member states and – through its silence – the European Union have repeatedly put economic and geostrategic interests before human rights; in exchange for business opportunities and a helping hand in keeping refugees away from European borders, we have turned a blind eye to severe human rights violations in our neighbouring countries.

Before courageous women and men in the Arab world, honoured this December by the European Parliament’s *Sakharov Prize for Freedom of Thought*, shifted the paradigms, the EU increasingly refrained from using both positive and negative conditionality. We thereby limited our ability to positively influence political transformations among our southern neighbours.

The good news is that the EU’s High Representative Catherine Ashton has committed herself on several occasions to making human rights “the silver thread” running through all of the EU’s external policy. In the wake of the Arab Spring, she also committed the EU to support “deep democracy”, including, according to her, respect for the rule of law, freedom of speech, an independent judiciary and impartial administration.

These are all laudable words and she certainly has the support of the European Parliament’s Subcommittee on Human Rights when it comes to putting them into practice. We are therefore looking forward to seeing some very concrete manifestations of a policy shift. Regarding the Arab Spring, this implies first and foremost helping transition countries consolidate the rights, for which they have so bravely fought, in their new constitutions, and assist our neighbours in building democratic institutions and impartial judicial systems.

Can ordinary people in countries around the world truly feel that the EU is an honest advocate of their rights?

We wish to hear from Catherine Ashton what the benchmarks will be for both negative and positive conditionality and how these will be monitored. We would like to see concrete follow-up on the Council Conclusions on Democracy Support of November 2009. We would like to hear from the High Representative how many staff will be dedicated exclusively to human rights and democracy support in our more than 130 EU Delegations. We would like to know how she envisages better coordination and coherence of action by the Member States of EU policy.

We hope to read in the pending review of the EU’s human rights and democracy policy how the European External Action Service (EEAS) will make sure that other policies contribute to the promotion of democracy and human rights, how in the future the EEAS will ensure that we have clear and consistent standards rather than the proverbial double standards in dealing with despotic regimes.

I also believe that our Parliament can do a better job in understanding human rights as a cross-cutting issue which not only concerns our subcommittee and our monthly plenary resolutions.

Furthering democracy and human rights requires a hard look at our energy policy, trade policy, development aid, fisheries or copyright policies – to name just a few.

Members should also ask EU institutions whether we are doing enough to prevent despots around the world from diverting their nations’ wealth into stocks, real estate or bank accounts in Europe for their private gain. In this respect I am happy to see that the Foreign Affairs committee is currently drawing up a report aimed at more consistency when it comes to adopting sanctions against leaders of authoritarian regimes.

In an era which has been called “post-Western” and in times when our economic model is called into question, Europe’s standing in world affairs depends more than ever on being credible and being seen as standing on the right side. This does not mean that the EU’s foreign policy should aim at exporting our own models of governance, economic organisation, laws and regulations, or culture. Rather, it means that we should make every effort to follow through our declared principles in a consistent manner. People across the Arab world, for example, do not seek to become part of the West, but they want to live in dignity and freedom and have real influence over the way their societies develop. They deserve our support.

The EU therefore urgently has to make sure that it has the necessary means to weave the defence of human rights and the support to democracy into its policies and activities around the globe.

Barbara Lochbihler was elected chair of the Subcommittee on Human Rights in September, taking over from MEP Heidi Hautala, who resigned in June to become Finland’s minister for development.

In focus

Parliament hosts Annual Meeting on International Election Observation

The European Parliament (EP) hosted the 6th Annual Follow-up Meeting on the *Declaration of Principles of International Electoral Observation*, which took place in Brussels on 4-6 October.

The event was co-organised by the EP Election Observation Unit, the European Commission and the External Action Service with the assistance of the Network for Enhanced Electoral and Democratic Support (NEEDS). The meeting brought together 70 delegates from over 30 signatory organisations of the *Declaration of Principles for International Election Observation* who discussed the role of election observation missions in promoting democracy and exchanged views on how to foster better coordination among the community of practitioners, namely in the follow-up to observation missions.

The meeting began with a high level panel co-chaired by President Jerzy Buzek and EU High Representative Catherine Ashton, Jimmy Carter (representing the Carter Center), Joe Clark (National Democratic Institute), Janez Lenarčič (OSCE-ODIHR) and Zachary Muburimuita (UN).

