



**External Evaluation of
the European Instrument
for Democracy and Human Rights
(2014 – mid 2017)
Final Report
Volume 2 – Annexes
June 2017**

Development
and Cooperation
EuropeAid

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FWC COM 2015
EuropeAid/137211/DH/SER/Multi
Specific Contract N°2015/ 375168

External Evaluation of the European Instrument for Democracy and Human Rights

**This evaluation was commissioned by the
"Human Rights, Gender, Democratic Governance" Unit
of the Directorate-General for International Cooperation and
Development (European Commission)**

This document has been prepared for the European Commission. However it reflects the views of the authors only. The Commission cannot be held responsible for any use which may be made of the information contained therein.

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List of acronyms and abbreviations

AAP	Annual Action Programme
CBSS	Country Based Support Scheme
CiP	Call for Proposals
CiR	Common Implementing Regulation
COHOM	Council Working Group on Human Rights
CRIS	Common Relex Information System
CSO	Civil Society Organisation
CSO-LA	CSO and Local Authorities programme
DAP	Democracy Action Plan
DCI	Development Cooperation Instrument
DG DEVCO	EC Directorate-General for International Cooperation and Development
DP	Development Partner
EAT	Election Assessment Team
ECCP	European Climate Change Programme
ECHO	European Commission's Humanitarian Aid and Civil Protection Department
EDF	European Development Fund
EEAS	European External Action Service
EAM	Election Assessment Mission
EEM	Election Expert Mission
EFI	External Financing Instrument
EFM	Expert Follow-up Mission
EIDHR	European Instrument for Democracy and Human Rights
EIUC	European University Centre for Human Rights and Democratisation
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
EOM	Election Observation Mission
EP	European Parliament
EP/DEG	European Parliament Democracy and Elections Group
EQ	Evaluation Question
ESCR	Economic, Social and Cultural Rights
EU	European Union
EUD	EU Delegation
EUR	Euro
FPI	Service for Foreign Policy Instruments
FR	Financial Regulation
GAMM	Global Approach to Migration and Mobility
GPGC	Global Public Goods and Challenges Programme
HQ	Head Quarters
HRDs	Human Rights Defenders
HRVP	High Representative/Vice President
ICC	International Criminal Court
IcSP	Instrument contributing to Stability and Peace
IDPs	Internally displaced persons
ILO	International Labour Office
IP	Indigenous Peoples
IPA	Instrument for Pre-Accession Assistance
ISG	Inter-service Steering Group
JC	Judgement Criteria
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
MAAP	Multiannual Action Programme
MIP	Multiannual Indicative Programme
NEAR	Directorate General for Neighbourhood and Enlargement Negotiations
NGO	Non-Governmental Organisation
NHRI	National human rights institution
OHCHR	United Nations Office of the High Commissioner for Human Rights
OPC	Open Public Consultation
OSCE	Organisation for Security and Cooperation in Europe
PAGODA	Pillar Assessed Grant or Delegation Agreement
PRAG	Procedures and Practical Guidelines document
PSC	Political and Security Committee
PWD	Person with disabilities
QSG	Quality Support Group
RBA	Rights based approach to development
ROM	Results Oriented Monitoring
SDG	Sustainable Development Goals
SO	Specific Objective
SWD	Staff Working Document
ToR	Terms of Reference
UN	United Nations
UNOPS	United Nations Office for Project Services
UNHCR	UN Refugee Agency

Annex A – Terms of Reference



EUROPEAN COMMISSION

Directorate-General for International Cooperation and Development

FRAMEWORK CONTRACT COM 2015
EuropeAid/137211/DH/SER/Multi
Evaluation
of the
European Instrument for Democracy and Human Rights
(EIDHR)

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1. MANDATE and GENERAL OBJECTIVES

Systematic and timely evaluation of its programmes, activities, instruments, legislation and non-spending activities is a priority¹ of the European Commission² in order to demonstrate accountability and to promote lesson learning to improve policy and practice³.

The generic purpose of the evaluation is:

To identify key lessons to improve current and inform future choices

To provide an overall independent assessment of the instrument.

2. EVALUATION RATIONALE and SPECIFIC OBJECTIVES

2.1 The European Instrument for Democracy and Human Rights (EIDHR) evaluation, together with the other independent evaluations of each External Financing Instrument (EFI) and the Coherence Report, will be some of the sources of information to feed into the Mid Term Review Report (MTR) of the EFIs. The MTR is required by the Common Implementing Regulation (CIR) Article 17, by end December 2017.

In addition to generating information for the MTR Report, the EIDHR evaluation will also provide information for:

- the delegated acts (where relevant) to be adopted by March 2018 in order to amend the EIDHR Regulation;
- the impact assessment for the next generation of instruments.
- the final evaluation of the external financing instruments 2014-2020.

The objective of the EIDHR evaluation is:

- to provide the relevant external relations services of the European Union and the wider public with an independent assessment of the European Union's EFIs, including complementarities/synergies between the given EFI and each of the other EFIs.
- to inform the programming and implementation of the current EFIs, as well as the next generation of the EFIs.

2.2 Evaluation users

The main users of this evaluation include the European Commission, the European External Action Service (EEAS), the Council of the European Union, and the European Parliament. The evaluation may also be of interest to the wider international development community, such as partner countries, EU Member States and their National Parliaments, EU expert groups, donors and international organisations, civil society organisations, and the general public interested in external assistance.

3. BACKGROUND

The multiannual financial framework (MFF) lays down the maximum annual amounts ('ceilings') which the EU may spend in different political fields ('headings') over a period of at least 5 years. The current MFF covers seven years: from 2014 to 2020.

¹ EU Financial Regulation (Art 27); Regulation (EC) No 1905/2000; Regulation (EC) No 1889/2006; Regulation (EC) No 1638/2006; Regulation (EC) no 1717/2006; Regulation (EC) No 215/2008

² SEC (2007) 213 'Responding to Strategic Needs: Reinforcing the use of evaluation'; Better Regulation package

³ COM (2011)637 'Increasing the impact of EU Development Policy: an Agenda for Change'

As part of the 2014-2020 MFF, a package of External Financing Instruments (EFIs) was adopted in 2014. This package⁴ includes the following mix:

1. Development Cooperation Instrument⁵ (DCI), 19 661,64 EUR million,
2. The European Development Fund⁶ (EDF) 30 506 EUR million
3. European Instrument for Democracy and Human Rights⁷ (EIDHR) 1 332,75 EUR million,
4. European Neighbourhood Instrument⁸ (ENI) 15 432,63 EUR million,
5. Instrument contributing to Stability and Peace⁹ (IcSP) 2 338,72 EUR million,
6. Instrument for Pre-accession Assistance¹⁰ (IPA II) 11 698,67 EUR million,
7. Partnership Instrument for cooperation with third countries¹¹ (PI) 954,76 EUR million,
8. Instrument for Nuclear Safety Cooperation¹² (INSC) 225,321 EUR million and
9. The Greenland Decision¹³ (GD) 217,8 EUR million.
10. Common Implementing Regulation (CIR)¹⁴,

Together, these cover a significant part of the EU's external action policies.

The European Instrument for Democracy and Human Rights (EIDHR) is the concrete expression of the EU commitment to support and promote democracy and human rights in third countries.

Its general objectives can be found in Article 1 of the Regulation (EU) No 233/2014. They are: (a) 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;

(b) 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 complementary to its other external assistance instruments and channelled mainly through civil society organisations. It is established to contribute to achieving the Union's policies relating to human rights, including the objectives outlined in the Strategic Framework on Human Rights and Democracy¹⁵ adopted by the Council on 25 June 2012 and its new 2015-2019 Action Plan¹⁶. Its budget for the period 2014-2020 is EUR 1,332,752,000.

⁴ For more info: http://ec.europa.eu/budget/mff/introduction/index_en.cfm#headings

⁵ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 44

⁶ Internal Agreement establishing the 11th EDF, OJ L 210, 6.8.2013, p. 1. For the purpose of this evaluation, EDF has been included in the EFI package but it is outside of the EU budget.

⁷ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 85

⁸ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 27

⁹ Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 1

¹⁰ Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 11

¹¹ Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 77

¹² Regulation (EU) No 237/2014 of the Council of 13 December 2013, OJ L77, p 109

¹³ Council Decision 2014/137/EU of 14 March 2014 on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other, OJ L76, p 1

¹⁴ Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 95

¹⁵ 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)

¹⁶ 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)

The EIDHR represents a key added-value to the EU policy toolbox, thanks to its flexibility, its ability to provide assistance independently of the consent of the governments and public authorities of the third countries concerned, as well as its mixing of advocacy and field operations. Its interventions are being implemented under the EIDHR Multi-annual Indicative Programme 2014-2017 and its consecutive annual and bi-annual actions plans, and fit within:

- the Human Rights Country Strategies elaborated by EU Delegations, which give useful orientations for the implementation of the EIDHR assistance at country level;
- the various EU Guidelines on human rights;
- the "Tool-Box: a Rights-Based Approach, encompassing all Human Rights for EU development cooperation"¹⁷ and its related Conclusions adopted by the Council on 19 May 2014;
- the coordination and consultation mechanisms taking place with major stakeholders (OHCHR and other UN family organisations, CSO active in the area of human rights and their networks).

Compared to the 2007-2013 EIDHR, the 2014-2020 EIDHR has been adjusted to address new realities and is more strategic in its focus and procedurally easy to use, thus enabling the EU to provide more support for 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 more support for international and regional human rights protection mechanisms.

Support will also be given to undertake electoral observation missions, follow up their recommendations and improve democratic and electoral processes. Also, the EIDHR's specific objectives have been better defined with respect to the protection of human rights and support of democratic processes, including in particular:

- a stronger wording on the role of civil society, including a specific reference to the cooperation between civil society and local authorities and relevant state institutions;
- a stronger emphasis on each vulnerable group (national, ethnic, religious and linguistic minorities, women, lesbian, gay, bisexual, transgender and inter-sex persons (LGBTI), indigenous peoples);
- a stronger emphasis on economic, social and cultural rights.

The 2014-2020 instrument has a stronger focus on the most difficult countries and emergency situations where human rights and fundamental freedoms are most in danger. In such situations, the EU will be able to respond in a more flexible and timely manner through ad hoc grants. This will particularly be the case where less speedy solutions would expose beneficiaries to the risk of serious intimidation or retaliation and in order to address the urgent protection needs of human rights defenders on the ground.

The Common Implementing Regulation, was established for the first time in March 2014, to provide a single set of rules for the implementation of the DCI, ENI, EIDHR, IcSP, IPA II, PI instruments. Prior to this, implementing rules were included in each separate instrument.

The Common Implementing Regulation (Article 17) calls for a Mid-Term Review (MTR) Report of the six EFIs mentioned above and the CIR itself, to be submitted to the European Parliament and the Council by the end of 2017. However, as the INSC instrument and Greenland Decision also require a similar report, and the EDF requires a Performance Review it has been decided that all the ten instruments will be covered by the MTR Report.

¹⁷ Commission Staff Working Document of 30 April 2014 (SWD 152/2014)

The evaluation of the EIDHR is being undertaken at mid-point of its current implementation (2014-2020). It should be understood as part of a set of separate but interlinked evaluations of each EFI, which will be undertaken during 2016 and the first half of 2017.

Evaluation roadmaps for each of the EFIs were published in November 2015 and are available via the following link: http://ec.europa.eu/smart-regulation/roadmaps/index_en.htm

The EIDHR Roadmap can be found at this link: http://ec.europa.eu/smart-regulation/roadmaps/docs/2017_devco_004_evaluation_eidhr_en.pdf

4. SCOPE of the EIDHR EVALUATION

4.1 Legal scope

The EIDHR is one of the Union's financing instruments under the budget to support the Union's development cooperation policy which has as its main objective the eradication of poverty in a context of sustainable development in accordance with Article 208 of Treaty on the Functioning of the European Union (TFEU). The Union's development policy is a cornerstone of the Union's relations with the outside world – alongside Common Foreign Security Policy (CFSP), trade and humanitarian aid (and external aspects of other policies like environment, migration, agriculture and fisheries). Providing over 50% of all global development aid, the EU and its Member States are the world's leading donor.

In addition to the respective treaty provisions (Article 21 TEU and Article 208 TFEU), the Union's action in the field of development cooperation is based on the 2005 European Consensus on Development¹⁸, which commits the European Parliament, the Council, the Commission and the Member States to a common vision.

4.2 Thematic scope

Focus: The EIDHR evaluation will cover:

- the achievement of the objectives of the EIDHR, taking into account the evolving international context and EU priorities
- the implementation of the principles, programming and operations of EIDHR
- the complementarities/synergies of the EIDHR in relation to the other instruments
- the EIDHR interface with the implementation rules as set out in the CIR.

Inclusion of assessment of implementing rules: Given that the CIR contains the implementing rules relevant to the EIDHR, this evaluation includes assessment of how the EIDHR has applied these rules.

Consistency of the EIDHR evaluation with the other EFI evaluations

Whilst recognizing that each EFI has its own specificities, information pertaining to the collective set of EFIs is also needed for the MTR Report. To facilitate comparison and overview of the EFI evaluations it is therefore important that the set of evaluations are broadly consistent with each other in terms of objectives, key evaluation questions, methods, evaluation process, and deliverables. Co-ordination across the evaluations, led by the Global ISG and the 'Chapeau'¹⁹ EFI contract (see Annex Chapeau ToRs) is built into the evaluation process.

Data sources: core information/data sources, including policy frameworks are included in Annex 1.

¹⁸ OJ C46, 24.2.2006, p. 1

¹⁹ The Chapeau contract is a single contract which covers DCI, GD, CIR (drawing from all the separate EFI evaluations) and a Coherence Report and co-ordination across all the EFI evaluations

Temporal scope: This evaluation will cover the period January 1st 2014 to June 1st 2017. However, in order to assess the outcomes and impact of the EIDHR, it will also be necessary to consider the previous EIDHR programming period (2007 – 2013) as a significant amount of available data refers to this period.

Geographic scope: countries eligible under the EIDHR Regulation, i.e. worldwide scope outside EU (Article 2.3). Four short field visits are envisaged (see Validation Phase).

5. EVALUATION QUESTIONS

In line both with the Better Regulation guidelines on evaluations introduced by the Commission in 2015, and the requirements of the CIR, the main assessment criteria are: relevance, effectiveness, efficiency, EU added value, scope for simplification, coherence, complementarity and synergies, consistency, sustainability leverage, and impact.

Evaluation issues, and questions to be further developed at inception stage are set out below. Unless otherwise indicated, the questions apply to the current EIDHR 2014-2020:

Relevance

1. To what extent do the overall objectives (EIDHR Regulation, Article 1), the specific objectives and priorities (EIDHR Regulation, Annex) and the design²⁰ 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 (2017)?

Information sought in this area includes:

- A timeline showing congruence/divergence of the instrument against evolving context, including global challenges, and institutional policy changes, e.g. to what extent the EIDHR responds to the demands of Agenda 2030, including its universality.

Effectiveness, impact, sustainability

2. To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?²¹

Information sought in this area includes:

- To what extent does the EIDHR contribute towards the development and consolidation of democracy and the rule of law and of respect for all human rights and fundamental freedoms, and more specifically towards:
 - 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 EOMs;
 - 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 (EIDHR Regulation, Article 1).
- To what extent has the EIDHR contributed to the European Union's priorities for smart, sustainable and inclusive growth?

²⁰ i.e. how it all fits together

²¹ Cf. background documents in Annex 1. Evaluators will need to look at both the current EIDHR 2014-2020 and the previous EIDHR 2007-2013 to respond to this question. Evaluators should distinguish the findings between the two periods.

- To what extent does the EIDHR mainstream EU policy priorities (e.g. gender equality, climate change) and other issues highlighted for mainstreaming in the instrument, and, where relevant, deliver on the commitments including the financial allocations (EIDHR Regulation preamble, Article 2.3)
- To what extent does the EIDHR promote principles of aid effectiveness, such as ownership as well as cooperation, partnership, regular exchanges of information and consultations with civil society (EIDHR Regulation preamble)
- To what extent are the processes conducive to programming, identification/formulation of effective actions (EIDHR Regulation, Article 4)?
- To what extent has the process of differentiation (including graduation) affected the implementation of the EIDHR in view of its worldwide mandate?
- To what extent is the EIDHR flexible enough to respond to changing needs and emerging issues in the fields of human rights, elections and democracy? (e.g. changed policy priorities, changed contexts)

Efficiency

3. To what extent is the EIDHR delivering efficiently?²²

Information sought in this area includes:

- What is the ratio of administrative costs (as defined as “EIDHR Support Expenditure” in the Draft General Budget of the EU²³) to overall budget?
- How efficient is budget execution in terms of time taken from commitments to payments?
- Have the changes made to EIDHR 2014 – 2020 from the previous EIDHR 2007 – 2013 brought efficiency gains?
- Are there areas, such as administrative/management procedures, where the EIDHR can be simplified to eliminate unnecessary burden?
- To what extent is the EIDHR in line with the implementing rules of the CIR ? Specifically in terms of :
 - Implementation
 - Subject matter and principles
 - Adoption of action programmes, individual measures and special measures
 - Support measures
 - Provisions on the Financing Methods
 - General financing provisions
 - Taxes, duties and charges
 - Specific financing provisions
 - Protection of the financial interests of the Union
 - Rules on nationality and origin for public procurement, grant and other award procedures
 - Climate action and biodiversity expenditure
 - Involvement of stakeholders in beneficiary countries
 - Common rules
 - Eligibility under the EIDHR
 - Monitoring and evaluation of actions

²² Evaluations will need to compare, where possible, information from the current EIDHR 2014-2020 with the previous EIDHR 2007-2013.

²³ See Title 21, item 21-01-04, page 949 as well as Title 19, item 19.01.04, page 909 of the latest, 2016 draft budget <http://eur-lex.europa.eu/budget/data/DB/2016/en/SEC03.pdf>

- To what extent are the following in place and functioning:
 - appropriate monitoring processes and indicators for measurement of the performance of the EIDHR instrument
 - relevant strategic and operational indicators to measure results achieved by the EIDHR?

Added value

4. To what extent do the EIDHR programmes add value compared to interventions by Member States or other key donors?

Information sought in this area includes:

- Where the EIDHR is operating in the same field as other donors, does it offer added value in terms of size of engagement, particular expertise, and/or particular weight in advocacy?

Coherence, consistency, complementarity and synergies

5. 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?

Information sought in this area includes:

- To what extent are the different EIDHR priorities and objectives coherent/overlapping with one another?
- To what extent are the different EIDHR priorities and objectives aligned with EU development policy?
- To what extent are the priorities and objectives consistent with EU external action policies?
- To what extent do the priorities and objectives complement/overlap/stimulate synergies with other external action financing instruments?²⁴
- To what extent does the EIDHR complement/overlap with other EU instruments outside of development policy?
- To what extent does the EIDHR complement/overlap with interventions of other donors?

Leverage

6. To what extent has the EIDHR leveraged further funds and/or political or policy engagement?

7. How could the EIDHR be enhanced to achieve its policy objectives more effectively and efficiently?

8. How can programming and implementation of EIDHR assistance be enhanced to improve the impact and sustainability of financial assistance?

6. RESPONSIBILITY FOR THE MANAGEMENT OF THE EVALUATION

The DG DEVCO Unit B1 "Human Rights, Gender, Democratic Governance" is responsible for the management and the supervision of the EIDHR evaluation.

The relevant EU services have established a system of Interservice Groups to ensure appropriate oversight of the various EFI evaluations (process, content, co-ordination) related to the development of the MTR Report. The system comprises a Global EFI ISG with overall oversight, and then individual instrument ISGs. Core members of individual instrument ISGs are also members of the Global EFI ISG.

²⁴ Note the respective mandates of DEVCO and FPI in EIDHR, PI and IcSP instruments

The principal tasks of the Global EFI ISG are to:

- brief the evaluators on the issues pertaining to the overall set of EFIs
- ensure coherence across all individual Terms of Reference
- ensure co-ordination of process across the EU stakeholders
- assist in setting a schedule/plan for co-ordination across the evaluations
- ensure a coherent approach to the work and implementation e.g.
 - coherent set of evaluation and impact assessment questions
 - common plan and schedule for Open Public Consultation
- provide criteria of assessment and required format for the synthesis of findings from all the evaluations.
- discuss and provide feedback on draft Coherence Report

The principal tasks of the individual instrument ISG – in this case the EIDHR ISG - is to :

- brief the external evaluators and ensure they have access to all information sources and documentation on activities undertaken
- discuss draft reports produced by the external evaluators during meetings in Brussels;
- assess and provide feedback on the quality of work done by the evaluators;
- provide feedback on the findings and conclusions.

To avoid duplication and consolidate communications between meetings the ISG members communicate with the evaluation team via the Evaluation Manager.

To promote robust understanding and discussion, participation of the evaluation team at EIDHR ISG meetings will be as follows: key parts of the initial briefing meeting (in Brussels) will be attended by the whole evaluation team. All other meetings with the EIDHR ISG will be attended at least by the evaluation team leader.

7. EVALUATION PROCESS AND DELIVERABLES

The overall methodological guidance to be used is available on the Better Regulation website to be found here: http://ec.europa.eu/smart-regulation/guidelines/toc_guide_en.htm

The contractor may also find useful methodological guidance on the DG DEVCO website of the Evaluation Unit to be found here:

http://ec.europa.eu/europeaid/how/evaluation/methodology/index_en.htm

Methodological essentials for the evaluation

- The evaluation team should establish baselines against which change/progress will be measured. The policy frameworks relevant to the instrument should be included when establishing these baselines.
- The evaluation will be based on both quantitative and qualitative data. Where there is a lack of data, it may be necessary to devise a survey to obtain information from EU Delegations, Member States, specific beneficiaries and other stakeholder as appropriate, in line with the consultation strategy agreed upon. See also reference to co-ordination in Chapeau introduction.
- The intervention logic will be further strengthened/reconstructed and the theory of change which underpins it will be validated. (See Annex 6)
- Findings, conclusions and recommendations should be presented in the Final Report.

Co-ordination across the evaluations

- The Chapeau contract team leader will be assigned tasks relating to co-ordination of all the EFI evaluations (see Chapeau Contract in Annex).
- To fulfil this coordination role, evaluators responsible for each of the EFI evaluations must cooperate and work closely with the Chapeau Contract team leader, and the Global ISG.

Evaluation Approach

The evaluation approach consists of three main phases, each of which encompass several stages. Deliverables in the form of reports²⁵ and slide presentations should be submitted at the end of the corresponding stages.

The table below summaries these phases:

<i>Evaluation phases:</i>	<i>Stages:</i>	<i>Deliverables²⁶:</i>
1. <u>Desk phase</u>	<ul style="list-style-type: none"> • Inception: setting out the detailed design of the evaluation, including all aspects of methodology, and consultation strategy 	<ul style="list-style-type: none"> ➤ <i>Slide presentation</i> ➤ <i>Inception Report, including the proposed consultation strategy</i>
	Data collection Initial analysis Hypotheses for validation	<ul style="list-style-type: none"> ➤ <i>Slide presentation</i> ➤ <i>Desk Report</i>
2. <u>Validation phase</u>	<ul style="list-style-type: none"> • Data collection • Validation of hypotheses (including through field visits) 	<ul style="list-style-type: none"> ➤ <i>Slide presentation</i> ➤ <i>Collated feedback</i>
3. <u>Synthesis phase</u>	<ul style="list-style-type: none"> • Analysis • Assessment 	<ul style="list-style-type: none"> ➤ <i>Slide presentation</i> ➤ <i>Draft Final Report with executive summaries,</i> ➤ <i>Brief to accompany Report during Open Public Consultation and questions to guide the Open Public Consultation</i> ➤ <i>Summary report of issues raised in the Open Public Consultation</i> ➤ <i>Slide presentation</i> ➤ <i>Final Report with executive summaries, including annex summarising consultation process</i>

²⁵ For each Report a draft version is to be presented. For all reports, the contractor may either accept or reject through a *response sheet* the comments provided by the Evaluation manager. In case of rejection, the contractor must justify (in writing) the reasons for rejection. When the comment is accepted, a reference to the text in the report (where the relevant change has been made) has to be included in the response sheet.

²⁶ The contractors must provide, whenever requested and in any case at the end of the evaluation, the list of all documents reviewed, data collected and databases built.

All reports will be written in English and submitted according to the timetable in annex 4 to the evaluation manager. The reports must be written in Arial or Times New Roman minimum 11 and 12 respectively, single spacing. Inception and Desk reports will be delivered only electronically. The Draft Final report and the Final report will also be delivered in hard copies. The Executive Summaries (1 page; and 4 pages) will be delivered both electronically and in hard copy. The 4 page version of the summary will be available both integrated into the Final Report, and as a separate stand-alone document.

The electronic versions of all documents need to be delivered in both editable (Word) and non-editable format (PDF).

7.1 The Desk Phase

7.1.1. Inception

At the start of the evaluation process, a substantive set of **Briefing Meetings** (1-2 days) will be held in Brussels. The purpose of the briefing is for the evaluation team to meet and be briefed by the Evaluation manager, relevant ISG group members individually, and to meet any other key players. It will also be used by the evaluation team for at least initial discussion of the intervention logic with the ISG.

7.1.2. The Inception Report

Taking into account the learning from the Briefing Meeting, the contractor will deliver an **Inception Report** which will contain the following elements:

- the proposed design of the evaluation – this includes identification of
 - data and information to be collected from which sources, how and when
 - methods to be used to analyse the data, with justification
 - limitations - including an assessment of the data and whether it will provide a sound basis for responding to the evaluation questions.
 - a consultation strategy – identification of the stakeholder groups and key stakeholders within each group. Identification of who will be consulted on what, when and why
 - provision of a detailed work plan and schedule for the overall evaluation process,
- the background and institutional context of the EIDHR, and the types of partners with whom it co-operates and the types of intended beneficiaries;
- a concise description and analysis of the evolution of the EIDHR since 2007;
- further defined intervention logic (see annex 6);
- an inventory of the evidence base (e.g. programming documents 2007-2013 and 2014-2020 see annex 2 for further details);
- if appropriate, revised evaluation questions, and proposed judgement criteria per evaluation question and proposed quantitative and/or qualitative indicators related to each judgement criterion.

If necessary, the Inception Report will also include suggestions of modifications to the composition of the evaluation team.

The Inception Report will be discussed with the ISG prior to approval by the contracting authority. The Inception Report shall not exceed 30 pages. Additional material may be placed in annexes, as necessary. The Inception report is expected to be submitted within max 3 weeks of the briefing session.

7.1.3. The Desk Report

Upon approval of the Inception Report, the contractor will prepare and present a **Desk Report** which should include at least the following elements:

- a concise first analysis and first elements of response to each evaluation question which also concisely sets out the hypotheses and assumptions to be tested in the validation phase;
- progress in the gathering of data. Any complementary data required for analysis and for data collection during the validation phase must be identified;
- a comprehensive list of the evidence that has been analysed and a list of the documentation reviewed and the justification for their choice.
- further development of any methods to be used, in light of information up-dated since the Inception Report
- a work plan for the validation phase: a list with brief descriptions of people to interview for in-depth analysis of issues. The evaluators must explain the choice of four in-country visits, the value added of the visits, and the added value of the planned interviews.

During the inception and desk phase relevant stakeholders will be consulted via/phone/email/face-to-face/video-conference discussions. The use of interviews, surveys, design of questionnaires, and other tools should be considered and decided upon during the inception phase. In the case of a survey, these will be coordinated by the EFI Chapeau team leader in conjunction with the Global EFI ISG so that stakeholders only receive one set of questions. However, the questions asked for each instrument do not need to be the same.

The contracting authority expects the evaluation team to build in considerable time to look through documents and to have face-to-face discussions in Brussels throughout the evaluation process, particularly during inception and desk phases.

The external evaluators will make a slide presentation and discuss the Desk Report with the ISG in a half-day meeting in Brussels. The Desk report should not exceed 40 pages (further material can be placed in annexes) It will be finalised after consideration of the comments received from the ISG.

The Evaluation Manager will authorise the start of the validation phase.

7.2 Validation phase

The validation phase enables the evaluators to check the hypotheses which they have developed during the Desk phase, through detailed interviews/discussion with key players and stakeholders.

The initial findings and recommendations, drawn together at the end of the validation phase, will be discussed with the ISG with the help of a short slide presentation.

The validation phase will involve discussions with:

- EU officials responsible for oversight of the overall EIDHR instrument and its different programmes, and those with experience in implementation (face-to-face or by phone in Brussels and Delegations)
- Stakeholders in beneficiary countries
- CSOs in country with experience of the EIDHR instrument
- EU Member States and other donors – international NGOs, bi-laterals and multi-laterals

It will also entail four (4) short visits to beneficiary countries (one in the Neighbourhood region, one in Africa, one in Latin America, one in Asia).

The information gained from these visits is to provide some first-hand knowledge of the EIDHR on the ground.

7.3 Draft Final Report and Dissemination phases

7.3.1. The Draft Final Report

The contractor will submit the Draft Final Report as per the report structure set out in annex 2. The Draft Final Report shall not exceed 30 pages. Additional relevant material may be placed in annex.

This document should deliver the results of all tasks covered by these Terms of Reference, and must be written such that readers, who are not working in this area, can easily understand.

The Draft Final Report will be discussed with the ISG in Brussels. The Report will be revised, as the evaluation team considers necessary, in light of feedback from the ISG. The evaluation team will prepare a short brief to accompany the Report, for the purposes of the forthcoming Open Public Consultation (OPC)²⁷ which highlights some areas and questions where feedback would be particularly welcome. This brief and its accompanying questions will be translated by the evaluation team from English into the other main languages of the OPC, namely French, Spanish and Portuguese. The Draft Final Report will subsequently be submitted for approval.

Subsequently, the Draft Final Report will be placed on the web by the appropriate authority in DG DEVCO, in order to feed into the 12 week OPC on the EFI evaluations scheduled February – April 2017. (See Annex 4). The Draft Final Reports of all the EFI evaluations will be synchronised to appear on the web.

The team leader of this evaluation and pertinent other members of the EIDHR evaluation team, and the Chapeau contract team leader will be present for the targeted face-to-face consultations on this evaluation, and other relevant EFI Draft Report consultations. The face to face consultations will be chaired by DG DEVCO, and will be targeted at Member States, key EU officials, CSOs, and representatives of partner countries.

²⁷ Mandatory 12 week OPC as per Better Regulation (2015).

The face-to-face consultation costs related to the presence of the experts (travel cost, per diem etc.) must be covered by the offer. Costs for logistics (room rental, catering etc.) will be dealt with, as necessary, in a separate contract.

Following the Open Public Consultation, a summary of the contributions received regarding the EIDHR consultation on evaluation will be delivered by the evaluation team²⁸. This summary shall not exceed 20 pages. The summary should include a concise summary of contributions received, a statistical analysis of the contributions received, the evaluation team's response to each question, the evaluation team's conclusions for each section, and identification of the evidence/contributions which will be fed into the evaluation. The evaluation team will translate the summary from English into the other main languages of the Open Public Consultation, namely French, Spanish and Portuguese.

7.3.2. The Final Report

The **Final Report** will be prepared, taking into account the feedback from the ISG and the Open Public Consultation. The Final Report will be submitted to the ISG. The length of the Report will not exceed 30 pages. Additional relevant material may be placed in annex.

Executive summaries – One executive summary should be provided, not exceeding four (4) pages, and one executive summary of one (1) page only, should be provided. Both summaries will be translated into French. (See annex 2)

The contracting authority will publish the Final Report, the Executive Summaries, and the annexes on the Commission's central website.

