



Brussels, 15.12.2017
SWD(2017) 604 final

COMMISSION STAFF WORKING DOCUMENT

Evaluation of the European Instrument for Democracy and Human Rights

Accompanying the document

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

Mid-term review report of the External Financing Instruments

{COM(2017) 720 final} - {SWD(2017) 463 final} - {SWD(2017) 600 final} -
{SWD(2017) 601 final} - {SWD(2017) 602 final} - {SWD(2017) 605 final} -
{SWD(2017) 606 final} - {SWD(2017) 607 final} - {SWD(2017) 608 final} -
{SWD(2017) 609 final}

Contents

EXECUTIVE SUMMARY	2
1. INTRODUCTION	3
1.1. Purpose of the evaluation	3
1.2. Scope of the evaluation.....	3
2. BACKGROUND OF THE INITIATIVE.....	4
2.1. Structure.....	7
3. METHOD	9
4. IMPLEMENTATION STATE OF PLAY	11
4.1. Programming implementation	11
4.2. Monitoring and evaluation systems.....	12
5. RESPONSES TO THE EVALUATION QUESTIONS.....	15
5.1. Relevance.....	15
5.2. Effectiveness.....	17
5.3. Efficiency.....	19
5.4. Added Value	21
5.5. Coherence, consistency, complementarity and synergies	21
5.6. Leverage	23
6. CONCLUSIONS	25
ANNEX 1. EVALUATION QUESTIONS.....	27
ANNEX 2. PROCEDURAL INFORMATION	28
ANNEX 3. SYNOPSIS REPORT OF THE STAKEHOLDERS' CONSULTATION	29
ANNEX 3. ACRONYMS	33
ANNEX 4. EXTERNAL EVALUATORS' REPORT, INCLUDING ITS ANNEXES.....	35

EXECUTIVE SUMMARY

This Staff Working Document evaluates the European Instrument for Democracy and Human Rights (EIDHR) 2014-2020 at its mid-term, covering the period January 2014 to June 2017.

With a budget of EUR 1.33 billion, the EIDHR is the expression of the EU's commitment to support and promote democracy and human rights in third countries, in line with the European Union's policies in these fields. Its general objectives are supporting, developing and consolidating democracy, and enhancing respect for, and observance of human rights and fundamental freedoms worldwide. The EIDHR is mainly implemented through civil society organisations.

The main findings of the evaluation are as follows:

At the mid-term of its implementation, the 2014-2020 EIDHR has overall proven to be "fit for purpose". In particular, with its wide and comprehensive scope, the EIDHR was and has remained an enabling, flexible and responsive instrument to protect and promote human rights and democracy worldwide, at international, regional and local levels. With its focus on the most pressing and emerging human rights and democracy challenges, especially in the most difficult environments, it is an instrument that is more than ever relevant to the political priorities of the EU.

Although it is particularly difficult to measure the direct contribution of the instrument to any overall improvement – or absence of deterioration – of the human rights and democracy situation worldwide due to the absence of indicators at instrument level, there is nevertheless evidence at output level that the EIDHR is largely on track to deliver on its objectives and commitments and is already effective in delivering results on each of its specific objectives.

The EIDHR is deemed generally efficient and responsive thanks to a relatively low level of administrative expenditure and in-built flexibility. The latter is however not always used to its full extent at Delegation level. The call for proposals process which is the favoured modality to select projects for funding is found lengthy, burdensome and over-competitive by civil society organisations.

The EIDHR creates space for political and democratic dialogue. The election observation activities and their follow-up play a key role in promoting democratic elections.

The specific features and added value of the EIDHR make it a "niche" instrument, able to operate where the others do not or cannot, and is crucial to human rights work through civil society. In times of decreasing overall funding available to support human rights and democracy worldwide, the EIDHR is able to fill in gaps, add value, and complement support provided by Member States and other development partners.

The findings/conclusions of the evaluation will feed into the reflection on how to improve the implementation of the EIDHR for the remaining period until 2020, and on the future set of External Financing Instruments for the next Multiannual Financial Framework.

1. INTRODUCTION

1.1. Purpose of the evaluation

This Staff Working Document presents the results of the mid-term evaluation of the European Instrument for Democracy and Human Rights (EIDHR) 2014-2020¹. The evaluation assesses whether the EIDHR is fit for purpose, based on its performance to-date, to deliver on its objectives of supporting, developing and consolidating democracy in third countries, and enhancing respect for, and observance of human rights and fundamental freedoms worldwide². Its purpose is to inform future work on the instrument and its actions. In particular, this evaluation, which is part of a set of ten evaluations covering all the EU External Financing Instruments³, informs the Mid-Term Review Report⁴, which draws conclusions across the External Financing Instruments.

This document is largely based on an external evaluation by independent consultants provided in Annex 4.

1.2. Scope of the evaluation

The temporal scope of the evaluation corresponds to the requirements for the Mid-Term Review Report set out in Article 17 of the Common Implementation Regulation. It therefore focuses on the period January 2014 to June 2017. However, as it takes place at mid-term where many of the actions supported under the EIDHR during the evaluation period have only started to be implemented, it is too soon at this stage to measure overall long-term impact on the situation of human rights and democracy worldwide. Therefore the focus of the evaluation, and the assessment of effectiveness in particular, are at the output level.

Nevertheless, since the EIDHR is mainly implemented in centralised management mode under the N+1 rule⁵, all foreseen actions under the 2014 and 2015 Annual Action Programmes, as well as most of the actions under the 2016-2017 Multiannual Action Programme, have already been contracted with partners and entered into the implementation phase. Some of these actions have even already been closed. The availability of both aggregated and disaggregated data has therefore been sufficient to focus on the current EIDHR, without having recourse to data from the previous EIDHR (2007-2013), except for comparison purposes.

¹ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide, OJ L77, p 85. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0235>

² Art. 1 of the EIDHR Regulation. *Ibid.*

³ The Development Cooperation Instrument, the 11th European Development Fund which is outside of the EU budget, the European Neighbourhood Instrument, the European Instrument for Democracy and Human Rights, the Greenland Decision, the Instrument contributing to Stability and Peace, the Instrument for Pre-accession Assistance, the Instrument on Nuclear Safety Cooperation, the Overseas Countries and Territories Decision, the Partnership Instrument and the Common Implementing Regulation. For the purpose of this exercise, the evaluation of the Overseas Countries and Territories Decision is included within the evaluation of the 11th European Development Fund.

⁴ As requested in Article 17 of the Common Implementing Regulation, Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p. 95. <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506604071864&uri=CELEX:32014R0236>

⁵ Meaning that all implementing contracts must be concluded by 31 December of year n+1, year 'n' being the year in which the financial commitment was made.

The countries covered under the evaluation are those eligible under the EIDHR Regulation, i.e. any country outside the European Union⁶.

In accordance with the EU Better Regulation Guidelines⁷, the following evaluation criteria are used: relevance, effectiveness, efficiency, coherence, and EU added value.

2. BACKGROUND OF THE INITIATIVE

The External Financing Instruments take a major part of the Multiannual financial framework⁸ – Heading IV Global Europe, which provides the EU with the tools necessary to reinforce its role on the world stage and to ensure that it is able to live up to its ambitions in promoting its interests and values such as democracy, human rights, peace, solidarity, stability and poverty reduction and to help safeguard global public goods.

Adopted in early 2014, the External Financing Instruments were designed to facilitate and support policy implementation, with the intention of remaining relevant until the end of 2020, thereby enabling the EU to implement external action policy as needed within the defined principles and objectives.

Table 1: Multiannual financial framework 2014-2020 – Heading IV instruments

Heading IV Global Europe 2014 - 2020	€ millions
Development Cooperation Instrument	19 662
European Neighbourhood Instrument	15 433
Instrument for Pre-accession assistance	11 699
Humanitarian aid	6 622
Instrument contributing to Stability and Peace	2 339
Common Foreign and Security Policy	2 339
Margin	2 286
Agencies, EU Aid Volunteers, Emergency Response Centre and others	1 396
European Instrument for Democracy and Human Rights	1 333
Guarantee fund for External actions	1 193
Partnership Instrument	955
Macro-financial Assistance	565
Instrument for Nuclear Safety Cooperation	225
Greenland	218

EDF⁹ 30 506

External Financing Instruments highlighted in blue
Source: http://ec.europa.eu/budget/mff/index_en.cfm

In particular, the European Instrument for Democracy and Human Rights (EIDHR) is

⁶ See preamble, paragraph 1 of the EIDHR Regulation

⁷ Better Regulation Guidelines: Enhancing transparency and scrutiny for better EU law-making http://europa.eu/rapid/press-release_IP-15-4988_en.htm

⁸ Council Regulation (EU, EURATOM) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020, OJ L 347/884, p. 884. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1311>

⁹ The European Development Fund (EDF) which provides aid for development cooperation with African, Caribbean and Pacific countries, as well as overseas countries and territories is not funded from the EU budget but from direct contributions from EU Member States. Although it is considered one external financing instrument for the purpose of this exercise, the EDF operates outside the EU budget.

the expression of the EU's commitment to support and promote democracy and human rights in third countries¹⁰. Its two general objectives, as defined in Article 1 of the EIDHR Regulation, are: (1) supporting, developing and consolidating **democracy in third countries**, by enhancing participatory and representative democracy, strengthening the overall democratic cycle, in particular by reinforcing an active role for civil society within this cycle, and the rule of law, and improving the reliability of electoral processes, in particular by means of EU Electoral Observation Missions; (2) enhancing respect for, and observance of **human rights and fundamental freedoms**, as proclaimed in the UN Universal Declaration of Human Rights and other international and regional human rights instruments, and strengthening their protection, promotion, implementation and monitoring, mainly through support to relevant civil society organisations, human rights defenders and victims of repression and abuse.