President Buzek underlined in his opening remarks the need for close cooperation of all those involved in election observation. He spoke of a “renewed democratic momentum worldwide, not only in the Middle East and North Africa. This lends a new sense of urgency to the cause of democracy support. Elections are only the beginning. In fact the first elections are important but the real test of democratic consolidation is often the subsequent elections that follow: the second or third elections.” Jimmy Carter emphasised the need for independence of the monitors while seeking uniformity in terms of procedure and posture vis-à-vis the country running the elections.

The high level panel issued a joint statement which underscored that election observations are a key instrument in promoting democracy and human rights.

‘In fact the first elections are important but the real test of democratic consolidation is often the subsequent elections’

Democracy support initiatives should take better account of election observer recommendations, while observers should “improve how they frame recommendations to ensure they are a good starting point for future work [and] make a lasting contribution to supporting democracy.” The statement highlighted the role

of local observers and called on international observers to resist pressure to dilute their findings and to provide accurate, unbiased and honest assessments.

Expert panels tackled issues such as mechanisms to protect election integrity; the review of guiding principles documents; the role of parliamentarians in observing elections; intra-mission cooperation on observation and assistance; the cooperation between international and domestic observers; and the role of observers in election related crisis situations.

The next annual meeting will be organised by the National Democratic Institute in Washington and should deal with the strengthening of follow-up mechanisms; the prevention and mitigation of election-related violence; the interaction between international observers and domestic actors; and e-voting.



EP President Jerzy Buzek speaking to former US President Jimmy Carter © European Parliament

Free Elections in Tunisia

The first free elections following the Arab Spring were held on 23 October and for the first time the EU accepted an invitation to send an observer mission to Tunisia. The EU deployed 180 observers of which 57 were long-term observers who arrived mid- September.

EU Chief Observer was German MEP Michael Gahler (photo) who on 25 October presented the preliminary conclusions. The report noted a great freedom

a good nine months. If you want to have not just a revolution, but also a sustainable democratic framework, then organize yourselves like the Tunisians”.

sent a short-term mission to join the EU observation mission for the last few days prior to the vote. The OPPD has made support to the newly elected Constituent Assembly a priority and has started its project preparations by consulting the EU Delegation, UNDP and others. See www.eucom.eu/tunisie2011/ for details.

The Tunisian elections could send a very strong and convincing signal to the Arab world

of expression during the election campaign and the transparent organisation of the voting taking place in conformity with international standards. Speaking to the media, Gahler said that the Tunisian elections could send “a very strong and convincing signal to the Arab world. People who have liberated themselves from authoritarianism have managed to create a legitimate framework for their leadership within

Headed by Foreign Affairs committee chair Gabriele Albertini, the European Parliament



MEP Michael Gahler, EU Chief Observer for the Elections to the Constituent Assembly © European Union

OPPD Activities and Updates

Organising Study Visits to the European Parliament

Since July the OPPD has welcomed groups from the parliaments of Burundi, Armenia, Iraq, Moldova and Kyrgyzstan. The biggest group, however, was composed of political activists, campaigners and party representatives from Egypt.

Political Activists from Egypt

Reacting to the uprising in Egypt and taking up a recommendation which was put to it following an ad-hoc EP delegation that had visited Egypt in March, the OPPD invited Egyptian political activists to Brussels for a study visit on 11 - 15 July.

The 18-strong group included representatives of a very wide political spectrum including pre-revolution opposition parties, new secular liberal and centre left as well as parties of political Islam, and non-party political movements closely associated with the Egyptian revolution and Cairo’s Tahrir Square demonstrations.

The first aim of the study visit was to familiarise participants with European practice in terms of political parties and parliamentary party groups, and parliamentary democracy at European level. Moreover, the study visit provided an opportunity for networking and for MEPs and other EU policy makers to hear first hand about the developments

in Egypt, the views of Egyptian opinion leaders and to get insights which are relevant for the future of EU-Egypt relations. Participants had the opportunity to meet with a wide range of MEPs, including President Buzek, Vice President McMillan-Scott, former President Pöttering, the chair and vice-chair of the EP Mashreq parliamentary delegation, Mário David and Marisa Matias, and Members Franziska Brantner, Andrew Duff, Antonio Panzeri, and Kristian Vigenin.

In addition, the programme included presentations by civil society (European Youth Forum, Transparency International) other EU institutions, political groups and foundations and EP

staff. Thematically, the programme touched upon EU-Egypt relations; electoral laws; integrity in public life; politics and religion; the organisation of political and parliamentary work; and lessons from past European transitions to democracy.