Approval must be given by the Evaluation Manager before the Final Report is printed.

The offer will be based on 50 hard copies in English of the **Final Main Report** (without annexes) and 20 copies of the annexes. A non-editable version on a USB stick shall be added to each printed Final Main Report.

7.4 Dissemination

Dissemination activities may be requested. In case of financial implications on the total contractual amount, such requests will be formalised via a rider.

²⁸ The evaluation team should note the data protection rules in the Better Regulation Guidelines (p.81)

8. THE EVALUATION TEAM

The evaluation team should have the following demonstrated experience and expertise:

- Working knowledge of EU external action policies, and the implementation modalities
- Working knowledge of the international aid and development effectiveness agenda and principles e.g. Global Partnership for effective development co-operation (Busan)
- Working knowledge of the international framework in the field of human rights
- Working knowledge of the EU human rights and democracy policies (including on Election Observation Missions)
- EU external co-operation policy and development policy of Member States, and their aid modalities, especially in the fields of democracy and human rights
- Implementation procedures of the EIDHR, CIR
- Compliance checking in the area of policy implementation
- Evaluation methods and techniques in general and, preferably, of evaluation in the field of external relations and development cooperation; in particular the team needs to demonstrate experience in analytical methods which can evaluate change, and which can evaluate contribution
- Quantitative and qualitative data collection and analysis
- The team leader should have excellent communication, team co-ordination, presentation and proven report writing and editing skills in English
- The evaluation team should have an excellent command of English – both spoken and written – and the ability to function at a high level in French and Spanish, and also a passive understanding of Portuguese

Desirable: experience of corporate results reporting frameworks

It is expected that the team will comprise a minimum balance of experts²⁹ as follows:

- One senior category expert as Team Leader
- One thematic expert on human rights and democracy
- One thematic expert with experience in electoral observation missions (can be the same as the thematic expert on human rights and democracy if combining the relevant experience)
- Junior category experts - data gathering

There will be four field visits: one to a capital in a Neighbourhood country of max 4 days including travel, one to a capital in Africa of max 4 days including travel, one to a capital in Latin America of max 4 days including travel and one to a capital in Asia of max 4 days including travel. Considerable time will be required in Brussels for briefings, interservice group meetings, interviews with key staff, co-ordination with other instrument evaluators and the Global ISG. Time should also be built in to contribute to a questionnaire for a short survey around issues for which there is no available information.

The period February – April 2017 (i.e. the 12 week Open Public Consultation on the draft reports) is a period of specifically reduced level of inputs.

Much of the work involves information/data gathering and basic analysis from a significant amount of internal documentation and interviews with key EU and external stakeholders. The

²⁹ Number of days for each expert may vary

contractor should ensure time for this. It is expected that this team and the Chapeau contract team will develop shared knowledge of the base documentation. (See Chapeau contract ToRs in Annex.) The Chapeau contract leads co-ordination across the evaluations with the Global ISG – and delivers evaluations on EIDHR, Greenland, and the Coherence Report, and pulls together information from each of the the individual financing instrument evaluations on their interface with CIR, into a CIR evaluation report.

The team composition should be justified in the offer, stating the category of each team member and for which tasks the proposed team members will be responsible and how their qualifications and experience relate to the tasks. The team coordination and members' complementarity should be clearly described. A breakdown of working days per expert must be provided.

The team members must be independent from the work to be evaluated. Should a conflict of interest be identified in the course of the evaluation, it should be immediately reported to the Evaluation manager for further analysis and appropriate measures.

The contractor remains fully responsible for the quality of the report. Any report which does not meet the required quality will be rejected.

During the offers' evaluation process, the contracting authority reserves the right to interview by phone one or several members of the evaluation teams proposed.

The Framework contractor must make available appropriate logistical support for the experts, including their travel and accommodation arrangements for each assignment, the secretarial support, appropriate software and communication means. The experts will be supplied with the standard equipment, such as an individual laptop, computer, mobile phones, etc. No additional cost for these items may be included in the offer.

8.1. Working Languages – contributions to consultations

Contributions to any internal consultations/surveys are expected to be received in English, French, Spanish or Portuguese. The Commission will provide no translation into English of the contributions provided in French, Spanish or Portuguese.

Contributions to the Open Public Consultation (OPC) are expected to be received mainly in English, French, Spanish or Portuguese. Contributions received in any other languages will be translated by the European Commission into English. No translation into English will be provided for responses received in French, Spanish or Portuguese.

9. TIMING

The evaluation is due to start by the end of June 2016 (latest). The expected duration is end of June 2016 to early June 2017 (11 months). As part of the technical offer, the framework contractor must adhere to the timetable in annex 4, and provide their proposed, more detailed schedule within that timetable in terms of "week 1" etc. The contracting authority underlines that the contractor should ensure that the evaluation team is available to meet the demands of this schedule.

10. OFFER FOR THE ASSIGNMENT

The financial offer will be itemised to allow the verification of the fees compliance with the Framework contract terms.

The total length of the technical offer (excluding annexes) may not exceed 10 pages; a CV may not exceed 4 pages. References and data relevant to the assignment must be highlighted in bold (font minimum Times New Roman 12 or Arial 11).

The per diems will be based on the EU per diem in force when the Request for Services is launched. The EU per diem is the maximum not to be exceeded.

The methodology submitted shall not contain terms such as, "if time/budget allows," "if the data are available" etc.

Should it appear during the process of the evaluation that an activity envisaged in the methodology is impossible or inappropriate to be carried out for any reasons in the interest of the assignment, the change to the methodology as well as its financial impact must be agreed by the Evaluation Manager.

The offer is expected to demonstrate:

- the team's understanding of the ToR in their own words (i.e. their understanding of what is to be evaluated, and their understanding of the subject area as relevant to this ToR)³⁰.
- the relevance of the team composition and competencies to the work to be undertaken.
- how the team proposes to undertake the evaluation: the evaluation design and challenges, data collection tools and methods of analysis, how the tasks will be organized.
- The level of quality control (content/proof reading/copy editing) which will apply, at which points in the process, and who will undertake them.

³⁰ Should the offer contain quotations, these sections must be clearly identified and sources indicated

11. TECHNICAL OFFERS EVALUATION CRITERIA

The offers evaluation criteria and their respective weights are:

	Maximum
Total score for Organisation and methodology	
Understanding of ToR	15
Organization of tasks (including timing, quality control mechanisms)	10
Evaluation approach, working method, analysis	15
Sub Total	40
Overall quality of the team of experts/ Expertise	60
of which for the Team Leader:	25
Overall total score	100

12. ANNEXES

The contracting authority reserves the right to modify the annexes without prior notice.

ANNEXES

ANNEX 1: INDICATIVE DOCUMENTATION TO BE CONSULTED FOR THE PURPOSE OF THE EVALUATION BY THE SELECTED CONTRACTOR, INCLUDING EIDHR POLICY FRAMEWORK

General documentation

- The Common Implementing Regulation (CIR) 2014
- Regulation establishing the European Instrument for Democracy and Human Rights (2014)
- European Consensus on Development (or any subsequent adaptation)
- External action annual reports
- EIDHR Multiannual Indicative Programme 2014-2017
http://eeas.europa.eu/human_rights/docs/eidhr-mip-2014-2017_en.pdf
- EIDHR Multi Annual Action Programme 2016-2017
https://ec.europa.eu/europeaid/multi-annual-action-programme-years-2016-and-2017-european-instrument-democracy-and-human-rights_en
- EIDHR Annual Action Programme 2015:
http://www.eidhr.eu/files/dmfile/EIDHR_Annual_Action_Plan_2015_Complete.pdf
- EIDHR Annual Action Programme 2014:
<http://www.eidhr.eu/files/dmfile/AAP2014-AD1-11.pdf>
- External Assistance Management Reports (EAMR)
- EU Results Framework
- Available relevant evaluations
- Other relevant regulations (EFIs)
- EIDHR Impact Assessment 2011
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52011SC1479>
- Study on Legal Instruments and Lessons Learned from the Evaluations managed by the Joint Evaluation Unit (July 2011) covering DCI, ENPI, IPA, INSC, IfS, EIDHR, ICI can be found at:
https://ec.europa.eu/europeaid/sites/devco/files/evaluation-cooperation-ec-legal-1292-main-report-201107_en_0.pdf
- Other more specific evaluations can be found at:
https://ec.europa.eu/europeaid/node/80199_en
- Annual reports on the EU's development and external assistance policies and their implementation:
https://ec.europa.eu/europeaid/annual-reports_en
- Annual and special reports of the EU Court of Auditors
<http://www.eca.europa.eu/en/Pages/AuditReportsOpinions.aspx>
- Cotonou Agreement Evaluation (due May 2016)

The following will be provided to the selected contractor:

- Template for the cover page of the final report

EIDHR POLICY FRAMEWORK:

Policy documents as set out in EIDHR regulation (2014)

- Treaty of the European Union (Title V)
- Treaty on the Functioning of the European Union (Part Five)
- The European Consensus
- Commission Communication of 13 October 2011 entitled 'Increasing the Impact of EU Development Policy: an Agenda for Change'
- EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council on 25 June 2012
- Action Plan on Human Rights and Democracy 2015-2019
- Universal Declaration on Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- UN Convention on the Rights of the Child
- UN Declaration on the Right to Development
- other human rights instruments adopted within the framework of the United Nations
- relevant regional human rights instruments
- Council conclusions of 18 November 2009: "Democracy Support in the EU's External Relations"
- EU Plan of Action 2010-2015 on Gender Equality and Women's Empowerment in Development
- EU Gender Action Plan 2016-2020
- the various EU Guidelines on human rights;
- the "Tool-Box: a Rights-Based Approach, encompassing all Human Rights for EU development cooperation" and its related Conclusions adopted by the Council on 19 May 2014

Other main policy documents:

International Level:

- Addis Ababa Action Agenda of the Third International Conference on Financing for Development (Addis Ababa Action Agenda)
- Agenda 2030
- COP 21
- The New Deal for Engagement in Fragile States

EU Overall Policy:

- The Union as a strong global actor (EUCO 79/14)
- EU Global Strategy
- Regional and thematic policies (e.g. http://www.eeas.europa.eu/policies/index_en.htm; http://www.eeas.europa.eu/security-defence/index_en.htm)
- Commission Communication of 13 October 2011: Increasing the impact of EU Development policy: An Agenda for Change
- Commission Communication of 27 February 2013: "A Decent Life for All: Ending poverty and giving the world a sustainable future".
- Council Conclusions of 25 June 2013: "The Overarching Post 2015 Agenda"
- Commission Communication of 2 June 2014: "A Decent Life for All: From Vision to Collective Action".
- Council Conclusions of 16 December 2014: "On a transformative post-2015 agenda".
- Commission Communication of 5 February 2015: "A Global Partnership for Poverty Eradication and Sustainable Development after 2015"

- Council Conclusions of 26 May 2015: "A New Global Partnership for Poverty Eradication and Sustainable Development after 2015"

EU Thematic Communications

- EU budget support Communication from 2011 and the related Council Conclusions (2012)
- European Commission Communication COM(2014)263 - "A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries"
- Trade, growth and development Communication 2012
- EU support for Sustainable change in Transition Societies, Communication 2012
- The EU approach to resilience - learning from food crises, Communication of 2012 and Commission's Resilience Action Plan, issued on 19 June 2013
- Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes, Communication 2013
- Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions Social Protection in European Union Development Cooperation COM/2012/0446 final
- The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations, 2012

ANNEX 2: OVERALL STRUCTURE OF THE FINAL REPORT

The overall layout of the **Final report** is:

- Executive summary (see 1 below);
- Introduction
- Background to the initiative
- Evaluation questions
- Method
- Implementation state of play (results)
- Responses to questions (findings);
- Conclusions and recommendations (see 2 below)

Length: the final main report may not exceed 50 (fifty) pages, excluding annexes. Each annex must be referenced in the main text. Additional information regarding the context, the activities and the comprehensive aspects of the methodology, including the analysis, must be put in the annexes.

The evaluation matrix must be included in the annexes. It must summarise the important responses at indicator/ judgement criteria level. Each response must be clearly linked to the supporting evidence. The matrix must also include an assessment of the quality of evidence for each significant finding.

(1) Executive summaries

The 1 (one) page executive summary of the evaluation report is extra to the 50 page limit for the main report. It should cover the objective of the evaluation, key findings and key conclusions.

The 4 (four) page executive summary of the evaluation report is extra to the 50 pager limit for the main report. It should be structured as follows:

- a) 1 paragraph explaining the objectives and the challenges of the evaluation;
- b) 1 paragraph explaining the context in which the evaluation takes place;
- c) 1 paragraph referring to the methodology followed, spelling out the main tools used
- d) The key findings and general conclusions and recommendations
- e) A limited number of main conclusions should be listed and classified in order of importance

The chapter on conclusions should be drafted taking the following issues into consideration:

(2) Conclusions and recommendations

- The conclusions should be grouped in "clusters" of similar issues which reflect the requirements of the CIR (e.g. added value, scope for simplification).
- The chapter on conclusions must also identify lessons to be drawn -, both positive and negative.
- Recommendations should address the weaknesses identified and reported.
- Recommendations should be clear, well structured, operational and realistic in the sense of providing clear, feasible and relevant input for decision making.

Annexes (non-exhaustive)

- Methodological approach;
- Evaluation matrix;
- Case studies;
- List of documents consulted;
- List of institutions met and persons interviewed;
- Results of any focus groups, expert panel etc.;
- All data bases constructed for the purpose of the evaluation
- Summary of Open Public Consultation.
- Summary of overall consultation process³¹

EDITING

- The Final Report must have been copy edited and proof read such that it is:
 - consistent, concise and clear;
 - well balanced between argument, tables and graphs;
 - free of typos and language errors;
 - include a table of contents indicating the page number of all the chapters listed therein, a list of annexes (whose page numbering shall continue from that in the report) and a complete list in alphabetical order of any abbreviations in the text;
 - contain an Executive summary (or summaries in several language versions when required).
 - be typed in single spacing and printed double sided, in A4 format.
- The presentation must be well spaced (the use of graphs, tables and small paragraphs is strongly recommended). The graphs must be clear (shades of grey produce better contrasts on a black and white printout).
- Reports must be glued or stapled; plastic spirals are not acceptable.
- The contractor is responsible for the quality of translations and ensuring that they correctly reflect with the original text.

³¹ This annex should be in line with the requirements of annex 2 of tool 47 of the toolbox (http://ec.europa.eu/smart-regulation/guidelines/tool_47_en.htm) and the Better Regulation Guidelines on Consultation, of no more than 10 pages and translated from English into the other working languages of the Open Public Consultation (French, Spanish and Portuguese).

ANNEX 3 :QUALITY ASSESSMENT GRID (TBC revised grid under construction)

	Un-acceptable	Poor	Acceptable	Good	Very good	Excellent
1. Meeting needs: Does the evaluation adequately address the information needs of the commissioning body and fit the terms of reference?						
2. Relevant scope: Is the rationale of the policy examined and its set of outputs, results and outcomes/impacts examined fully, including both intended and unexpected policy interactions and consequences?						
3. Defensible design: Is the evaluation design appropriate and adequate to ensure that the full set of findings, along with methodological limitations, is made accessible for answering the main evaluation questions?						
4. Reliable data: To what extent are the primary and secondary data selected adequate? Are they sufficiently reliable for their intended use?						
5. Sound data analysis: Is quantitative information appropriately and systematically analysed according to the state of the art so that evaluation questions are answered in a valid way?						
6. Credible findings: Do findings follow logically from, and are they justified by,						

the data analysis and interpretations based on carefully described assumptions and rationale?						
7. Validity of the conclusions: Does the report provide clear conclusions? Are conclusions based on credible results?						
8. Usefulness of the recommendations: Are recommendations fair, unbiased by personal or shareholders' views, and sufficiently detailed to be operationally applicable ?						
9.. Clearly reported: Does the report clearly describe the policy being evaluated, including its context and purpose, together with the procedures and findings of the evaluation, so that information provided can easily be understood?						
Taking into account the contextual constraints on the evaluation, the overall quality rating of the report is considered.						

ANNEX 4 :TIMING

<i>Evaluation Phases and Stages</i>	<i>Notes and Reports</i>	<i>Dates</i>	<i>Meetings/Communications</i>
Desk Phase			
Inception stage		End June (latest) 2016	Briefing session in Brussels
	Inception Report	July 2016 (no later than three weeks after briefing session)	EIDHR ISG Meeting
Desk Review	Desk Report	September 2016	EIDHR ISG Meeting
Validation Phase			
	Field Visits	October 2016	
	Presentation of Findings	October/November 2016	EIDHR ISG Meeting
Synthesis Phase			
	Draft Final Report	December 2016	EIDHR ISG Meeting
	Presentation of Draft Final Report for consultation		Open Public Consultation (12 weeks as of February 1 st 2017)
	Submission Final Report	1 st June 2017	
	Submission printed version	24 th June 2017	

ANNEX 5 TERMS OF REFERENCE ‘CHAPEAU’ CONTRACT

Included for information



1. Chapeau
contract 1.pdf



2. DCI ToR (3).pdf



3. CIR ToR.doc
(2).pdf



4. Coherence
report ToR (2).p...



5. GD ToR.pdf

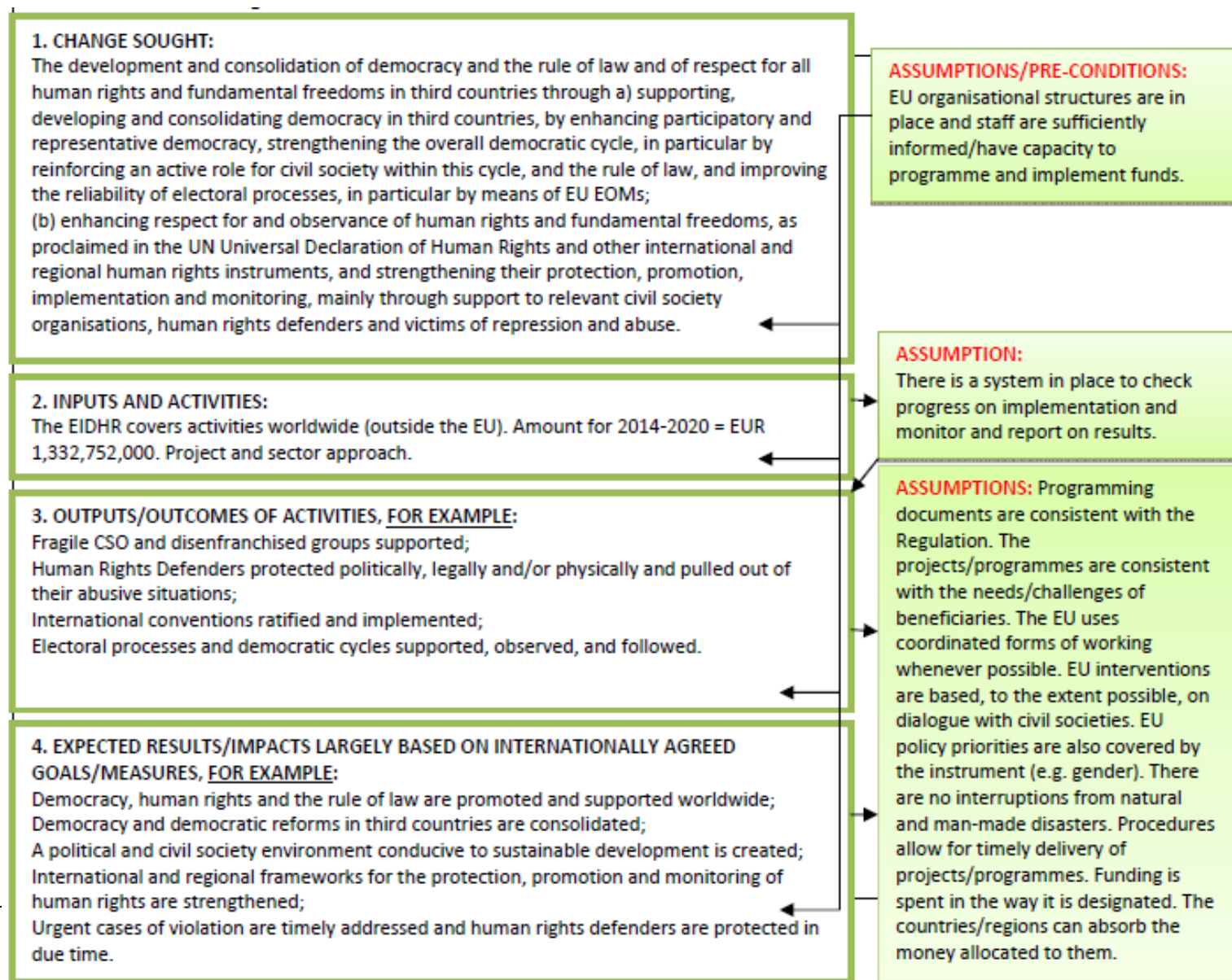


6. Schedule
including payme...



7. Calendar.pdf

ANNEX 6 INTERVENTION LOGIC



Annex B – Evaluation process

Phase	Main activities	Period	Deliverables
Desk phase	Inception		
	<ul style="list-style-type: none"> Preliminary document review Consultations EU HQ (7-11/11/16) Inception reporting 	07/16 – 30/09/16	<ul style="list-style-type: none"> Draft and final inception reports (including consultation strategy) Slide presentation
	Desk study / data collection		
	<ul style="list-style-type: none"> Document review Consultations with EU HQ, beneficiaries and internal and external stakeholders (including MS, CSOs, European Parliament, European Commission, COHOM) Survey (Chapeau / Global EFI ISG) CIR survey / questionnaire Initial analysis and developing hypothesis for validation during field / validation phase. Draft desk study report (05/11/16) Presentation of desk study to ISG (09/11/16) CIR report (01/12/16) 	26/09/16 – 01/12/16	<ul style="list-style-type: none"> Draft and final desk report (including workplan for validation phase) Slide presentation
Validation phase	<ul style="list-style-type: none"> Country visits / fieldwork (and desk study for Russia) Consultations with EUD, external stakeholders and beneficiaries. Presentation of country visit findings to ISG (02/12/16) 	14/11/16 – 02/12/16	Videokonference presentation of country visit findings to ISG
Synthesis phase	<ul style="list-style-type: none"> Preparation and submission of draft final report (09/12/2016) Presentation of Draft Final Report to ISG (15/12/16) Revision of Draft Final Report, submission for approval (13/01/2016). Preparation of report (including translations and submission of Exec Summary) for OPC (31/01/2017) OPC (including public meeting) (Feb-May 2017) Targeted face-to-face consultations in Brussels (27-29 March 2017) Submission of summary of contributions received during OPC (09/05/2017) 	02/12/16 – 09/05/16 2017	<ul style="list-style-type: none"> Draft Final Report (including translated Exec Sum) Short brief to accompany Draft Final Report (translated)
Final reporting post OPC (and dissemination)	<ul style="list-style-type: none"> Preparation and submission of (draft) Final Report taking into account ISG and OPC feedback (including two executive summaries translated into French) (29/05/17) Revision of final report (07/06/17) Submission of Final Main Report (24/06/17). Dissemination activities (if requested). 	09/05/17 – 24/06/17	<ul style="list-style-type: none"> Summary of contributions from OPC (translated) Final Report including two executive summaries Final Main Report (50 hard copies without annexes, 20 copies of annexes 50 non-editable versions on USB stick)

Annex C – Indicator level analysis

EQ 1 Relevance

EQ 1	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 (2017)?
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JC11 The EIDHR instrument was congruent with human rights and democracy challenges worldwide and related beneficiary priorities as well as EU policies on human rights and democracy, in 2014.

The ‘overall objectives’ in Article 1 of the EIDHR are:

- a) 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 EOMs;
- b) 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.

These are further elaborated in Article 2 (Scope) in considerable detail that is not repeated here – suffice to say that the scope of the EIDHR in both democracy and human rights is extremely broad and able to cover most if not all human rights and democracy related issues.

The Annex to the Regulation then sets out five ‘specific objectives and priorities’ of the EIDHR:

Objective 1 — Support to human rights and human rights defenders in situations where they are most at risk. Actions under this objective will provide effective support to human rights defenders (HRDs) that are most at risk and to situations where fundamental freedoms are most endangered. The EIDHR will inter alia contribute to meeting HRDs' urgent needs; it will also provide medium and long-term support that will enable HRDs and civil society to carry out their work. The actions will take into account the current worrying trend of the shrinking space for civil society.

Objective 2 — Support to other priorities of the Union in the field of human rights. Actions under this objective will focus on providing support to activities where the Union has an added value or specific thematic commitment (e.g. current and future Union guidelines in the field of human rights adopted by the Council or resolutions adopted by the European Parliament), in line with Article 2. Actions will be consistent with the priorities set out in the European Union (EU) Strategic Framework and Action Plan on Human Rights and Democracy. Actions under this objective will, inter alia, support human dignity (in particular the fight against the death penalty and against torture and other cruel, inhuman or degrading punishment or treatment); economic, social and cultural rights; the fight against impunity; the fight against discrimination in all its forms; women's rights and gender equality. Attention will also be given to emerging issues in the field of human rights.

Objective 3 — Support to democracy. Actions under this objective will support peaceful pro-democracy actors in third countries with a view to enhancing participatory and representative democracy, transparency and accountability. Actions will focus on the consolidation of political participation and representation, as well as pro-democracy advocacy. All aspects of democratisation will be addressed, including the rule of law and the promotion and protection of civil and political rights such as freedom of expression online and offline,

freedom of assembly and association. This includes active participation in the evolving methodological debate in the area of democracy support. Where applicable, actions will take into account the recommendations of EU EOMs.

Objective 4 — EU EOMs. Actions under this objective will focus on election observation which contributes to increasing transparency and trust in the electoral process as part of the wider promotion of, and support to, democratic processes as described in objective 3. Full-scale EU EOMs are widely recognised as flagship projects of the Union's external action and remain the principal form of action under this objective. They are best placed to provide both an informed assessment of electoral processes and recommendations for their further improvement in the context of Union cooperation and political dialogue with third countries. In particular, the approach encompassing all stages of the electoral cycle, including follow-up activities, will be further developed with complementary actions between bilateral programming and EIDHR projects.

Objective 5 — Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms. The general aim of this objective is to strengthen international and regional frameworks for the promotion and protection of human rights, justice, the rule of law and democracy in accordance with Union policy priorities. Actions under this objective will include activities to support local civil society's contribution to EU human rights dialogues (in line with the relevant EU guidelines) and the development and implementation of international and regional human rights and international criminal justice instruments and mechanisms, including the International Criminal Court. The promotion and monitoring of those mechanisms by civil society will be given special attention.

Democracy and human rights are thus inextricably linked and interwoven in the EIDHR and both are considered under indicator JC 11:

- Specific objectives 1 and 2 target critical human rights issues (including civil and political rights) with a strong focus on human rights defenders in specific objective 1- particularly those at risk in situations where fundamental freedoms are most endangered and in situations of emergency. Specific objective (SO) 1 also makes reference to the shrinking space for civil society. SO 2 targets more 'traditional' forms of human rights violations such as the death penalty and torture and other cruel, inhuman or degrading punishment or treatment, impunity, discrimination, women's rights and gender equality as well as focusing on economic, social and cultural rights. It also allows for support to be provided to emerging human rights issues.
- Specific objectives 3 and 4 are focused on democracy, including with a view to enhancing participatory and representative democracy, transparency and accountability and the rights related to democracy and the rule of law (SO 3) and support to EOMs and follow up activities (SO 4).
- SO 5, while mainly focused on international and regional instruments and mechanisms, is a bit of a mixture though and includes support to justice and the rule of law which are included under 'democracy' in Article 1 (b) and Article 2 (1) (a) (ii).

Support is also primarily intended to be to civil society – including both registered and unregistered civil society organisations (CSOs) and individuals – although SO 4 includes support to EOMs, which CSOs are not involved in, while SO 5 focuses on international, regional and national instruments and mechanisms rather than CSOs and individuals.

I-111 Degree of alignment of the EIDHR Regulation (overall objectives, scope and specific objectives) to beneficiary needs and priorities (as evidenced by the worldwide human rights and democracy context) as of 2014.

Human rights

Based on the stakeholders consulted and various reports of UN Agencies and INGOs reports³², Table 1.1 illustrates the major human rights issues facing the world, and hence beneficiaries, at the end of 2013:

³² The evaluators have relied on stakeholder consultations and the following reports in this analysis: EU Annual Report on Human Rights and Democracy in the World in 2013; UNICEF Annual Report 2013;

Table 1.1 – Major human rights issues at end 2013

Major human rights issues at end 2013
Security / human rights of civilians during conflict generally.
Child rights (including children affected by armed conflict, education of children in crisis situations, child labour, female infanticide, child soldiers, early marriage).
Women's rights, violence against women and girls (including sexual violence during armed conflict), gender-based violence, harmful traditional practices.
Migration, including forced displacement, internally displaced persons, asylum seekers, the rights of migrants and trafficking in human beings, discrimination and xenophobia.
HRDs (detention, arrest, assassination and generally the closing space in which they operate).
Access to economic, social and cultural rights (including health, education, water and sanitation, and labour rights / decent work).
Rights of minorities including all forms of discrimination, religious intolerance, racism and xenophobia.
Increased restrictions on freedom of association and on activities CSOs.
Rights of LGBTI persons (most notably in numerous African Countries and Russia)
Freedom of expression (including internet access and attacks on journalist and bloggers)
Death penalty
Torture and other cruel, inhuman or degrading treatment or punishment
Indigenous peoples
Violation of rights in the fight against terrorism.
Privacy and increasing levels of online surveillance.
Persons with disabilities.
Human rights in the administration of justice (including the rights of prisoners, juvenile justice)

As illustrated by the above table, most of the human rights challenges at 1 January 2014 concerned issues such as women's rights, child rights, torture and the death penalty, with growing signs of undemocratic responses to increasing levels of terrorism (such as state surveillance and invasions of the right to privacy), gross abuses of humanitarian law and the rights of civilians during armed conflict (especially women and children), shrinking space for civil society and increasing threats faced by HRDs, and increased levels of migrancy – especially refugees and internally displaced persons as a result of various causes including escalation of the Syrian civil war and the rise of ISIL/Da'esh in Syria and Iraq.

Democracy³³

Noting that the EU believes that a functioning democracy depends on the right of citizens to freely exercise their right to peaceful assembly and association – which in turn is linked to an enabling space for CSOs³⁴ – many of the major challenges in the area of democracy include violations of the rights to assembly and association, arrests and killings of political opponents and HRDs, global mass surveillance, as well as the closing space for civil society and HRDs reflected in Table 1.1 above. Similarly, the proper functioning of democracy requires a level of stability that becomes impossible in situations of escalating armed conflict and civil war. In addition, the following appears from a review of the reports:

- Only 25 countries were rated as 'full democracies' (mostly from amongst OECD countries with only are two Latin American countries, one east European country and one African country ranked this way).³⁵ Fifty-four countries were rated as 'flawed democracies', 52 as

UNHCR 'Global Trend' Report 2013; OHCHR Report 2013; Report of the UN Human Rights Council 2013; Human Rights Watch – 2014 World Report (covering 2013); and Amnesty International Report 2014/15.

³³ The evaluators have relied on stakeholder consultations and the following reports and indices in this analysis: Human Rights Watch 2014 World Report, Freedom in the World 2014 (a yearly survey and report by Freedom House that measures the degree of civil liberties and political rights in every nation and significant disputed territories around the world; the Democracy Index 2013 (an index compiled by the UK-based Economist Intelligence Unit that measures the state of democracy in 167 countries on an annual basis).