The EIDHR is working mainly with and in support of civil society and its actions¹¹. It is established to contribute to the implementation of the European Union's policies relating to human rights and democracy, including the Strategic Framework on Human Rights and Democracy and the 2012-2014 Action¹² as well as the 2015-2019 Action Plan¹³. Its budget for the period 2014-2020 is EUR 1,332,752,000.

The 2011 Impact Assessment accompanying the renewal of the EIDHR¹⁴ as well as other evaluations at instrument level¹⁵ or projects level revealed several strengths:

- (i) independence of action, allowing working without the need for government consent, which is a critical feature especially in the sensitive areas of democracy and human rights;
- (ii) flexibility and capacity to timely respond to changing circumstances, in complementarity to geographic and other thematic instruments;
- (iii) intervention in the most difficult situations and contexts where human rights and fundamental freedoms are at greater risk. In order to protect the physical safety of activists and others whose lives may be seriously endangered, the details of such projects may not be made public.

¹⁰ Source: Lisbon Treaty (Art 21)

¹¹ Ca. 95% of Objectives 1, 2, 3 and 5 is implemented by local and international civil society organisations, while Objective 4 is implemented through service contracts. Source: external evaluation report

¹² Joint Communication "Human Rights and democracy at the heart of EU external action – Towards a more effective approach" of 12 December 2011 (COM(2011)886) adopted by the Council on 25 June 2012 (11855/12) <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0886:FIN:EN:PDF>

¹³ Joint Communication "Action Plan on Human Rights and Democracy (2015-2019): Keeping human rights at the heart of the EU agenda" of 28 April 2015 (JOIN(2015)16) adopted by the Council on 20 July 2015 (10897/15) https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/council_conclusions_on_the_action_plan_on_human_rights_and_democracy_2015_-_2019.pdf

¹⁴ Impact Assessment of the EIDHR Regulation, SEC(2011)1479 <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=SEC:2011:1478:FIN>

¹⁵ Study on Legal Instruments and Lessons Learned from the Evaluations managed by the Joint Evaluation Unit covering DCI, ENPI, INSC, IfS, EIDHR, ICI (July 2011): https://ec.europa.eu/europeaid/sites/devco/files/evaluation-cooperation-ec-legal-1292-main-report-201107_en_0.pdf

The 2011 Impact Assessment also concluded that the budget of the EIDHR was too limited given its vast geographical and thematic scope. The EIDHR was and still is one of the smallest of the existing EU external financing instruments and only represents 1% of the overall EU Official Development Assistance.

The main lessons incorporated into the 2014-2020 Regulation at the time of its design led to a better definition of the EIDHR's specific objectives with respect to the protection of human rights and support of democratic processes, including in particular:

- (i) a stronger focus on the most difficult countries and emergency situations where human rights and human rights defenders are most in danger;
- (ii) a stronger accent on the role of civil society, with a focus on their participation in decision making processes as the basis for active citizenship;
- (iii) a stronger emphasis on gender equality and support to rights of vulnerable groups (national, ethnic, religious and linguistic minorities, lesbian, gay, bisexual, transgender and inter-sex persons (LGBTI), indigenous peoples, persons affected by caste-based discrimination, etc.);
- (iv) a stronger emphasis on economic, social and cultural rights;
- (v) a commitment to better follow up EU Electoral Observation Missions' recommendations and improve democratic and electoral processes.

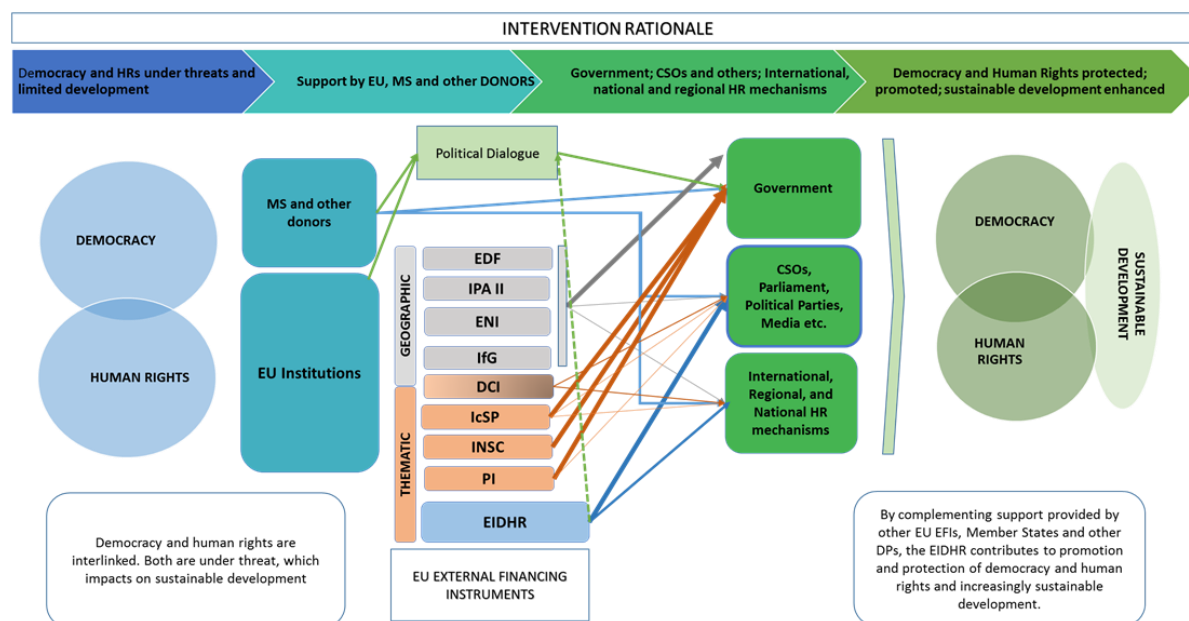
Compared to the 2007-2013 EIDHR, the 2014-2020 EIDHR increased approximately by 21% in budget¹⁶ and has been adjusted to address new challenges, to be more strategic in its focus and procedurally easier to use, thus enabling the EU to provide concrete support to contribute to the development of thriving civil societies and their specific role as key actors for positive change in support of human rights and democracy. This includes increasing the EU's capacity to react promptly to human rights emergencies and to provide more support to international and regional human rights protection mechanisms.

Underlying this set of actions is the principle of complementarity and coherence with the wider set of external financing instruments, as enshrined in the preamble of the EIDHR Regulation¹⁷. In accordance with the Lisbon Treaty, the programmes and policies promoted by the EIDHR must be coherent with other initiatives for external action. Figure 1 below sets out how the EIDHR fits into the wider set of instruments and policies in the fields of democracy and human rights.

¹⁶ EIDHR 2014-2020 overall budget is EUR 1,333M.

¹⁷ Preamble paragraphs (14), (16) and (22), EIDHR Regulation.

Figure 1. Intervention Rationale of the EIDHR within the overall EU action in the fields of Democracy and Human Rights as reconstructed by the external evaluators of the EIDHR (2017)



2.1. Structure

The European Union's strategic orientation in delivering on the purpose of the EIDHR is based on five interlinked objectives, which are set out in Annex 1 to the Regulation as follows:

- Specific Objective 1 - Support to human rights and human rights defenders in situations where they are most at risk;
- Specific Objective 2 - Support to other priorities of the Union in the field of human rights;
- Specific Objective 3 - Support to democracy;
- Specific Objective 4 - EU Election Observation Missions (EOMs);
- Specific Objective 5 - Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms.

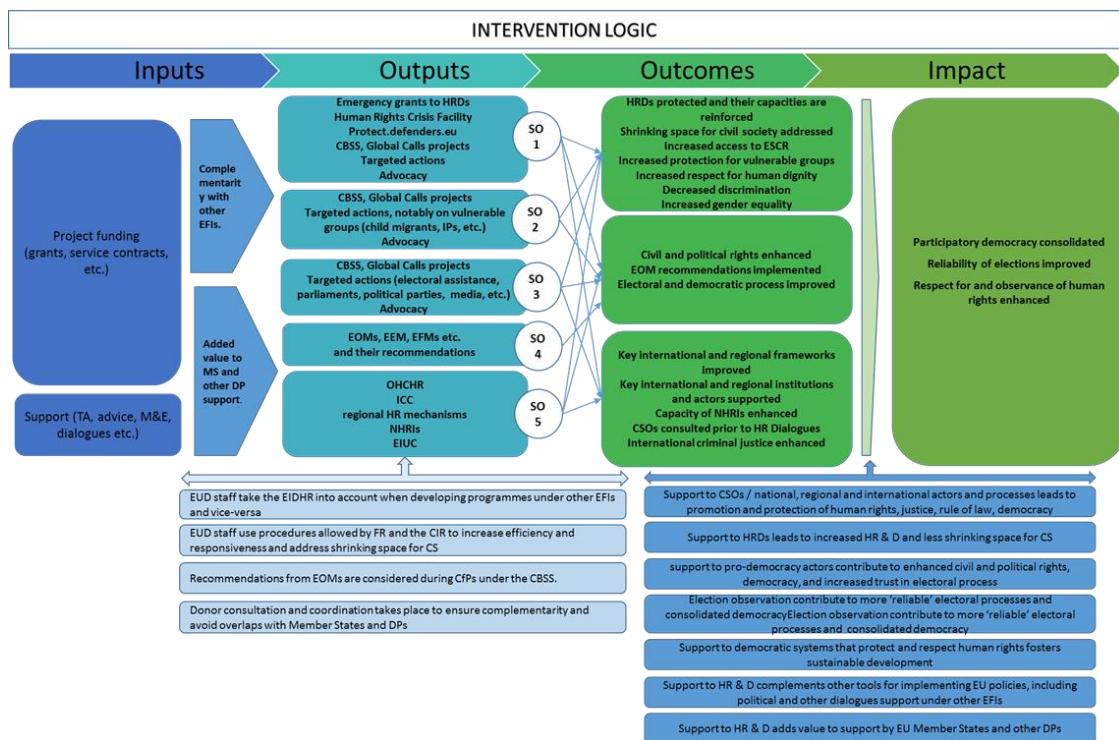
To achieve these objectives, the EIDHR has provided a rather broad variety of interventions:

- Grants to civil society and human rights defenders in third countries under the Country Based Support Scheme (CBSS) using the standard call for proposals process managed by the EU Delegations.
- ‘Global’ calls for proposals/grants to civil society organisations to support specific human rights priorities.

