Development cooperation: democracy and the rule of law, respect for human rights and fundamental freedoms

1997/0191A(SYN) - 01/07/1998 - Legislative proposal

OBJECTIVE: to lay down the requirements for the implementation of operations to promote human rights in the context of the Community's development cooperation policy. SUBSTANCE: the new proposal for a regulation seeks to specify the type of support offered by the Community in the field of human rights and democratisation in developing countries. An initial version of this text was proposed by the Commission in 1997. However the Council chose to split the initial text into two parts, one dealing with the operations relating to developing countries and the other those dealing with other non-member countries (see CNS98813). Apart from the technical arrangements for implementing the operations, the new proposal sets a financial reference amount for the duration of the regulation (1999-2004) of EUR 250 million. In technical terms, the proposal sets the general framework for Community support. The operations will have three main objectives: 1) promotion and defence of human rights and fundamental freedoms: promotion and protection of civil and political rights, economic, social and cultural rights, fundamental rights of those discriminated against, or suffering from poverty or social exclusion and support for minorities and ethnic groups; support for NGOs involved in the protection of human rights and for rehabilitation centres for torture victims; support for education, monitoring of human rights and equality of opportunity and measures to combat racism; 2) support for the processes of democratisation: strengthening the rule of law and the independence of the judiciary, promotion of pluralism and good governance, participation of the people in the decision-making process, support for the electoral processes and efforts to separate civilian and military functions; 3) support for respect for human rights by preventing conflict: support for the establishment of local early warning systems, the peaceful conciliation of group interests, promoting humanitarian law; support for NGOs involved in preventing and resolving conflicts (including support for international tribunals and setting up a permanent international criminal court). Community support will take the form of a technical and financial support. Actions will be implemented by the Commission at the request of the partners or on its own initiative, in conjunction with and complementing the operations of the Member States. There are provisions setting the eligibility criteria for the Community's partners (NGOs and other bodies having their headquarters in the Community or, exceptionally, elsewhere). The Commission will be responsible for the management, implementation and monitoring of the operations undertaken. It will be assisted by a committee composed of representatives of the Member States (Human Rights and Democracy Committee). A provision allows for emergency measures under which the Commission can respond to urgent and unforeseen need arising from the sudden suspension of the democratic process or the emergence of a state of crisis. In this case the Commission may adopt its decision with the assistance of the Member States which have only five days in which to put forward any objections. A regular evaluation of operations is provided for and the submission of an annual report on all the operations financed. This report will be forwarded to the Council and the European Parliament. Three years after the entry into force of the regulation the Commission will submit an overall assessment of the operations undertaken together with proposals for any extension of the regulation. This regulation should apply until 31 December 2004.