³⁴ EU Annual Report 2013, page 29.

³⁵ Democracy Index for 2013. The Democracy Index is compiled by the UK-based Economist Intelligence Unit that measures the state of democracy in 167 countries on an annual basis.

‘authoritarian’ and 36 considered to be ‘hybrid regimes’.³⁶ The democracy score declined in 2013 for 45 countries out of the 167 that are covered.³⁷

- Similar results were reported in the Freedom in the World Report, 2014 (covering 2013), which stated that 54 countries registered declines and only 40 registered gains in democracy.³⁸ In addition, ‘the year was also notable for the growing list of countries beset by murderous civil wars or relentless terrorist campaigns: Central African Republic, South Sudan, Afghanistan, Somalia, Iraq, Yemen, Syria.’³⁹ ‘An equally significant phenomenon was the reliance on more subtle, but ultimately more effective, techniques by those who practice what is known as modern authoritarianism. Such leaders devote full-time attention to the challenge of crippling the opposition without annihilating it, and flouting the rule of law while maintaining a plausible veneer of order, legitimacy, and prosperity.’⁴⁰
- Governments are increasingly paying lip service to democracy, settling ‘for the most superficial forms—only elections, or their own divining of majoritarian preferences—without regard to the limits on majorities that are essential to any real democracy.’⁴¹ Put simply, governments conduct elections but suppress public protests and criticism or limit the press between elections.⁴² According to Human Rights Watch, ‘the most glaring example was in Egypt. First, the Muslim Brotherhood government of President Mohammed Morsi ruled in a manner that left secular and minority groups fearing exclusion in an Islamist-dominated government. Then, in the wake of Morsi’s ouster by the army in July [2013], the military-dominated government of Gen. Abdel Fattah al-Sisi launched the worst repression that Egypt has known in decades, including by killing hundreds of Muslim Brotherhood protesters.’⁴³
- Similar observations were made in the Democracy Index 2013, which noted that the so-called ‘Arab Spring’ led many to expect a new wave of democratisation in the region, and possibly the world, but events following the popular uprisings showed that democracy was yet to take root in most countries in the region.⁴⁴
- Other countries too showed signs of stagnation or even declines – for example, in Eastern Europe democracy declined in 10 countries in 2012 and in seven in 2013.⁴⁵

With its focus on support to CSOs working in the area of human rights and democracy, electoral observation, and protection of HRDs, particularly those at risk, the EIDHR was closely aligned to the human rights and democracy challenges facing the world at the end of 2013 and can thus be assumed to be aligned with beneficiary needs and priorities. In addition, the EIDHR is broadly framed when it comes to the general objectives in Article 1 (a) and (b), the Scope in Article 2, and the specific objectives listed in the Annex which makes it relevant to all human rights and democracy challenges at end 2013 and able to incorporate or respond to most challenges that might arise in future. It was also confirmed in a stakeholder interview with one of the EU DEVCO staff that led the process of formulating that extensive consultation took place with all key stakeholders and all relevant EU policies were taken into account, which accounts for how well aligned the instrument is with both democracy and human rights challenges at the time⁴⁶.

I-112: Degree of alignment of the EIDHR Regulation (overall objectives, scope and specific objectives) to EU human rights and democracy policies and guidelines, as of 2014.

As illustrated by the overview of policies as at 1 January 2014 in Annex F, the process of developing the EIDHR was clearly based on and mindful of all of major EU human rights and

³⁶ Op. cit. Page 2.

³⁷ Op. cit. p6.

³⁸ Democracy Index 2013, Page 1.

³⁹ Ibid.

⁴⁰ Op. cit. p 6.

⁴¹ Human Rights Watch World Report, 2014 (covering 2013), page 1– a process the author refers to as ‘abusive majoritarianism’.

⁴² Democracy Index 2013, p 6

⁴³ Human Rights Watch World Report, 2014, p 7.

⁴⁴ Democracy Index 2013, page 15 ff.

⁴⁵ Ibid. See too Democracy Index 2013, p 15.

⁴⁶ Stakeholder interview, 19 October 2016.

democracy guidelines and policies at the start of 2014.⁴⁷ The EIDHR was almost completely in line with all such major policies and guidelines and thus able to contribute to their implementation - including the 'EU Agenda for Action on Democracy Support in EU External Relations' (2009)⁴⁸, 'Agenda for Change' (2011)⁴⁹, 'Human Rights and Democracy at the Heart of EU External Action' (2012)⁵⁰, 'Strategic Framework and Action Plan on Human Rights and Democracy' (2012)⁵¹, 'A Decent Life For All' (2013)⁵², 'The Overarching Post 2015 Agenda' (2013)⁵³, 'EU Plan of Action on Gender Equality and Women's Empowerment 2010–15'⁵⁴, 'The Roots of Democracy and Sustainable Development: Europe's Engagement with Civil Society in External Relations' (2012)⁵⁵ and the 'Toolkit to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) People' (2010)⁵⁶. Given that both the EIDHR and the 'Global Approach to Migration and Mobility' (GAMM) (2011)⁵⁷ predate the migration crises that would escalate dramatically during 2014 as a result of the conflict in Syria and the effect of Da'esh/ISIL in Syria and Iraq (as well as other migration issues elsewhere), it is also aligned with the GAMM which focuses on four main themes or pillars: legal migration and mobility, irregular migration and trafficking in human beings (included in the EIDHR), international protection and asylum policy, and maximising the development impact of migration and mobility.

The one apparent exception to the rule that the EIDHR is aligned with all EU policy at 1 January 2014 is in the area of climate change referred to in GAMM, which states that addressing environmentally induced migration, also by means of adaptation to the adverse effects of climate change, should be considered part of the Global Approach⁵⁸. Climate change was also clearly a priority area for the EU based on the European Climate Change Programme (ECCP II) (2005)⁵⁹. However, climate change in particular was never a priority for the EIDHR and was intended to be addressed under the Global Public Goods and Challenges (GPGC) Programme of the Development Cooperation Instrument (DCI) and as cross-cutting issues under most other EFIs. And, and as pointed out by stakeholders consulted, climate change itself is not a human rights issue but leads to human rights challenges that are in fact addressed by the EIDHR.

JC 12 The EIDHR instrument has been congruent with evolving human rights and democracy challenges worldwide and related beneficiary priorities and needs over the period 2014-2017⁶⁰.

⁴⁷ Note: In addition to the policies dealt with below, the ToR also refer to the following 'policy documents as set out in the EIDHR Regulation': Treaty of the European Union (Title V), Treaty on the Functioning of the European Union (Part Five), The European Consensus, Universal Declaration on Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, UN Convention on the Rights of the Child, UN Declaration on the Right to Development, other human rights instruments adopted within the framework of the United Nations, relevant regional human rights instruments, Addis Ababa Action Agenda, COP 21, 2030 Agenda, and 'The New Deal for Engagement in Fragile States'. Although the EIDHR is generally in line with all of these (save for the Paris Declaration emanating from COP 21), the indicator only requires a comparison with EU human rights and democracy policies and guidelines as of 2014.

⁴⁸ 2974th EXTERNAL RELATIONS Council meeting Brussels, 17 November 2009

⁴⁹ COM(2011) 637 final.

⁵⁰ COM(2011)886 adopted by the Council on 25 June 2012 (11855/12)

⁵¹ COM(2011)886).

⁵² Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

⁵³ Council Conclusions of 25 June 2013

⁵⁴ SEC(2010) 265 final.

⁵⁵ COM(2012) 492 final

⁵⁶ COHOM 162, PESC 804

⁵⁷ COM(2011) 743 final

⁵⁸ Page 7.

⁵⁹ http://www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_6_raporlar/1_3_diger/environment/the_european_climate_change_programme.pdf. Climate change was also the subject of the COP 21 and Paris Agreement to which the EU subscribes.

⁶⁰ The analysis of the human rights and democracy challenges in this section is based heavily on stakeholder interviews and included a consultative process with many DEVCO staff members as well as interviews with Member States, INGOs, project partners and staff responsible for other EFIs and EUD staff and stakeholders in sample countries. Additionally, the evaluators consulted reports for the period from UN Agencies and INGOs, as listed in the list of documents in Annex A.

I-121 Degree to which the EIDHR Regulation (overall objectives, scope and specific objectives) continues to reflect evolving beneficiary needs and priorities (as evidenced by the worldwide evolution of the human rights and democracy context), as of 2015, 2016, 2017.

The Syrian civil war that grew out of the demand for greater democracy during the 'Arab Spring' and government's increasingly violent suppression of dissent during 2011 escalated significantly from mid-2013 and into 2014 and beyond, compounded by the rise of ISIL/Da'esh and the creation of the so-called caliphate in Syria and Iraq from mid 2014. From 2013 onwards, the world faced an increase in terror attacks in Iraq, Syria, East and West Africa (Nigeria and Kenya in particular), South Asia (Afghanistan and Pakistan) as well as Europe and the USA - largely linked to extremist groups including ISIL/Da'esh, Boko Haram, al-Shabaab and al-Qaeda. The resultant abuse and gross violations of the rights of civilians and levels of refugees (including those attempting to cross the Mediterranean and into neighbouring states) and internally displaced persons came to dominate world headlines and is reflected in all of the reports considered by the evaluators as well as stakeholder interviews conducted. But these were not the only challenges when it comes to human rights and democracy. In consultation with DEVCO senior staff, and based in turn on their knowledge of the sector built through daily meetings with HRDs, CSO consultations and consultations with regional organisations, project reports, requests from HRDs at risk, political dialogues and through organising the EIDHR forum and participating in other organisations' seminars, the following positive/negative trends over the period 2014-2017 were specifically noted:

- Migration was not limited to refugees, asylum seekers and IDPs as a result of conflict in the Middle East, but was in fact a worldwide problem including migration from Africa to the Middle East, from Venezuela to Colombia, from Caribbean countries to the USA and Canada, from Myanmar to other Asian countries, from Afghanistan to Pakistan and Iran, and from Eritrea to Europe, Ethiopia and Sudan.
- Gender-based violence continues to affect at least 30% of women and girls globally while sexual violence against women and girls, and also men and boys is being used in crisis situations all around the world, especially in the Da'esh controlled areas, as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group.
- Child rights have been under increased threat, especially children in conflict zones, accompanied and unaccompanied child migrants and child migrants in places of detention, while pedopornography and cyber-bullying put children at risk in the IT area.
- Increasing levels of hostility towards and violations of the rights of LGBTI person, including restrictions on CSOs working on LGBTI rights.
- Religious minorities have faced increasing limitations of the right to freedom of religion or belief, including both restrictive government control and sectarian violence.
- Persons with disabilities (PWDs) continue to face discrimination and barriers that restrict them from participating in society on an equal basis with others.
- Indigenous Peoples (IPs) have experienced increasing levels of criminalisation as well as murders of indigenous leaders and environmental rights defenders in Latin America in particular⁶¹, and increasing levels of violations of land rights.
- Climate change and environmental degradation continued to cause increased levels of migration and impacted on access to ESCR. As noted by the Intergovernmental Panel on Climate Change in the Climate Change 2014 Synthesis Report⁶², 'the increasing frequency of extreme weather events and natural disasters, rising sea-levels, floods, heat waves, droughts, desertification, water shortages, and the spread of tropical and vector-borne diseases as some of the adverse impacts of climate change. These phenomena directly and indirectly threaten the full and effective enjoyment of a range of human rights

⁶¹ The assassination of Berta Cáceres is tragically emblematic in this respect. Ms Cáceres was a Honduran environmental activist, indigenous leader, and co-founder and coordinator of the Council of Popular and Indigenous Organizations of Honduras that benefitted from an EIDHR small grant for protection measures some years before her assassination. According to Global Witness (an INGO focused in particular natural resource exploitation, corruption and human rights), at least 116 environmental activists were murdered in Honduras during 2014, 40% of whom were indigenous (www.globalwitness.org/en/campaigns/environmental-activists/how-many-more/).

⁶² http://www.ipcc.ch/pdf/assessment-report/ar5/syr/SYR_AR5_FINAL_full.pdf

by people throughout the world, including the rights to life, water and sanitation, food, health, housing, self-determination, culture and development.⁶³

- The shrinking space for CSOs included killings, enforced disappearances, arbitrary detentions and criminalisation of HRDs in various countries as well as an escalation in laws designed to increase government control over and/or restrict foreign funding for CSOs. Pressure on independent NHRIs also limited their ability to operate according to their core mandates⁶⁴ while new laws requiring registration of NGOs or restricting foreign funding for CSOs⁶⁵. Traditional development partners (DPs) were also reported to have decreased or re-diverted human rights funding (e.g. to address migration) leaving NGOs with funding gaps⁶⁶.
- Increased levels of state surveillance and other violations of rights justified under the banner of combating terrorism (including increased levels of cyber censorship and security, torture, and 20 states resorting to the death penalty or lifting moratoria on the death penalty ostensibly to counter terrorism).
- Limitations of the right to freedom of belief and religion and extreme violations of the rights of religious minorities, including both restrictive government control (for example, China; Iran; Vietnam; Saudi Arabia; Egypt; Eritrea; Democratic People's Republic of Korea), sectarian violence (Burma/Myanmar; Nigeria; Central African Republic).
- Human rights violations by business, most notably use of slave and forced labour, limitations on the right to freedom of association and closing space for trade unions, child labour, displacement of indigenous peoples, and violations of labour rights in general.
- Regional human rights protection and accountability in Africa and the Americas coming under internal threat (especially African countries' resistance to, failure to comply with warrants of, and threats to leave the ICC).⁶⁷
- Limitations on the right to freedom of information and expression for journalists, writers and murderous attacks on bloggers in Bangladesh in particular.

Democracy

In addition to shrinking space for civil society, limitations on the rights to assembly and association and restrictions on freedom of the media, the following democracy challenges are noted in the period following the EIDHR coming into operation on 1 January 2014:

- The failure of the 'Arab Spring' in most places other than Tunisia gave way to heightened levels of frustration and violence (including the reversion to authoritarian rule in Egypt during 2014).
- Increasing levels of authoritarianism and a rise in populism (including in Europe) during 2014, continuing into 2015 and beyond.
- Crime and corruption undermining democracy in Latin America led to a backlash in Guatemala, El Salvador and Honduras in 2016, although it should be noted that there have also been victories for democracy in this area including the impeachment of both the Brazilian and South Korean Presidents during 2016 as a result of allegations of corruption.
- In Africa and Latin America in particular, various attempts to amend constitutions to allow sitting presidents to stand for more than two terms have increased, starting with Burkina Faso in 2014 and spreading to Burundi, Rwanda, DRC, Bolivia and Ecuador in 2015 and Côte d'Ivoire, Mauritania and the DRC during 2016⁶⁸.
- Rising inequality (irrespective of poverty levels) has undermined social cohesion, with repercussions for trust in governments, participation in elections, stability and security, and 'legalisation' of authoritarianism (governments taking legal routes to suppress democracy) has also increased.

⁶³ The quotation is taken from the introduction to the report on the OHCHR website: <http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/HRClimatChangeIndex.aspx>

⁶⁴ Stakeholder interviews.

⁶⁵ For example, restrictions on foreign funding were introduced in India and Russia in 2015 with Kyrgyzstan and China also considering the same.

⁶⁶ Stakeholder interviews.

⁶⁷ Linked at first to AU resistance, South Africa's failure to arrest al-Bashir, but then spreading to many African countries including, most recently, Burundi which on 13 October 2016 began a process to withdraw from the ICC – see <http://www.aljazeera.com/news/2016/10/burundi-moves-quit-international-criminal-court-161012132153065.html>.

⁶⁸ Not all actually allowing 3rd terms, but movements starting to allow it.

- Lengthy rule by leaders in Africa in particular.⁶⁹
- Rising inequality (irrespective of poverty levels) undermining social cohesion, with repercussions for trust in governments, participation rates, stability and security.⁷⁰
- While increasing access to information makes it more difficult to hide human rights abuses, advances in information technology also allow governments to monitor and control citizenry easily and cheaply.⁷¹
- Increasing 'legalisation' of oppression – governments taking legal routes to suppress democracy.⁷²
- Rise of nationalism and decline of multilateralism undermining support for global human rights and democracy initiatives.⁷³
- New limitations on freedom of expression in many countries/regions, including by non/quasi state actors such as militias, private sector.⁷⁴

Although it is of course difficult to predict what challenges will arise or continue into 2017, it can be assumed that these will include further shrinking space for CSOs, increased levels of forced displacement, fewer free and fair elections, further attempts to change rules relating to the number of terms for Presidents, increasing limits on freedom of religion, increased pressure on HRDs and environmental defenders, and increased levels of violations of humanitarian law in conflict situations. One representative of a Member State also predicted a rise in the number of 'failed states' and autocracy.⁷⁵

The EIDHR largely continues to reflect evolving and new beneficiary needs and in some sense at least, predicted what challenges would arise – for example, by the specific inclusion of the rights of human rights defenders at risk, shrinking space for civil society, and the rights of vulnerable groups such as religious minorities and LGBTI persons. Members of CSOs consulted during the desk phase also found the EIDHR highly relevant and its members eagerly await the launch of calls for proposals, not least because support under the EIDHR focuses on many issues not covered by geographical programmes. Of particular relevance was the 'sub-granting' feature of the EIDHR that allows for much smaller organisations that reportedly struggle with the CfP process, to be supported⁷⁶.

I-122 Degree to which EIDHR programming documents (Multiannual Indicative Programme and Annual Action Plans) have adapted to evolving beneficiary needs and priorities, as of 2015, 2016, 2017 (flexibility and innovation).

Although the EIDHR contains limited references to migration (and particularly forced migration and displacement), programming documents show that the implementation of the regulation has indeed moved to include these. When compared to the list of evolving human rights and democracy challenges under I-121, it is also clear that efforts have been made during programming to ensure that these are addressed in the main. The following emerges from the 2014 and 2015 AAPs and the MAAP 2016-17:

2014 AAP

The AAP includes the following related to evolving challenges and beneficiary needs and priorities):

- Support to Human Rights and Human Rights Defenders in situations where they are most at risk (EUR 20.5M) includes a focus on the most vulnerable HRDs defending the rights of indigenous peoples and minorities, trade unionists promoting labour rights, lawyers, journalists and others promoting fundamental freedoms, HRDs challenging violations of economic, social and cultural rights, or working in remote areas.

⁶⁹ By 2016, 15 leaders of the 48 African countries that hold regular elections had served more than two terms or indicated their intention to do so. Of the 11 countries in the world where the leader has been in power for 25 years or more, eight were in Africa in 2016.

⁷⁰ Stakeholder interviews.

⁷¹ Stakeholder interviews.

⁷² Stakeholder interviews.

⁷³ Stakeholder interviews.

⁷⁴ Stakeholder interviews.

⁷⁵ Stakeholder interview 28 October 2016.

⁷⁶ Stakeholder interview, 25 October 2016.

- The CBSS (101 calls, EUR 82.3M) envisages support to gender equality, child rights, the rights of persons belonging to minorities, indigenous peoples, LGBTI people and other vulnerable groups, freedom of expression and freedom of religion or belief; support to CSO actions strengthening democratic reform and dialogue; death penalty and torture; preparing the ground for elections and follow up to EOM recommendations; trade unions; protection of the social, economic and cultural rights, especially for groups particularly vulnerable to discrimination, such as the poor, women, children, indigenous peoples, migrants and the rights of persons belonging to minorities.

Targeted actions include:

- Supporting democracy – A citizens' organisations', including domestic observer groups' Programme (EUR 5M) focused on pilot countries of the EU Agenda for Action on Democracy Support⁷⁷.
- Supporting key actors – National Human Rights Institutions (NHRIs) (EUR 5M), with a specific focus on their individual and collective activities to address emerging human rights challenges and opportunities related to human rights and business, and economic, social and cultural rights.
- Supporting key regional actors – Human Rights bodies of the African Union (EUR 1.5M) with a specific focus on HRDs, women's rights, freedom of expression and the abolition of the death penalty in Africa. Specific objectives are to strengthen the work of some of the ACHPR's special mechanisms including (1) the Special Rapporteur for HRDs, (2) the Special Rapporteur on Women's Rights, (3) the Special Rapporteur on Freedom of Expression and Access to Information, and (4) the Working Group on the abolition of the death penalty.
- International Criminal Court (ICC) (EUR 1M).

2015 AAP

The AAP includes the following related to evolving challenges and beneficiary needs and priorities):

The CBSS (101 calls, EUR 82.75M), includes support to human rights and democratic reform, including to address trends of shrinking space for civil society; civil society actions ensuring the effective functioning of the ICC; gender equality; IPs; rights of persons belonging to minorities, people affected by caste based discrimination, LGBTI and other vulnerable groups; freedom of expression and freedom of religion or belief; death penalty and torture; CSOs preparing the ground for elections and to follow up EOM recommendations; protection of ESCR especially for groups particularly vulnerable to discrimination, such as the poor, women, children, IPs, migrants and the rights of persons belonging to minorities; trade unions.

Global calls for proposals (EUR 26.87M) includes five lots:

- Lot 1 (HRDS) – outreach and re-granting to grass roots organisations.
- Lot 2 (Human Dignity) – death penalty.
- Lot 3 (ECSR) – support to CSOs monitoring the implementation of the 27 core international conventions on human and labour rights, environmental protection and good governance falling under the GSP+ (which includes ILO conventions on IPs).
- Lot 4 (Discrimination) – with a focus on supporting migrants including asylum seekers, internally displaced persons and stateless persons (although, interestingly, with no specific mention of refugees).
- Lot 5 (annual ad hoc) – child soldiers.

Specific actions include:

- Support to the crisis facility (supporting human rights and HRDs where they are most at risk - EUR 3.5M), which in part is aimed at addressing the shrinking space for civil society.
- Supporting Democracy – Media and freedom of expression in the framework of the pilot exercise for democracy (EUR 4.55M)

⁷⁷ Benin, Bolivia, Ghana, Lebanon, Maldives, Mongolia, Kyrgyzstan, Philippines, and Solomon islands (first generation) and Georgia, Republic of Moldova, Morocco, Tunisia, Malawi, Mozambique, Tanzania, Paraguay, Myanmar/Burma, Nepal, East Timor and Fiji (second generation)

- Support to the ILO to implement fundamental labour conventions (EUR 1M).

MAAP 2016-17

The MAAP includes the following related to evolving challenges and beneficiary needs and priorities):

The CBSS (**EUR 155. 29M: EUR 75.1M** for 2016 and **EUR 80.19M** for 2017), which includes support to (*inter alia*), increased safety structures for human rights defenders and democracy activists; counter the worrying trends of shrinking space for civil society; enhancing the fight against torture, ill-treatment, enforced disappearances and extra-judicial executions as priority focus areas; and enhancing the rule of law and good governance.

Global calls once again include five lots and show an increased focus on evolving challenges, as illustrated in the table below:

Table 1.2 – Global Calls 2016-17

Global Calls – 2016-17		
Lot	2016	2017
Lot 1 – HRDs	Support to women HRDs (regional activities)	Support to HRDs in the area of land-related rights, indigenous peoples, in the context of inter alia 'land grabbing', environmental rights and climate change (regional activities)
Lot 2 – Human Dignity	Fight against torture and ill-treatment	Fight against extra judiciary killings and enforced disappearances (of importance to HRDs and shrinking space for civil society) and truth commissions
Lot 3 – ESCR	Support to the implementation of the UN guiding principles on Business and Human Rights	Fight against forced labour (including slave labour and child labour).
Lot 4 – Discrimination	Focused on the rights of migrants, refugees and asylum seekers, persons belonging to minorities and persons affected by caste-based discriminations (which includes a reference refugees for the first time).	Support to people with disabilities.
Lot 5 – Annual ad hoc	Impunity and transitional justice (including support to campaigns on genocide, war crimes and crimes against humanity).	Freedom of religion and belief.

Specific actions under the MAAP include:

- Support to the crisis facility (supporting human rights and HRDs where they are most at risk - EUR 3.5M per annum).
- Supporting Democracy – global programmes to strengthen political parties and parliament (EUR 10M), including strengthening the political participation of women and youth.
- Supporting key actors – UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression (EUR 1.6M) including support to joint activities as key UN actors playing a key role in fighting the shrinking democratic space for civil society and in defending an enabling and conducive environment for civil society organisations.
- Support to the ICC (EUR 2M) to support the fight against impunity.
- Developing Indigenous Networks and Supporting the Technical Secretariat for the Indigenous Peoples representatives to the United Nations' organs, bodies and sessions in relation with Human Rights (EUR 2M).
- Support to the ILO to improve Indigenous Peoples' access to justice and development through community-based monitoring (EUR 1.2M).
- Supporting a global programme to improve the monitoring of places of detention in order to protect children migrants – UN Office of the High Commissioner for Refugees (UNHCR) (EUR 1.2M). The specific objectives are to support the improvement of transparency and independent oversight of immigration detention and to create new care arrangements and community-based alternatives to detention for children and their

families in Indonesia, Iraq, Former Yugoslav Republic of Macedonia, Malaysia and Mexico.

- Support to the European Network of National Human Rights Institutes (ENNHRI) (EUR 1M) to promote and protect human rights in situations of conflict or post-conflict in wider Europe, through capacity building; dialogue and cooperation between concerned NHRIs; and engagement with national, regional and international actors. The objective is also to strengthen the capacity of the European Network of National Human Rights Institutions (ENNHRI) to support more effectively European NHRIs, their cooperation and their actions in situations of conflict or post-conflict.
- Supporting respect of culture and freedoms using press cartoons as a media of universal expression – Cartooning for Peace (EUR 800,000).

I-123 Evidence of beneficiaries' participation in the design and implementation of EIDHR financed interventions at strategic and implementation level, as of 2014.

To deal with this indicator, the evaluators first considered the MIP (2014-17) and a sample of AAPs (the 2014 AAP and the MAAP 2016-17) to determine whether there was any evidence of beneficiaries' participation in the design and implementation of EIDHR interventions.

Multiannual Indicative Programme (2014-2017)

Although there are no clear statements in the MIP dealing with any consultative processes, stakeholders (including DEVCO senior staff, beneficiaries and Member States) confirmed that significant consultation to determine beneficiary took place during the development process. The MIP also refers to various evaluations that were conducted during the previous period (2007-13) and that were considered during the formulation process, many of which, it is assumed, must have included discussions with beneficiaries as part of the regular process for conducting evaluations. It is also noted that the MIP states '(i)n the implementation of the EIDHR Regulation, 'the EU should apply a rights-based approach (RBA) encompassing all human rights, whether civil, political, economic, social or cultural'.⁷⁸ Although it doesn't state so categorically, an RBA requires a high level of beneficiary participation in both deciding and implementing actions. While this might not yet have been fully internalised within DEVCO⁷⁹, it also indicates that consultation took place during the process.

There are few references to beneficiary participation during implementation in the MIP, but the MIP does state that 'the implementation of EIDHR activities in countries is based on the relevant policy analysis and thematic priority setting provided in the EU human rights country strategies'⁸⁰, which in turn suggests a level of consultation with beneficiaries at country level during implementation. And with regard to EOMs in particular, the MIP states that '(t)here is a clear need to improve follow-up on EOMs recommendations. Findings need to be presented and discussed with partner countries' institutions and with civil society, and partner countries need support to meet their international and regional commitments.'⁸¹ Under Objective 5, support is also envisaged to fund consultative processes with CSOs to receive their input prior to human rights dialogues with governments in partner countries.⁸² And finally, the MIP envisages a mid-term review into which the current evaluation will feed and during which beneficiaries will indeed be consulted and which in turn provides beneficiaries' an opportunity to participate in the further implementation of the EIDHR.

AAP (2014) and MAAP (2016-17)

Similarly to the MIP, the way in which actions are described in the 2014 AAP and MAAP 2016-17 also suggests that some level of consultation has taken place, since these regularly include assessments of the particular situation that can only (it is assumed) have been developed in consultation with beneficiaries. In addition, there are indications of beneficiary participation in the design and implementation of EIDHR financed interventions at strategic and implementation level – for example:

⁷⁸ Page 4

⁷⁹ Interview with EU staff responsible for the RBA.

⁸⁰ Page 6.

⁸¹ Page 19

⁸² Page 21

AAP 2014: Special Measure concerning the Work Programme 2014 for the EIDHR

- There is some evidence of consultation with beneficiaries in the Summary document where it is stated that, in preparing the Special Measure, information sessions were held with Civil Society, European Parliament and Member States. In particular, it states that 'Civil Society was formally consulted on 11 December 2013.'⁸³ The Summary also refers to various evaluations of EIDHR projects conducted in previous years and notes that '(t)he recommendations from evaluations and impact assessment have been discussed with Member States, European Parliament and civil society stakeholders, to see how to include evaluation results in the programming and implementation of the Instrument. The present work programme reflects all these recommendations.'⁸⁴
- In the Action Document for the CBSS, it is stated that: 'The local thematic priority setting under the Human Rights Country Strategies, as agreed by Delegations and Heads of Mission in the various countries, and local civil society consultations will provide guidance for the selection of relevant fields of intervention for the specific local calls.'⁸⁵
- In the Action Document for Supporting key actors – National Human Rights Institutions (NHRIs), it is noted that '(f)or the sake of good coordination and consistency of EU action, special attention will be given to the requests made by governments and other stakeholders during the EU human rights dialogues and consultations with third countries or organisations and other similar meetings to provide EU support to the establishment and functioning of independent NHRIs in line with the Paris Principles.'⁸⁶
- In the Action Document for Supporting "Human Rights Dialogues" (which is intended to provide support to ensure the input of civil society for the Human Rights Dialogues with third countries or regional organisations expected to take place between 2014 and 2016), it states: 'Discussions are ongoing, but it is planned to continue to organise CSO seminars with those third countries/organisations with whom they had already been organised in previous years, with the possibility of extending the process to new countries or regions with which the EU has started a human rights dialogue.'⁸⁷
- In the Action Document for Support measures, it is noted that 'The European Commission is committed to enhancing and deepening its communication and exchanges with civil society and NGOs in the broad fields of promoting democracy and respect for human rights and fundamental freedoms. In addition to the role of civil society organisations (CSOs) as essential partners in implementing the European Instrument for Democracy and Human Rights, consultation of CSOs and their expertise has become an integral element in the Commission's policy formulation in the field of promoting democracy and respect for human rights in third countries.'⁸⁸

Multi-Annual Action Plan (MAAP) 2016-17:

- In the Action Document for the CBSS, it is noted that possible topics for support include 'multi-party agreements and draft legislation, after CSO dialogues, for boosting women's participation in political life; party platforms ... (and) greater decentralisation.'⁸⁹
- In the Action Document for Global Calls, reference is made to the fact that 'in the run-up to the revision of the EIDHR and the adoption of its MIP, it was proposed by the Commission and agreed by all stake holders to restructure its system of annual call for proposal.'⁹⁰
- In the AD for supporting Democracy, it states that 'Any action description adopted under this decision will include a contextual analysis tailored to the targeted beneficiaries, including a stakeholder analysis of the countries/regions where the activities will be implemented.'⁹¹ It then goes on to define 'stakeholders' to include *inter alia* CSOs, the media, trade unions and other professional organisations, academic institutions and research centres, the private sector and financial system intermediaries, political foundations not registered as political parties, community-based organisations, citizens, relevant state and public institutions, and regional groups, international donors and other

⁸³ Page 3.