- Emergency grants to human rights defenders at risk under the EIDHR Emergency Fund and ProtectDefenders.eu.
- Confidential grants under the Human Rights Crisis Facility to civil society and human rights defenders where it is impossible for these to be supported without exposing them to risk or violating rules in their countries.
- Targeted actions identified in the EIDHR Annual Action Programmes to support key actors (for example, the UN Office of the High Commissioner for Human Rights, the International Criminal Court or the National Human Rights Institutions) and support to the media, Parliaments and political parties.
- Service contracts with specific service providers, including for the conducting of the EU election observation missions and related activities.

Figure 2 below presents the intervention logic of the instrument from inputs to impact, as reconstructed by the external evaluators.

Figure 2. Intervention logic of the EIDHR as reconstructed by the external evaluators of the EIDHR (2017)



2.2. Baseline

As this is a mid-term evaluation, the baseline has been set at January 2014 when the EIDHR 2014-2020 was adopted. Therefore the evaluation compares, to the extent possible, the situation on 1 January 2014 (Common Implementation Regulation, Article

17.3)¹⁸ with the current situation. For some evaluation criteria, where data is unavailable for this reference date, earlier baselines have been used, as described later in this document (see sections 5.2 and 5.3 on effectiveness and efficiency), considering that the main objectives of the instrument have not been changed from the former to the current EIDHR.

The EIDHR Regulation does not include any strategic and operational indicators to measure results.

3. METHOD

This evaluation is supported by an external evaluation carried out from July 2016 to May 2017¹⁹. The external evaluation of the European Instrument for Democracy and Human Rights (EIDHR) was managed by an Inter-service Steering Group through the following steps: an inception report (which explained how the evaluation design would deliver the information required); a desk report (providing initial responses to evaluation questions); visits to Israel, Palestine, Peru and Uganda to meet key interlocutors to obtain first-hand view in-country; country desk studies on Pakistan and Russia; a survey to EU Delegations covering all instruments; an Open Public Consultation on the draft report which comprised a 12-week online survey and targeted meetings with Member States in March 2017; and a final report. The external evaluation also took into account various studies and reports, including special reports of the Court of Auditors²⁰ and the results of a specific Evaluation of EU Election Observation Activities²¹ managed by the Foreign Policy Instruments service of the Commission (FPI) in cooperation with the European External Action Service (EEAS).

The external evaluation used a non-experimental methodology. This was based on the reconstructed logic of intervention for the EIDHR and testing the extent to which in practice this intervention logic has worked as intended. The process of the external evaluation has been robust and the evidence reasonably solid, despite the fact that instrument-level strategic and operational indicators to measure results were not yet fully in place, which made measuring effectiveness and results difficult during the consultation phase.

The present evaluation equally draws from the experience and sound judgement of Commission services in charge of managing the EIDHR, in consultation with the EEAS which is in the lead for its programming²². It is based on several external and internal sources of information:

¹⁸ Common Implementing Regulation, Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p. 95. <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506604071864&uri=CELEX:32014R0236>

¹⁹ Evaluation of the European Instrument for Democracy and Human Rights (EIDHR) 2014-2020 (June 2017): https://ec.europa.eu/europeaid/evaluation-european-instrument-democracy-and-human-rights-aidhr-2014-2020-draft-evaluation-report-1_en

²⁰ For example, the European Court of Auditors Special Report on EU support for the fight against torture and the abolition of the death penalty (2015); .

²¹ Evaluation of EU Election Observation Activities, July 2016 – January 2017, https://eeas.europa.eu/headquarters/headquarters-homepage/25845/evaluation-eu-election-observation-activities_en

²² Programming is the stage where the priorities of EU assistance to a partner country, region or theme are defined.

- structured consultations, ad hoc meetings and near daily contacts at Headquarters and Delegation level with the main stakeholders concerned by the instrument: human rights defenders, international and local civil society organisations, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Criminal Court, regional human rights mechanisms, national human rights institutions, national electoral bodies, etc.;
- the data²³ on the growing number of requests for support under the EIDHR Emergency Fund for human rights defenders at risk which reflect the trends of violence, criminalisation, harassment and smearing campaigns against human rights defenders worldwide also measured by specialised international non-governmental organisations (NGOs);
- the implementation and monitoring reports of EIDHR-funded projects received and reviewed by the Directorate General for International Cooperation and Development on a regular basis, including implementation issues in countries where restrictive laws and practices (such as freezing of accounts) have been passed which hinder the proper implementation of foreseen activities.

²³ Source: Directorate General for International Cooperation and Development

4. IMPLEMENTATION STATE OF PLAY

This section looks at the progress made in implementing the European Instrument for Democracy and Human Rights (EIDHR) since 2014 and the monitoring systems used to measure progress. In line with being an instrument-level evaluation, the focus has been kept as much as possible on the programming rather than action level.

4.1. Programming implementation

The EIDHR has been implemented in an efficient manner since 2014. A Multiannual Indicative Programme (MIP) has been adopted for the period 2014-2017²⁴. While a Special Measure²⁵ and an Annual Action Programme²⁶ framed the initiatives to be implemented respectively for 2014 and 2015, a Multiannual Action Programme (MAAP) established the work programme for years 2016 and 2017²⁷. 100% of the EIDHR budget for 2014-2017 has been committed. There have been no specific delays or problems so far in execution.

Since 2014, the EIDHR programmes maintained the instrument's worldwide coverage and their actions can be regrouped in five axes of work in line with the overall objectives of the EIDHR Regulation:

1. reinforcing the EU's capacity to intervene in the short-, medium- and long-term, including to address the most difficult situations and to react quickly to human rights emergencies;
2. supporting local civil society organisations at grassroots level, including in remote areas;
3. launching capacity building programmes in the area of democracy, human rights, and human rights education;
4. contributing to increasing transparency and trust in the electoral process by means of Electoral Observation Missions (EOMs);
5. strengthening key international and regional multilateral actors.

In operational terms, this has notably translated into a focus on:

- supporting individual human rights defenders in emergency situations under the EIDHR Emergency Fund²⁸ and the EU human rights defenders mechanism ProtectDefenders.eu²⁹;

²⁴ Commission Implementing Decision C(2014) 7529 final of 21.10.2014 https://ec.europa.eu/europeaid/sites/devco/files/commission-implementing-decision-maap-eidhr-20150207_en.pdf

²⁵ Commission Implementing Decision C(2014) 5142 final of 24.7.2014. This Special Measure was adopted to avoid a financing gap while waiting for the adoption of the 2014-2017 Multiannual Indicative Programme. <http://www.eidhr.eu/files/dmfile/SpecialMeasureconcerningtheWorkProgramme2014fortheEuropeanInstrumentforDemocracyandHumanRights.pdf>

²⁶ Commission Implementing Decision C(2015) 2025 final of 1.04.2015

²⁷ Commission implementing Decision C(2015) 8548 final of 7 December 2015 https://ec.europa.eu/europeaid/sites/devco/files/commission-implementing-decision-maap-eidhr-20150207_en.pdf

²⁸ EIDHR Emergency Fund awards urgent small grants of up to EUR 10 000 to HRDs or CSOs at imminent risk, including where the latter are not registered and without the need for co-funding.

- addressing in a flexible and reactive way under the EIDHR Human Rights Crises Facility³⁰, countries and urgent situations where human rights and fundamental freedoms are most at risk and where disrespect for those rights and freedoms is particularly pronounced and systematic;
- launching annual global calls for proposals covering five main EU priorities in the field of human rights in parallel, allowing for a longer-term response in each priority area: (i) Human rights and their defenders where they are the most at risk, (ii) Human Dignity, (iii) Economic, Social and Cultural rights, (iv) anti-discrimination and (v) other priorities planned in the multi-annual programming or linked to new unforeseen areas;
- supporting participatory and representative democracy, through civic education, enhancing the role of civil society and ordinary citizens in the democratic process, and supporting fundamental freedoms and access to information;
- continuing global programmes in the above areas, as well as launching a call for proposals on promoting women and youth in political party systems;
- steadily supporting key international actors such as the United Nations Office of the High Commissioner for Human Rights and the International Criminal Court;
- initiating support to networks of National Human Rights Institutions;
- continuing the EU support to the Master of Human Rights and Democratisation as well as the launching of other targeted initiatives;
- deploying, upon invitation of partner countries, EU Election Observation Missions, Election Expert Missions and Election Follow-Up Missions with robust principles and methodology of electoral observation developed on the basis of over two decades of operational experience with a view to encouraging professionalism and transparency in electoral management, discouraging irregularities and abuse, and inspiring public confidence in the electoral processes.

