

Development cooperation: European Instrument for Democracy and Human Rights 2007-2013

2006/0116(COD) - 20/12/2006 - Final act

PURPOSE: to establish a European Instrument for the promotion of democracy and human rights, providing assistance that contributes to the development and consolidation of democracy and the rule of law, and of respect for human rights and fundamental freedoms worldwide.

LEGISLATIVE ACT: Regulation (EC) No 1889/2006 of the European Parliament and of the Council on establishing a financing instrument for the promotion of democracy and human rights worldwide.

BACKGROUND: following the adoption of the new [financial framework 2007-2013](#), a series of new instruments for economic, financial and technical assistance for third countries were adopted, consolidating, reforming and improving the procedures governing access to and planning of assistance granted under the **Community's external policy**.

The different funding instruments of the external policy are now as follows:

- an [Instrument for Development Cooperation](#) (DCI);
- a [European Neighbourhood and Partnership Instrument](#) (ENPI);
- an [Instrument for Stability](#) to combat serious crises in third countries;
- an [Instrument for Nuclear Safety Co-operation](#), complementary to the Instrument for Stability;
- an [Instrument for Pre-Accession Assistance](#) (IPA);
- an [Instrument for co-operation with industrialised and other high income countries and territories](#);
- this Instrument for the promotion of democracy and human rights world-wide.

This instrument forms part of the new structure, streamlining into one single instrument the former “European Initiative for Democracy and Human Rights” (EIDHR), which was based on two parallel and complementary Regulations (Regulations 975/1999/EC and 976/1999/EC of the Council, amended on various occasions).

It is worth noting, once again, that this instrument, of which the European Parliament voted overwhelmingly in favour, responds to the desire for legal clarification and greater visibility of actions financed in this area (the original text focused on actions eligible under the [DCI](#) or Instrument for Development Cooperation).

CONTENT: this Instrument, with a budget of **EUR 1.104 million for the period 2007-2013**, aims to provide assistance to contribute to the development and consolidation of democracy and the rule of law, and of respect for human rights and fundamental freedoms.

Scope of assistance: overall, this Instrument shall provide assistance in the area of cooperation aimed at:

- enhancing the respect for and observance of human rights and fundamental freedoms, promoting and consolidating democracy and democratic reform in third countries, providing support and solidarity to human rights defenders and victims of repression and abuse, and strengthening civil society active in the field of human rights and democracy promotion;
- supporting and strengthening the international and regional framework in this area;

- building confidence in and enhancing the reliability of electoral processes, in particular through election observation missions, and through support for local civil society organisations involved in these processes.

In order to reach these objectives, Community assistance shall support the following actions:

- the promotion of participatory and representative democracy and the processes of democratisation, mainly through civil society organisations (including: promoting freedom of association and assembly, of opinion and expression; strengthening the rule of law and promoting the independence of the judiciary; promoting political pluralism and democratic political representation; promoting the equal participation of men and women in social, economic and political life);
- the promotion and protection of human rights and fundamental freedoms, as proclaimed in the Universal Declaration of Human rights and other international and regional instruments (such as actions aimed at the abolition of the death penalty, the prevention of torture, ill-treatment and other cruel, inhuman and degrading treatment or punishment, and the rehabilitation of victims of torture in the countries concerned).

Through the implementation of this Instrument, the promotion and protection of gender equality, the rights of the child, rights of indigenous peoples, rights of persons with disabilities, and principles such as empowerment, participation, non-discrimination of vulnerable groups and accountability shall be taken into account, where possible.

Beneficiaries: the Instrument concerns all third countries.

Complementarity and Coherence of Community Assistance: assistance shall be consistent with the Community's policy on development cooperation and economic, financial and technical cooperation with third countries, and with the European Union's foreign policy as a whole; it shall be complementary to assistance provided for under related Community instruments for external assistance and the Cotonou Agreement (in particular, measures financed under the EDF in the ACP countries); the assistance shall also be consistent with Member States' measures in the countries concerned. In the implementation of this assistance, the Commission shall inform and have regular exchanges of views with the European Parliament on measures envisaged.

Programming and allocation of funds: programmes implemented on the ground respond to a specific programming process. The Regulation specifies the conditions of adoption of financing decisions by the Commission for each type of action proposed, whether in the framework of strategy papers, annual action programmes, special measures or *ad hoc* measures:

- **for strategy papers** (and their revisions), the Commission shall establish the framework for providing assistance to a partner country, bearing in mind the international situation. These papers reflect the priority measures for the country or countries concerned and establishes the financial envelope for each programme with performance indicators;
- **for annual action programmes**, the Commission shall establish the framework for cooperation based on the main areas defined in the strategy papers. These annual programmes specify the objectives pursued, the fields of intervention, the expected results, the management procedures and the total amount of financing planned;
- **for special measures**, the Commission shall adopt a specific framework of measures to meet unforeseen and duly justified needs that arise under exceptional circumstances. The cost of special measures may not, in principle, exceed EUR 3 million;
- **for *ad hoc* measures**, the Commission may allocate small grants to human rights defenders responding to urgent protection needs. The Commission shall regularly inform the European Parliament and the Member States of the *ad hoc* measures carried out.

Implementing measures: the Regulation provides a general framework for the implementation of measures and projects as well as technical procedures for the management of measures. It lists, in particular:

- **eligible bodies:** civil society organisations, NGOs, independent political foundations, national, regional and international parliamentary bodies, inter-governmental organisations and natural persons (where necessary);
- **types of financing:** assistance may take the form of programmes and projects, grants (small or large, depending on the case), small grants to bodies specifically named in the Regulation (e.g. OHCHR), public contracts, contributions to international funds, etc.;
- **support measures:** assistance may be used to cover the costs of actions linked to the preparation, follow-up, control, audit and evaluation of implementing measures;
- **the rules applied to cofinancing from other donors** (including Member States);
- **technical rules on budget commitments;**
- **anti-fraud** and procurement measures (in accordance with the untying of aid policy);
- **management procedures that the Commission must use to implement the measures decided upon:** the Commission is responsible for the implementation of the Regulation, based on comitology measures laid down in the Regulation. Community financing may take the form of procurement contracts, grant agreements, employment contracts (e.g. to contribute to the financing of election monitoring missions). Each year the Commission shall send to the European Parliament and the Council a report on the implementation of Community assistance, containing information on the actions financed during the year;
- **regular evaluation of assistance:** the Commission shall monitor and evaluate the implementation of assistance programmes. The Commission shall submit, by 31 December 2010, a report evaluating the implementation of this Regulation in the first three years, if appropriate with a legislative proposal introducing the necessary modifications.

ENTRY INTO FORCE: the Regulation shall enter into force on 30.12.2006. It shall apply from 1 January 2007 to 31 December 2013.