⁸⁴ Page 5

⁸⁵ Page 16

⁸⁶ Page 42

⁸⁷ Page 82

⁸⁸ Page 85

⁸⁹ Page 8

⁹⁰ Page 4

⁹¹ Page 4.

international organisations, including multilateral ones, may also be of relevance, depending on the country context in which the programme will be implemented.⁹²

- In the AD on supporting a global programme to improve the monitoring of places of detention in order to protect children migrants - (UNHCR), it is stated that 'the action is designed based on UNHCR assessment of the situation of detention and the deterioration of children's rights in the asylum and migration context.

The evaluators also consulted EU senior staff and representatives of some of the projects specifically supported under the AAPs to determine how and when beneficiaries are consulted in the process of developing the AAPs generally, and when developing specific action documents that relate to them. As pointed out by the EU Manager who played a major role in the development of the MIP, consultation with civil society is a legal requirement, specifically dealt with in Article 3 (4):

'The Union shall seek regular exchanges of information with, and consult, civil society at all levels, including in third countries.'

This is further reflected in the **Declaration by the European Commission on the strategic dialogue with the European Parliament** attached to the Regulation, which states *inter alia* that:

On the basis of Article 14 TEU, the European Commission will conduct a strategic dialogue with the European Parliament prior to the programming of the 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 **and after initial consultation of its relevant beneficiaries, where appropriate.**

With this in mind, DEVCO and the EEAS hold regular consultations with civil society, including during the EIDHR Forum, the March 2016 Civil Society Forum in Brussels and various other civil society consultation fora, political dialogues, daily meetings with HRDs, and consultations with regional organisations. DEVCO senior staff, including in Delegations, also participate in other organisations' seminars and meetings and consider project reports and requests from HRDs at risk on a daily basis – all of which feeds into the development of MIPs and AAPs⁹³ as well as into the design of local and global calls for proposals⁹⁴. Beneficiaries such as the EUIC, ICC and OHCHR are consulted too, since the Action Documents covering these are developed through a process of negotiation that ensures that their needs and views are adequately taken into account⁹⁵.

Stakeholders confirmed that there were consultations with CSOs, Member States and other beneficiaries and stakeholders during formulation of the MIP. Some stakeholders (Member States and CSOs) noted that the consultation process is usually based on an already developed MIP or AAP rather than soliciting views in advance (in the process of developing the programmes) and that the process is closer to a validation rather than a consultation⁹⁶. NGOs also noted that there is no feedback on the extent to which their input has been taken into account and that they have no real input into decisions as to which actions are eligible for funding.

⁹² Page 4.

⁹³ Stakeholder consultation with senior DEVCO staff.

⁹⁴ The 2014 AAP and 2016-17 MAAP also include clear indications of beneficiary participation in the design and implementation of EIDHR-financed interventions at strategic and implementation level. For example, the summary document for the 2014 AAP states that information sessions were held with Civil Society, European Parliament and Member States and that Civil Society was formally consulted on 11 December 2013 (page 3). The Summary also refers to various evaluations of EIDHR projects conducted in previous years and notes that '(t)he recommendations from evaluations and impact assessment have been discussed with Member States, European Parliament and civil society stakeholders, to see how to include evaluation results in the programming and implementation of the Instrument. The present work programme reflects all these recommendations' (page 5). In the Action Document for the CBSS under the MAAP (2016-17), it is noted that possible topics for support include 'multi-party agreements and draft legislation, after CSO dialogues, for boosting women's participation in political life; party platforms ... (and) greater decentralisation' (page 8).

⁹⁵ Stakeholder interview with senior DEVCO staff.

⁹⁶ Stakeholder interviews.

DEVCO are aware of the issue but point out that the consultation process is embedded in the overall European Commission procedures for all EFIs and that deviations are therefore not permitted – but that the ‘ideas’ are shared and discussed with CSOs in various ways prior to finalising the programme. In addition, DEVCO consults with a wide range of organisations, Member States and other stakeholders working in very different sectors and with differing priorities, and, as a result, it is not possible to take every opinion into account. Overall though, CSOs consulted agree that the quality of the draft documents put forward for consultation was sound, and there were no examples provided where stakeholders disputed the priorities put forward in the planning documents. DEVCO does, however, agree with some of civil society’s concerns surrounding a more structured, forward-planning consultation process, as well as the need to provide feedback on those parts of the consultations that have been taken into account, or not⁹⁷. Stakeholders also welcomed the recently introduced multi-annual planning process, highlighting that this has added a degree of predictability to member organisations’ planning processes.

Beneficiary participation is also a key element of the rights based approach to development (RBA), in which area the EIDHR is currently leading the way in the EU (see Indicator I-132 below for a more detailed description of the RBA).

I-124 Degree to which election monitoring and related follow-up activities remain relevant for the promotion and support of democratic processes.

The EIDHR sets out to support, develop and consolidate democracy in third countries by enhancing participatory and representative democracy⁹⁸. This is to be achieved by strengthening the role of civil society, increasing respect for the rule of law and improving the reliability of elections - in particular through election observation missions (EOMs). This reflects continuity with the 2006 EIDHR regulation, but with the important nuance that support to democracy is singled out as a strategic objective in the MIP 2014-2017 (specific objective 3) while in the EIDHR 2007-13 and the Strategy Paper 2011-2013, democracy and human rights were jointly addressed. This change is a logical result of the increased awareness of the EU of the role civil society plays in democratisation processes (as shown during the Arab Spring and reflected in the 2012 Communication on EU engagement with civil society⁹⁹). The EIDHR is now a key instrument to enhance civil society’s impact on domestic accountability, participation, access to information and electoral reform¹⁰⁰.

The EU also considers election observation as a major flagship of EU external relations in support of wider democratic processes. EEAS and DEVCO/FPI also confirm the continued relevance of electoral observation for wider EU support to democratic processes in third countries¹⁰¹. The relevance of democracy support was further enhanced in two important recent initiatives:

- The EU Action Plan on Human Rights and Democracy (2015-2019) that was launched in July 2015 and which stresses the role of democracy for development and sets out an explicit objective to link electoral observation much more with democracy support. The Action Plan represents the framework for the new generation of “Human Rights and Democracy Country Strategies” (previously focusing on human rights only) to be developed in all third countries that have EU cooperation.
- A second generation of pilots for democracy support was launched in 11 countries in 2014¹⁰². These pilots involve the formulation of a Democracy Profile and a Democracy Action Plan in each country. The EIDHR (MIP p.18) is given a specific mandate to support special measures to increase work in these pilot countries where the EU wants to deepen its cooperation to strengthen democracy. These pilot countries also get priority to deploy EU election observation.

⁹⁷ Stakeholder interview with DEVCO Senior staff, 1 November 2016.

⁹⁸ Article 1

⁹⁹ COM(2012) 492, pp. 1-2.

¹⁰⁰ MIP, p.18

¹⁰¹ Stakeholder interviews, 23/09/2016.

¹⁰² Countries included in the first and second ‘generations’ are: Benin, Bolivia, Ghana, Lebanon, Maldives, Mongolia, Kyrgyzstan, Philippines, and Solomon islands (first generation) and Georgia, Republic of Moldova, Morocco, Tunisia, Malawi, Mozambique, Tanzania, Paraguay, Myanmar/Burma, Nepal, East Timor and Fiji (second generation).

Election observation is generally considered relevant, but could be made more relevant if mission recommendations were followed-up more systematically – as pointed out by the representative of one Member State, EOM recommendations should be integrated into all other plans and strategies including human rights action plans, human rights dialogues and political dialogues¹⁰³. External stakeholders do not contest the central importance given to elections for democratisation processes, but they do think that the funding for election observation (25% of the EIDHR envelope) is disproportional to the impact it has, and that it blocks more differentiated and creative interventions to support democracy¹⁰⁴. At the same time, it must be noted that questions were raised during consultations with stakeholders and during the OPC in particular as to why election observation is not included either under a specific instrument on election observation, as part of geographic EFIs (where support to democracy is often included), or under the DCI in the same way that the CSO and Local Authorities programme is included.

The trend to increasingly highlight the importance of democracy in EU policies makes the EIDHR increasingly relevant. Yet, it needs to be noted that the recent EU Global Strategy for the EU's Foreign and Security Policy (June 2016) breaks the trend of the gradually increasing visibility of democracy in EU policy documents since 2009 by firmly putting security rather than democracy at the heart of the EU's vision and external action. In the Global Strategy democracy is no longer referred to as a value to be promoted elsewhere, but a system to be defended.

I-125 Degree to which it remains relevant to combine human rights and democracy in one instrument

As stated in paragraph 11 of the preamble to the EIDHR:

‘Democracy and human rights are inextricably linked and mutually reinforcing, as recalled in the Council Conclusions of 18 November 2009 on democracy support in the EU's external relations. The fundamental freedoms of thought, conscience and religion or belief, expression, assembly and association are the preconditions for political pluralism, democratic process and an open society, whereas democratic control, domestic accountability and the separation of powers are essential to sustain an independent judiciary and the rule of law which in turn are required for effective protection of human rights.’

This approach permeates the entire Regulation: even though the Regulation itself splits ‘democracy’ and ‘human rights’ into two general objectives and in the five specific objectives in the Annex with specific objectives 1 and 2 specifically targeting human rights issues (including civil and political rights) and specific objectives 3 and 4 clearly focused on democracy but also inextricably joined to rights related to democracy and the rule of law. Specific objective 5, while mainly focused on international and regional instruments and mechanisms, is a bit of a mixture though and includes support to justice and the rule of law which are included under ‘democracy’ in Article 1 (b) and Article 2 (1) (a) (ii).

Although it was reported during interviews with DEVCO senior staff that it is always a debate as to whether or not human rights and democracy should be combined in one instrument, the general consensus from those consulted is that it remains relevant to combine them given how interrelated they are and how often human rights and democracy are combined in EU policies and related documents¹⁰⁵.

¹⁰³ Stakeholder interview, 28 October 2016.

¹⁰⁴ Stakeholder interviews, 25 and 28 October 2016. One stakeholder also stated that, in their opinion, election observation does not belong in the EIDHR because it does not align with two basic principles of the instrument: (i) EIDHR actions do not require government consent, but EOMs depend on a government invitation; and (ii) the EIDHR's primary focus is on civil society, while EOMS are not and cannot be implemented by CSOs. Therefore, it would be better to house election observation in another instrument along the same lines as the CSO-LA thematic line is part of the DCI.

¹⁰⁵ See for example ‘Democracy Support in the EU's External Relations (including the Agenda for action on Democracy Support in EU external relations)’, ‘An Agenda for Change, ‘Strategic Framework and

JC13 The EIDHR has been congruent with other evolving development challenges worldwide and related EU policies over the period 2014-17.

I-131 Degree of alignment of the EIDHR Regulation to the new EU development priorities (migration, climate change, gender, peace and security etc.) as they have evolved (2014-2017).

Although all new EU policies from 1 January 2014 onwards continue to include human rights, democracy and rule of law, there is an increasing focus on evolving development challenges in the areas of poverty eradication, gender, sustainable development, peace and security, and migration (see Annex F - EU Policies post 1 January 2014). Most of these are addressed by the EIDHR:

- Gender equality and the rights of women and children are very well reflected in the EIDHR.
- While there is no reference to poverty eradication or sustainable development in the EIDHR at all, these are included in the focus on economic, social and cultural rights (although poverty eradication and sustainable development are much broader than just ensuring access to socio-economic rights and services).
- Although the EIDHR does not combine the issues of peace and security under one banner, it does refer in various places to peace, stability and security.¹⁰⁶
- As already noted, the EIDHR includes a reference to migration in section 16 of the preamble when it refers to 'cooperation and partnership with civil society on sensitive human rights and democracy issues, including migrants' enjoyment of human rights and the rights of asylum seekers and internally displaced persons'.
- Trafficking, referred to in various policies¹⁰⁷, is specifically included in the EIDHR.

It is also clear that the EIDHR can play a role in reducing the drivers of forced migration, including by increasing access to socio-economic rights and services, reducing levels of conflict and supporting home-grown conflict reduction and resolution processes, and indirectly contributing to greater levels of peace and security even though this lies almost exclusively within the powers of government. As noted later in this report, migration (particularly forced migration and the rights of migrants) and safety and security are in fact being addressed during implementation.

A concern was also raised by one Member State that, while the EIDHR has responded well to shrinking space for civil society, the non-respect for humanitarian law may deserve a bit more attention in future and, in addition, the EIDHR needs to reflect and respond to the Global Strategy better – which includes a commitment to joined up approaches, monitoring and evaluation and following up on recommendations, which should ideally should feed back into the EIDHR.¹⁰⁸ The value of the EIDHR when it comes to human rights and gender equality in the Global Strategy should also could be brought to the fore a bit more – rather than keeping it as an instrument on human rights and democracy, the projects financed should inform and contribute to decisions made in other instruments and also bilateral engagements¹⁰⁹.

Action Plan on Human Rights and Democracy', 'A Better Life for All', 'A Global Partnership for Poverty Eradication and Sustainable Development after 2015', 'The European Agenda on Security (2015)'

¹⁰⁶ Section 14 of the Preamble states that 'Union assistance should also complement the more crisis-related actions under the Instrument contributing to Stability and Peace, established by Regulation (EU) No 230/2014 of the European Parliament and of the Council.' Article 2 (a) (x) states that support to democracy should include 'supporting measures to facilitate peaceful conciliation between segments of societies, including support for confidence-building measures relating to human rights and democratisation'. Article 2 (4) states that the measures referred to in the Regulation 'shall take into account the specific features of crisis or urgency situations and 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.'

¹⁰⁷ 'The Union as a strong global actor', 'Action Plan on Human Rights and Democracy (2015-2019)', 'Gender Equality and Women's Empowerment'.

¹⁰⁸ Stakeholder interview, 28 October 2016.

¹⁰⁹ Ibid.

Of particular importance for the EIDHR is the **EU Action Plan on Human Rights and Democracy 2015-2019**. This follows on and builds on the 2012 Strategic Framework and Action Plan on Human Rights and Democracy and includes five key objectives, each with its own priorities:

I. Boosting ownership of local actors:

- a) Delivering a comprehensive support to public institutions.
 - 1. Supporting the capacity of NHRIs.
 - 2. Supporting the integrity of electoral processes and strengthening of election management bodies.
 - 3. Supporting the capacity of Parliamentary institutions.
 - 4. Targeted support to justice systems.
 - 5. Providing comprehensive support to public institutions.
 - 6. Strengthening cooperation with the UN and regional human rights and democracy institutions.
- b) Invigorating civil society
 - 7. Promoting stronger partnership with third countries' CSOs including social partners and between authorities, partners and CSOs
 - 8. Empowering CSOs defending the rights of women and girls.
 - 9. Invigorating support to HRDs, including in international and regional fora.
 - 10. Addressing threats to civil society space.

II. Addressing human rights challenges

- 11. Protecting and promoting freedom of expression online and offline.
- 12. Promoting and protecting freedom of religion and belief.
- 13. Combating torture, ill treatment and the death penalty.
- 14. Promoting gender equality, women's rights, empowerment and participation of women and girls.
- 15. Promoting, protecting and fulfilling children's rights.
- 16. Cultivating an environment of non-discrimination.
- 17. Fostering a comprehensive agenda to promote ESCR.
- 18. Advancing on business and human rights.

III. Ensuring a comprehensive human rights approach to conflicts and crises

- 19. Moving from early warning to preventive action.
- 20. Enhancing the capacity to address conflicts and crises at multilateral and regional level.
- 21. Supporting compliance with international humanitarian law.
- 22. Ending impunity, strengthening accountability and promoting and supporting transitional justice.
- 23. Mainstreaming human rights into all phases of CSDP planning, review and conduct.

IV. Fostering better coherence and consistency

- 24. Migration / trafficking in human beings / smuggling of migrants / asylum policies.
- 25. Trade / investment policy.
- 26. Counter terrorism.
- 27. Pursuing an RBA to development.
- 28. Strengthening the contribution of impact assessments to the respect of human rights.

V. A more effective EU human rights and democracy support policy

- 29. Increasing the effectiveness of human rights dialogues.
- 30. Improving the visibility and impact of human rights country strategies.
- 31. Focusing on effective implementation of the EU human rights guidelines.
- 32. Maximising the impact of electoral observation.
- 33. Ensuring the effective use and the best interplay of EU policies, tools and financing instruments.
- 34. Improve public diplomacy and communication on human rights.

Given its focus on civil society and the fact that support is never provided to government or state institutions other than Parliament and NHRIs, the EIDHR addresses all relevant objectives and priorities in the Action Plan on Human Rights and Democracy (2015-2019).

In addition, the EIDHR is well placed to contribute to the implementation of the Commission's Communication proposing a new **European Consensus on Development**¹¹⁰ (discussed in more detail under indicator I-132 below).

I-132 Degree to which the EIDHR Regulation contributes to implementing the 2030 Agenda / Sustainable Development Goals (SDGs) - noting that the EIDHR predates 2030 Agenda.

even though the EIDHR predates the **2030 Agenda**, with its focus on human rights, gender equality, vulnerable groups, economic, social and cultural rights, and the inclusion of environmental HRDs, the EIDHR is already contributing to achieving the Sustainable Development Goals (SDGs) in the 2030 Agenda – in particular Goals 1-8, 10 and 12-16¹¹¹. In fact, with the recognition in the EIDHR that democracy and human rights are inextricably linked and mutually reinforcing¹¹², the EIDHR (and other EU support in the field of democracy) even goes beyond the SDGs to some extent¹¹³.

In support of the 2030 Agenda, the European Commission has recently (22 November 2016) released a Communication proposing a new **European Consensus on Development**¹¹⁴ to 'provide the framework for the common approach to development cooperation policy that will be applied by the EU and its Member States'¹¹⁵. The Communication recognises that 'shortcomings in governance, democracy, human rights and the rule of law, including corruption and security challenges and the shrinking space for public participation and civil society, pose a fundamental challenge to the effectiveness of development efforts'¹¹⁶. In addition, the Communication recognises the centrality of gender equality to achieving the SDGs and commits the EU and Member States to 'promote women's rights, gender equality and the empowerment of women and girls and their protection as a priority across all areas of action'¹¹⁷. With its focus on democracy, human rights, gender equality, non-discrimination and the shrinking space for civil society in particular, the EIDHR thus has a key role to play in implementing both the Communication and the SDGs themselves.

The new European Consensus on Development also recognises the importance of a rights based approach to development (RBA) that 'will encompass all human rights and promotes inclusion and participation; non-discrimination; equality and equity; transparency and accountability' and commits the EU and Member States to implementing the RBA to ensure that no-one is left behind under the 2030 Agenda¹¹⁸. The EIDHR is of prime importance in this regard and leads the way within the EU system when it comes to implementing the RBA.

¹¹⁰ https://ec.europa.eu/europeaid/sites/devco/files/communication-proposal-new-consensus-development-20161122_en.pdf

¹¹¹ In paragraph 9 of the Declaration.

¹¹² Paragraph 11 of the preamble. This approach permeates the entire Regulation though. For example, even though the Regulation itself splits 'democracy' and 'human rights' into two general objectives and in the five specific objectives in the Annex, in reality the two are intrinsically linked and there is a great degree of 'mixing' of the two issues in the specific objectives. SO 1 and SO 2 target human rights issues but include civil and political rights that are of specific relevance to democracy. SO 3 and SO 4 focus on democracy but also link to rights related to democracy and the rule of law. SO 5, mainly focused on international and regional human rights instruments and mechanisms, also includes support to justice and the rule of law that are included under 'democracy' in Article 1 (b) and Article 2 (1) (a) (ii) of the EIDHR Regulation.

¹¹³ Although the 2030 Agenda includes some references to rule of law, good governance and equality and non-discrimination – all of which are important aspects of democracy - there is only one reference to democracy per se in the entire document

¹¹⁴ https://ec.europa.eu/europeaid/sites/devco/files/communication-proposal-new-consensus-development-20161122_en.pdf

¹¹⁵ Page 3.

¹¹⁶ Page 5.

¹¹⁷ Page 9.

¹¹⁸ Page 8.

The Rights Based Approach to Development

The Commission first began considering a rights based approach in 2012¹¹⁹ leading to the development of a 'tool box' on 'A Rights-Based Approach, Encompassing All Human Rights For EU Development Cooperation' endorsed by the EU Council of Ministers on 19 May 2014¹²⁰.

The RBA has five key principles¹²¹: (1) Applying all Rights (legality, universality and indivisibility of human rights); (2) participation and access to the decision making process; (3) non-discrimination and equal access; (4) accountability and access to the rule of law; and (5) transparency and access to information. The EIDHR Regulation recognises the importance of the RBA in Section 8 of the Preamble, and consequently, the RBA has been increasingly mentioned or dealt with in various action plans under the EIDHR¹²². The RBA is also a requirement in the EDF and DCI. However, implementation of the RBA has been relatively slow. To address this, a service contract has been awarded under the EIDHR to increase compliance with the RBA commitment in all EU development assistance. The contract is for an amount of EUR 1.43M for a period of 24 months, from December 2015 to December 2017 and includes: a) country and context-specific training and guidance on RBA, with a focus on support to EUDs, b) training on human rights defenders for EUDs, and c) the provision of technical assistance in the process of local calls for proposals, including at the assessment stage.

As at 13 January 2017, nine EUDs have been trained on the RBA and toolbox¹²³. Although it was envisaged that RBA training would also be provided to thematic units at HQ, the focus in the last quarter of 2016 has instead been to integrate the RBA into Brussels-based trainings for Delegations on democracy support; mainstreaming of women's, children's and disability rights; justice and anti-corruption. Training for thematic units will be carried out in 2017. The 2016 Global Call and some calls for proposals under the CBSS also now require applicants to follow the RBA.

EQ 2 on effectiveness, impact, sustainability¹²⁴

EQ 2	To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?
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JC 21 The EIDHR contributes to enhanced respect for and observance of human rights and fundamental freedoms.

I-211 Increase / decrease in no. of actions and expenditure on human rights defenders and human rights defenders at risk at global, regional and national level under Specific Objective 1 – compared between the period covered by the previous MIP (2011-13) and the period 2014-17.

Support to HRDs was included in the 2007-13 EIDHR, including in Paragraph 19 of the Preamble:

¹¹⁹ The RBA is mentioned in the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council on 25 June 2012 (COM(2011) 886 final) that includes 'Working towards a rights based approach in development cooperation'.

¹²⁰ SWD(2014) 152 final

¹²¹ Page 17-19.

¹²² For example, it is referred to in the Summary of the Special Measure for 2014; as a cross-cutting issue in the support to NHRIs in the 2014 AAP; in the summary to the 2015 AAP and in the Action Document for Supporting Democracy - Media and freedom of expression in the framework of the pilot exercise for democracy' under the 2015 AAP; in the 2016-17 MAAP, where it is referred to in the CBSS and the action document for Supporting Key Actors – the European Network of National Human Rights Institutions (ENNHRI), as well as various references to a 'human rights approach' in other actions

¹²³ Stakeholder consultation with relevant project manager. Delegations to Botswana, Burkina Faso, Ecuador, Bolivia, Honduras, Guatemala, West Bank/Gaza Strip, Israel and Peru have been trained to date.

¹²⁴ Although the EQ refers to impact and sustainability, it was discussed with the EU in advance that, since this is not a project level evaluation, the evaluators would focus only on effectiveness and not include an assessment of impact or sustainability.

The Community should also be able to respond in a flexible and timely manner to the specific needs of human rights defenders by means of ad hoc measures which are not subject to calls for proposals. Moreover, eligibility of entities which do not have legal personality under the applicable national law is also possible under the conditions of the Financial Regulation.

Specific mention is also made in Article 2 (a), where support to HRDs is regarded as falling under the Scope of the EIDHR, and Article 2 (b) (ii), which states that the promotion and protection of human rights and fundamental freedoms includes support to HRDs.

While the 2007-13 EIDHR did not specifically refer to HRDs at risk, HRD at risk were supported through eight Global Calls for Proposals, and 130 projects (including, for example, support to numerous human rights defenders organisations during the Arab spring), and 14 calls under CBSS.

A total of 135 actions were supported under the 2011-13 MIP (66 under the CBSS, 29 under global calls¹²⁵, two targeted actions and 37 small grants). Expenditure related to these are reflected in Table 2.1.1 below:

Table 2.1.1 – Commitments 2011-2013

Commitments: 2011-13 (EUR Million)							
Year	CBSS ¹²⁶	Global	Target	Small Grant ¹²⁷	Crisis Facility	Relocation of HRD	Total
2011	4.84	15.7 ¹²⁸	0	0.25	NA	NA	20.79
2012	3.44	20 ¹²⁹	0	0.38	NA	1 ¹³⁰	24.82
2013	5.6	15 ¹³¹	0	0.43	NA	NA	21.03
Total	13.88	50.7	0	1.06	NA	1	66.64

Support to HRDs at risk is a priority area under the current EIDHR for the period 2014-2017 and is included directly in Specific Objective 1. In addition, the following 'flagship' projects specifically focus on HRDs:

Human Rights Crisis Facility

Managed by DEVCO B1, the human rights crisis facility is a relatively recent mechanism (set up in its current form under the 2015 AAP) that is based on lessons learnt under the previous EIDHR, where there was a recognition of the need for the possibility of providing direct project grant awards to CSOs outside of the CBSS and global call for proposals in countries where such calls would be inappropriate or impossible or where these funding streams would put

¹²⁵ Global Call for Proposals 2012 (awarded 2013) - Enhancing respect for human rights and fundamental freedoms where they are most at risk and supporting Human Rights Defenders; and Restricted Global Call for Proposal 2013 (awarded in 2014) - Supporting Human Rights and their defenders where they are most at risk.

¹²⁶ Figures based on registered contribution in the EIDHR list of projects. Figures based on decision year.

¹²⁷ Figures based on information received from EC; DG DEVCO

¹²⁸ From Global Call 2011: Call for Proposals and direct award of grants: HR and fundamental freedoms where they are most at risk and Guidelines Human Rights Defenders.

¹²⁹ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

¹³⁰ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

¹³¹ From Global Call 2013: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

organisations and individuals at risk. The Crisis Facility has an annual financial envelope of EUR 3.5M, and can award direct grants of up to EUR 1M for a period of up to 18 months.

Eleven such projects have been supported in the period 2014-16. Details of grants recipients and countries of operation are understandably highly confidential. Grants have focused on countries and regions in the Eastern Neighbourhood (2), Central Asia (2), Middle East (3), Sub-Saharan Africa (2), Asia (1) and the Southern Neighbourhood (1). As at 31 December 2016, the 2014 and 2015 allocations had been fully used:

- EUR 2.77M was used in 2014 (five projects, four in countries and one regional). This was less than the EUR 3.5M allocated to the facility due to a lack of relevant proposals (the Facility had only recently been established) and/or delays in negotiations. The average size of the grants was EUR 540,000.
- EUR 3.74M was distributed in 2015 (six projects, four in countries and two regional). This amounts to EUR 200,000 more than allocated, with the balance coming from the 2016 allocation. The average size of the grants was approximately EUR 623,000.

Due to the nature of the facility and the ensuing lack of publicly available data as well as its relative novelty under the current EIDHR, it is perhaps too early to draw conclusions on its effectiveness - although the mere fact that it is able to operate in countries where support has not been able to reach before is in itself evidence of effectiveness and impact.

ProtectDefenders.eu

The establishment of a Human Rights Defenders Mechanism, including the provision of long-term assistance and access to shelter, was a key priority under the 2012 EU Strategic Framework and Action Plan on Human Rights and Democracy. With this in mind, the EIDHR launched a call for proposals in 2014 that led to the launch of 'ProtectDefenders.eu' - a dedicated project to protect HRDs at high risk and facing the most difficult situations worldwide. ProtectDefenders.eu is led by a consortium of 12 specialised international NGOs with a combined total of around 2,000 affiliated members globally. The grant is for a period of 36 months (1 October 2015 to 30 September 2018), with an EU contribution of EUR 15M. The project (i) delivers a fast and specific EU response to support HRDs at risk, (ii) supports local organisations working with HRDs in the implementation of activities aimed at advancing a human rights agenda and to counter violations, (iii) works to extend the international network of host institutions offering HRDs temporary relocation, including through the EU Temporary Relocation Platform (www.hrdrelocation.eu), (iv) implements a programme of trainings to meet the security needs of HRDs, providing them with ad hoc knowledge and tools, (v) focuses on building public awareness and ensuring enhanced visibility about the situation of HRDs at every level, (vi) monitors the individual situation of defenders in critical situations, dispatches urgent alerts, coordinates immediate responses and strongly advocates for the end of impunity for perpetrators worldwide.

The project has 16 expected results¹³² including provision of grants particularly targeting HRD groups at risk (women, LGBTI persons, land/ environmental/indigenous/migrant rights

¹³² ER1) A faster and permanent EU response to support defenders exists; ER2) HRDs can quickly implement urgent security measures to protect themselves, their family and their work; ER3) HRDs can respond to the security threats they face individually and organisationally; ER4) Individual HRDs and HRD organisations have the means to implement activities adapted to changing local developments in order to advance a human rights agenda or to counter violations (including contesting laws, restrictions, sanctions and administrative provisions restricting their work); ER5a) EU temporary relocation initiative is established and successfully run; ER5b) HRDs can relocate inside their country, in their Region or in Europe in the event of urgent threat; ER6) HRDs can better network and coordinate between themselves and with EU and international organisations; ER7) Particularly targeted HRD groups at risk (women, lesbian, gay, bisexual, transsexual, and intersexed (LGBTI) persons, land / environmental / indigenous / migrant rights defenders, and those in remote areas) have access to support; ER8) HRDs' needs during lengthy judicial procedures, and in the rehabilitation and psychological area, are met; ER9) HRDs can continue operating during a bridging phase in the event of closure, funding blockage, etc.; ER10) HRDs have access to rehabilitation following torture; ER11) The EU, the international community, other NGOs, the media and the public are more knowledgeable of the situation of HRDs collectively and individually; ER12) The EU, the international community, other NGOs, the media and the public are more knowledgeable of legal, political, and administrative provisions affecting HRDs, and of developments; ER13) Intergovernmental institutions, international, regional and national human rights mechanisms, and influential states take action on individual cases; ER14) Intergovernmental

defenders, and those in remote areas) and provides support to judicial procedures, rehabilitation for torture survivors, activities of HRDs, security, relocation and advocacy (amongst others). The main target groups of the project are HRDs at risk acting in their individual capacity as well as on behalf of grassroots organisations that are located in countries where grave human rights infringements have been identified; local/national institutions that hold the responsibility to adopt and implement public policies oriented towards creating an enabling environment and providing effective protection to HRDs at risk; and regional/international human-rights-protection mechanisms and organisations outside the project operating protection programmes. From 1 October 2015 to 13 January 2017, 338 emergency grants have been provided for a total amount of EUR 0.86M and supporting 387 individual HRDs (259 male, 122 female, four transgender and two intersex). Most grants have been provided to Burundi, Syria, Bangladesh, China, DRC, Egypt, Honduras, Pakistan and Russia. 36 'Strengthening Local HRD Organisations' grants have been provided to local NGOs (EUR 0.33M) in Algeria, Armenia, Bangladesh, Burundi, Cambodia, Cameroon, Colombia, DRC, Guatemala, Honduras, Indonesia, Israel, Libya, Mexico, Morocco, Nicaragua, Pakistan, The Philippines, Sri Lanka, Syria. And 73 grants (EUR 0.7M) have been provided to relocate HRDs at risk including at least two in-country allocations, 27 regional relocations and 44 international relocations¹³³.