The study visit proved to be of value also for cross-party exchanges within the group with long discussions after the official programme and participants drafting a joint declaration at the end of their stay. They were very frank in their criticism of past EU policies and

attitudes towards the Middle East, and the Mubarak regime in particular. Nonetheless, they expressed the hope to engage further, especially with the European Parliament, and to benefit in the future from training measures either in Europe or in Egypt.



“You have taught us a great lesson. You have reminded us that ordinary people can make extraordinary efforts. You have reminded us that real change does not come from top-down but from bottom-up” - EP President Jerzy Buzek speaking to the Egyptian activists. Photo © European Parliament

Members of the National Assembly of Armenia

From 10 to 13 October 2011 five parliamentarians and a staff member of the National Assembly of Armenia undertook an OPPD-sponsored study visit which aimed to provide the group with a general overview of the functioning of the EP, with a special emphasis on communication and relations with civil society.

The delegation included MPs of four different parliamentary groups, including majority and the opposition. The visit was also useful for the participating parliamentary civil servant who is responsible for the secretariat to the Armenia-EU Parliamentary Cooperation Committee.

The intensive programme included some 20 presentations by speakers from four different Directorates General of the EP secretariat and

a meeting with the Deputy Secretary General of the EPP group. The MPs attended a meeting of parliament’s Transport committee and of the Greens/EFA group and observed the opening of a plenary part-sitting. They also had meetings with parliament’s rapporteur for the South Caucasus, Evgeni Kirilov, and with the Chair of the EP delegation to the Euronest Parliamentary Assembly, Kristian

Vigenin (photo). The Armenian MPs engaged actively with speakers and, during the closing debriefing, expressed satisfaction with the visit. Karine Shimshiryan, Chief Specialist on Foreign Relations at the National Assembly’s secretariat, who earlier this year participated in the OPPD Democracy Fellowship Programme, called the exchanges organised for her parliament “extremely interesting and useful”.



MEP Kristian Vigenin, Chair of the EP delegation to Euronest Parliamentary Assembly speaks with Armenian MPs © European Parliament

Female MPs from Burundi

Five newly elected female Members of both the National Assembly and the Senate of Burundi, together with two staff, were in the European Parliament from 29 August to 1 September for an OPDD-organised study visit.

The visit aimed to provide an overview of core parliamentary functions and the support to these functions by the parliamentary administration. In addition, gender issues and EU - Africa cooperation and relations with Burundi in particular figured prominently on the agenda, which included 17 hours of presentations and discussions, including with EP Vice Presidents Rodi Kratsa-Tsagaropoulou and Miguel Ángel Martínez. The group also had an exchange with Bulgarian MEP Mariya Nedelcheva (group photo) who is currently serving her first term at the EP and who participated in an election observation mission to the 2010 presidential elections in Burundi.

The OPPD's organisation of the visit resulted from a recommendation from the 2010 EU Election Observation Mission which had proposed investing specifically in capacity building for new female MPs. The post civil war constitution of 2005 requires that at least 30%

of Members of both houses of the Burundian parliament are women. Participants in particular appreciated the diversity of presentations, both in style and substance, as well as the personal involvement in the issues by many of the speakers.



10 MPs from Burundi visited the EP just after the summer recess. MEP Mariya Nedelcheva was one of the counterparts who met the all-female delegation © European Parliament

Seminar: Role of Parliaments in Scrutinising International Agreements

In mid-October, the OPPD brought together staff of a number of African parliaments for a seminar on parliamentary scrutiny of international agreements, focussing in particular on Economic Partnership Agreements (EPA).

Amongst those invited to attend were parliamentary civil servants from the regional transborder parliaments of CEMAC (Central Africa), EALA (East Africa), ECOWAS (West Africa), SADC (Southern Africa) and the Pan African Parliament. Also in attendance were two representatives of the *Réseau Africain des Personnels des Parlements* (RAPP) and a senior staffer of the parliament of Ghana, representing one of the few African countries which have already concluded negotiations for an interim Economic Partnership Agreement with the EU.