4.2. Monitoring and evaluation systems

In the EIDHR Regulation, no specific monitoring or evaluation system was mentioned for the purpose of measuring its overall performance (e.g. its flexibility and complementarity with other instruments). Neither was an intervention logic established at the time the instrument was adopted which would have shown the external and internal assumptions on which it was based, thus making it easier to measure changes.

Furthermore, the objectives of the EIDHR lend themselves more to qualitative than to quantitative assessment. The changes encouraged by EIDHR activities are often related

²⁹ ProtectDefenders.eu is a three-year project financed under the EIDHR (EUR 15 million) to implement the EU Human Rights Defenders mechanism, established to protect defenders at high risk and facing the most difficult situations worldwide. It is led by a consortium of 12 NGOs active in the field of human rights.

³⁰ EIDHR Human Rights Crises Facility grants direct awards up to 1 MEUR to address the most difficult human rights situations and/or when a call for proposals is inappropriate. Since 2014, the allocation has been EUR 3.5 million annually.

to legislation, practices and attitudes that do not easily get measured through quantitative analysis, especially not in the short term. In a very fluid environment where the EIDHR works through civil society organisations, the assessment of EIDHR's results should be seen more in terms of contribution than in terms of direct and attributable effect.

The EU International Cooperation and Development Results Framework created in 2015³¹ defines quantitative indicators for the collection, aggregation and presentation of three types of result data: (level 1) wider development progress made by partner countries (impact-level indicators); (level 2) partner country results to which the EU contributed through EU-funded projects; (level 3) the European Commission's own organisational performance in respect to international cooperation and development.

In terms of level 2 (outcome and output indicators), it is possible to aggregate these indicators at instrument level; however they have their limitations for the purpose of this evaluation. They only report results from projects that have closed from mid-2013 to mid-2016. The results are therefore mostly coming from projects implemented under the previous EIDHR and will not, for the time being, show the performance of the current instrument.

The following monitoring tools have been employed:

What	Who	When	Why
Results Orientated Monitoring	Managed by HQ; executed by external ROM experts in consultation with EU Delegations	Once in a lifetime up to once a year during the implementation phase; usually organised in form of an annual mission to a country	<ul style="list-style-type: none"> • Provide recommendations for project management; • Gives overview of EC aid portfolio performance, • Contributes to lessons learned (via meta-analysis)
EU International Cooperation and Development Results Framework	Managed by HQ, executed by external consultants in consultation with EU Operational Managers in Delegations and HQ	Annual exercise	<ul style="list-style-type: none"> • Provide systematic collection of results data achieved by projects and programmes (above 750,000 EUR) that have closed. • Show annual progress on indicators against which DEVCO must report at an aggregated level.
Other monitoring	Project implementing partners and contractors	On-going process	<ul style="list-style-type: none"> • To check the progress, take remedial action, update plans
	EU operational managers in Delegations and HQ	On-going process	<ul style="list-style-type: none"> • Follow up of projects progress and performance for operational steering and contract management and administration; • Reporting on portfolio performance for strategic decision-making

³¹ Commission Staff Working Document: Launching the EU International Cooperation and Development Results Framework; https://ec.europa.eu/europeaid/staff-working-document-launching-eu-international-cooperation-and-development-results-framework_en

Evaluations	Project/Programme Evaluations: Managed by EU operational manager in Delegation/HQ, conducted by external evaluators	At particular milestones: Mid-term, Final or Ex-Post	<ul style="list-style-type: none"> • Provide recommendations for project management based on in depth analysis; • Identification of lessons learned • Accountability for results
	Strategic Evaluations: Managed by DEVCO Evaluation Unit, conducted by external evaluators	Approx. 10 evaluations per year according to multi-annual work plan	<ul style="list-style-type: none"> • Provide input for strategic decision making on country, sector or global level and especially for programming; • Accountability for results of public expenditure

5. RESPONSES TO THE EVALUATION QUESTIONS

In line both with the Better Regulation Guidelines on evaluations introduced by the Commission in 2015³², and the requirements of the Common Implementing Regulation (CIR)³³, the main assessment criteria are: relevance; effectiveness; efficiency; coherence, EU added value, consistency, complementarity and synergies; and leverage.

5.1. Relevance

To what extent do the overall objectives (EIDHR Regulation, Article 1), the specific objectives and priorities (EIDHR Regulation, Annex) and the design of the EIDHR respond to: (i) EU priorities and beneficiary needs identified at the time the instrument was adopted (2014)? (ii) Current EU priorities and beneficiary needs, given the evolving challenges and priorities in the international context (mid-2017)?

With its wide and comprehensive scope defined in Article 2, the EIDHR was conceived to be an enabling, flexible and responsive instrument to protect and promote human rights and democracy worldwide. As attested in the external evaluation report, its programming and implementation so far have been fully in line with this objective, with the EIDHR having been able to address both well-identified and emerging challenges, even in the most difficult environments.

The instrument is rooted in the EU's approach according to which democracy is the only political regime where human rights can be fulfilled. As the external evaluation states, the way in which the two general objectives of the instrument (human rights and democracy) have been delineated in the specific objectives has improved the coherence and ability to respond to human rights and democracy challenges.³⁴ This in turn increases the relevance of the EU's response and addresses the main problems noted during the impact assessment of the previous EIDHR³⁵.

In particular, with its in-built flexibilities and specific features³⁶ as well as increasing focus on the protection of human rights defenders, the EIDHR has been able to increase focus on countering the phenomenon commonly called "shrinking space of civil society"³⁷ and the criminalisation of human rights defenders. Despite increasing

³² Guidelines on evaluation (including fitness checks), https://ec.europa.eu/info/files/better-regulation-guidelines-evaluation-and-fitness-checks_en

³³ Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p. 95 <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506604071864&uri=CELEX:32014R0236>

³⁴ Source: external evaluation report, section 4.3.

³⁵ EU (2011) Commission Staff Working Paper: Impact Assessment Accompanying the Document Regulation of the European Parliament and of the Council Establishing a Financing Instrument for The Promotion Of Democracy And Human Rights Worldwide - SEC(2011) 1478 final. [www.europarl.europa.eu/RegData/docs_autres.../COM_SEC\(2011\)1478_EN.pdf](http://www.europarl.europa.eu/RegData/docs_autres.../COM_SEC(2011)1478_EN.pdf)

³⁶ Such as the ability to operate without government's consent, possibilities for direct award of grants in the most difficult human rights situations as well as to guarantee confidentiality of funding when required.

³⁷ Civil Society Organisations in many countries have been experiencing a shrinking space in which they cannot operate freely. A number of governments interpret the role of civil society organisations in a more restrictive way, limiting their input in policy-making and curbing freedom of speech and opinion. Other governments have led efforts to bar, restrain, or control the work of civil society. Restrictive laws have emerged, imposing arbitrary procedures for the registration of associations or restrictions to their funding, in particular from foreign sources. Harassment of international and domestic NGOs is also increasing

restrictions hampering the emergence, development and protection of civil society, the EIDHR has continued supporting independent and active local civil society organisations as indispensable counterweights to public authorities as well as agents of democratic change and sustainable development. By liaising and exchanging information with domestic observers, EU Electoral Observation Missions (EOM) recognise the importance of local civil society organisations to actively engage in election process, including through domestic observation³⁸. Hence, the local civil society can benefit from the EOM's presence. Elections are key moments in a country's democratic cycle and election observation can help identifying weaknesses and opportunities for improvement of the electoral process, thus contributing to the promotion of democracy in partner countries and inclusive development.

The external evaluation demonstrates³⁹ that the EIDHR is already contributing to efforts for achieving the United Nations Sustainable Development Goals of the 2030 Agenda adopted in September 2015.⁴⁰ Specifically, with its focus on human rights, gender equality, vulnerable groups, economic, social and cultural rights, and the inclusion of environmental human rights defenders, the EIDHR is already contributing to achieving the Sustainable Development Goals 1-8, 10 and 12-16.

Since 2014, the EIDHR has coherently reflected and contributed to implementing EU policies on human rights and democracy, notably the 2015-2019 EU Action Plan on Democracy and Human rights⁴¹, contributing to its concrete implementation⁴².

Furthermore, by explicitly recognising that democracy, human rights, the rule of law and good governance on the one hand, and inclusive and sustainable development on the other are inextricably linked and mutually reinforcing, the EIDHR is in line with the new European Consensus on Development⁴³ adopted in June 2017 which makes democracy, rule of law, human rights, gender equality, and good governance the principles and values guiding EU development action as well as key elements of its concrete response throughout the 5 pillars⁴⁴ of the Consensus, especially under People and Peace. The acknowledgment in the new Consensus⁴⁵ of the importance of a rights-based approach to development (RBA) validates the role played by the EIDHR in developing the EU RBA methodology and training⁴⁶ and its contribution to better

either from the authorities or by their failure to protect them from attacks coming from extractive industries pressures, illegal trafficking, or land issues disputes.