EIDHR Emergency Fund for HRDs at risk

The EIDHR (read with the Financial Regulation and the CIR) makes it possible for small grants of up to EUR 10,000 to be awarded to HRDs at risk in urgent cases¹³⁴. Although this was at first managed entirely 'in-house', the exponential increase in demand for these grants (itself reflecting both the increasing shrinking space for civil society and the importance and relevance of the grants) created significant pressure on DEVCO staff, since despite the fact that the grants are small and meant to be able to be released without too many formalities, the amount of work is nonetheless considerable. In response, a fee-based service contract (EUR 3M) was introduced under the 2014 AAP with the United Nations Office for Project Services (UNOPS) to manage the grants for a period of 33 months (June 2015 – February 2018), although political decisions as to who qualifies are still taken by DEVCO, after systematic consultation of the EEAS and the concerned Delegation notably to check the veracity of the claim. The agreement with UNOPS was based on an acknowledgement of the competitive advantage UNOPS holds in terms of in-country based project management, procurement and infrastructure services. The disbursement rate depends on the amount of individual cases supported by UNOPS, and is currently around EUR1.8M. The service contract enables the EU's emergency response to HRD's to be both faster and cheaper than through any other procedures or channels. Typically, an organisation or individual would contact the EU Delegation in a given country, and/or the DG DEVCO officer in charge, in case of an emergency arising for an individual human rights defender. After some preliminary checks on the veracity of the claim on a case-by-case basis, DG DEVCO will where appropriate then authorise UNOPS to make arrangements to deliver assistance to the individual (often via an organisation that the individual is affiliated with), such as lawyers' fees; medical emergency fees; relocation assistance etc. The target time between the request and the assistance reaching the HRD is targeted at 14 days, which is reportedly achieved in 75% of cases¹³⁵.

institutions, international, regional and national human rights mechanisms and influential states take action on legal, political and administrative provisions affecting HRDs; ER15) The coordination between HRDs' initiatives and actors supported by the EIDHR is strengthened; and, ER16) The EU Mechanism has high visibility. To attain the aforementioned ERs, the project strategy encompasses four types of activities including nine Components as follows: Type 1 - Support to HRDs in the field via financial support to third parties and direct material support: C1) Emergency support for at risk HRDs; C2) Support to local HRD organisations; and, C3) Temporary relocations of HRDs at risk. Type 2 - Training, monitoring and advocacy: C4) Training and information to HRDs at risk; and, C5) Monitoring and advocacy. Type 3 - Coordination and synergies: C6) Management of the HRDs platform; and C7) Supporting coordination and synergies. Type 4 - Outreach and visibility: C8) Outreach; and, C9) Visibility.

¹³³ All data provided by ProtectDefenders.eu.

¹³⁴ Article 6 (c) (i) of the CIR allows for low value grants to HRDs at risk without the need for co-funding, while Article 11 (2) (e) of the CIR allows support to be provided where the individuals or entities are not registered.

¹³⁵ Data provided by the DEVCO staff member responsible for the Facility.

Since 2010 and until 13 January 2017, a total of 388 small grants totalling EUR 3,002,484 have been awarded to HRDs and their families in around 44 countries mainly to ensure their legal assistance, to cover their medical assistance and to enable them to seek refuge in their own countries or abroad (with various EU countries providing visas in the latter cases). According to data provided by DEVCO:

- In 2010, only three grants were awarded.
- In 2011, 28 grants were awarded to provide emergency support to 131 HRDs.
- In 2012, 49 grants were awarded to provide emergency support to 93 HRDs.
- In 2013, 58 grants were awarded to provide emergency support to 113 HRDs.
- In 2014, 73 grants were awarded to provide emergency support to over 150 HRDs and their families.
- In 2015, 84 grants were awarded to provide emergency support to over 180 HRDs and their families.
- In 2016, 86 grants were awarded to over 250 HRDs and their families.
- Two grants have been awarded in early January 2017.

In addition, there is also an increased focus on HRDs at risk in:

- The annual CBSS calls for proposals at country level, which include actions in support of local CSOs and HRDs at risk.
- The 2014-2017 Global Calls for Proposals, which all include support to HRDs (including those at risk) under Lot 1 – Human Rights and their Defenders in the most difficult situations¹³⁶.
- An ad hoc grant under the 2016 allocation of the 2016-2017 MAP to support the activities of the mandates of (i) the UN Special Rapporteur on the situation of HRDs, (ii) the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, (iii) the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (under SO 5).

When it comes to levels of commitment and expenditure, there has been significant increase in levels of financial commitment to HRDs: from EUR 66.64M in the period 2011-13 to EUR 76.38M in the period 2014-17 (to 13 January 2017) - as illustrated in Table 2.1.2 and 2.1.3 below:

Table 2.1.2: Commitments and expenditure for HRDs 2011-13

Commitments: 2011-13							
(EUR Million)							
Year	CBSS ¹³⁷	Global	Target	Small Grants to HRDs ¹³⁸	Crisis Facility	Relocation of HRD	Total
2011	4.84	15.7 ¹³⁹	0	0.25	NA	NA	20.79
2012	3.44	20 ¹⁴⁰	0	0.38	NA	1 ¹⁴¹	24.82

¹³⁶ The 2015 Call focused on Outreaching and Granting to Grassroots Organisations; the 2016 Global Call includes a focus on women HRDs and HRDs working for women's and girls' rights where they are the most at risk; in 2017, the call targets HRDs working on land issues, protecting indigenous peoples and local communities' rights to land and environmental HRDs.

¹³⁷ Figures based on registered contribution in the EIDHR list of projects. Figures based on decision year.

¹³⁸ Figures based on information received from EC; DG DEVCO

¹³⁹ From Global Call 2011: Call for Proposals and direct award of grants: HR and fundamental freedoms where they are most at risk and Guidelines Human Rights Defenders.

¹⁴⁰ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

¹⁴¹ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

2013	5.6	15 ¹⁴²	0	0.43	NA	NA	21.03
Total	13.88	50.7	0	1.06	NA	1	66.64

Table 2.1.3: Commitments and expenditure for HRDs 2014-17

Commitments: 2014-17 (EUR Million)						
Year	CBSS¹⁴³	Global	Target	Small Grants to HRDs	Crisis Facility¹⁴⁴	Total
2014	10.35	15 ¹⁴⁵	0.6 ¹⁴⁶	3.6 ¹⁴⁷	3.5 ¹⁴⁸	30.65
2015	7.31	5 ¹⁴⁹	5 ¹⁵⁰		3.5	22.01
2016	2.47 ¹⁵¹	4.65 ¹⁵²	3.4 ¹⁵³		3.5	15.22
2017	Not available	5 ¹⁵⁴	0	Not available	3.5	8.5
Totals	20.13	29.65	9	3.6	14	76.38

There has also been an increase in number of actions, from 218 in the period 2011-13 to 311 under the current MIP (to 13 January 2017), as illustrated by Table 2.1.4.

Table 2.1.4: Number of actions targeting HRDs: 2011-2013 and 2014-17

Period	CBSS	Global	Targeted	Small Grants to HRDs	HR Crisis Facility	Total Number of actions
2011-13	58 ¹⁵⁵	24	0	136 ¹⁵⁶	N/A	218
2014-17	45 ¹⁵⁷	6 ¹⁵⁸	5 ¹⁵⁹	244 ¹⁶⁰	11 ¹⁶¹	311

¹⁴² From Global Call 2013: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations.

¹⁴³ Figures based on registered contribution in the EIDHR project list. Figures include contracts signed until December 2016. Figures based on decision year.

¹⁴⁴ According to planned allocation

¹⁴⁵ 15 M€ from the Global Call 2014 (Annex 1: Supporting Human Rights and their Defenders where they are the most at risk)

¹⁴⁶ 0.6 M€ under support to the Human Rights bodies of the African Union.

¹⁴⁷ Based on figures received from EC, DG DEVCO.

¹⁴⁸ Based on yearly 3,5 M€ allocation.

¹⁴⁹ 5 M€ from Global Call Lot 1 (2015) - support to HRDs grass root organisations

¹⁵⁰ Grant to Global Alliance of NHRIs.

¹⁵¹ Note that, because of the N+1 period for contracting (where most contracts related to a particular year are only signed in the following year). Figures related to 2016 CBSS will be reflected in 2017.

¹⁵² 4,65 M€ from Global Call Lot 1 (2016) – Supporting women or Human Rights Defenders defending women rights

¹⁵³ 1,6 M€ for Support to UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression (2016), 1 M€ for support to the ENNHRI and 0,8 M€ for Cartooning for Peace.

¹⁵⁴ 5 M€ from Global Call Lot 1 (2017) - Supporting Human Rights Defenders in land-related rights, indigenous peoples, in the context of inter alia 'land grabbing' and climate change.

¹⁵⁵ Figures based on registered contribution in the EIDHR list of projects and on decision year. Note that, because of the N+1 period for contracting (where most contracts related to a particular year are only signed in the following year), these data include contracts signed in 2014 out of 2013 funds.

¹⁵⁶ According to information received from EC services, DG DEVCO.

¹⁵⁷ Figures based on registered contribution in the list of EIDHR projects. Figures include contracts signed until 20 December 2016. Figures based on decision year.

¹⁵⁸ Figures from the 2015 Global Call signed contracts.

Note

Figures for the period 2014-17 only include CBSS and Global Call contracts up to end December 2016 and it is also not possible to tell what additional support will be provided under the Emergency Fund. As a result, levels of expenditure and number of actions are both expected to increase.

I-212 Increase / decrease in number of actions and amount of expenditure on key human rights issues prioritised in Specific Objective 2 of the EIDHR (human dignity, women's rights and gender equality including for LGBTI persons) compared between the period covered by the previous MIP (2011-13) and the period 2014-17

To determine the extent to which the more 'traditional' forms of human rights issues are still being addressed under the EIDHR (given its increased focus on HRDs and ECSR, for example), the evaluators initially planned to consider whether or not there has been any increase or decrease in the number of actions and amount of expenditure in three key areas – women's rights, gender equality and human dignity (including death penalty and torture and other cruel, inhuman or degrading treatment or punishment). However, given that it is extremely difficult to differentiate between actions related to 'gender equality' and 'women's rights', it was agreed at Desk Study stage to redefine the categories to be analysed as:

- Women's rights.
- Discrimination based on gender or sexual orientation.
- Human dignity (death penalty and torture and other cruel, inhuman or degrading treatment or punishment).

As illustrated in Table 2.1.5 and the graph that follows below, support to women's rights, discrimination and human dignity has increased in the period under the current MIP compared to the MIP 2011-13 (from EUR 78.1M to EUR 82.32M). The number of actions has declined (267 in 2011-13 compared to 161 under the current MIP) although it is expected to increase in all areas given that the CBSS is combined for 2016 and 2017 and many contracts will still be signed during or after 2017, while contracts for both the 2016 and 2017 Global Calls will also change the picture somewhat once they are signed. For similar reasons:

- While the level of support to 'human dignity' has increased in the current period compared to that under the 2011-13 MIP (from EUR 30.2M to EUR 35.71M), there has been a decrease in the number of actions supported to 13 January 2017, from 66 to 32.
- There has been a decrease in the number of actions and expenditure / allocations on women's rights under the current EIDHR compared to the period covered by the MIP 2011-13¹⁶².
- There is a slight reduction in the number of actions targeting discrimination based on gender or sexual orientation (from 24 to 18) under the current MIP compared to those under the MIP 2011-13, although the amount of expenditure in this regard has increased in the current period – from EUR 8.8M to EUR 10.05M.
- There is a slight reduction in the number of actions targeting discrimination based on gender or sexual orientation (from 24 to 18) under the current MIP are compared to those under the MIP 2011-13, although the amount of expenditure in this regard has increased in the current period – from EUR 8.8M to EUR 10.7M.

¹⁵⁹ Targeted actions include the following: 0.6 M€ under support to the Human Rights bodies of the African Union; 5 M€ Grant to Global Alliance of NHRIs; 1.6 M€ for Support to UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression (2016); 1 M€ for support to the ENNHRI; 0.8 M€ for 'Cartooning for Peace'.

¹⁶⁰ According to information received from European Commission services, DG DEVCO; including small grants through UNOPS.

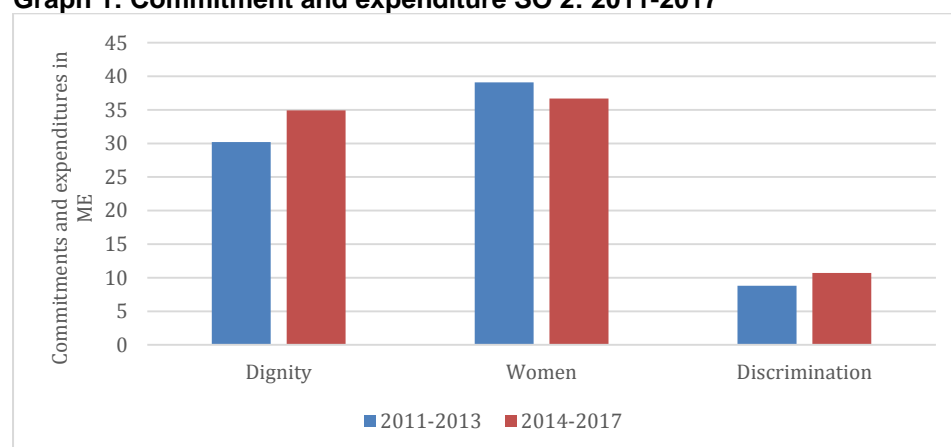
¹⁶¹ According to estimation received from European Commission Services; DG DEVCO. 2016 and 2017 allocations have not yet been used so the 11 projects are to be funded under 2014 and 2015 allocations and additional ones will be signed under 2016 and 2017 allocations (although it is not yet known how many that will include).

¹⁶² Although this was reported to be at least partly attributable to the fact that a special programme on women has been created under the Global Public Goods and Challenges (GPGC) programme of the DCI, some concerns were raised that the GPGC is a long-term programme and not able to respond in the way the EIDHR might to short-term extreme violations of the rights of women such as the kidnapping of girls by Boko Haram in Northern Nigeria since 2014.

Table 2.1.5: Actions / expenditure: dignity, women and discrimination (2011-2017)¹⁶³

Issue	No. of actions 2011-13			Expenditure 2011-13 (EUR M)	No. of actions 2014-17			Commitment and expenditure 2014-2017 (EUR M)
	CBSS	Global	Targeted		CBSS	Global	Targeted	
Dignity	40	26	0	30.2	30 ¹⁶⁴	1 ¹⁶⁵	1	35.71¹⁶⁶
Women	169	7	1	39.1¹⁶⁷	111 ¹⁶⁸	NA	0	35.82¹⁶⁹
Discrimination	17	7	0	8.8¹⁷⁰	15	3 ¹⁷¹	0	10.05¹⁷²
Totals	226	40	1	78.1	156	4	1	81.58

Graph 1: Commitment and expenditure SO 2: 2011-2017



In addition, and in line with EU priorities, gender equality, including for LGBTI persons, is a major focus of actions under the 2014-2020 EIDHR and is included in specific actions as well as being mainstreamed as a cross-cutting issue in the majority of others¹⁷³.

¹⁶³ Figures only include actions under Objective 2. Actions under objective 1 of the 2014-2017 EIDHR and support measures are not included under this indicator.

¹⁶⁴ Figures under Human Dignity also include amounts for CBSS contracts regarding "Children victims of sexual exploitation and sexual violence", "Detention conditions of women in jail" and "Children in Detention". Figures also includes actions funded under the HRC facility and relevant to the Human Dignity theme

¹⁶⁵ From the Global Call 2015 – To support the fight against death penalty.

¹⁶⁶ The following allocations for the period 2015-2017 include:

- Lot 2 from the Global Calls 2016– Fighting against torture and ill-treatments (8,29M€).

- Lot 2 from the Global Call 2017 - Fight against extra judiciary killings and enforced disappearances (5M€)

- Lot 3 from the Global Call 2015 - To support the fight against the death penalty (6,87 M€)

¹⁶⁷ The 2013 Combating discrimination 2013 global call for proposals; included commitments of (5M€) under Lot 4 for Worst forms of discrimination against girl infants – Female infanticide.

¹⁶⁸ Figures from CBSS includes figures related to contracts signed up to January 2016; Figures include contracts classified under Women's rights; and which final beneficiaries are women and women and children. Contracts related to conditions of women in prisons; have been withdrawn from this category and included under the Human Dignity category

¹⁶⁹ The allocation for the period 2016-2017 includes Lot 1 from the Global Calls 2016 – Supporting women or Human Rights Defenders defending women rights (4,65M€)

¹⁷⁰ The 2013 Combating discrimination 2013 global call for proposals; included commitments of (5M€) under Lot 2 Discrimination against lesbian, gay, bisexual, transgender and intersex people (LGBTI).

¹⁷¹ Including a top up to two 2013 calls on rights of LGBTI persons and freedom of religion or belief.

¹⁷² Including 4.65 M allocation under Lot 4 of the 2016 Global Call. Include actions under the theme fighting discrimination based on gender identity and sexual orientation; and actions which final beneficiaries are LGBTI population.

I-213 Increase / decrease in no. of actions and expenditure on economic, social and cultural rights at global, regional and national level under Specific Objective 2 – compared between the period covered by the previous MIP (2011-13) and the period 2014-17.

Although mentioned in Article 2 (1) (b)¹⁷⁴, the 2007-13 EIDHR had very little focus on ECSR. Nonetheless, significant support was provided, primarily under the CBSS, as illustrated in Table 2.1.6:

Table 2.1.6: Expenditure and actions on ESCR (2011-2013)

Issue	No. of actions 2011-13			Expenditure 2011-13 (EUR M)
	CBSS	Global	Targeted	
Access to social services (including health, education, justice)	72	2	0	14.3
Cultural rights	5	0	0	0.6
Environmental and land rights	12	0	0	1.9
Labour rights; modern form of slavery: human trafficking	21	1	0	5
Totals	110	3	0	21.8

As illustrated in Table 2.1.7 and graph 2 the amount expended or committed to ECSR has increased under the current MIP (2014-17) compared to the period of the previous MIP (2011-13) - from EUR 21.8M to EUR 26.76M – with expenditure / commitments under the current MIP expected to rise once additional contracts under the 2016-17 CBSS are signed.

Table 2.1.7: Expenditure and planned actions on ESCR (2014-17)

Issue	No. of actions 2014-17			Expenditure and commitments 2014-17 ¹⁷⁵ (EUR M)
	CBSS ¹⁷⁶	Global	Targeted	
Access to social services (including health, education, justice)	17	0	0	5.28
Cultural rights	5	0	0	0.63
Environmental and land rights	3	0	0	5.97

¹⁷³ For example, references to gender equality are included in Objectives 1-4 of the MIP; and gender equality and women's rights permeate the entire 2014 and 2015 AAPs as well as the MAAP for 2016-17. Specific actions on women are also included in global calls and the CBSS in the AAPs and the MAAP.

¹⁷⁴ 'Having regard to Articles 1 and 3, Community assistance shall relate to the following fields: 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 concerning civil, political, economic, social and cultural rights, mainly through civil society organisations.'

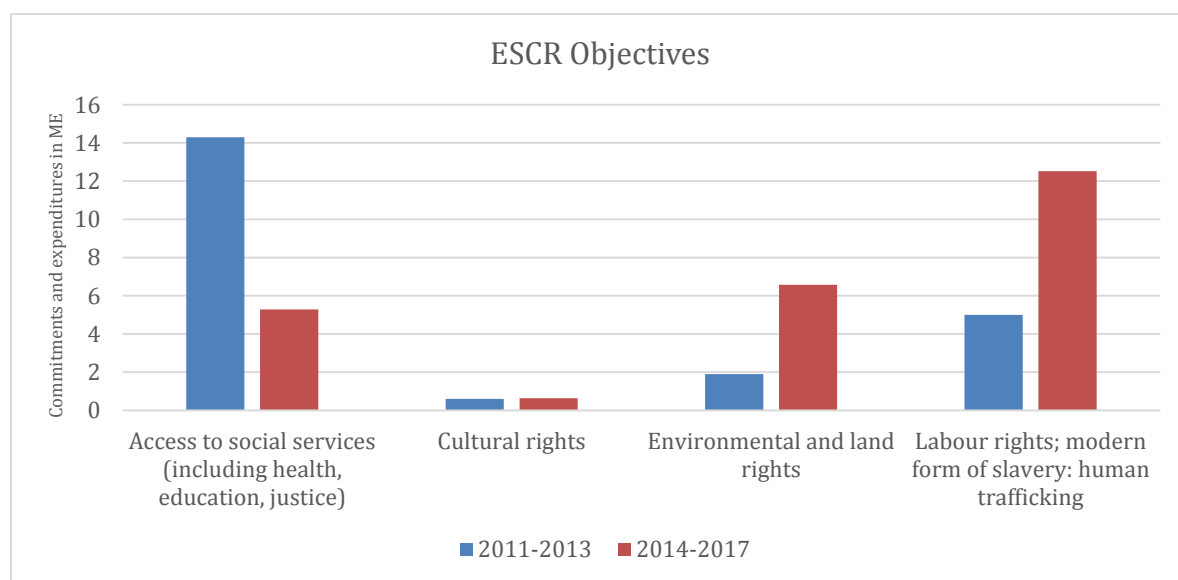
¹⁷⁵ The planned allocations for the period 2014-2017 include:

- Lot 1 from the Global Calls 2017 – Supporting Human Rights Defenders in land-related rights, indigenous peoples, in the context of inter alia 'land grabbing' and climate change (EUR 5M).
- Lot 3 from the Global Calls 2017– Combating modern forms of forced labour (EUR 5M).
- Lot 2 from the Global Call 2015 - To contribute to the monitoring and the effective implementation of the specific international core conventions ratified by GSP+ beneficiary countries in the EU Generalised Scheme of Preferences+ (GSP+) context – Labour rights (EUR 5M).

¹⁷⁶ Figures regarding CBSS include contracts signed up until January 2016.

Labour rights and GSP +; modern form of slavery: human trafficking ¹⁷⁷	9	3	1	14.89
Totals	35	3	1	26.76

Graph 2: Support to ESCR 2011-13 and 2014-17



Noting that contracts which will be signed under the 2016-17 CBSS and global calls after December 2016 will no doubt change the picture, the number of actions supported to end December 2016 has decreased under the current MIP (from 113 to 39).

I-214 Increase / decrease in number of EIDHR actions and in expenditure towards targeted key actors and processes, including international and regional human rights instruments and mechanisms under Specific Objective 5 compared between the period covered by the previous MIP (2011-13) and the period 2014-17.

The 2007-2013 EIDHR includes references to supporting and strengthening the international and regional framework for the protection, promote on and monitoring of human rights, the promotion of democracy and the rule of law¹⁷⁸; and in particular support to the International Criminal Court (ICC)¹⁷⁹. As illustrated in Annex G (EIDHR actions and in expenditure towards targeted key actors and processes), support to international and regional mechanisms under the 2011-13 MIP included 15 actions totalling EUR 29.45M¹⁸⁰ to, amongst others:

- Pacific Island Forum Secretariat.
- Contribution to UNOPS to support the Extraordinary Chambers of the Courts of Cambodia.
- European Inter-University Centre for Human Rights and Democratisation (EIUC).
- UN Office of High Commissioner for Human Rights (UNOHCHR).
- International Criminal Court (ICC).
- The Inter-American Human Rights System.

Despite the fact that the primary focus of the EIDHR is on civil society, the 2014-2020 EIDHR includes an increased focus on international and regional human rights instruments and mechanisms under specific objective 5 in recognition of the critical role such instruments and mechanisms play in human rights and democracy. This is reflected in the 2014-17 MIP and

¹⁷⁷ Includes figures for contracts classified under child trafficking.

¹⁷⁸ Art 1 (2) (b) and Art 2 (1) (c)

¹⁷⁹ Art 2 (1) (a) (iii).

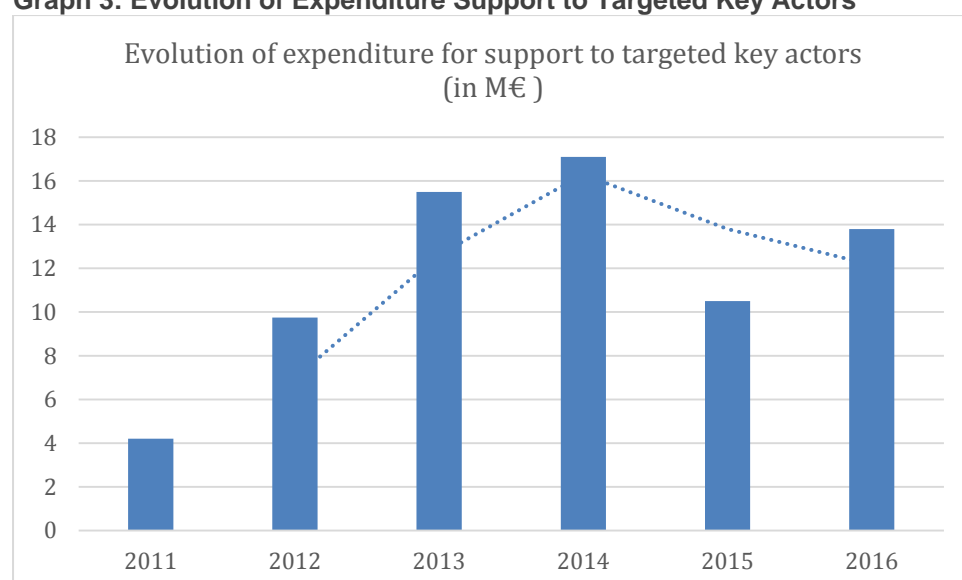
¹⁸⁰ Figures under this indicator are based on data / allocations in the various AAPs since it has been difficult to find actual expenditure to date. Nonetheless, where data was found, it differed only slightly from amounts allocated in the AAPs.

related AAPs, where the number of actions has increased to 19 with a total amount of EUR 55M allocated (see Annex G). In addition to ongoing support to the ICC, EIUC and OHCHR¹⁸¹, support has also been provided to, *inter alia*:

- Support to the International Labour Organisation (ILO) in implementing fundamental labour conventions (2015) and for improving indigenous peoples' access to justice and development through community-based monitoring (2016).
- Supporting key actors – UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression (2016).
- Support to the European Network of National Human Rights Institutes (ENNHRI) (2016).
- Supporting key actors – Developing Indigenous Networks and Supporting the Technical Secretariat for the Indigenous Peoples representatives to the United Nations' organs, bodies and sessions in relation with Human Rights (2017).
- Supporting a global programme to improve the monitoring of places of detention to protect children migrants with the UN Office of the High Commissioner for Refugees (UNHCR).

The evolution of expenditure over the period 2011-16 is illustrated in graph 3 below¹⁸².

Graph 3: Evolution of Expenditure Support to Targeted Key Actors



I-215 Number of actions and level of expenditure on new EU priorities (security and migration, including women and child migrants) under the current EIDHR.

As indicated under EQ 1, EU policies and priorities have increasingly focused on security and migration since 1 January 2014. To determine whether or not support under the EIDHR has responded to these new priorities, the evaluators considered the 2014 and 2015 AAPs and the 2016-17 MAAP.

Recognising that the primary focus of the EIDHR is on civil society and that other instruments (including the IcSP) have a particular focus on peace and security, there are currently no specific 'peace and security' projects under the EIDHR other than support that has been provided under the CBSS to respect for human rights in crisis / conflict situations in countries such as Mali, Nigeria and Palestine (amongst others)¹⁸³. Instead, support to human rights and democracy is understood as a necessary complement to the trend towards a greater

¹⁸¹ Grants to the EIUC and OHCHR are specifically included in Article 6 (1 (c) (iii) the CIR to make the process of providing such grants more simply than 'ordinary' grants.

¹⁸² One of the reasons for the drop in funding during 2015 was the fact that funds provided to UNOHCHR, set at EUR 4M in the period 2012 to 2014 and in 2016, dropped to EU 3.4M. The reasons for this are not yet clear, and in an interview with UNOHCHR it was stated that they were not consulted in advance and had not yet been told what the reasons were for the drop in funding – which is clearly of some concern to the institution.

¹⁸³ Confirmed in consultation with DEVCO Senior staff.

'securitisation' of development since human rights and democracy are preconditions to peace and security, including human security¹⁸⁴. The protection and promotion of human rights and a rights-based approach to development are therefore key. At the same time, it could also be argued that support to NHRIs and the ICC, as well as to international justice are also aimed to some degree at ensuring that greater security is achieved.

The escalation of conflict in various parts of the world, not least in Syria and Iraq, has led to dramatic increases in refugees, asylum seekers and IDPs since the adoption of the EIDHR. Some support was already envisaged for 'migration' in the Regulation, in the CBSS and Lot 4 of the global calls under the 2015 AAP (prepared in 2014), which has increased since then. In particular, support to child migrants is now included in the 2016-17 MAAP¹⁸⁵, support for the protection of the ESCR of *inter alia* migrants and refugees is included in the 2016-17 CBSS, while support to the rights of migrants refugees and asylum seekers, persons belonging to minorities and persons affected by caste-based discrimination is included and under Lot 4 of the 2016 Global Call. As of 13 January 2017, 28 CBSS contracts have been signed which, added to the total commitment under targeted actions and the global calls, gives a total of EUR 19.5M committed.

Table 2.1.8: Expenditure and actions under new EU priorities (migration)

No. of actions 2014-16			Allocation 2014-2017 ¹⁸⁶
CBSS ¹⁸⁷	Global	Targeted	
28	5	1 ¹⁸⁸	19.5M€
28	0	0	19.5M€

I-216 Degree to which processes (particularly the internal consultative processes used to determine priorities, MIPs and AAPs) are conducive to programming, identification/formulation of effective actions in the area of human rights.

Internally, a QSG is in place to discuss the Annual Action Programmes (2014/2015), the Multi-Annual Indicative Programme and the Multi-Annual Action Programme for 2016/2017. The QSG is chaired by DEVCO B Director, and has members from other DEVCO units, as well as from DG NEAR, ECHO, EEAS, and FPI. Internal consultation between DEVCO, EEAS, DG-NEAR, ECHO and FPI (amongst others) also takes place on a regular basis in both formal and informal settings¹⁸⁹.

Member States interviewed for the purposes of the evaluation had mixed views/experiences as to the quality of the process of the annual EIDHR Committee Meeting¹⁹⁰. Although some

¹⁸⁴ Ibid.

¹⁸⁵ See Annex 11 of the MAAP - Supporting a global programme to improve the monitoring of places of detention in order to protect children migrants - UN Office of the High Commissioner for Refugees

¹⁸⁶ Figures include the following commitments:

- From the Global CfP 2015; Lot 4- To support migrants, including asylum seekers in third countries, internally displaced persons and stateless persons. (5M€)

- From the Global CfP 2016; Lot 4- Supporting the rights of migrants refugees and asylum seekers, persons belonging to minorities and persons affected by caste-based discrimination. (4,65M€)

¹⁸⁷ Figures include contracts signed until January 2017. Figures for CBSS include contracts classified under: discrimination against migrants, refugees and stateless peoples; contracts which final beneficiaries are migrants; contracts classified under children rights and supporting children and women migrants.

¹⁸⁸ Supporting a global programme to improve the monitoring of places of detention in order to protect children migrants - UN Office of the High Commissioner for Refugees (UNHCR)

¹⁸⁹ Stakeholder consultations.