This seminar followed a request by MEP Louis Michel, Co-President of the EU-ACP Joint Par-

liamentary Assembly, and the *Réseau Africain des Personnels des Parlements* (RAPP). The programme aimed to put EPA negotiations into a wider context: it did so by imparting knowledge on the WTO framework and underlining the (at least partial) failure of trade preferences to induce economic development but also by presenting EPAs as an example of the wider challenge for parliaments to scrutinise the ever-growing number of international agreements which are negotiated by the executive arms of government. By specifically inviting representatives of transborder parliaments, the OPPD hoped to stimulate networking among those parliaments on the African continent which so far have rarely cooperated or had exchanges. Also, the regional integration perspective was an important element of discussions and reflection. The seminar benefited from close cooperation with relevant services within the EP as well as from input from external experts including EPA negotiators, Commission and NGO representatives and researchers. A

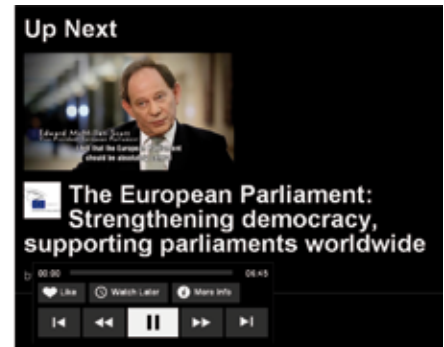


reader on “Economic Partnership Agreements EU - ACP: Facts and Key Issues” was produced for the OPPD in preparation for the seminar by the EP's Policy Department for External Policies. A PDF version of the reader can be obtained from the OPPD website in English or French.

Video on EP parliamentary democracy support

The OPPD has recently launched a presentational video featuring the involvement of the European Parliament in democracy promotion and parliamentary strengthening efforts. In the video, key MEPs explain why and how the EP is stepping up its commitment to human rights and democracy beyond its borders, namely by tracing it back to Europe's own transitions to democracy.

Additionally, OPPD seminar participants and Democracy Programme Fellows recount what interests them in the European Parliament and their own institutional experience. The video is available in three language versions (English, French and Spanish) and on DVD, as well as on the web at www.vimeo.com/oppd



New and noteworthy - Publications and Resources

“Defeating Dictators – Fighting Tyranny in Africa and Around the World”
by George B.N. Ayittey (November 2011), 288 pages

Ghanaian economist Ayittey aims to provide no less than a guide for democratic opposition activists on how to topple dictators. He does so by describing limits and operating modes of dictatorships and by analysing failed and successful prodemocracy revolutions (and reversals) from the Philippines to Ghana and Georgia.

“Democratic reforms and “intellectual freedom” should precede economic liberalisation, for the latter to be successful in the long run”

Interestingly, the author of the economic liberal manifesto “Africa Unchained” argues that democratic reforms and “intellectual freedom” should precede economic liberalisation, for the latter to be successful in the long run. His insights into traditional societies lead him to favour consensual models of democracy over winner-takes-all

majority systems. Ayittey does not seek to write overly nuanced or reflective prose which makes his book, at different times to different readers, tiresome, provocative or stimulating.

“The Dynamics of Democratization - Dictatorship, Development, and Diffusion”
edited by Nathan J. Brown (April 2011), 332 pages

This volume provides a comprehensive overview of research and discourse on democratisation to date. It is divided into three parts: I. Democracy and Dictatorship discusses cases of resilience of both dictatorship and democracy (China and Latin America), the emergence of hybrid regimes, elections in semi-authoritarian systems, and the importance of strong parliaments for the persistence of democracy. II. Democracy and Development includes three contributions on the relationship between democracy, democratisation and economic development. The third part looks at international dynamics and international democracy promotion by asking the question: Does Democracy Diffuse? The authors have closely collaborated in producing a useful and rather complete reader on democratisation, posing as well as answering some key questions. In the concluding chapter, Brown underlines that some of these answers are much less clear cut than one may wish, and stresses the importance

of a long-term view, both on the benefits and the likely success of democratisation and democracy promotion.

“Designing Democracy in a Dangerous World”
by Andrew Reynolds (2011), 198 pages

Andrew Reynolds investigates institutional design in post-conflict or fragile settings. Conducting a quantitative and qualitative analysis of 66 cases of constitutional design, he identifies patterns of success and failure in democracy building and develops a theory for future options. His assumption is that to combine democracy and stability, institutional design should be aimed at building a political system that is legitimate and inclusive. Reynolds tries to provide recommendations on how to craft a democratic framework that is appropriate to a given country, by taking into account demography, socio-political, economic and historical characteristics. He provides analysis and tools to promote inclusion, by taking into account variables such as the electoral system, legislative and executive inclusion of marginalised groups and decentralisation. To test out his theory of design, the author finally provides detailed case studies on Iraq, Afghanistan, Syria, Burma, Sudan and Zimbabwe. He thus provides an original study, offering interesting insights into constitutional