³⁸ Source: external evaluation report, page 18

³⁹ Source: external evaluation report, page 19

⁴⁰ <https://sustainabledevelopment.un.org/post2015/transformingourworld>

⁴¹ Council Conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019, https://eeas.europa.eu/headquarters/headquarters-homepage/4083/eu-action-plan-human-rights-and-democracy-2015-2019_en

⁴² Source: external evaluation report, page 19

⁴³ The European Consensus on Development is a shared framework for development cooperation for the EU and its Member States, it is a blueprint which aligns the EU development policy with the 2030 Agenda for Sustainable Development. https://ec.europa.eu/europeaid/new-european-consensus-development-our-world-our-dignity-our-future_en

⁴⁴ People, Planet, Prosperity, Peace and Partnerships

⁴⁵ See page 7 of the Consensus.

⁴⁶ Notably 'A Tool-box – Rights-based approach encompassing all human rights in EU development cooperation', SWD(2014)152 final (April 2014), https://ec.europa.eu/europeaid/sectors/rights-based-approach-development-cooperation_en

integrating human rights as a goal and a means into the other external financing instruments.

EU Delegations have mostly implemented their country specific allocations, i.e. the Country-Based Support Scheme (CBSS), based on consultations with local civil society and priorities agreed in their locally adopted Strategies, allowing for a strong alignment of the instrument with both the country-based challenges and the EU policy priorities at local level.

5.2. Effectiveness

To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?

Measuring effectiveness of EIDHR at instrument level has faced a number of challenges. As already mentioned in section 4.2., activities in the fields of democracy and human rights lend themselves more to qualitative than to quantitative assessment and face problems of attribution. Therefore, it is particularly difficult to measure the direct contribution of the instrument to overall improvement – or absence of deterioration – of the human rights and democracy situation worldwide. Lastly, the fact that a specific intervention logic and strategic and operational indicators to measure results were not in place at instrument level in 2014 has made it difficult to measure precisely the effectiveness of the EIDHR.⁴⁷

At output level, however, there is evidence that the EIDHR is already effectively delivering results on each of its specific objectives:

- Specific objective 1: Overall, there has been a significant increase in financial support dedicated to human rights and human rights defenders in situations where they are most at risk⁴⁸. The external evaluation pays notably tribute to the effectiveness and the responsiveness of the support to human rights defenders at risk under the EIDHR Emergency Fund and the grant to ProtectDefenders.eu, with each awarded grant potentially saving a life and/or allowing supported human rights defenders to continue to work on democracy and human rights issues in their home countries. This can be considered as an invaluable 'value for money' compared to the very small 'investment' (i.e. up to EUR 10,000) per defender supported.⁴⁹
- Specific objective 2: The support to other human rights priorities⁵⁰ has also been considerable⁵¹, continuing EIDHR support in areas where it is one of the only

⁴⁷ This last issue has been recently addressed and a set of operational indicators are currently being finalised.

⁴⁸ Increase in levels of financial commitment from EUR 66.64M in the period 2011-13 to EUR 76.38M in the period 2014-17 (to 13 January 2017) and increase in number of actions from 218 in the period 2011-13 to 311 under the current programme (to 13 January 2017), Source: DEVCO

⁴⁹ Source: external evaluation report, page 24

⁵⁰ Following priority areas have been defined: (i) Human rights and their defenders where they are the most at risk, (ii) Human Dignity, (iii) Economic, Social and Cultural rights, (iv) anti-discrimination and (v) other priorities planned in the multi-annual programming or linked to new unforeseen areas.

⁵¹ Source: external evaluation report, page 24

instruments to intervene (e.g. fight against torture and the death penalty), moving forward on the principles of interdependence and inter-relatedness of rights, and reinvigorating focus on economic, social and cultural rights.

- Specific objective 3: Support has concentrated on the involvement of civil society in the democratic cycle, including domestic observation and protections of fundamental freedoms, as well as more general civic education. Support to domestic accountability has also increased, recognising that issues of accountability and transparency are not restricted to electoral periods. Parliamentary strengthening activities, and a global call for proposals on political parties focusing on women and youth, aim to drive political participation and representation. Global targeted actions on (i) citizens observers and accountability and (ii) freedom of expression and media have augmented the activities at country level.
- Specific objective 4: Even though measuring the effectiveness of election observation is a challenge – primarily as it is impossible to link the success, failure or quality of an election process to any single factor – the external evaluators found evidence that election observation is effective in improving the reliability of electoral processes and that the follow-up of EOMs' recommendations has improved. It is also believed that the presence of observers on the ground contributes to reducing the possibility of election-related violence and tampering with results.⁵² The recently completed Evaluation of EU Election Observation Activities (July 2016 – January 2017⁵³) concludes that EU election observation activities are judged to be effective in all evaluation question areas identified as relevant to effectiveness and that clear signs of impact were found during the evaluation.
- Specific objective 5: Funding targeted to some of the key actors and processes for the international, regional and national protection of human rights (e.g. International Criminal Court or National Human Rights Institutes) has increased under the current EIDHR and has allowed critical actors to continue operating despite the current challenges to multilateralism (e.g International Criminal Court or the United Nations system).

Thanks to the flexibility provided to the instrument and its particular focus on situations where human rights are most at risk (i.e Specific objective 1), the EIDHR has been able to respond to the requirement of the recital 18 of the EIDHR Regulation which states that ‘the Union should be able to respond in a flexible and timely manner’.

In contributions received during the Open Public Consultation, some concerns were raised regarding the possibly limited impact of the instrument given its wide thematic and geographical scope (more than 110 countries covered) and the relatively small size of its budget. The external evaluation however finds that with relatively small funding EIDHR achieves important results, with special mention to be given to the effectiveness and value for money of support to human rights defenders. In addition, the instrument's

⁵² Source: external evaluation report, page 30-31

⁵³ Evaluation of EU Election Observation Activities, July 2016 – January 2017

https://eeas.europa.eu/headquarters/headquarters-homepage/25845/evaluation-eu-election-observation-activities_ro

worldwide mandate and broad scope appropriately reflect the universality and indivisibility of human rights and limiting the geographical coverage would be against the nature of the instrument. Furthermore, the level of economic development of 'graduated'⁵⁴ countries is not necessarily in line with their track record in terms of democracy and human rights and it has therefore been correct to remain engaged in graduated countries, especially as the EIDHR is one of the very few instruments available to EU Delegations to maintain support to civil society. The EIDHR also allows operating in those countries where human rights, democracy, governance or rule of law are not included as sectors of concentration of EU bilateral assistance, or where no bilateral programmes exist. Despite relatively small country allocations, the EIDHR has been used to provide support to key human rights and democracy issues, that coupled with an increased level of political dialogue and diplomacy, thus not only filling in the 'gap' but also having a multiplier effect. Thus had the geographic coverage or scope been narrowed down, the effectiveness of the instrument would have decreased.

5.3. Efficiency

To what extent is the EIDHR delivering efficiently?

The relatively low and stable level of administrative expenditure of the EIDHR (ca. 7.5% of overall budget on average over the 2007-2017 period⁵⁵) makes it an efficient instrument compared to the volume of funds to be managed overall.

The external evaluation deems also its implementation efficient with an increased size of grants (as compared to the previous EIDHR) coupled with an increased use of "sub-granting" to reach out to smaller civil society organisations at grassroots level. The disbursement rate (time taken from commitment to first payment to beneficiaries) and absorption rate (time taken from commitment to last payment to beneficiaries) since 2014 is also faster compared to the previous EIDHR as well as other external financing instruments.

Implementation modalities foreseen in the Common Implementing Regulation (CIR), whether specific to the EIDHR or applicable to all external financing instruments, have contributed to efficiently implement the instrument.

The 2014 EIDHR Annual Action Programme was adopted as a "special measure" allowing for support to be provided without a gap between the end of the previous Regulation on 31 December 2013 and the adoption of the 2014-2017 Multiannual Indicative Programme a few months later. The possibility offered by the CIR to use the multi-annual programming approach has successfully been implemented for the 2016-2017 Multiannual Action Programme (MAAP). Indeed, the EIDHR is to a large degree

⁵⁴ Middle income countries or upper middle income countries that have not been recipient of EU bilateral financial assistance since 2014 in application of the graduation principle contained in the policy document 'Agenda for Change'. https://ec.europa.eu/europeaid/policies/european-development-policy/agenda-change_en

⁵⁵ Source: Directorate General for International Cooperation and Development and external evaluation report, p.39

implemented through recurrent actions that are carried on from year to year⁵⁶. Adopting the actions for the 2016-2017 as soon as in December 2015 reduced transaction costs and improved planning, transparency and predictability of funds and themes for the concerned stakeholders and the Delegations (e.g. allowing them to pool funds of two to three budget years to rationalise the local calls for proposals and enhance complementarity and coherence with the 'Civil society organisations and local authorities' (CSO/LA) programme of the Development Cooperation Instrument (DCI) which also has a MAAP).

The provisions allowing to award grants without calls for proposals and without the need for co-funding for low-value grants (for example to support human rights defenders at risk), or in declared crisis situation or, a new feature since 2014, in "*countries or situations where there is a serious lack of fundamental freedoms, where human security is most at risk or where human rights organisations and defenders operate under the most difficult conditions*"⁵⁷ have all been used when necessary to respond to urgent situations on the ground. This increased flexibility has allowed the Commission to finance crucial projects of up to EUR 1 million and assist civil society organisations and human rights defenders at risk in a much reduced time frame through the EIDHR Human Rights Crises Facility⁵⁸.