¹⁹⁰ Interviews have to date been conducted with Sweden, Netherlands, Germany and Czech Republic. The evaluators were unable to make contact with representatives of France and the UK despite

representatives of Member States noted that this is more a verification process than consultation, the view was not shared by all and at least one was able to point to a recent example of where their suggestions during the latest EIDHR Committee meeting had been completely accepted. More importantly, and as pointed out by DEVCO, the entire process followed is in line with the comitology procedure and so changes cannot be made¹⁹¹. According to the representative from the European Parliament's Sub-Committee on Human Rights, there is a concern about how long they have to comment on the MIPs for all EFIs – as set out in the relevant regulations. They are only provided with drafts of the MIP two weeks before submission to the Commission, which allows little time for comments. However, it was pointed out that there is no obligation to provide the MIP prior to the two-week deadline in the regulation and that DG DEVCO is the best in this regard and significant informal consultation takes place prior to submission of the MIP to the Sub-Committee¹⁹². Some concerns have also been raised by various Member States and other stakeholders around the decision to move to two-year programming with the 2016-17 MAAP. While all of those raising concerns fully appreciate that this is intended to improve efficiency and allow for better planning, the concern is that priorities are set two to three years in advance of the second year of the MAAP, which undermines a key aspect of the EIDHR – its responsiveness and ability to rapidly adapt to changes or evolving challenges in human rights and democracy¹⁹³. On the other hand, it is noted that a two-year planning cycle does allow for some flexibility, at least when it comes to the CBSS.

The evaluators note a recurrent concern with regards to consultation processes between HQ and EUDs, particularly when it comes to the simplified procedure introduced into PRAG under which concept notes are assessed at HQ level by external assessors (although full proposals will still be evaluated by both HQ and relevant Delegations). This was intended to reduce the burden on Delegations but was not met favourably by EUDs in Neighbourhood countries who raised concerns that this might increase the risk of very sensitive proposals slipping through and becoming a burden at a later stage¹⁹⁴. This concern though appears ill-founded since representatives of each geographical directorate are invited to the evaluation committees to ensure that the interests of the Delegations are taken into account and a selection list is sent to the Head of each concerned Delegation at the end of the evaluation of concept notes for their input and approval¹⁹⁵.

I-217 Degree to which the process of differentiation (including graduation) has affected the implementation of the EIDHR since 2014 in view of its worldwide mandate in the area of human rights.

Note

This indicator replicates I-225, save for the fact that it focuses on the effect on support to human rights under the EIDHR, while I-225 focuses on the effect on support to democracy. The overall finding for both indicators is that graduation has had no real effect on support under the EIDHR to either human rights or democracy. As a result, the information presented here is not replicated for indicator I-225 and both are dealt with together in the Desk Study Report.

'Graduation' refers to the process in Article 5 of the DCI under which have achieved upper income levels according to the OECD/DAC list are no longer eligible for assistance under geographic programmes. Countries that are signatories to the Cotonou Agreement (ACP countries) are 'differentiated' though – while they may have become middle-income countries,

repeated attempts and it has been agreed with the Evaluation Manager that further consultations will be held with Member States during the OPC.

¹⁹¹ Stakeholder consultation and comments to the Desk Report.

¹⁹² Stakeholder interview 14 November. As agreed with the Evaluation Manager, further consultations will be held with Parliament during the OPC process.

¹⁹³ Stakeholder interviews.

¹⁹⁴ Thematic budget line reports 2014 and 2015

¹⁹⁵ Comments on the Thematic Budget Lines Management Reports by Directorates D, E, G and H (2015) page 4.

a political decision was taken not to end bilateral EU support to countries with which the EU has a long established cooperation¹⁹⁶.

Out of 22 graduated countries, only three receive no CBSS allocation: Malaysia, Maldives and Turkmenistan (although Malaysia will receive an allocation in 2017). In 11 countries, the CBSS allocations remain relatively stable. Costa Rica has no allocation for 2016-17, while Iraq received an allocation in 2016 and Thailand and Venezuela received only one allocation over the four-year period under review¹⁹⁷.

Table 2.1.9: CBSS allocations for graduated countries

CBSS allocations for graduated countries				
	2014	2015	2016	2017
Argentina	700 000	500 000	400 000	500 000
Brazil	1 000 000	800 000	800 000	1 000 000
Chile	-	300 000	300 000	300 000
China	1 000 000	1 000 000	900 000	900 000
Costa Rica	300 000	300 000	-	-
India	1 000 000	900 000	900 000	900 000
Indonesia	1 000 000	800 000	800 000	900 000
Kazakhstan	-	600 000	-	600 000
Malaysia	-	-	-	-
Maldives	-	-	-	-
Mexico	1 000 000	1 000 000	1 000 000	1 100 000
Panama	-	300 000	300 000	-
Thailand	-	300 000	-	-
Uruguay	-	500 000	-	500 000
Venezuela	-	-	900 000	-
Total	6 000 000	7 300 000	6 300 000	6 700 000
<i>Phasing out</i>				
Colombia	1 000 000	900 000	1 000 000	1 100 000
Ecuador	400 000	400 000	400 000	400 000
Peru	900 000	600 000	500 000	800 000
South Africa	800 000	600 000	700 000	800 000
Total	3 100 000	2 500 000	2 600 000	3 100 000
Cuba	300 000	300 000	-	-
Iraq	-	-	600 000	900 000
Turkmenistan	-	-	-	-

Source: data provided in the action documents on CBSS attached to the AAPs

Overall though, the EIDHR has not been affected by graduation/differentiation. This is mainly due to the fact that there is usually no correlation between the human rights and democracy situation in a country and its level of development as measured by its GDP (for example: Mexico's economic growth and new opportunities, which contrast with the high level of insecurity, torture, enforced disappearances, impunity and social discontent). Human rights violations are also common to all societies regardless of their level of development while even the most industrialised country – the USA – continues to allow the death penalty in many of its states. Human rights and the SDGs are universal, which is of crucial importance to countries that have graduated but continue to struggle in the area the promotion and protection of human rights and democracy, as well as in those countries where human rights,

¹⁹⁶ Stakeholder consultation.

¹⁹⁷ Data provided in the action documents on CBSS attached to the AAPs.

democracy, governance or rule of law are not included as focal sectors or where no bilateral programmes exist.

Through CBSS, global calls and the EIDHR Facility, the EU is thus able cover graduated countries where no bilateral programmes exist and the EIDHR is thus one of the only remaining instruments for the Delegation to maintain a link with civil society in graduated countries. These interventions can also inform the political dialogue (including human rights dialogues) that the EU (EEAS) conducts with these countries¹⁹⁸. In addition, NHRIs are also sometimes directly supported by the EIDHR as is the case in Chile. Nonetheless, the EIDHR has been operationally affected by graduation in the sense that graduation or a reduction of aid has resulted in the closing or severe downsizing of cooperation sections and contracts and finance sections in the Delegations of the concerned countries. New ways of managing EIDHR funds (and other thematic programmes such as CSO-LA) have had to be found, notably on a regional basis. The Delegation in Brazil for example functions as a "hub" covering Chile, Uruguay, Argentina and Venezuela with one local or contract agent to manage the EIDHR under the supervision of the Delegation in Brazil.

A pressing issue was reported in Peru: given that some actions in support of democracy such as legislative reform require government buy-in and action, which is beyond the scope of the EIDHR, while others such as mass voter education campaigns are too expensive to be covered by EIDHR grants, concerns were raised that this may lead to less ability for the EU to focus on democracy in graduated countries. Such an observation serves to highlight the importance of the EIDHR in graduated countries and those where support is being phased out but also highlights the need for increased diplomacy and political dialogue to bring about necessary democratic reform once countries graduate.

JC 22 The EIDHR contributes to developing and consolidation of democracy and strengthening the democratic cycle and processes in third countries, in particular by supporting an active role of civil society.

I-221 Increase / decrease in no. of actions and expenditure at global, regional and national level to support democracy under specific objectives 3 and 4 of the EIDHR the period covered by the previous MIP (2011-13) and the period 2014-17.

Support to democracy (SO 3)

Although there was no separate objective on democracy support under the 2011-2013 MIP, based on a list of the 2007-2013 actions labelled as 'democracy support', 206 EIDHR actions were supported in the period 2011-2013 for a total of EUR 68.8M as set out in Table 2.2.1 below.

Table 2.2.1: Actions and expenditure: Democracy: 2011-2013¹⁹⁹

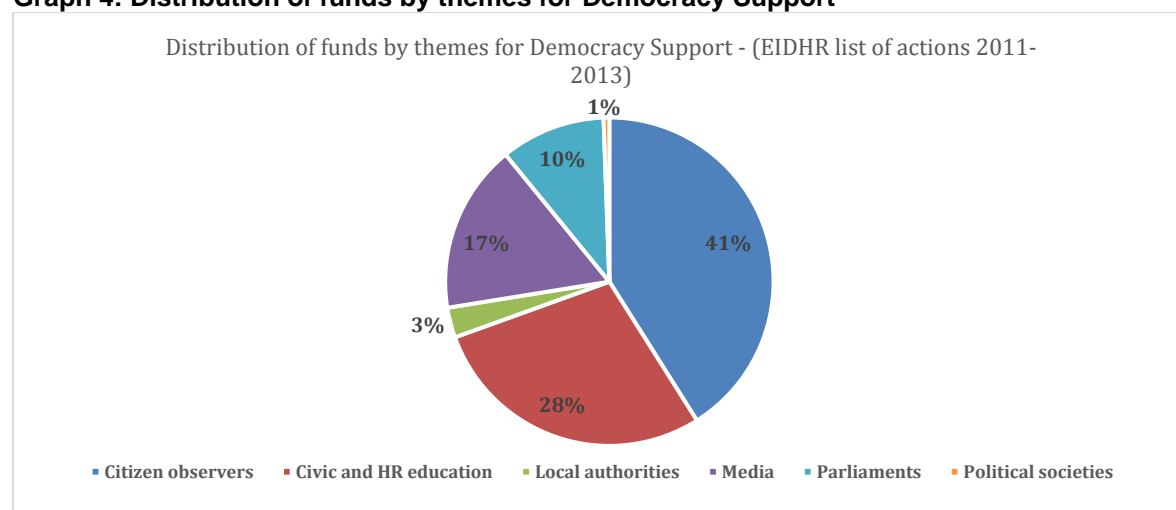
	Number of actions				Expenditures in M€			
	2011	2012	2013	Total	2011	2012	2013	Total
Democracy								
Citizen observers	40	30	37	107	11.18	7.73	9.34	28.25
Civic and HR education	13	14	18	45	4.63	5.9	9.05	19.58
Local authorities	3	3	2	8	0.68	0.71	0.65	2.04
Media	9	14	10	33	2.45	4.47	4.54	11.46
Parliaments	5	3	3	11	3.96	2.68	4.67	7.11
Political societies	1	0	1	2	0.09	0.00	0.3	0.39
Total	71	64	71	206	22.99	21.48	24.34	68.81

As illustrated in graph 4 below, most actions focused on citizen observers (41%) and civic and human rights education (28%).

¹⁹⁸ Consultations with civil society before the HR dialogues are financed by the EIDHR under Specific Objective 5 when there is a need for financial support.

¹⁹⁹ Figures based on decision year

Graph 4: Distribution of funds by themes for Democracy Support



Under the current EIDHR, specific objective 3 focuses on support to peaceful pro-democracy actors that enhance participatory and representative democracy, transparency and accountability. When compared to the data in Table 2.2.2, the total expenditure and commitment under the current MIP (as at end December 2016) has increased to EUR 70.75M while the number of actions has decreased to 148. However, the number of actions and level of expenditure can be expected to increase once all contacts under the 2016-17 CBSS and targeted contracts are signed during 2017 (Table 2.2.2)

Table 2.2.2: Actions, commitment and expenditure (SO 3) 2014-2017

	Number of actions				Commitment and expenditure in M€			
	2014	2015	2016	Total	2014	2015	2016-2017 ²⁰⁰	Total
Political society and pluralism	0	3	1	4	0.00	0.35	0.16	0.51
Domestic accountability	34	28	1	63	9.24	8.15	0.8	18,19
Fundamental freedoms	16	12	2	30	5.56	8.4	0.85 ²⁰¹	14,81
Parliaments	2	0	1	3	0.83	0.00	5 ²⁰²	5.83
Electoral assistance, domestic observation	14	11	1	26	8.37	2.34	0.3	11.01
HR and civic Education	9	10	3	22	7.17	7.23	6	20,4
Total	75	64	9	148	31.17	26.47	13.11	70.75

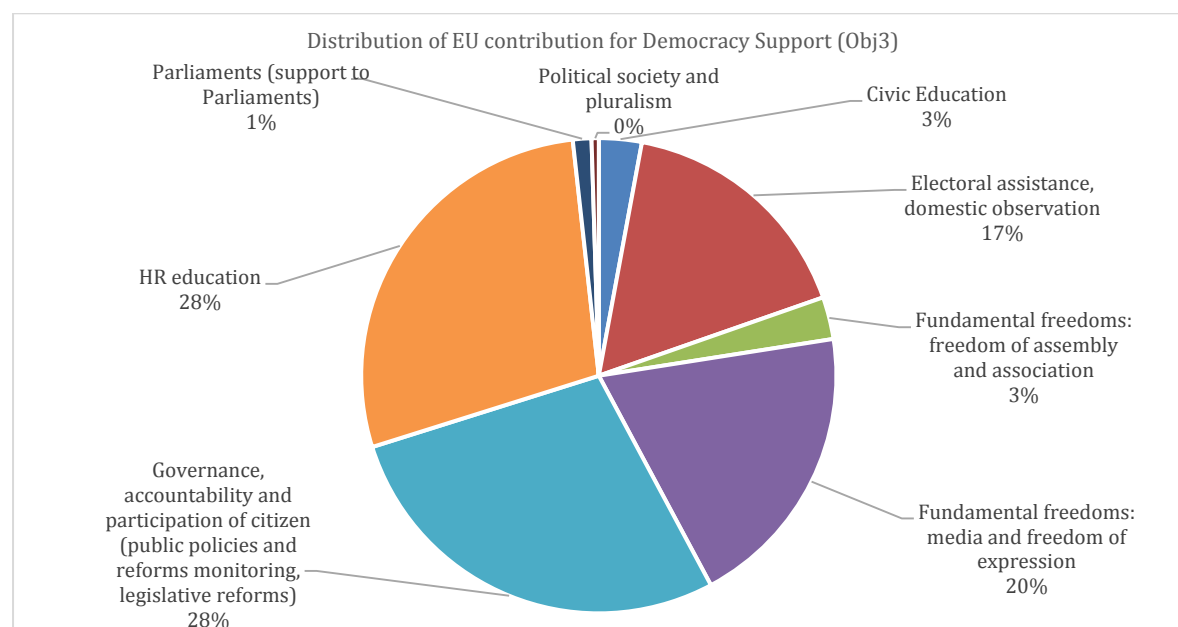
Actions supported under the current MIP vary but more than half of the support to end December 2016 has focused on human rights and civic education (28% and 3% respectively, for a combined 31% in this area) and Governance, accountability and participation of citizens (public policies and reforms monitoring, legislative reforms) (28%) – as illustrated in Graph 3.

²⁰⁰ Figures for 2016 are based on contracts signed up until 13 January 2017

²⁰¹ Include 0,8 M€ allocation for the Action Cartooning for Peace

²⁰² 5 M€ from MAAP, year 2016: Action Document for supporting Democracy - Global programmes to Strengthen the capacity of Political Parties and Parliaments

Graph 5: Distribution of democracy themes (SO 3) 2014-17



Support to political society and pluralism (0%) and Parliaments (1%) is low but while there has as yet been no global call for proposals under SO 3 in the period 2014-16, support to both political parties and national Parliaments during 2017 is foreseen in the MAAP 2016-2017²⁰³. Instead, most contracts related to democracy other than those falling under the CBSS are based on service contracts, such as the “Supporting democracy – A citizens’ organisations, including domestic observer groups” programme to support, develop and consolidate democracy by reinforcing an active role for civil society within the democratic cycle. The programme specifically aims to deliver support to Delegations in the pilot countries of the EU Agenda for Action on Democracy Support²⁰⁴. The objectives are to strengthen civil society participation and inputs in democratic processes in general (dialogues, accountability), follow-up to Universal Periodic Review and EOM recommendations, and in the preparation and implementation of Democracy Action Plans (DAPs). In the first year and a half of the project, support was mainly delivered to DAP-related civil society consultations in Morocco, Tunisia and Tanzania. The programme also supported CSOs in Malaysia and Kenya with the objective of countering the shrinking space for civil society. In September 2016, the programme organised the second Global Forum for Domestic Observers, facilitating exchange, networking and learning between domestic observers from all over the world (which highlights that it is not only projects under the EIDHR but also EIDHR-sponsored events that are important). In addition, upcoming actions under SO 3 include a CfP to strengthen the political participation of women and youth in political parties in third countries and improve the legal framework of party-systems; a service contract on ‘Media and Freedom of Expression’; and a service contract to support the national parliaments of the European Union to undertake parliamentary strengthening activities addressing assemblies in beneficiary countries. Support has also been provided under the CBSS to actions in support of EOMs where applicable (as required by SO 3). For example, the EIDHR was used to fund election-related activities such as access to information in Gabon (2016), civil society and the media in Ghana (2016), media and CSO election engagement in Myanmar (2015), civic engagement in elections in Peru (2016) and conflict prevention and dialogue in Sri Lanka (2015)²⁰⁵.

²⁰³ Although direct funding of political parties is prohibited to guarantee the EIDHR’s non-partisan approach, this does not exclude activities targeting political parties in a non-partisan and multi-party manner (e.g. addressing their legal environment, or conducting training). (MIP 2014-17, page 7).

²⁰⁴ Benin, Bolivia, Ghana, Lebanon, Maldives, Mongolia, Kyrgyzstan, Philippines, and Solomon islands (first generation) and Georgia, Republic of Moldova, Morocco, Tunisia, Malawi, Mozambique, Tanzania, Paraguay, Myanmar/Burma, Nepal, East Timor and Fiji (second generation).

²⁰⁵ Stakeholder consultation with senior DEVCO staff.

A concern was raised by stakeholders that there appears to be considerably more support to human rights related actions than those supporting democracy under the EIDHR²⁰⁶. Although this is true to some extent, the appearance of an ‘imbalance’ between support to human rights and democracy is misleading. A quarter of all support under the EIDHR budget is included in SO 4 (election observation), which is of course also support to democracy, while SO 2 includes a focus on human rights that are of critical importance to democracy such as women’s rights and gender equality that are crucial to ensure political representation of women. SO 3 itself has a strong focus on human rights that are fundamental to democracy (freedom of expression and freedom of association). SO 5, primarily focused on human rights institutions, also includes support to the rule of law. In addition, some support to democracy (such as nationwide voter education campaigns) can be expensive and usually requires buy-in from government – both of which take it out of the scope of the EIDHR and the limited levels of funding provided under the EIDHR at country level²⁰⁷. As a result, support to democracy is often included under geographic programmes and the CSO-LA rather than under the EIDHR. Most CSOs also tend to focus on human rights rather than democracy which makes it more likely that applications for CBSS grants will be primarily from human rights CSOs, while in some countries, human rights issues are so pressing that whatever funds are available are used for support human rights rather than democracy²⁰⁸. And finally, most international and regional mechanisms and actors (such as the UN) also focus on human rights rather than democracy, which helps to explain why more support to human rights is provided.

SO 4 (EU EOMs)

For specific objective (SO) 4, 56 actions took place under the 2011-2013 MIP - 24 EOMs, 30 Election Expert Missions (EEMs), one Election Assessment Team (EAT) and two Expert Follow-up Missions (EFMs). For the years 2014 and 2015, 37 actions have already taken place (15 EOMs, 17 EEMs and five EFMs). A further 18 actions took place in 2016 (7 EOMs, 8 EEMs, 3 EFMs), slightly less than the 21 that were planned since some missions did not take place when relevant authorities did not agree to the deployment of experts. The total number of election observation missions for 2014-16 is thus 55 actions – marginally less than the 56 actions under the previous MIP with those for 2017 still to be added²⁰⁹.

In terms of expenditure, there is an increase in the annual budget planned for this objective compared to the previous MIP, but on average this does not reflect an increase in actual commitments and payments.

Table 2.2.3: Election Observation

Election observation				
	Planned (AAP)	Commitments authorised	Commitments made	Payments made
2011	34.15	40.44	40.40	29.88
2012	35.09	40.38	37.85	25.91
2013	36.42	40.38	38.27	26.04
2014	40.37	45.84	43.46	31.02
2015	41.26	32.90	31.27	24.93
2016	44.63			

Sources: AAPs EOM & FPI AARs

²⁰⁶ Analysis of AAPs, EIDHR project list, CRIS data, stakeholder interviews and country studies.

²⁰⁷ Stakeholder consultation at both HQ and EUD levels. According to the questionnaire results as at 29 November 2016, a similar pattern is reflected in responses from Delegations that have participated to date, with 24% of respondents reporting that they use the EIDHR to support democracy compared to 71% use it primarily to support human rights.

²⁰⁸ Pakistan is a good example – as explained during consultations with the EUD.

²⁰⁹ All data provided by EEAS.

I-222 Degree to which election observation is effective in improving the reliability of elections.²¹⁰

Although the fact that a significant number of election observation activities have been conducted is an indicator that the EIDHR is likely to achieve the objectives in SO 4 (greater transparency and trust in electoral processes as part of the wider promotion of democracy processes in SO 3) as well as the overall objective in Art 1 (a) of the EIDHR (improving the reliability of electoral processes), measuring the effectiveness of election observation remains a challenge. The effectiveness of elections and electoral processes depends multiple factors and actors. However, a contribution analysis considering probable effectiveness and impact can be made. The 2015 EU Annual Report on Human Rights and Democracy²¹¹ states that the EU has become a key actor thanks to the credibility of its EOMs, which rigorously apply high standards of integrity and independence in line with the Declaration of Principles for International Election Observation (DoP), which has set the gold standard for election observation. Indeed, no other institution has carried out so many EOMs and the EU has systematically professionalised its missions over the past two decades.

In 2015, the Council of Europe carried out an evaluation of support to elections, which noted the contribution of electoral observation ‘in terms of credibility of the electoral process in new democracies, deterrence of electoral fraud, and identification of shortcomings requiring electoral reforms. The impact is both direct and indirect, because election observation reports are powerful tools in the hands of champions of change such as civil society’²¹². The report also notes that it is difficult to measure the specific impact²¹³.

The difficulty in identifying the effectiveness of election observation somewhat contrasts with the rather strong affirmations made in internal reporting. For example, the FPI Annual Activity Report (AAR) 2011 states that: ‘The very presence of EU observers on the ground helped to reduce intimidation and election-related violence. It also contributed to more balanced media behaviour, and more generally, to a better adherence to international standards and acceptance of final results both by the opposition as well as the wider population of a given country’²¹⁴. This is repeated in the 2012 AAR, but such statements no longer appear in reporting from 2013 onwards. During interviews, EEAS also showed prudence in statements regarding effectiveness, which is of course justified considering the complex nature of electoral processes (and the political dynamics in which they are embedded).

I-223 Degree of follow-up to EOM recommendations in sample countries by other EIDHR actions, other EFIs, Electoral Follow-up Missions (EFMs) and their inclusion in EU political dialogue at national level in the period 2014-2017.

The identification process for EOMs used by EEAS includes questions on prior or complementary EU support, and one of the *ex-ante* criteria is thus to compile a priority list (along with questions on the political context and security situation) and it indicates a concrete step to implement the policy intention to link EOMs to broader democracy support and more systematic follow-up of mission recommendations²¹⁵.

EFMs are a specific way to follow-up on EOM recommendations. EFMs were introduced in 2013²¹⁶, with the aim of verifying the extent to which EOM recommendations are adopted by partner countries. From 2014 to the end of 2016, eight EFMs were carried out. Since 2015 in

²¹⁰ Although considering the ‘reliability of elections’ is largely beyond the scope of an evaluation at instrument level, the EOM Evaluation currently underway will consider such questions and the final report will thus include a reference to the main findings in this regard from the EOM Evaluation.

²¹¹ Page 35

²¹² Evaluation of the Council of Europe Support to Elections, Final Report, February 2015, Council of Europe, Directorate of Internal Oversight. Reference taken from the Evaluation of EU Election Observation Activities, Inception Report Third draft, August 2016, p.1.

²¹³ Op. cit. page 1.

²¹⁴ Page 9.

²¹⁵ The data in this paragraph is from the EEAS decision notes on country priorities for electoral observation.

²¹⁶ Before that, there were “Post-election missions”, but these happened rarely.

particular, EFM have increasingly to countries where observation missions had recently taken place (in this case five EOMs that took place during 2013).

Table 2.2.4: EOMs and EFM 2008-16

	EOM	EFM
Cambodia	2008	2015
DRC	2011	2014
Honduras	2013	2015
Kenya	2013	2016
Nigeria	2011	2014
Madagascar	2013	2016
Pakistan	2013	2016
Paraguay	2013	2015

Bolivia is mentioned as an example of a country where recommendations of the 2006 and 2009 EOMs have largely been implemented. In Haiti, a 2011 EEM was followed by technical support to improve the electoral institutional framework and was part of the wider framework of the reinforced political dialogue between Haiti and the EU. Although the evaluators will include specific questions on follow up to EOM recommendations when visiting sample countries, as previously mentioned under EQ 1, one MS has noted that recommendations could be better followed up and used to inform all programming and political dialogue at country level – in particular, it was noted that recommendations from one EOM are often repeated in subsequent EOM reports²¹⁷.

Table 2.2.5: EOMs in Sample countries

SAMPLE COUNTRIES			
	EOM/EEM	TA elections	CS engagement
Israel			2015
Palestine		2011	
		2013	
		2015	
Pakistan	2013	2012	2012
Peru	2011		
	2016		2015
Russia			
Uganda	2011		
	2016		2014-16

Although it is not possible to determine what follow up has been made to recommendations in all countries, the three countries included in the sample countries for this evaluation where EOMs have been held in recent years shows that recommendations are certainly used in political and other dialogue in all cases, although the results thereafter are mixed:

- In Pakistan (EOM 2013; EFM 2016), stakeholders reported that political dialogue has led to government introducing a package of legislative and other reforms that are currently being finalised and that, if implemented, would mean that almost all, if not all, recommendations from the EOM and EFM being implemented²¹⁸. In addition, a new programme on support to electoral processes (including support to the Electoral Commission) has been formulated under the DCI with a budget of EUR 13M that will start implementation in 2017.
- In Peru (EOMs 2011 and 2016), stakeholders confirmed that EOMs provide a tool to promote reforms, to leverage contribution from other actors (CSO, media and political parties), and that they validate and enhance confidence in electoral process. However, concerns were raised that with EU support being phased out and no new geographic programme anticipated, and with Peru not being part of the pilot exercise of the EU Agenda for Action on Democracy Support (and thus not a focal country under the new Supporting democracy – A citizens' organisations', including domestic observer groups',

²¹⁷ Stakeholder interview, 28 October 2016.

²¹⁸ Stakeholder interviews.

Programme under the 2014 AAP) – the Delegation are unsure of how to address all EOM recommendations (other than via political dialogue and diplomacy) given the limited funds available under the EIDHR.

- In Uganda (EOMs 2011 and 2016), it was reported that EOM recommendations do not easily translate into change, but have nonetheless helped to secure regular and systematic follow-up through political dialogue. Although there is as yet no indication that government will use these recommendations to bring about reform, it was noted that the recommendations were used during the Supreme Court hearing on the 2016 elections and in the recently concluded Universal Periodic Review (UPR).

I-224 Degree to which processes (such as the internal consultative processes used to determine priorities, MIPs and AAPs) are conducive to programming, identification/formulation of effective actions in the area of democracy.

Note

The internal consultative processes when it comes to programming for democracy are essentially the same as those detailed under I-216 above. As a result, the evaluators have focused in this indicator only on the internal processes related to election observation.

The Special Measure for the 2014 AAP notes that ‘information sessions were held on the matter (electoral observation) with Civil Society, European Parliament and Member States prior to the drafting of the special measure. Civil Society was formally consulted on the 11th of December 2013. Member States and European Parliament exercised their respective formal role within the comitology and democratic scrutiny²¹⁹.

There are no references to public consultations in the MIP 2014-2017, the 2015 AAP or the 2016-17 MAAP. However, a key DEVCO manager involved in the development of the MIP and 2014 AAP confirmed that such consultation had taken place. This was backed up by Member State representatives and Brussels-Based NGOs consulted, who confirm that they were consulted during the preparation of the MIP, but the latter raised concerns that they have made suggestions that are not taken into account (for example on the need to establish a permanent coordination mechanism for organisation that promote democracy). On the other hand, the EU did take on board long-standing claims from civil society stakeholders on the need to work more with political parties (forthcoming call for proposals) or the need to work on enabling environments for civil society (work done through civil society roadmaps). Internally, annual plans are thoroughly discussed in the Quality Support Group (QSG), where seven DEVCO units are represented²²⁰, and more than 90 staff participated in the QSG of the 2016-2017 MAAP.

There is also a well-established and iterative consultation process to define the priority countries for electoral observation. As a first step, the various managing directorates are asked to indicate their preferences, which need to be supported by answering a short questionnaire for each country²²¹. The High Representative/Vice President (HRVP) then decides on a proposed list with a short justification for each country and a division between ‘A’-list and ‘B’-list - ‘A’ countries are proposed for a full EOM and ‘B’ countries for a smaller, less visible EEM. The proposal is then sent to the Political and Security Committee where all member states are represented at ambassador level and to the European Parliament/Democracy and Elections Group (EP/DEG)²²². After this consultation, the HRVP takes the final decision and informs the PSC and EP. Normally, there is one annual priority

²¹⁹ Page 2-3.

²²⁰ EEAS, FPI, DG NEAR, DG Trade, DG Employment, ECHO and geographic desks

²²¹ The questions cover democratisation and election support activities undertaken or planned (section I), political context (section II), possible difficulties for an EOM (section III) and an indication of the level of priority (section IV).

²²² This is not a mere formality and can lead to changes. For example, when discussing the 2015 priority list, Member States and the EP both underlined the importance of a strong engagement in election observation in the neighbourhood²²². As a result, Palestine and Libya were added to the list (although no elections would be held), Egypt was carefully considered (an EEM was eventually decided) and Kosovo was put on the list.

setting and a mid-year review that follow the same process. There is no consultation with external stakeholders in relation to election observation.

I-225 Degree to which the process of differentiation (including graduation) has affected the implementation of the EIDHR since 2014 in view of its worldwide mandate in the area of democracy.

Note

Please see the note to I-217 above.