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design, and the transition from conflict or dictatorship to democracy and stability for academics and practitioners alike. Read the introductory chapter at <http://tiny.cc/AReynolds>

“Of the People, By the People: A new History of Democracy”

by Roger Osborne (December 2011), 330 pages

After “Civilization: A New History of the Western World” (2006), Roger Osborne impresses with another sweeping history, demonstrating that “writing about things like history and science can be literate and a kind of artistic process”. *Of the People, By the People* tells the story of places and people which gave birth to democracy. It includes chapters on Athens, “Parliaments and Things”, medieval city republics, Switzerland, England, America, France, India and Latin America, and the aborted German democracy of the 1920s - to name just a few. The last three chapters look at decolonisation, the collapse of communism and democracy after 1989.

Besides telling stories and explaining history around the theme of democracy, each chapter looks at and typifies the role and character of the citizens in their respective time. Osborne concludes by pointing out that “democracies must continually create new ways of working if they are to survive and new democracies must invent their own structures (...). A democratic society is always work in progress, a continual act of communal creativity.”

“Promoting Democracy Abroad”

by Peter Burnell (July 2011), 326 pages

In this collection of his most recent articles, Burnell examines the current state of democracy promotion, presents the main problems besetting international endeavours to foster democracy and sets the stage for future research. Issues covered include: strategy and design of democracy support, the effectiveness of democracy promotion and the problems of measuring its effects, democracy promotion as a public good, the relationship between legislative strengthening and party support, and the competition between the promoters of democracy and the spreading of autocracy.

Burnell contends that democracy promotion over the last two decades tended to react to rather than anticipate democratic breakthroughs, underscoring the necessity to recalibrate the

democracy promotion agenda, for instance by adopting a more joined-up approach, which links democracy promotion with other forms of international aid that might impact political change in aid-receiving countries. It also encompasses the adoption of more context-specific, realistic and flexible strategies and a more comprehensive and contextualised appraisal of the performance of democracy promotion policies.

“The Arab Awakening - America and the Transformation of the Middle East”

edited by K. M. Pollack for the Brookings Institution (November 2011), 381 pages

Co-authored by 18 experts on the Middle East, this book provides a topical and thorough over-

view of the sweeping change and brewing unrest in much of the Arab world. After an introduction aiming to provide a general understanding of the Arab Spring, the first part of the book takes a thematic approach and covers Arab public opinion, political Islam, social media, the military and the likely impact of the events on the peace process, economic development and terrorism. Part 2 looks at Arab countries which have started a transition while part three examines, country by country, those that feel the pressure for reform, ranging from Morocco and Jordan to Saudi Arabia. The following chapter deals with states in crisis (Yemen and Syria) while part 5 and 6 analyse the reactions of regional actors such as Turkey and Israel, and external actors such as the US, the EU and the emerging powers.

New OPPD Publications

Following *Parliamentary Rules of Procedure and ICT in Parliament*, published in 2010, the OPPD is pleased to present two new booklets in its series about practical matters for parliamentary organisations. Meanwhile, French and Arabic translations of the first two booklets should be available in early 2012. PDF versions are available in the resource section of our website at www.europarl.europa.eu/oppd and hard copies upon email request.

“Parliamentary Ethics - A Question of Trust” builds on the study ‘Parliamentary Codes of Conduct in Europe’ published by the European Centre for Parliamentary Research and Documentation (ECPRD). The publication provides a general introduction to the theory and practice of parliamentary ethics and the role of codes of conduct, by offering an overview of the main issues which such codes seek to address and by highlighting how they are tackled. Recent

developments at both the national and European levels, such as the EP’s own new Code of Conduct for Members, are reviewed and documented.

“Electoral Systems - The Link Between Governance, Elected Members and Voters” serves as a primer to the subject by giving an overview of the main features of existing electoral systems and outlining key arguments surrounding them. It highlights the implications of different electoral systems on political parties, the representativeness of parliament, the formation of efficient governments, as well as on the participation of women in public life. The booklet also provides an overview of the EU member states’ national electoral systems, gives a brief history of how the European Parliament came to be elected by direct universal suffrage, and outlines the systems currently used by EU member states for elections to the EP.