The possibility in the CIR for grants to be provided to entities without legal personality and, in exceptional and duly justified cases, any other body or actor when this is necessary to achieve the objectives of the EIDHR⁵⁹ has been used under the EIDHR to somehow counter the effects of restrictive legislations on the registration or foreign funding of NGOs in numerous countries worldwide. It is also possible to consider as "local" civil society organisations registered outside a given country but whose statutes demonstrate that their activities actually relate to that country. However, not all Delegations are aware of these possibilities, which are now routinely part of the EIDHR global calls for proposals, or are not using them to the fullest extent, which can be addressed through greater outreach to EU Delegations.

Finally, the call for proposals process, which is the default modality for awarding grants pursuant to the EU Financial Regulation⁶⁰, remains a lengthy, complex, burdensome and over-competitive⁶¹, with a lower success rate of local organisations and a very low ratio of selected projects compared to the applications received. To somehow counter these well-known limitations, the provision for 'financial support to third parties' has been used to allow larger national and international civil society organisations to sub-grant to both registered and unregistered small, grassroots civil society organisations and individual defenders at risk, or where it might be otherwise difficult for them to secure funding because of a restrictive environment.

⁵⁶ Such as the local and global calls for proposals, the Emergency Fund for Human Rights Defenders at risk, the Human Rights Crisis Facility, the annual voluntary contribution to the Office of the UN High Commissioner for Human Rights (OHCHR), etc.

⁵⁷ Article 2 of the EIDHR Regulation

⁵⁸ See section 2.1. above

⁵⁹ Article 11 (2) (c) of the CIR.

⁶⁰ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32012R0966>

⁶¹ Source: external evaluation report p. 42

5.4. Added Value

To what extent does the EIDHR add value compared to interventions by Member States or other key donors?

One of the critical assumptions underlying the EIDHR is that its action adds value to the support to democracy and human rights provided by EU Member States and other major development partners. First of all, the Commission is the only development partner to combine support to human rights and democracy so comprehensively in its policies and priorities⁶² (including beyond the EIDHR), and it is by far the biggest donor when it comes to human rights in particular⁶³.

With more financial means than any Member State has specifically dedicated for human rights and democracy⁶⁴, the EIDHR has a worldwide scope (unlike Member States that focus more and more their development assistance to least developed countries) and a more holistic approach to democracy and human rights than most UN agencies⁶⁵. The wide thematic scope of the instrument allows it to cover specific issues such as the fight against the death penalty or election observation, which are practically not covered by Member States. This is also the case when it comes to more sensitive human rights issues and defenders at risk.⁶⁶ In this latter case, the action of the Commission through the Emergency Fund for human rights defenders at risk has been built on close cooperation with Member States: typically, in case of an urgent temporary relocation to Europe, the Member State would process a visa while the Commission would provide the flight ticket and relocation costs.

The presence of Electoral Observation Missions (EOMs) can add value to the electoral processes *inter alia* through constructive engagement with national institutions and civil society organisations, and by enhancing and complementing democratisation efforts by Delegations and Member States, including through follow-up efforts to EOM recommendations⁶⁷. EOMs are deployed using credible methodology,⁶⁸ based on a long-term observation, country-wide coverage and comprehensive assessment of the electoral process. Part of this methodology requires that EOMs are deployed following the recommendations of Exploratory Missions which assess the potential usefulness and feasibility of EOMs.

The EIDHR has thus been able to fill in gaps and add value to support provided by Member States and other development partners.

5.5. Coherence, consistency, complementarity and synergies

To what extent does the EIDHR facilitate coherence, consistency, complementarity and synergies vis-à-vis other external financing instruments?

⁶² Source: external evaluation report, p. 44

⁶³ Source: OECD/DAC (using 'commitments' to all DAC countries and the DAC Code 15160), <http://stats.oecd.org/qwids/>

⁶⁴ Source: Ibid.

⁶⁵ Source: external evaluation report, p. 43

⁶⁶ Source: external evaluation report, p. 43

⁶⁷ Source: external evaluation report, p47-48

⁶⁸ Handbook for European Union Election Observation, page 34, https://eeas.europa.eu/sites/eeas/files/handbook_for_eu_eom_2016.pdf

Compared to the 2007-2013 EIDHR, the current EIDHR has improved its internal coherence and consistency, primarily thanks to the clear definition of the five specific objectives which has helped address the main problems identified, allowing to better focus on the most vulnerable groups and on the most pressing and emerging human rights and democracy challenges.⁶⁹

The Common Implementing Regulation explains that actions must complement other tools, and make the most efficient use of available resources. The EIDHR presents several unique features that facilitate coherence, consistency, complementarity and synergies vis-à-vis other external financing instruments.

Contrary to the geographical instruments that generally work in close cooperation with partner countries to undertake structural reforms at national level (through mutually agreed programmes), the EIDHR provides support to civil society without the approval of the governments and/or other public authorities of third countries to foster democratic change and reinforce human rights from within the societies. This feature, particularly critical in the sensitive areas of democracy and human rights, enables action in the most difficult situations, creating synergies and complementarity where geographical instruments are unable to act as well as in countries where there is no bilateral assistance programme⁷⁰. The EIDHR has also started since 2014 to support networks of National Human Rights Institutions, which are by statute independent from the government, to reinforce their capacities in promoting and protecting human rights at national, regional and global levels.

The EIDHR is the only EU external financial instrument that provides direct support to electoral observation. This is the only component of the instrument, under Specific Objective 4, that operates upon invitation of partner governments. However, when deployed, Electoral Observation Missions (EOMs) are independent and provide an informed and factual assessment of an election process. The independence of EOMs is guaranteed by Memorandum of Understanding signed with the host country which ensures unimpeded access to all election stakeholders, freedom of movement and non-interference in activities and statements of EOMs.

On electoral assistance⁷¹, the EIDHR provides support to local civil society for domestic observation, while cooperation through geographic instruments, informed by the EOM recommendations, typically works on reinforcing the capacities of electoral management bodies (e.g. in Jordan, Nepal). Through this synergy among different instruments, electoral assistance is tailored towards implementing support strategies throughout the entire electoral cycle, aiming to improve electoral processes and strengthen implementing capacities of national stakeholders.

Other geographic or thematic programmes, such as the CSO-LA thematic programme of the Development Cooperation Instrument⁷² or the Civil Society Facility of the European

⁶⁹ Source: external evaluation report, p. 43

⁷⁰ Source: external evaluation report, p. 45

⁷¹ Electoral assistance consists of "*building, in the recipient country, sustainable and cost-effective institutional capacity to organize democratic elections which have the full confidence of contesting parties, candidates and the electorate, whilst reducing the potential for election-related violence. Electoral assistance must also help foster national and local ownership throughout the electoral cycle, including in the pre- and post-electoral phases.*", EC-UNDP Electoral Assistance Guidelines (April 2016)

⁷² https://ec.europa.eu/europeaid/how/finance/dci_en.htm_en

Neighbourhood Instrument,⁷³ also aim at supporting civil society in partner countries. Beyond this similarity of actors supported, the differences between the two programmes ensure their complementarity and synergies. The CSO/LA programme aims at strengthening civil society organisations as actors of governance, supporting their work at grassroots level, in particular regarding their participation, enabling environment and capacity to act. The EIDHR does not only have an immediate rapid reaction focus to the most pressing human rights issues; it also aims at building local civil society organisations' resilience by reinforcing their monitoring and advocacy capacities.

The EIDHR is also complementary to crisis-related actions. The external evaluation found that while the Instrument Contributing to Stability and Peace remains the primary EU instrument to respond to crises and emergency, the EIDHR has been effective in providing support in crisis and emergency situations. This has been particularly thanks to its worldwide coverage and the flexibility provisions, in particular the waiver for the need for co-financing in human rights crisis.⁷⁴

5.6. Leverage

To what extent has the EIDHR leveraged political or policy engagement?

The external evaluation brings evidence that the EIDHR creates (or recreates) space for political and policy engagement with civil society by giving it means to monitor and denounce human rights violations and to advocate and lobby for policy reforms at national level.⁷⁵ Almost all EIDHR-funded projects contain at least some elements of awareness-raising, advocacy and lobbying at global, national and/or local levels. As an example, ProtectDefenders.eu includes awareness-raising and advocacy on the issues faced by human rights defenders. In addition, the urgent temporary relocation of human rights defenders in danger not only can save their lives, but most often also allows them to continue their fight for human rights and fundamental freedoms through other means from abroad, and build their capacities to be even more effective when they return to their countries.

The existence of consultation processes with civil society organisations – both at Headquarters and Delegation levels – is an additional EIDHR's feature. For example, the EIDHR has strengthened civil society involvement in preparing for, and following up on the formal EU human rights dialogues with partner countries through, for example, mobilising expertise and civil society input through the organisation of civil society seminars at local and regional level⁷⁶. Civil society organisations are also key partners for EOMs, being involved in citizen observer activities and in contributing to, as well as implementing EOMs' recommendations. The EOM reports can also add weight to existing specific recommendations, and thus assist civil society organisations in their overall democratisation efforts.

EIDHR projects also complement other tools, which are used to implement EU policies on democracy and human rights. This is notably the case as far as the EU's external

⁷³ https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/civil-society_en

⁷⁴ Source: external evaluation report, page 45.