JC 23 The EIDHR contributes to EU priorities for smart, sustainable and inclusive growth policies and development aid effectiveness

I-231 Increase in no. of actions and expenditure to support EU priorities for smart and sustainable growth, the period covered by the previous MIP (2011-13) and the period 2014-17

EU priorities for smart and sustainable growth

The main EU policy on smart and sustainable growth **Europe 2020 - A strategy for smart, sustainable and inclusive growth**²²³ adopted in 2010 which focuses on job creation / employment; research and innovation; climate change and energy; education; and combating poverty. Although the strategy is really aimed at Europe itself, various development policies reference it – for example, ‘A Decent Life for All’²²⁴ which states that ‘(t)he implementation and regular review of the Europe 2020 Strategy, which builds on the integrative approach initiated by the EU Strategy for Sustainable Development, should contribute to greater coherence, mainstreaming and integration of the three dimensions of sustainable development in EU policies at large.’²²⁵ A range of development policies also include a focus on sustainable growth and development, including:

- The **European Climate Change Programme (ECCP II)** (2005)²²⁶ that formed the strategic framework for EU environmental action and included climate change among its top four priorities.²²⁷
- **Agenda for Action (2011)**²²⁸, which required the EU to focus its support for inclusive and sustainable growth on those sectors which build the foundations for growth and help ensure that it is inclusive, notably social protection; health; education; decent work; a stronger business environment and deeper regional integration; and those sectors that have a strong multiplier impact on developing countries’ economies and contribute to environmental protection, climate change prevention and adaptation, notably sustainable agriculture and energy.
- **The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations, 2012**²²⁹ which recognises that an ‘empowered civil society is a crucial component of any democratic system and is an asset in itself. It represents and fosters pluralism and can contribute to more effective policies, equitable and sustainable development and inclusive growth.’²³⁰
- **A Decent Life For all - Ending poverty and giving the world a sustainable future (2013)**²³¹. This overarching policy recognises the importance of good governance, democracy and human rights in ending poverty and giving the world a sustainable future. It noted that poor governance, including a lack of democracy, rule of law and respect for human rights, is currently hampering efforts towards poverty eradication and sustainable

²²³ COM(2010) 2020 final

²²⁴ Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

²²⁵ Page 6

²²⁶

http://www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_6_raporlar/1_3_diger/environment/the_european_climate_change_programme.pdf

²²⁷ Page 5

²²⁸ COM(2011) 637 final

²²⁹ COM(2012) 492 final

²³⁰ Page 3

²³¹ Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

development²³² and stressed that the role of women is particularly important in unlocking the drive for sustainable development and all forms of barriers to equal participation need to be removed.

- **The Overarching Post 2015 Agenda (2013)**²³³ Emanating shortly after 'A Decent Life for All' policy, this Commission Communication that stated that the overarching post-2015 framework should 'ensure a rights-based approach encompassing all human rights. It should also address justice, equality and equity, good governance, democracy and the rule of law, with a strong focus on the empowerment and rights of women and girls and gender equality, and on preventing and combating violence against women as essential preconditions for equitable and inclusive sustainable development, as well as important values and objectives in themselves.'²³⁴
- **The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations, 2012**²³⁵, which recognises that an 'empowered civil society is a crucial component of any democratic system and is an asset in itself. It represents and fosters pluralism and can contribute to more effective policies, equitable and sustainable development and inclusive growth.'²³⁶
- **The Union as a strong global actor' (2014)**²³⁷ which includes five overarching priorities to guide the work of the EU over the next five years: stronger economies with more jobs; societies enabled to empower and protect; a secure energy and climate future; a trusted area of fundamental freedoms; effective joint action in the world.²³⁸
- **'A Decent Life for All: From Vision to Collective Action' (2014)**²³⁹, which focuses on *inter alia* eradicating poverty, building more inclusive and equal societies, increasing access to social and economic rights, gender equality, and sustainable development.²⁴⁰
- **'On a transformative post-2015 agenda'**²⁴¹ that envisages a post MDGs agenda focused *inter alia* on poverty, social and economic rights, climate change, migration, the most disadvantaged and vulnerable (including children, the elderly and PWDs) and with the empowerment and human rights of women and girls at its core.²⁴²
- **'A Global Partnership for Poverty Eradication and Sustainable Development after 2015'**²⁴³. This Communication follows the adoption of the 2030 Agenda and sets out the overarching principles of the global partnership, including that it must be based on human rights, good governance, rule of law, support for democratic institutions, inclusiveness, non-discrimination, gender equality, environmental sustainability and respect for planetary boundaries, and that women's rights, gender equality and the empowerment of women and girls should be key means of implementation and promoted at all levels.²⁴⁴ In addition, the new agenda should aim to eradicate poverty in all its forms and to achieve sustainable development in its three dimensions in a balanced and integrated manner.²⁴⁵ The Council Conclusions also underline the importance of the role of CSOs in nurturing democratic ownership, development effectiveness and sustainability of results.²⁴⁶
- **Capacity building in support of security and development - Enabling partners to prevent and manage crises'**²⁴⁷. Although its focus is primarily on security capacity building efforts in partner countries, the Communication recognises that '(t)he primary objective of the EU's development policy is the reduction and, in the long term, the eradication of poverty, but development policy also addresses sustainable development, inequalities, social injustice and human rights violations. This is essential in addressing the root causes of insecurity and conflict.
- **'Global Strategy for the EU's Foreign and Security Policy (2016)'**. The Strategy

²³² Page 3.

²³³ Council Conclusions of 25 June 2013

²³⁴ Page 4.

²³⁵ COM(2012) 492 final

²³⁶ Ibid.

²³⁷ EUCO 79/14

²³⁸ Page 14ff.

²³⁹ COM(2014) 335 final

²⁴⁰ Page 4 ff.

²⁴¹ Press Release dated 16 December 2014.

²⁴² Page 4.

²⁴³ COM(2015) 44 final

²⁴⁴ Page 3.

²⁴⁵ Page 4.

²⁴⁶ Page 9.

²⁴⁷ JOIN(2015) 17 final

identifies five priorities: the security of the EU; state and societal resilience to the East and South (including a more effective migration policy); an integrated approach to conflicts (including promoting development and human rights to address the threat of terrorism and the challenges of demography, migration and climate change); cooperative regional orders; and global governance for the 21st Century based on international law, which ensures human rights, sustainable development and lasting access to the global commons.

Based on these policies, strategies and communications, EU priorities for smart and sustainable growth include essentially decent work, access to ESCR (education, health, water and sanitation and social protection), environment and climate change, social protection, and sustainable agriculture.

Note

Climate change and the environment are dealt with under I-232 below. As a result, this indicator focuses only on support to ESCR, poverty alleviation, education and labour.

2011-13

References to key issues in smart and sustainable growth include:

- The 2011, 2012, 2013 CBSS all include the possibilities of support for the structure and operation of trade unions; protection of the social, economic and cultural rights (in particular rights to food, water, health and education) of groups particularly vulnerable to discrimination, such as the poor, women, children and minorities.
- EIUC to act as an interdisciplinary European Centre for education and research in the area of human rights and democratisation: 2011- EUR 1.9M; 2012 EUR 4.35M; 2013 EUR 5.9M
- Support to UNOHCHR (2012: EUR 4M; 2013: EUR 4M), which is intended to support the crucial role and activities of the OHCHR, such as the input to the Human Rights Council, to the Universal Periodic Review and to the Special Rapporteurs including, inter alia by means of more involvement in efforts to advance poverty reduction and the Millennium Development Goals.
- Supporting key actors – Supervisory bodies of the International Labour Office monitoring ILO Conventions on Indigenous and Tribal Peoples' Rights – International Labour Office (ILO) (2013: EUR 700,000)– which includes a focus on poverty, education and health for IPs.

2014-17

- Support to the EIUC (education and research) continues throughout the period: 2014 (EUR 5.6M); 2015 (EUR 5.5M); 2016 (EUR 5.6M); 2017 (EUR 5.4M).
- Support to UNOHCHR (2014: EUR 4M; 2015: EUR 4M; 2016 3.4M; 2017 EUR 4M), which is intended to support the crucial role and activities of the OHCHR, such as the input to the Human Rights Council, to the Universal Periodic Review and to the Special Rapporteurs including, inter alia by means of more involvement in efforts to advance poverty reduction and the Millennium Development Goals.
- Global calls 2015 (total EU 26.86M). Lot 1 – includes support to environmental HRD, trade unionists who promote labour rights. Lot 2, related to civil society monitoring the implementation of core conventions, including those related to environmental protection, labour and ESCR.
- Supporting Democracy - Media and freedom of expression in the framework of the pilot exercise for democracy' (2015: EUR 4.55M) includes support to investigative journalism in new areas, especially in partnership with experts from specific sector areas (e.g. justice, energy, environment, health and social service delivery, education)
- Supporting selected EU trading partners in implementing fundamental labour conventions – International Labour Organisation (2015: EU 1.05M) the objective of this action is to strengthen the capacity of partner countries to implement fundamental labour conventions of the International Labour Organisation (ILO).
- Global calls (2017). Lot 1 – Supporting Human Rights Defenders in the area of land-related rights, indigenous peoples, in the context of inter alia 'land grabbing' and climate change and environmental rights. Lot 3 - Combating modern forms of forced labour.
- Supporting Democracy - Global programmes to Strengthen the capacity of Political Parties and Parliaments (MAAP 2016-17: EUR 5M) – includes support to internal

structures including legislative processes and procedures-trainings of party members on elaboration of laws on specific topics such as climate change and labour rights.

- Supporting key actors - Developing Indigenous Networks and supporting the Technical Secretariat for the Indigenous Peoples representatives to the United Nations' organs, bodies and sessions in relation with Human Rights (MAAP 2016-17: EUR 2M) includes a focus on poverty.
- Supporting key actors - International Labour Office (ILO) Improving Indigenous Peoples' access to justice and development through community-based monitoring (MAAP 2016-17: EUR 1.2M) includes focus on poverty, land rights, forced labour, child labour and discrimination at work.

I-232 Degree to which the EIDHR has since 2014 mainstreamed EU policy priorities (such as gender equality and climate change) and other issues highlighted for mainstreaming in instruments.

The three main EU policy priorities required to be mainstreamed wherever possible are human rights, climate (including the environment) and gender. Human rights is at the core of the EIDHR of course and so rarely if ever needs to be mainstreamed into EIDHR actions. Instead, for this indicator, the evaluators focused only on climate and gender.

1. Gender (including LGBTI)

MIP

Objective 1 — Support to human rights and human rights defenders in situations where they are most at risk states that 'The EIDHR's focus will be on the most difficult situations and the most vulnerable HRDs. These include women HRDs ... lesbian, gay, bisexual, transgender and intersex (LGBTI) HRDs.'²⁴⁸

Objective 2 — Support to other EU human rights priorities includes a specific focus on protecting women's rights in all contexts through fighting discriminatory legislation, gender-based violence and marginalisation as well as a focus on fighting discrimination in all its forms (including LGBTI people and discrimination on the basis of gender identity).²⁴⁹ When it comes to torture and other cruel, inhuman or degrading treatment or punishment, particular attention should be paid to the special needs of women and children.²⁵⁰ In the area of promotion of freedom of religion or belief, the 'focus will be on projects to combat and prevent religiously motivated discrimination for example against persons belonging to religious or belief minorities, intolerance and violence, in all its forms, including where this derives from traditional practices or legislation discriminating against women and girls.'²⁵¹ And when it comes to ECSR, the EIDHR 'will support activities that implement the International Covenant on Economic, Social and Cultural Rights, which aims at empowering poor women and men through access to justice.'²⁵²

Objective 3 on supporting and consolidating democratic reforms in third countries, improving participatory and representative democracy; strengthening the overall democratic cycle and processes; developing pro-democracy advocacy; enhancing effective social dialogue and independent social partners; and developing transparency and accountability, during which 'Particular attention should be paid to gender issues, which usually limit space for women and girls.'²⁵³ The response strategy will include support for pluralistic and inclusive political participation and representation, through expanding the political space to foster a pluralistic debate and inclusion, with a specific focus (*inter alia*) on women.²⁵⁴

Objective 4 (EU election observation) states that actions under this objective 'will take into account the fact that observation methodology is reviewed and adapted, taking into consideration lessons learnt from reviews and responding to the new challenges arising from

²⁴⁸ Pages 8-9

²⁴⁹ Page 12

²⁵⁰ Ibid

²⁵¹ Page 15.

²⁵² Ibid

²⁵³ Page 17

²⁵⁴ Ibid.

the reality of constant change (for example, following up on recommendations, standard observation, gender and human rights analysis, observation of voter registration).²⁵⁵ Further, the EU 'will pay increased attention during its election observation to the participation of women and minority groups, as well as people with disabilities both as candidates and voters.'²⁵⁶

Objective 5 (Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms). Although there is no specific reference to gender under Objective 5 of the MIP, it does include support to all human rights (and thus the rights of women and LGBTI) and has a specific focus on non-discrimination when referring to support to Human Rights Dialogues.

Action Plans

In line with the strong focus on gender in the EIDHR (including violence against women, gender-based violence and discrimination against women and LGBTI people), many of the actions supported since 2014 have had gender as a primary focus. For example.

AAP 2014

Gender and women permeate the entire AAP:

- The CBSS's expected results and main activities include supporting gender equality (women's rights, women in decision-making, right to participate in peace-building and reconstruction processes, fight against violence and harmful practices, etc.), supporting the rights of persons belonging to minorities including LGBTI people²⁵⁷, and protection of ESCR of various groups including women.²⁵⁸ Specific outcomes could also include CSO campaigns to legislate on gender equality, campaigns for promoting anti-discrimination legislation, funding and strengthening of CSOs engaging for the rights of LGBTI people.²⁵⁹ Gender equality is also included as a cross-cutting issue on page 15.
- The objective of the Supporting key regional actors – Human Rights bodies of the African Union action is 'to support the work of Human Rights bodies of the African Union, in particular on human rights defenders, women's rights, freedom of expression and the abolition of the death penalty in Africa.'²⁶⁰
- Gender equality (or 'women') is included as a cross-cutting issue in the Support to Human Rights and Human Rights Defenders in situations where they are most at risk²⁶¹ Supporting democracy – A citizens' organisations', including domestic observer groups' Programme²⁶², Support to the EIUC (and linked universities)²⁶³, Supporting key actors – National Human Rights Institutions (NHRIs)²⁶⁴, Supporting key regional actors – Human Rights bodies of the African Union action²⁶⁵, the Supporting key actors – UN Office of the High Commissioner for Human Rights (together with LGBTI people)²⁶⁶, and Building legal expertise and fostering cooperation – International Criminal Court²⁶⁷.

AAP 2015

Once again, gender and women permeate the entire AAP:

- The CBSS's is essentially identical to the 2014 CBSS and includes similar activities related to women, LGBTI people, CSO campaigns on gender equality and so on. Gender is also included as a cross-cutting issue.
- Lot 1 of the global call for Supporting Human Rights priorities includes regional activities using financial support to thirds parties as the main implementation modality targeting categories of HRDs at risk such as women HRDs, and those working on LGBTI rights. Women are also included in Lot 3 (death penalty), Lot 4 (migrants including asylum

²⁵⁵ Page 19

²⁵⁶ Ibid.

²⁵⁷ Page 13.

²⁵⁸ Ibid.

²⁵⁹ Page 14.

²⁶⁰ Page 50.

²⁶¹ Page 6.

²⁶² Page 28.

²⁶³ Page 36.

²⁶⁴ Page 45.

²⁶⁵ Page 55.

²⁶⁶ Page 64.

²⁶⁷ Page 71.

seekers, internally displaced persons and stateless persons' rights) and Lot 5 (children in armed conflict).

- Gender equality (or 'women') is included as a cross-cutting issue in Supporting Democracy - Media and freedom of expression in the framework of the pilot exercise for democracy; Supporting key international actors – UN Office of High Commissioner for Human Rights; Support to the ILO; Supporting Human Rights priorities; Support to Human Rights and Human Rights Defenders in situations where they are most at risk; Supporting a global network of universities for human rights and democracy postgraduate education; and Support to the OHCHR.

MAAP 2016-17

Gender and women's rights permeate the entire MAAP:

- Gender is included as a 'main objective' of the CBSS (with gender equality included as a cross-cutting issue). Main activities include supporting gender equality (women's rights, women in decision-making, right to participate in peace-building and reconstruction processes, fight against violence and harmful practices, etc.), supporting the rights of persons belonging to minorities including LGBTI people, and protection of ESCR of various groups including women. Particular attention will also be paid to support gender equality and gender-oriented calls are encouraged.
- Gender equality is included as a main objective of the Global Calls AD. For 2016, Women HRDs and HRDs defending women's rights are prioritised. The empowerment of women is included as a cross-cutting issue. During 2017, support will be provided under Lot 5 (Supporting Freedom of religion or belief) including tackling intolerance and violence in all its forms where derives from traditional practices or discriminatory legislation against women and girls.
- The Crisis Facility AD includes the empowerment of women as a cross-cutting issue.
- Special attention will be paid to gender equality in activities under the Supporting Democracy - Global programmes to Strengthen the capacity of Political Parties and Parliaments AD. Every action will include a comprehensive gender analysis as well while the list of main activities includes gender awareness training, introduction of appropriate support measures to enhance gender equality.
- The participation of women will be promoted under the support to the EIUC through specific measures in order to foster equal opportunities and gender equality. In addition, activities will place special emphasis on addressing gender balance issues, analysing normative instruments, international policies and strategies on gender equality and women's rights. Gender awareness may also be addressed through dedicated trainings or activities that tackle key issues such as women's rights as human rights, emancipation, the recognition of differences, and awareness of intersections of gender with other factors of identity making (class, race, age, sexuality, etc.).
- According to the AD for support to the OHCHR, mainstreamed issues identified in the EIDHR Strategy are not only taken into account by the OHCHR, but are also the subject of specific activities: children, women, gender-based discrimination, LGBTI persons, people with disabilities, indigenous peoples, persons belonging to minorities and people affected by caste based discrimination.
- Support to the ICC includes a focus on gender, noting that the Rome Statute makes clear provisions for the protection of children and women.
- Gender is mainstreamed into the action on Developing Indigenous Networks.
- According to the AD for International Labour Office (ILO) Improving Indigenous Peoples' access to justice and development through community-based monitoring, particular attention will be given to indigenous women.
- Support to NHRIs will include women's rights and gender-related aspects of conflict, including rape as an instrument of war and the role of women in peacebuilding. Empowerment of women and women's rights are also included as cross-cutting issues.
- Gender equality is included as a cross-cutting issue under the Supporting key international actors – UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression action, the Supporting a global programme to improve the monitoring of places of detention in order to protect children migrants (UNHCR), Supporting the deployment of international Human Rights Indicators, and the Cartooning for Peace actions.

2. Climate and environment

MIP

There is comparatively less of a focus on climate and the environment in the MIP compared to gender. The only references are in Objective 1 — Support to human rights and human rights defenders in situations where they are most at risk states – where the MIP notes that ‘(a) further worrying trend is the increasing numbers of HRDs and organisations who have been criminalised as a result of social and environmental/climate change protests, e.g. when big investment projects are at stake, and whose fundamental rights have not been respected by governments or the extractive industries’²⁶⁸ and that ‘(t)he EIDHR’s focus will be on the most difficult situations and the most vulnerable HRDs. These include ... land rights and environmental rights defenders ...’²⁶⁹

AAP 2014

References to climate or the environment in this AAP are in the:

- Support to Human Rights and Human Rights Defenders in situations where they are most at risk which states that the focus will be on the most difficult situations and the most vulnerable HRDs including land rights and environmental rights defenders.²⁷⁰
- Supporting key actors – National Human Rights Institutions (NHRIs) which notes that ‘Many NHRIs face challenges in addressing new serious and trans-boundary threats to human rights as they emerge, for example, in the areas of business and human rights, natural resource governance and climate change.’²⁷¹ Climate and the environment is also included as a cross cutting issue in this action, which states that the action ‘focuses on strengthening the capacity of NHRIs to address emerging human rights challenges that affect disproportionately traditionally excluded and discriminated groups, e.g. ...human rights defenders (including environment human rights defenders)’.²⁷²
- CBSS, which includes environmental sustainability as a cross-cutting issue.²⁷³
- Support to the EIUC, where environment is included as a cross-cutting issue.²⁷⁴

AAP 2015

References to climate or the environment are:

- Lot 1 of the global call for Supporting Human Rights priorities includes regional activities using financial support to thirds parties as the main implementation modality targeting categories of HRDs at risk such as land rights and environmental rights defenders.²⁷⁵ Lot 2 also includes support to the CSOs to monitor the implementation of GSP+ (in those countries that are part of GSP+), which includes monitoring of the core conventions focused on environmental protection.
- Environmental sustainability is included as a cross-cutting issue in the CBSS and Support to the ILO, while ‘environment’ is a cross-cutting issue in Supporting a global network of universities for human rights and democracy postgraduate education.
- Supporting Democracy – Media and freedom of expression in the framework of the pilot exercise for democracy includes the possibility of support to investigative journalism in new areas such as the environment.

MAAP 2016-17

- The Global Calls AD includes a focus on Human Rights Defenders in the area of land-related rights, indigenous peoples, in the context of inter alia ‘land grabbing’ and climate change for 2017.
- The CBSS AD includes environmental sustainability as a cross-cutting issue.
- The list of ‘main activities in the Supporting Democracy - Global programmes to Strengthen the capacity of Political Parties and Parliaments AD includes support to internal structures including legislative processes and procedures-trainings of party

²⁶⁸ Page 9

²⁶⁹ Page 8-9.

²⁷⁰ Page 1.

²⁷¹ Page 41.

²⁷² Page 45.

²⁷³ Page 15.

²⁷⁴ Page 36.

²⁷⁵ Page 6.

members on elaboration of laws on specific topics such as climate change, with proper public participation, possible mitigating public policies, on the value of functional tax systems, on environmental policy as practised in the EU, on labour rights frameworks in any EU Member State or the EU as a whole, etc.

- According to the AD for support to the EIUC, the links between the environment and human rights will all be taken into account throughout the implementation of the action.
- Environmental sustainability is included as a cross-cutting issue under the Supporting key international actors – UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression action and the Supporting the deployment of international Human Rights Indicators actions.
- According to the AD for Supporting Indigenous Networks, competent instances on indigenous issues are informed about EU's areas of expertise that could have an impact on indigenous peoples (e.g. environment policy, climate change).

I-233 Degree of implementation of best practices to promote aid effectiveness (evidence of ownership, cooperation, partnership, consultations with CS)

The European Commission is committed to improving aid and development effectiveness through development cooperation and has endorsed all of the key international agreements in this regard – the 2005 Paris Declaration, the 2008 Accra Agenda for Action, the 2011 Busan Outcome Document and the 2014 Mexico Communiqué.²⁷⁶ However, given that these focus really on development assistance to countries and governments, they are not always appropriate when it comes to the EIDHR – for example, a key aspect of aid effectiveness highlighted in these is the issue of ownership, which doesn't apply to the EIDHR. Nonetheless, the EIDHR does comply with elements of aid effectiveness, notably participation, cooperation and consultation. For example, in the area of partnership and cooperation, CSOs are regarded as integral partners in the implementation of the EIDHR, with specific references to both partnership and cooperation to be found throughout:

- Section 15 of the preamble: Under this Regulation, the Union is to provide assistance to address global, regional, national and local human rights and democratisation issues in partnership with civil society.
- Section 16 of the preamble states that: 'Furthermore, whilst democracy and human rights objectives must be increasingly mainstreamed in all instruments for financing external action, Union assistance under this Regulation should have a specific complementary and additional role by virtue of its global nature and its independence of action from the consent of the governments and public authorities of the third countries concerned. That role should allow for cooperation and partnership with civil society on sensitive human rights and democracy issues, including migrants' enjoyment of human rights and the rights of asylum seekers and internally displaced persons, providing the flexibility and requisite reactivity to respond to changing circumstances, or needs of beneficiaries, or periods of crisis.'
- Article 2 (I) (a) (vi): states that 'Union assistance shall focus on the following: (a) support to and enhancement, in line with the overall democratic cycle approach, of participatory and representative democracy, including parliamentary democracy, and the processes of democratisation, mainly through civil society organisations at the local, national and international levels, inter alia by ... reinforcing local democracy by ensuring better cooperation between civil society organisations and local authorities, thus strengthening political representation at the level closest to the citizens.
- Article 2 (1) (c) (ii) states that 'Union assistance shall focus on the following: fostering cooperation of civil society with international and regional intergovernmental organisations, and supporting civil society activities, including capacity building of non-governmental organisations, aimed at promoting and monitoring the implementation of international and regional instruments concerning human rights, justice, the rule of law and democracy.

As dealt with in EQ 1 (Relevance), there is significant evidence of consultation with CSOs and other beneficiaries during the process of formulating the MIP and AAPs.

²⁷⁶ http://ec.europa.eu/europeaid/policies/eu-approach-aid-effectiveness_en

EQ 3 on efficiency

EQ 3 To what extent is the EIDHR delivering efficiently?

JC 31 The EIDHR has evolved to become more efficient in terms of cost and time

I-311 Increase / decrease in administration cost / transaction cost ratio of EIDHR interventions to the overall budget (as defined as "EIDHR Support Expenditure" in the General Budget of the EU) per EIDHR objective and aid method improved compared to former period (2007-13).

Note

It is not possible to determine transaction costs ratios and administration costs without including all of the costs of staff, equipment, rental etc. for all DEVCO, DG-NEAR, Delegation and other staff working on the EIDHR. Indeed, such costs are covered outside of the budget provided for the EIDHR and do not reflect what the indicator is trying to show – how much of the funds allocated to projects, contracts etc. under the EIDHR reaches the primary beneficiaries (CSOs, institutions etc.) and how much is used to cover other expenses related to implementation, which is in turn a standard indicator used when evaluating donor-funded programmes and projects that has been adapted for the peculiarities involved in an instrument-level evaluation. Instead, the evaluators have used 'Support Expenditure' related to illustrate the costs involved in implementing the EIDHR and what percentage of the EIDHR budget is used in this regard (see detailed explanation of what is meant by the term 'support expenditure' in the text that follows). With the consent of the Evaluation Manager, the indicator was also changed post-Desk Report stage – it being almost impossible to break these costs down per EIDHR objective and aid method, it was agreed instead to focus only at the overall level.

As illustrated in Table 3.1.1 and graph 6 that follows, support expenditure related to the implementation of the EIDHR have remained relatively constant over time – in the range of a low of around EUR 8.9M in 2007 to a high of around EUR 10.7M in 2011. When compared to the overall budget of the EIDHR, this amounts to an average of around 7.5%, with a only a slight escalation in the period covered by the 2007-13 Regulation compared to the current EIDHR. Overall, the costs of support measures have thus remained relatively low, indicating that the implementation of the EIDHR is generally efficient.

Table 3.1.1: Evolution of support expenditures as a percentage of total EIDHR budget

Year – Budget Line	General Budget	Support expenditures – Budget line	Percentage
2017 ²⁷⁷ – 21.04	132 804 486,00	10.108.836 ²⁷⁸	7,61%
2016 ²⁷⁹ – 21.04	130 293 231,00	9.899.061 ²⁸⁰	7,60%
2015 ²⁸¹ – 21.04	131 032 520,13	9.805.824,39 ²⁸²	7,58%
2014 ²⁸³ – 21.04	132 782 368,05	10.340.810,00 ²⁸⁴	7,57%
2013 ²⁸⁵ – 21.04	129 367 272,00	10.388.736,81 ²⁸⁶	7,55%

²⁷⁷ Budget line 21.04 of the Draft Budget 2017 – Appropriation 2017

²⁷⁸ Budget line 21.01.04.03: "Support expenditure for the European Instrument for Democracy and Human Rights" of the Draft Budget 2017 – Appropriation 2017

²⁷⁹ Budget line 21.04 of the Draft Budget 2017 – Appropriation 2016

²⁸⁰ Budget line 21.01.04.03 of the Draft Budget 2017 – Appropriation 2016

²⁸¹ Budget line 21.04 of the Draft Budget 2017 – Outturn 2015

²⁸² Budget line 21.01.04.03 of the Draft Budget 2017 – Outturn 2015

²⁸³ Budget line 21.04 of the General Budget 2016 – Outturn 2014

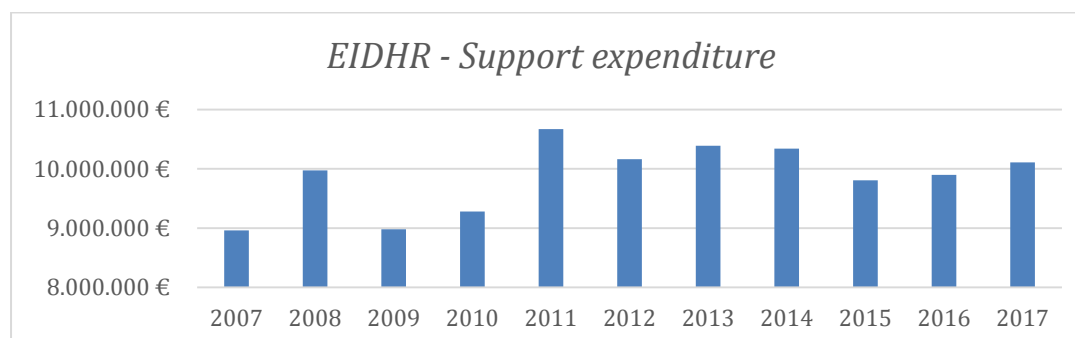
²⁸⁴ Budget line 21.01.04.03 of the General EU Budget 2016 – Outturn 2014

²⁸⁵ Budget line 21.04 of the General Budget 2015 – Outturn 2013

²⁸⁶ Budget line 21.01.04.03 of the General EU Budget 2015 – Outturn 2013

2012 ²⁸⁷ – 21.04	128 077 133,39	10.163.199,81 ²⁸⁸	7,53%
2011 ²⁸⁹ – 19.04	119 490 293,90	10.671.700,00 ²⁹⁰	7,52%
2010 ²⁹¹ – 19.04	156 712 047,54	9.279.841,50 ²⁹²	7,50%
2009 ²⁹³ – 19.04	153 231 380,35	8.980.246,28 ²⁹⁴	7,48%
2008 ²⁹⁵ – 19.04	142 837 331,56	9.974.647,73 ²⁹⁶	7,46%
2007 ²⁹⁷ – 19.04	133.542.917,00	8.960.896,13 ²⁹⁸	7,44%

Graph 6: Evolution of support expenditure



Explanatory note to Table 3.1.1

Table 3.1.1 presents the evolution of **EIDHR support expenditures or administrative management**. Support expenditure is defined in the 2017 EU Budget as ‘expenditure on technical and administrative assistance not involving public authority tasks outsourced by the Commission under ad hoc service contracts for the mutual benefit of the Commission and beneficiaries; expenditure on external personnel at headquarters (contract staff, seconded national experts or agency staff) intended to take over the tasks previously conferred on dismantled technical assistance offices; expenditure on external personnel in Union delegations (contract staff, local staff or seconded national experts) for the purposes of devolved programme management in Union delegations in third countries or for internalisation of tasks of phased-out technical assistance offices, as well as the additional logistical and infrastructure costs, such as the cost of training, meetings, missions and renting of accommodation directly resulting from the presence in delegations of external personnel remunerated from the appropriations entered against this item; expenditure on studies, meetings of experts, information systems, awareness-raising, training, preparation and exchange of lessons learnt and best practices, as well as publications activities and any other administrative or technical assistance directly linked to the achievement of the objective of the programme.’ Figures for 2014-17 are based on budget line 21 01 04 03 of the general EU Budget: “Support expenditure for the European Instrument for Democracy and Human Rights (EIDHR)”. Figures for 2007-13 are based on budget line 19 01 04 07 of the General EU Budget: “Expenditures on administrative management” decided by the EU Budgetary Authority (i.e. the Council and the European Parliament)

²⁸⁷ Budget line 21.04 of the General Budget 2014 – Outturn 2012

²⁸⁸ Budget line 21.01.04.03 of the General EU Budget 2014 – Outturn 2012

²⁸⁹ Budget line 19.04 of the General Budget 2013 – Outturn 2011

²⁹⁰ Budget line 19.01.04.07: “European Instrument for Democracy and Human Rights (EIDHR) — Expenditure on administrative management” of the General EU Budget 2013 – Outturn 2011

²⁹¹ Budget line 19.04 of the General Budget 2012 – Outturn 2010

²⁹² Budget line 19.01.04.07 of the General EU Budget 2012 – Outturn 2010

²⁹³ Budget line 19.04 of the General Budget 2011 – Outturn 2009

²⁹⁴ Budget line 19.01.04.07 of the General EU Budget 2011 – Outturn 2009

²⁹⁵ Budget line 19.04 of the General Budget 2010 – Outturn 2008

²⁹⁶ Budget line 19.01.04.07 of the General EU Budget 2010 – Outturn 2008

²⁹⁷ Budget line 19.04 of the General Budget 2009 – Outturn 2007

²⁹⁸ Budget line 19.01.04.07: of the General EU Budget 2009 – Outturn 2007

I-312 Degree to which EOMs are deployed efficiently in terms of i) logistical organisation; ii) inter-institutional cooperation and iii) flow of funds, that might occasion delays or cancellation of planned EOMs.