⁷⁵ Source: external evaluation report, page 47

⁷⁶ Source: external evaluation report, p. 48

trade policy is concerned, with the financing under the EIDHR of civil society and social partners' actions to monitor that the countries currently benefitting from the EU's Generalised Scheme of Preferences⁷⁷ (GSP+) meet their commitments to ratify and effectively implement core international conventions relating to human and labour rights, environment and good governance.

Another important aspect when addressing the leverage of the instrument is its ability to create space for dialogue on democratic governance issues with governments in partner countries. As demonstrated by the external evaluation⁷⁸, the EOM findings and recommendations also create space for diplomacy and dialogue on electoral reform (e.g. Lebanon and Pakistan⁷⁹) and have led to significant legislative and administrative changes in several partner countries (e.g. Cambodia and Honduras⁸⁰). The brochure "Beyond Election day: Best practices for follow-up to EU Elections observation missions"⁸¹, launched in June 2017, highlights best practices for leveraging EOM's recommendations, notably through political dialogue and democracy support activities and have led to reform in several partner countries.

⁷⁷ The Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) grants full removal of EU customs tariffs on over 66% of product tariff lines while helping developing countries manage the new responsibilities that come from ratifying and implementing 27 core international conventions on human and labour rights, environmental protection and good governance.

<http://ec.europa.eu/trade/import-and-export-rules/import-into-eu/gsp-rules/gsp+/>

⁷⁸ Source: external evaluation report, page 47

⁷⁹ Source: Beyond Election Day, page 39

⁸⁰ Source: Beyond Election Day, page 45

⁸¹ Beyond Election Day – Best Practices for Follow –up to EU Election Observation missions, https://eeas.europa.eu/sites/eeas/files/eom_brochure_2017.pdf

6. CONCLUSIONS

1. At the mid-term of its implementation, the 2014-2020 EIDHR has overall proven to be "fit for purpose". In particular, with its wide and comprehensive scope, the EIDHR has remained an enabling, flexible and responsive instrument to protect and promote human rights and democracy worldwide. It has been able so far to address both well-identified and emerging human rights and democracy challenges, even in the most difficult environments – confirming that EIDHR remains very relevant for the political priorities of the EU.
2. Compared to the 2007-2013 EIDHR, the refined definition of the five specific objectives of the current EIDHR has improved its internal coherence and consistency and helped address the main problems identified, allowing to better focus on the most vulnerable groups and on the most pressing and emerging human rights and democracy challenges.
3. The fact that a specific intervention logic as well as strategic and operational indicators to measure results were not in place at instrument level in 2014 makes it difficult to measure effectiveness and impact of the EIDHR over the medium to long-term. It is particularly difficult to measure the direct contribution of the instrument to any overall improvement – or absence of deterioration – of the human rights and democracy situation worldwide. A new set of indicators is currently being developed in order to be able to be aggregated at instrument level.
4. Nevertheless, at output level, there is evidence that the EIDHR is largely on track to deliver on its objectives and commitments and is already effectively delivering results on each of its specific objectives. It is deemed generally efficient and responsive thanks to a relatively low level of administrative expenditure and in-built flexibility. The latter is however not always used to its full extent at Delegation level. The call for proposals process which is the norm to select projects is however considered lengthy, burdensome and over-competitive by the applicants from among the civil society organisations.
5. The instrument's worldwide mandate and broad thematic scope reflect the universality and indivisibility of human rights and actually contribute to its effectiveness. Shall EIDHR's scope be limited, it might lose its ability to address most pressing human rights situation and complementarity with other instruments and programmes.
6. The election observation activities play a key role in promoting democratic elections through offering impartial assessment and constructive recommendations which can be followed up by national stakeholders, including civil society organisations.
7. Support to democracy and human rights is also provided under other EU External Financing Instruments, but the specific features and added value of the EIDHR make it a "niche" instrument, able to operate where the others do not or cannot, as well as at a different level through civil society.
8. In times of decreasing overall funding available to civil society organisations operating in the fields of human rights and democracy worldwide, the EIDHR is

able to fill in gaps, add value, and complement support provided by Member States and other development partners.

9. The EIDHR creates space for political and democratic dialogue. It does not only significantly contribute to the ability of civil society to advocate for reforms and change from within their societies, it also provides Commission services, the EEAS and EU Delegations with considerable input into their political and other dialogues with partner countries.

ANNEX 1. EVALUATION QUESTIONS

Relevance	<p>To what extent do the overall objectives (EIDHR Regulation, Article 1), the specific objectives and priorities (EIDHR Regulation, Annex) and the design of the EIDHR respond to:</p> <p>(i) EU priorities and beneficiary needs identified at the time the instrument was adopted (2014)?</p> <p>(ii) Current EU priorities and beneficiary needs, given the evolving challenges and priorities in the international context (2017)?</p>
Effectiveness, impact and sustainability	<p>To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?</p>
Efficiency	<p>To what extent is the EIDHR delivering efficiently?</p>
Added value	<p>To what extent do the EIDHR programmes add value compared to interventions by Member States and other Key Donors?</p>
Coherence, consistency, complementarity and synergies	<p>To what extent does the EIDHR facilitate coherence, consistency, complementarity and synergies both internally between its own set of objectives and programmes and vis-à-vis other EFIs?</p>
Leverage	<p>To what extent has the EIDHR leveraged political or policy engagement?</p>

ANNEX 2. PROCEDURAL INFORMATION

The external evaluation of the EIDHR started in July 1st 2016. The Final report was received on 20 June 2017, on schedule.

The EIDHR Evaluation reference group, from hereinafter called Inter-service Steering Group (ISSG), which provided oversight of the external evaluation, comprised of a number of Commission services and EEAS..

The external evaluation of the EIDHR was managed by the ISSG through the following steps – Inception Report (how the evaluation design will deliver the information required), Desk Report (initial responses to evaluation questions), visits to Israel, Palestine, Peru and Uganda to meet key interlocutors to obtain first-hand view in-country, country desk studies on Pakistan and Russia, a survey covering all instruments, an Open Public Consultation on the draft report which comprised a specific 12-week online survey and targeted meetings with Member States and a Member of the European Parliament in March 2017, key messages, and Final reports.

There were 7 ISSG meetings over the course of the EIDHR external evaluation to cover initial briefing, provide feedback on inception, desk, key messages, draft Final, and Final reports. There were also four meetings (2 in September 2016, 1 in December 2016 and 1 end of March 2017) of all the consultants with all the evaluation managers, and relevant EU staff to promote understanding and exchange on complementarity and synergy between instruments under evaluation.

Information/data used in the EIDHR external evaluation is drawn from a comprehensive document review including all relevant regulations (EIDHR, Financial Regulation, CIR) as well as all other external financing instruments; international covenants and conventions; programming documents; European Commission Communications, staff working documents and key policy documents; the 2011 impact assessment of the 2007-2013 EIDHR Regulation and all available evaluations in the period 2007-2016; Annual Reports, Electoral Observation Reports, Activity Reports, Result Oriented Monitoring Reports, and strategic and management plans; budget documents; publications of key partners; publications and reports of external stakeholders (such as Amnesty International and Human Rights Watch) and development partners; and an assessment of all actions funded under the EIDHR in the period 2011-2013 and 2014 to January 2017. This internally held data reflects the best available data of this service. In addition, information was collected through interviews with key internal and external interlocutors. A number of project evaluations – commission by the EU - were also reviewed.

The EIDHR external evaluation was commissioned to provide the main information for this SWD evaluation. The ISG quality assessed the external evaluation as satisfactory at their meeting of 4 July 2017.

ANNEX 3. SYNOPSIS REPORT OF THE STAKEHOLDERS' CONSULTATION

The consultation strategy provided by the external consultants was intended to make the evaluation as participatory as possible. As further elaborated in the table below, the strategy consisted primarily of face-to-face interviews, emailed questions, telephone and Skype interviews with:

- EU management and staff at headquarters level.
- EU Delegation management and staff in selected countries.
- EU stakeholders (EU Parliament and its Committees).
- Beneficiaries and partners at international level and in sample countries.
- Those responsible for the Chapeau contract, EFI evaluation teams, and the team conducting the EOM and CIR evaluations.
- Member States and key Development Partners at international level and in sample countries.
- External stakeholders including UN Agencies, INGOs and other organisations at international level and in sample countries.

In addition:

- Those responsible for the Chapeau contract distributed a survey questionnaire to all EUDs and shared the results with the evaluation team.
- An open public consultation process was conducted from 7 February to 3 May 2017 and involved the publication of all draft evaluation reports of all EFIs online and a request for comments from members of the public; organisations and associations; research and academic institutions; industry, business or workers' organisations; public authorities; European platforms, networks or associations; and anyone. Comments were invited around four set questions on the EIDHR (with the last being open-ended and allowing any additional comments to be made) and an additional question included for comments on any of the other EFIs. A total of 71 organisations and individuals responded to all or some of the questions posed.
- A technical workshop with representatives of the European Parliament and Member States on 27 March 2017 to solicit feedback on the Draft Report.
- A face-to-face meeting was held with a Member of the European Parliament and her staff on 28 March 2017.

The table below illustrates who was consulted, for what reason, how, and at which stage in the process.

Who	Why	How
Desk phase		
DEVCO B1 Management and senior staff	EU priorities, EIDHR background and development; consultation processes related to development of the Regulation, MIPs and AAPs; implementation (CBSS, global calls, sample projects); monitoring process and indicators; recommendations; coherence and complementariness. planning and organisation of the evaluation.	Face-to-face interviews, follow-up telephone calls and emailed questions
DEVCO B2	Process to develop the EIDHR, links with CSO-LA	Face-to-face interviews, follow-up telephone calls
DG NEAR	Background on DG NEAR and ENI, relationship with DEVCO, complementariness, responsibilities for implementation when it	Face-to-face interviews, follow-up telephone calls

Who	Why	How
	comes to Russia, Israel and Palestine, relevance, coherence with ENI.	
EEAS (Global 1, Global 5, COHOM)	Relationship between DEVCO and EEAS, COHOM, EOMs (background, history, implementation)	Face-to-face interviews, follow-up telephone calls and emailed questions
FPI 5	EOMs (background, history, implementation).	Face-to-face interviews
Assistant to EU Special Representative on Human Rights	Role of the EUSR, relevance, coherence.	Face-to-face interview
DEVCO 01	Process to develop current versions of all EFIs, processes to be followed when developing new versions of EFIs.	Face-to-face interviews, follow-up telephone calls and emailed questions
DG ECHO	Relevance, relationship with DEVCO, synergies, complementariness, possible overlaps	Face-to-face interview
Sub-Committee on HR and Democracy	Relevance, complementariness with other EFIs, levels of consultation	Face-to-face interviews
Member States	To assess levels of awareness of the EIDHR, extent to which it is taken into account when planning / budgeting, complementariness and added value (including in the area of election observation).	Face-to-face interviews, follow-up telephone calls and emailed questions
International and Regional human rights institutions	To assess levels of awareness of the EIDHR, its relevance to human rights (including civil and political rights) and democratic principles, effectiveness and added value.	Face-to-face interviews, follow-up telephone calls
CSOs / INGOs and philanthropic institutions focused on democracy and human rights	To assess levels of awareness of the EIDHR, its relevance to human rights (including civil and political rights) and democratic principles, effectiveness and added value.	Face-to-face interviews, follow-up telephone calls and emailed questions
All EUDs (Chapeau survey)	The survey was intended to allow all EUDs to address general questions related to the EFIs as well as specific questions raised on the EIDHR.	Questionnaire
Beneficiaries / partners in flagship projects ⁸²	Experiences <i>vis a vis</i> grants provided / service contracts (efficiency and effectiveness in the broader framework of the EIDHR), relevance, effectiveness (although to a limited degree) other sources of funding, challenges faced, added value of the EIDHR, 'leverage' opportunities created, support received under other EFIs and level of coherence / complementariness created.	Face-to-face interviews, follow-up telephone calls and emailed questions
EFI evaluation teams	Evaluation teams for all other EFIs will be consulted on the coherence, consistency, complementarity and synergies between the EIDHR and all other instruments.	Face-to-face interviews discussions and emailed correspondence.
Validation phase		
EUD Management and Staff	Relevance, efficiency, effectiveness, coordination with MS and other DPs, consultation processes, priorities, relationship with geographic EFI and other EFIs (such as CSO-LA), problems encountered, recommendations.	Face-to-face interviews, telephone calls and emailed questions
Member States and key DPs	To assess levels of awareness of the EIDHR, extent to which it is taken into account when planning / budgeting, relevance of EIDHR, complementariness and added value.	Telephone interviews
Beneficiaries	Relevance, efficiency, effectiveness, impact and sustainability of support; added value; monitoring and evaluation; key areas where support should be increased; general experiences with regard to EIDHR	Face-to-face interviews, telephone calls and emailed questions
NHRIs and Electoral Commissions (if relevant)	Discussions varied depending on whether or not they are beneficiaries (in which case similar questions to beneficiaries were used) or not (in which case, these	Face-to-face interviews

⁸² OHCHR, UNODC, ICC, IEUC, Danish Institute for Human Rights.

Who	Why	How
	+/- were consulted on background on human rights, democracy and elections).	
INGOs, UN Agencies, Philanthropic institutions	Human rights and democracy challenges, responsiveness of EIDHR, relevance of activities funded via EIDHR to sample country.	Face-to-face interviews, follow-up telephone calls and emailed questions
Synthesis phase		
Representatives of the European Parliament and Member States	Presentation of key findings and feedback.	Technical workshop
Research institutions; academia; citizens / individuals; organisations; associations; industry, business and workers' organisations; public authorities; EU platforms, networks and association.	The Draft Report (and executive summary translated into French, Spanish and Portuguese) shared on the internet to invite comments on any aspects of the study and its findings before finalising the Final Report. A summary of comments received is attached as Annex F to the external evaluation report.	Open public consultation process
Member of European Parliament and staff	Relevance, complementariness, responsiveness to new EU policy and priorities, levels of consultation, balance between human rights and democracy, visibility of support provided under the EIDHR, whether the EIDHR helps to increase interactions with civil society, current political environment	Face-to-face meeting

The Open Public Consultation (OPC) took place between February 7th and May 3rd 2017. This was an online survey and targeted meetings. The results of the OPC have been included in the body of the external evaluation report, where appropriate.

A total of 71 organisations and individuals responded to all or some of the questions posed in the online survey. Overall, there is generally consensus that the EIDHR is relevant and is addressing its objectives. Predictably, most organisations focused on the 'relevance' of the EIDHR from the perspective of whether or not it is relevant to the human rights and democracy issues as seen from their perspective and called for increases in support to their own specific areas of focus. As a result, numerous comments suggested an increase in focus on particular issues, including gender equality, child rights, persons with disabilities, human rights defenders, social and economic or labour rights, or on an increased focus on their country of origin. Also, civil society organisations showed some resistance to EOMs (and, in one case, support to international organisations) under the assumption that Objective 4 (i.e. EOMs) was reducing the amount of funding available to them. All public authorities that responded believed the EIDHR to be relevant, fit for purpose, aligned with EU policies and priorities and able to address human rights and democracy challenges. Most agreed that it is flexible and responsive and adds value to the support provided by Member States and other development partners. One confirmed that monitoring and evaluation needs to be improved by finalising the indicators and one raised concerns about the level of consultation with Member States.

The majority of respondents focused on implementation issues rather than on the instrument itself. Although the evaluation is really at instrument level, the external evaluation also dealt with implementation issues and the OPC confirmed some of the issues already raised in the draft report. In particular in this regard, it was noted that understanding amongst some beneficiaries of what the rules actually mean is limited at times and more might be done to ensure that these are properly understood. Both larger non-governmental organisations and Member States called for more consultation when it comes to setting priorities. Concerns were also expressed around the need for an increase in the EIDHR budget to counter the fact that some development partners, notably the USA, are reducing funding to civil society.

In addition to the comments received online, evaluation teams held a technical workshop with representatives of the European Parliament and Member States on 27 March 2017. Comments received during the workshop included the need for the report to include more of a focus on measuring effectiveness and impact, and even for an evaluation of support under the previous EIDHR. However, this was beyond the scope of the current, instrument-level evaluation (and beyond what is required by the consultants' terms of reference). There was also a suggestion, in line with recommendations in the external evaluation report, that the language used in the CIR could be simplified to make the level of flexibility created clearer to EU Delegations staff.

The team leader for the evaluation also met with a Member of the European Parliament on 28 March 2017 to discuss the relevance of the EIDHR, its responsiveness to new and changing EU priorities and evolving human rights and democracy challenges, the visibility of support to CSOs, and how to make the EIDHR more effective and responsive to the needs of CSOs.

ANNEX 3. ACRONYMS

AAP	Annual Action Plan
DG BUDG	Directorate General for Budget
CIR	Common Implementation Regulation
CSO	Civil Society Organisation
CSO/LA	Civil Society Organisations / Local Authorities programme
DAC	Development Assistance Committee
DCI	Development Cooperation Instrument
DG DEVCO	Directorate General for International Cooperation and Development
DP	Development partner
EDF	European Development Fund
EEAS	European External Action Service
EFI	External Financing Instrument
EIDHR	European Instrument for Democracy and Human Rights
ENI	European Neighbourhood Instrument
ENPI	European Neighbourhood and Partnership Instrument
EOM	Election Observation Mission
EU	European Union
EUD	EU Delegation
EUR	Euro
EUSR	EU Special Representative on Human Rights
FPI	Foreign Policy Instruments service
GSP+	Generalised Scheme of Preferences+
HR	Human rights
HQ	Headquarters
IcSP	Instrument contributing to Stability and Peace
IfG	Instrument for Greenland
IfS	Instrument for Stability
INGO	International Non-Governmental Organisation
INSC	Instrument for Nuclear Safety Cooperation
IPA	Instrument of Pre-Accession Assistance
ISG	Interservice Group
LGBTI	Lesbian, Gay, Bisexual, Transgender and Inter-sex persons

LS	Legal Service
MAAP	Multiannual Action Plan
MIP	Multiannual Indicative Programme
MS	Member States
MTR	Mid-Term Review
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
NGO	Non-Governmental Organisation
NHRI	National Human Rights Institution
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OJ	Official Journal
PI	Partnership Instrument
RBA	Rights-Based Approach
ROM	Results-Oriented Monitoring
SDG	Sustainable Development Goals
SecGen	Secretariat General
SWD	Staff Working Document
UN	United Nations

ANNEX 4. EXTERNAL EVALUATORS' REPORT, INCLUDING ITS ANNEXES

The external evaluation can be found here: https://ec.europa.eu/europeaid/public-consultation-external-financing-instruments-european-union_en