The organisation of EOMs is facilitated by the following:

- 1) The Election Observation and Democratic Support (EODS) project (2013-2015, extended to 2016) is a successor to the (Network of Europeans for Electoral and Democracy Support (NEEDS) project that ran in three phases from 2002 to 2012. The EODS aims to enhance the quality of election observation and the capacity of the EU and regional organisations and networks to ensure a comprehensive and coherent assessment of elections against international standards. This included advanced training of EU observers, the improvement of guidelines for EOM reports, the introduction of new technologies in EOMs, and the training of observers of regional organisations like the African Union (AU) and the Arab League. EODS trained 254 observers from 27 member states from 2013 to 2015. The programme helped to improve EOM operating procedures on security and produced an update of the EOM Handbook (3rd edition, 2016). EODS provided methodological support to the AU, and trained 65 AU long-term observers and 26 legal experts. MS also trained 29 short-term observers for the Arab League. An evaluation of EODS was published in March 2016²⁹⁹. The programme will have spent EUR 4M when it ends in December 2016.
- 2) The logistical implementation of observation missions is done through two framework contracts. The first³⁰⁰ preselected four service providers (GIZ, IOM, Transtec and Indra) who can bid for the implementation of full EOMs. A two-year contract was awarded in December 2012 and extended for an additional two years. A separate contract³⁰¹ is used to pay for the experts and logistics of EEMs, ExMs and EFMs. These smaller missions have a maximum cost of EUR 300.000.

There are no indications that these arrangements caused delays or cancellations of missions and there are likewise no indications that delays in the flow of funds has delayed or caused any planned EOM to be cancelled.

In terms of inter-institutional cooperation, electoral observation is a unique kind of activity that actively involves the Commission, the EEAS, the Council and the Parliament in the planning as well as reporting and follow-up phases of electoral observation. As detailed under JC 22, the inter-institutional cooperation is of a high standard and, while lengthy processes are involved, the process is as efficient as can be in the circumstances without jeopardising the effectiveness of missions.

In relation to the cost of EOMs:

- Between 2011 and 2013 the average cost of an EOM was EUR 3M³⁰²: 22% for fees of service provider, 32% for transport; 10% for equipment and 36% for logistics.
- The 2014 EOM annual activity report (AAR) states that MS in the PSC requested a reflection on EOMs resulting in a joint FPI/EEAS paper³⁰³. The AAR also states that the paper indicates an average cost reduction of 13% (comparing 2013-2015 with 2009-2012). Yet, the indicated average cost in the AAPs has increased to EUR 3.5M as from 2014 (20% for fees of service provider; 10% observer fees; 5% local staff; 23% per diems; 17% transport and 25% logistics)³⁰⁴.

The individual cost of missions varies greatly. Based on a sample of 15 missions between 2007 and 2016, the most expensive was the DRC 2011 (EUR 7M) whilst the lowest was Bhutan in 2008: (EUR 0.66M). The average cost over the period works out to EUR 3.16M. A

²⁹⁹ Final Evaluation of the Election Observation and Democracy Support Project (EODS) 2013-2015, Specific Contract no. 2015/366823/1, submitted on 14/03/2016.

³⁰⁰ FWC 2013/S 060-098098

³⁰¹ BENEf 2013 EuropeAid/132633/C/SER/multi

³⁰² EOM AAP 2013.

³⁰³ The paper itself is an internal document and was not seen by the evaluator.

³⁰⁴ EOM AAP 2015, p.3.

comparison of missions in three countries over time also points to a trend of increasing costs per observer, as illustrated in table 3.1.2 below:

Table 3.1.2: Cost per observer comparison in three countries / two EOMs per country

Country	Year	Cost (EUR)	Number of observers	Average cost/observer
Mozambique	2009	2,703,798	88	30,725
Mozambique	2014	2,402,182	40	60,000
Pakistan	2008	5,513,000	116	47,500
Pakistan	2013	5,199,986	98	53,000
Peru	2011	2,469,306	48	51,400
Peru	2016	(Estimated) 4,351,658	50	(Estimated) 87,033

Of course, inflation accounts for some of these cost increases, but costs also increase as a result of missions being organised in difficult security situations or circumstances. The cost of a mission is also related to the size of the country – the larger the country and/or the more difficult the situation, the higher the cost. From 2014, the AAPs for EOMs explicitly refer to increased security requirements and in some cases strategic choices (for example in Peru in 2016, where all observers were long-term observers).

The EIDHR allows FPI to budget for missions during 'year n', but also for missions during the first quarter of year n+1. EOMs require pre-financing and the instrument needs to allow commitments for the first quarter of the next budget year. Without this flexibility it would not be possible to deploy missions during the first quarter of the year. Each mission has an administrative duration of two years to allow sufficient time to settle all payments.

In 2014, delays in the approval of the current EIDHR resulted in a crisis in payment appropriations and this caused changes in the planning and implementation of EOMs. As a result, the EOM to Bolivia had to be reduced to a smaller EEM; the EOM to Mozambique was funded by Member States rather than under the EIDHR; the EEM to Fiji was funded through the DCI; and the EAT to Afghanistan was paid for through the bilateral envelope³⁰⁵.

JC 32 Processes used for actions under the EIDHR have evolved to increase efficiency.³⁰⁶

I-321 Increase / decrease in time taken from commitments to payments / disbursement rate compared to the former period (2007-14)

Although it is not possible to determine the exact disbursement rate, the solution offered by the DEVCO Finance, Contracts and Audit Department was that the evaluators would use the 'RAL Absorption rate' as a proxy to estimate the disbursement rate³⁰⁷. Based on data provided, the RAL for each year 2007 to 2016 is illustrated in Table 3.2.1 below:³⁰⁸.

³⁰⁵ EOM AAR 2014, p15. The delays with appropriations were general (i.e. across instruments), not only for EOMs.

³⁰⁶ Note that there was a steep increase in efficiency in managing small grants to HRDs at risk recently after a contract was entered into with UNOPS in July 2015 to manage very small grants previously administered by the EIDHR.

³⁰⁷ The RAL is an abbreviation for "reste à liquider" and measures the ratio between outstanding commitment (RAL) and disbursement. By way of example, the RAL Absorption in 2013 is 2.81 "Years" – which means that if the EU were to cease committing and contracting after 2013, the EU would need 2.81 years to absorb the outstanding commitment – that is, the EU would need 2.81 years to pay the last invoices of on-going projects at end 2013.

³⁰⁸ Figures provided by the Finance, Contracts and Audit Department.

Table 3.2.1: RAL rate 2007 to 2016

		2007	2008	2009	2010	2011	2012	2013	2014	2015	2016 (3)
Purpose	#										
Commitments (1)	A	103,2 4	117,4 3	117,4 0	117,8 2	119,4 9	128,0 8	129,3 7	132,7 8	131,0 3	131,0 0
Disbursements (1)	B	106,6 9	97,31	88,52	110,2 4	93,18	113,9 4	110,3 6	127,7 0	114,4 1	134,0 0
RAL Final (2)	C	271,8 9	260,1 7	279,8 9	282,1 3	305,8 0	300,6 7	310,0 9	301,5 0	311,8 3	305,6 8
Absorption Time	D = C / B	2,55	2,67	3,16	2,56	3,28	2,64	2,81	2,36	2,73	2,28

According to this date, the worst performing years were 2011 (absorption time 3.28 years) and 2009 (3.16 years), while the best were 2016 (2.28 years) and 2014 (2.36 years). The average over the period covered by the previous EIDHR (2007-13) is 2.81 years. The average under the current EIDHR is 2.45 years, which at least suggests that the EIDHR has become more efficient over time when it comes to the time taken from commitments to payments.

I-322 Degree to which the EIDHR has made use of the possibilities for flexibility in the CIR and PRAG to be more responsive compared to former period.

With the introduction of the Common Implementing Regulation (CIR), implementation matters that were present in the 2007-13 European Instrument for Democracy and Human Rights (EIDHR) have been 'moved' to the CIR, which in turn have helped to make the EIDHR more flexible, efficient and responsive (although some problems are also noted):

Multi-annual action plans

The CIR allows for multi-annual action plans³⁰⁹, which was not possible under the 2007-13 Regulation. DEVCO have used this provision to develop the multi-annual action plan (MAAP) for 2016-17 to, *inter alia*, increase predictability (for example, the Global Call Action Document sets out the priorities for both 2016 and 2017 so organisations can plan in advance based on what to expect in 2017) and allow for Delegations to combine CfPs for 2016 and 2017 under the CBSS³¹⁰. This certainly helps to reduce the burden on Delegations³¹¹, but as some stakeholders noted, it can reduce flexibility and responsiveness since decisions about what to fund in 2017 were made in 2015 when developing the MAAP. Questions were thus raised as to how it would respond to any emerging challenges and evolving issues that might arise in late 2016 or even early 2017³¹². Of course, the EIDHR remains highly responsive in many areas, particularly when it comes to support to HRDs at risk where the CIR has increased the speed and reach of such support. And Delegation staff generally agreed that the possibility of running one CfP covering both 2016 and 2017 has made it easier for them to manage and increased efficiency. But there is some validity to the concerns raised particularly when it comes to the level of flexibility under the MAAP when it comes to Global Calls and the CBSS³¹³.

³⁰⁹ Art 2 (1) read with Art 6 (3) of the CIR.

³¹⁰ As part of the validation process, the evaluators visited Peru, Israel, Palestine and Uganda and conducted desk studies (including interviews with Delegations and all stakeholders) of Pakistan and Russia.

³¹¹ As confirmed by countries visited during the validation phase.

³¹² Stakeholder consultations at both Brussels and country visit levels.

³¹³ A further issue was noted in this regard: some level of confusion exists in some of the Delegations consulted as to the 'minimum threshold' for grants under the CBSS. Although there is no rule in this

Special measures

Included in Article 7 of the 2007-13 EIDHR, special measures are now covered by Article 2 of the CIR. Although the requirement for these remains essentially the same (unforeseen and duly justified need or circumstances), the CIR amends the rules related to adoption by allowing for special measures not exceeding EUR 10M to be adopted without following the examination procedure in Art 16 (3) - which similarly to Art 17 (2) of the 2007 Regulation required the measure to be submitted to the Committee of representatives of member states established by the Commission where it exceeded EUR 3M.

2007-13 EIDHR (Art 7)	CIR (Art 2)
<p>1. Notwithstanding Article 5, in the event of unforeseen and duly justified needs or exceptional circumstances, the Commission may adopt Special Measures not covered in the Strategy Papers.</p> <p>2. Special Measures shall specify the objectives pursued, the areas of activity, the expected results, the management procedures and the total amount of financing. They shall contain a description of the operations to be financed, an indication of the amounts allocated for each operation and the indicative timetable for their implementation. They shall include a definition of the type of performance indicators that will have to be monitored when implementing the special measures.</p> <p>3. Where the cost of such measures is equal to or exceeds EUR 3 000 000, the Commission shall adopt them in accordance with the procedure laid down in Article 17(2).</p> <p>4. For Special Measures costing below EUR 3 000 000, the Commission shall send the measures to the European Parliament and the Member States for information within 10 working days of adopting its decision.</p>	<p>1. In the event of unforeseen and duly justified needs or circumstances, and when funding is not possible from more appropriate sources, the Commission may adopt special measures not provided for in the indicative programming documents, including measures to ease the transition from emergency aid to long-term development operations or measures to better prepare people to deal with recurring crises.</p> <p>2. Action programmes, individual measures and special measures provided for in paragraph 1 of this Article shall be adopted in accordance with the examination procedure referred to in Article 16(3).</p> <p>3. The procedure referred to in paragraph 2 shall not be required for ...</p> <p>(b) special measures for which the Union's financial assistance does not exceed EUR 10 million;.</p>

Ad hoc Measures – small grants to human rights defenders

In terms of the Ad Hoc Measures in Art 9 (1) of the 2007 Regulation, the Commission could allocate small grants on an ad hoc basis to human rights defenders (HRDs) responding to urgent protection needs. There are no rules relating to 'ad hoc measures' in the CIR, but Article 6 (c) (i) of the CIR allows for low value grants to HRDs **without the need for co-funding**, while Article 11 (2) (e) of the CIR allows support to be provided where the individuals or entities are not registered – see below.

Eligibility

The general rules for eligibility under the EIDHR (Art 10 of the 2007 Regulation) are now dealt with under Art 11 (2) of the CIR. The rules are essentially the same, save for the inclusion of 'entities without legal personality' added by Art 11 (2) (e).

2007-13 EIDHR (Art 10)	CIR (Art 11 (2))
<p>1. Without prejudice to Article 14, the following bodies and actors operating on an independent and accountable basis shall be eligible for funding under this Regulation for the purposes of implementing the assistance measures referred to</p>	<p>Under the EIDHR, the following bodies and actors shall be eligible for funding in accordance with Article 4(1), (2) and (3) and point (c) of Article 6(1):</p> <p>(a) civil society organisations, including non-</p>

regard, DEVCO have recommended in the past that Delegations increase the minimum threshold to help them to cope with reducing capacity and staff at Delegations – the idea clearly being that a smaller number of larger grants is easier to manage. Some Delegations have interpreted this to mean that grants must always be of a minimum size – one Delegation believing the minimum threshold to be EUR 250,000 and another EUR 500,000. This issue is not of particular relevance to the CIR though and is explored more fully in the Draft Final Report on the EIDHR.

<p>in Articles 6, 7 and 9:</p> <p>a) civil society organisations, including non-governmental nonprofit organisations and independent political foundations, community based organisations, and private sector nonprofit agencies, institutions and organisations, and networks thereof at local, national, regional and international level;</p> <p>b) public sector non-profit agencies, institutions and organisations and networks at local, national, regional, and international level;</p> <p>c) national, regional and international parliamentary bodies, when this is necessary to achieve the objectives of this instrument and unless the proposed measure can be financed under a related Community external assistance instrument;</p> <p>d) international and regional inter-governmental organisations;</p> <p>e) natural persons when this is necessary to achieve the objectives of this Regulation.</p> <p>2. Other bodies or actors not listed in paragraph 1 can be financed, exceptionally and in duly justified cases, provided this is necessary to achieve the objectives of this Regulation.</p>	<p>governmental nonprofit organisations and independent political foundations, community-based organisations and private-sector nonprofit agencies, institutions and organisations and networks thereof at local, national, regional and international level;</p> <p>(b) public-sector non profit-agencies, institutions and organisations and networks at local, national, regional and international level;</p> <p>(c) national, regional and international parliamentary bodies, when this is necessary to achieve the objectives of the EIDHR and the proposed measure cannot be financed under another Instrument;</p> <p>(d) international and regional inter-governmental organisations;</p> <p>(e) natural persons, entities without legal personality and, in exceptional and duly justified cases, other bodies or actors not identified in this paragraph, when this is necessary to achieve the objectives of the EIDHR.</p>
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It is noted that Section 19 of the Preamble to the 2007 EIDHR includes the following phrase:

‘The Community should also be able to respond in a flexible and timely manner to the specific needs of human rights defenders by means of ad hoc measures which are not subject to calls for proposals. Moreover, eligibility of entities which do not have legal personality under the applicable national law is also possible under the conditions of the Financial Regulation’.

However, the rules in Art 10 of the 2007 Regulation do not specifically pick this up and Art 11 (2) (e) of the CIR thus broadens and confirms that support can be provided to a far broader range of organisations and individuals under the 2014-2020 EIDHR than was possible under the 2007-13 EIDHR.

Rules of participation and rules of origin and nationality

In terms of Art 14 of the 2007 Regulation, ‘participation in the award of procurement or grant contracts financed under this Regulation shall be open to all natural persons who are nationals of or legal persons who are established in a developing country, as specified by the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD/DAC), in addition to natural or legal persons eligible by virtue of this Regulation’.

This has been changed in the CIR, with the removal of the reference to ‘developing country’ in Art 8 (1), which now states simply that ‘participation in the award of procurement contracts and in grant and other award procedures for actions financed under this Regulation for the benefit of third parties shall be open to all natural persons who are nationals of, and legal persons which are effectively established in, an eligible country as defined for the applicable Instrument under this Title, and to international organisations.’³¹⁴ This in turn allows for EIDHR grants to be provided in ‘developed’ countries including Russia and Israel, and to those that have recently ‘graduated’ in terms of the rules set out in Art 5 of the DCI.

³¹⁴ Art 8 of the CIR also specifically mentions that legal persons ‘may include civil society organisations, such as non-governmental non-profit organisations and independent political foundations, community-based organisations and private-sector non-profit agencies, institutions and organisations and networks thereof at local, national, regional and international level.’

Unlike with other EFIs, there are no rules related to **nationality** when it comes to eligibility in either the 2007 EIDHR or the 2014 EIDHR. Similarly, the CIR excludes nationality from its eligibility provisions related to the EIDHR.

Sub-granting

Article 4 of the CIR allows for sub-granting by reference to Regulation 966/2012: Art 4 (11) states: 'When working with stakeholders of beneficiary countries, the Commission shall take into account their specificities, including needs and context, when defining the modalities of financing, the type of contribution, the award modalities and the administrative provisions for the management of grants, with a view to reaching and best responding to the widest possible range of such stakeholders. Specific modalities shall be encouraged in accordance with Regulation (EU, Euratom) No 966/2012, such as partnership agreements, authorisations of sub-granting, direct award or eligibility-restricted calls for proposals or lump sums.'

Art 137 (1) of Regulation 966/2012 is of particular importance with regard to Art 4 (11) of the CIR and reads as follows:

Where implementation of an action or a work programme requires financial support to be given to third parties, the beneficiary may give such financial support provided that the following conditions are met: (a) before awarding the grant, the authorising officer responsible has verified that the beneficiary offers adequate guarantees as regards the recovery of amounts due to the Commission; (b) the conditions for the giving of such support are strictly defined in the grant decision or agreement between the beneficiary and the Commission, in order to avoid the exercise of discretion by the beneficiary; (c) the amounts concerned are small, except where the financial support is the primary aim of the action.

For profit organisations

The relaxation of the rules in PRAG (maintained by Article 11 (2) (e) of the CIR), allow for grants to be provided in exceptional and duly justified cases to 'other bodies or actors not identified in Article 11 when this is necessary to achieve the objectives of the EIDHR'. This in turn allows for grants to be provided to 'for profit' organisations.

Strategy papers (?)

Somewhat strangely, Art 4 (1) (a) of the 2014-20 EIDHR states that strategy papers and their revision shall be implemented in accordance with the CIR but then states that they shall be dealt with in terms of Art 5 of the EIDHR, while the CIR itself contains no reference to strategy papers. In practice, and as confirmed by a DEVCO senior staff member during a stakeholder interview on 19 October 2016, Parliament has decided that separate strategy papers would not be prepared for the EIDHR. Instead, the MIP is essentially the strategy paper for the EIDHR.

a. Flexibility / Speed of delivery

The fact that special measures are still allowed under the CIR certainly assisted in increasing the speed of delivery under the current EIDHR – the first Annual Action Plan was in fact adopted as a Special Measure and was prepared while waiting for the Regulation itself to be adopted. As stated by a senior DEVCO staff member, without that possibility, people might well have died³¹⁵. Of course the increase in the CIR allowing special measures of up to EUR 10M to be adopted without the need to be submitted to the Committee of representatives of member states established by the Commission was not relevant in this particular instance since the total amount of the 2014 AAP far exceeded this amount.

The rules related to small grants are of critical importance to ensure that support is available to HRDs at risk (including imprisonment, enforced disappearance and assassination) and recognised their important work to advance human rights and democracy and their courage in face of the risks.

The rules in Article 11 of the CIR that allow for grants to be provided to entities without legal personality, and in exceptional and duly justified cases, other bodies or actors not identified in

³¹⁵ Stakeholder interview, 19 October 2016.

Article 11 when this is necessary to achieve the objectives of the EIDHR³¹⁶, including the possibility of funding to 'for profit' organisations³¹⁷ have been used to increase the flexibility and responsiveness of the EIDHR considerably. This unique feature of the EIDHR allows support to be provided to individual HRDs and organisations despite the shrinking space created by restrictive legislation for the registration of NGOs in numerous countries (including rules that make it impossible for certain CSOs, such as those focused on LGBTI rights, to register at all) and the introduction of legislation in some countries forbidding or limiting the amount of foreign funding CSOs may receive³¹⁸.

The standard approach for EU support for grants is the call for proposals (CfP) process, which is lengthy and complicated but remains the primary means at the disposal of the Commission to ensure competition for public funding of project proposals answering to a given policy objective. Even though there are exceptions to the general rules in the PRAG, the procedure is not suited to assistance in emergencies and it is most often only larger and more experienced organisations that are able to traverse the procedures and secure grants. Since the relaxation of the rules related to sub-granting introduced in the 2012 Financial Regulation (maintained by Art 4 of the CIR), the ability of grant beneficiaries to provide financial support to third parties using their own grant award procedures ('sub-granting') has increased, with grants of up to EUR 60,000 now permitted (except where financial support is the primary aim of the action, in which case no limits apply)³¹⁹. This has allowed larger national and international CSOs to secure grants and then make sub-grants available to both registered and unregistered local CSOs and individual HRDs in situations where human rights are most at risk, or where it might be otherwise difficult for them to secure funding because of the shrinking space for civil society³²⁰.

With the introduction of the CIR, it is now possible for direct grants of up to EUR 1M to be awarded for up to 18 months in the 'most difficult conditions and situations' referred to in Article 2 (4) of the EIDHR without the need for co-funding, which is an extremely useful innovation and allowed for the creation of the EIDHR Human Rights Crises Facility. The CIR also maintains the possibility of low-value grants (up to EUR 10,000) to be awarded to HRDs without the need for co-funding³²¹ that has allowed grants to be awarded to HRDs in a matter of days in most cases – which is critical when lives are at risk. Finally, the CIR also allows for direct grants to be made to the Office of the UNOHCHR, the EIUC and its associated network of universities (including scholarships to students and HRDs)³²².

All of the Delegations consulted during the validation process were aware of the possibilities for small grants to be provided for HRDs at risk, including the ability for small grants to be awarded and the possibility for CSOs to apply for grants under the Human Rights Crisis Facility. Most, but not all, were also aware of the ProtectDefenders.eu mechanism. All except

³¹⁶ Article 11 (2) (c) of the CIR.

³¹⁷ See for example the eligibility criteria for the 2016 global call which contains a very wide definition of eligibility is used and where it is specifically stated in section 2.1.1 of the Global Call Guidelines: 'Indeed, in situations where registration or receipt of foreign funding as non-profit organisation is made very difficult or might put the entity in danger, civil society organisations may be obliged to register as for-profit organisations to continue operating in the field of human rights. In keeping with the 'no-profit rule' in Section 6.3.10 of PRAG. Where marginal profits are made (for example, through the sale of tickets to a festival to promote human rights), any revenue generated is deducted from the overall costs of the project.

³¹⁸ Although sub-grants to unregistered organisations and individuals are permissible under the IcSP (according to IcSP senior staff consulted during stakeholder interviews), those responsible for the instrument prefer to leave this up to the holder of the grant to decide whether or not to risk sub-granting to these. It was noted too that the major part of IcSP funds go to UN Agencies, INGOs and to Member States under a PAGODA. When they work with local partners, it is usually via INGOs.

³¹⁹ CONCORD, 'EU funding Delivery Mechanisms – New trends in EuropeAid Funding and what they mean for CSOs', (2016) page 14. Sub-granting was allowed before 2014 but was rarely used because of the strict financial limitations that existed before the 2014 changes.

³²⁰ It is noted though that concerns were raised during the OPC that sub-granting turns larger NGOs into funding bodies, which is not what they were set up to be. While included here for interest's sake, this was only raised by one respondent and no recommendation is made in this regard. At the same time, it does appear that a number of respondents appeared to misunderstand the rules related to working with local NGOs and sub-granting, which suggests that DEVCO may need to explain these a bit more carefully.

³²¹ As per Article 6 (1) (c) (i) of the CIR.

³²² Article 6 (1) (c) (iii) of the CIR.

the Israel Delegation also make use of the rules for sub-granting and many of the projects considered during country studies include large grants to INGOs or large national NGOs who then sub-grant to smaller, local organisations. Such an option was of particular importance to at least one Delegation, where NGOs are heavily monitored by government and where they would encounter significant problems were they to receive a large grant that would inevitably be noticed by the powers that be.

However, some concerns exist as to the degree to which the new rules and possibilities are understood at Delegation level. This may be partly based on the fact that many of the possibilities are included in vague language, rather than stated categorically in the EIDHR or CIR itself. For example, neither the CIR nor the EIDHR state explicitly that funding is permitted to for profit organisations in specific circumstances. The rules allowing for non-registered organisations and individuals are also not always understood – in one Delegation, Finance and Contracts staff claimed that they are struggling since government is making it increasingly difficult for international and national NGOs to register (only registered ones are entitled to operate) and, since ‘grants can only be made to registered organisations’, this was a cause for concern. In another, questions were raised as to what ‘non-registered’ means. Because there is no rule requiring Delegations to make all calls open to unregistered individuals and organisations, and because registered organisations are perceived to be better at managing funds properly or because it leads to less complications with the government of the country concerned, some Delegations visited during the evaluation prefer not to make use of this possibility unless and until it becomes impossible to fund CSOs, which undermines one of the key features of the EIDHR in addressing the shrinking space for CSOs generally. Of course not all countries visited are faced with excessive rules relating to registration of CSOs and thus it is not a universal problem. But for those facing threats to CSOs and restrictive rules related to registration, additional guidance and encouragement to use this feature should be provided.

Awareness of the EIDHR amongst member states (MS) and other major development partners at country level was relatively low in most countries considered during the validation process. Most of these, and many of the large INGOs consulted, were unaware in particular of the support being provided to HRDs at risk and to address the shrinking space for CSOs through small grants, the ProtectDefenders.eu mechanism and the Human Rights Crisis Facility.

Finally, some level of confusion was found amongst Delegations visited as to the ‘minimum threshold’ for grants under the CBSS. While there is no rule in this regard in the Financial Regulation, PRAG, the EIDHR or the CIR, DEVCO have recommended in the past that Delegations increase the minimum threshold to help them to cope with reducing capacity and staff at Delegations – the idea being that a smaller number of larger grants is more efficient and easier to manage. Some Delegations appear to have interpreted this to mean that grants must always be of a minimum size³²³, which caused concerns that this excludes smaller CSOs with limited absorption capacity or ability to manage large grants and leads to a monopoly situation where only larger, more established CSOs that already receive considerable funding from other DPs and under EU geographic instruments succeed in applications under the EIDHR. Although the increased possibility for sub-granting helps to minimise such concerns, there is a need for clarity in this regard to be provided to Delegations.

I-323 Increase in average size of contracts in years 2014, 2015, 2016 compared to the period covered by the previous MIP (2011-13).

According the data available to the evaluators, the following picture emerges: (as illustrated in Table 3.2.2):

- The average size of CBSS grants has increased under the current EIDHR, no doubt due to increases in the thresholds allowable under the CBSS.

³²³ For example, one Delegation believed the minimum threshold to be set at EUR 250,000 and another EUR 500,000.

- For similar reasons (increases in the thresholds for grants under global calls), the average size of grants awarded under the global calls has also increased under the current EIDHR.
- The average size of targeted grants and contracts has increased significantly under the current EIDHR.

Table 3.2.2: Average size of grant by type

	2011-2013	2014-2016 ³²⁴
CBSS	0.2M	0.3M
Global	0.9M	1.7M ³²⁵
Small Grants to HRDs ³²⁶	7,800	7,800
Targeted	1.7M	2.7M
Crisis Facility	-	0.6M ³²⁷

Based on the premise that a smaller number of higher value grants increases efficiency, since staff are required to spend far less time managing and monitoring grants as a result, the implementation of the EIDHR is becoming more efficient.

JC 33 Appropriate and self-correcting monitoring processes are in place.

I-331 The EIDHR monitoring processes are well designed and periodically revised.

EIDHR projects are part of the Results Oriented Monitoring (ROM) system, which is compulsory for any project above EUR 750,000, and thus includes most of the GfP projects at specific junctures, as well as direct agreements with, for example, EIUC. The annual un-earmarked core contribution to UN OHCHR is exempt from ROM, given that by definition, it does not have a results focus; however, targeted actions with OHCHR are also part of the process, such as the special rapporteurs' work funded by EIDHR. At contract closure, projects are being harvested for results, and which then feed into the DEVCP results framework (see below). Currently, this process is being assisted by external experts, who help linking results to the respective aggregate indicators in the framework.

CBSS grants - typically considerably below the Euro 750.000 threshold from which ROM is compulsory - are nevertheless using ROM to monitor projects, although they are not obliged to do so. The evaluators have collected considerable evidence that suggests that grantees value ROMs not only for accountability purposes, but also as a capacity development tool to improve their logframe development and other project management tools. There is also evidence that ROM is a valuable instrument for those EUD's where the size of EIDHR CBSS projects in the portfolio is so considerable that staff resources are insufficient to ensure consistent monitoring of all projects. Were EUDs not making the pro-active choice of ROM for EIDHR projects, this would mean that a large number of projects would potentially remain outside of external monitoring (i.e. in addition to the one that is routinely done by EUD staff). This clearly represents an area with the potential for improvement and consideration should be given to include EIDHR projects into the compulsory ROM system, even if these fall outside the current financial threshold.

All projects are monitored by their task managers on a regular basis. Upon closure of projects, all projects, including CBSS projects, have to report results against the overall DEVCO results framework. Additionally, EUDs commission evaluations of CBSS portfolios covering specific periods of time (for example, at the time of the in-country data collection, the CBSS portfolios in Palestine and Israel were undergoing evaluations). Earlier periods of

³²⁴ Figures regarding CBSS; Global; and targeted only include actions up until end December 2016.

³²⁵ Including contracts from the 2015 Global Calls; also including confidential actions. Figures show a very high increase in the average size of global contracts for the period 2014-2016. This is due to the inclusion of the protectdefenders.eu contract (amount 15 M€) in this category

³²⁶ Since these contracts are confidential the average size of contracts under Small Grants have been calculated based on the figures received from senior DEVCO staff.

³²⁷ Again, based on the confidential nature of these grants, figures are based on data provided by DEVCO senior staff.

EIDHR have produced a number of thematic evaluations,³²⁸ however, there are no such thematic evaluations on file for the evaluated period that could provide information on whether these have taken the indicators into account when assessing performance.

Results framework

Evaluators were provided with the results for 2013-14 and 2014-15. Both datasets contain limited indicators related to the EIDHR, as reflected in Table 3.3.1 below³²⁹:

Table 3.3.1: Data from the EU Results Framework related to the EIDHR

Number of human rights defenders who have received EU support		Number of elections supported by the EU where the electoral process is perceived by independent observers as free and fair		Number of individuals directly benefitting from Justice, Rule of Law and Security Sector Reform programmes funded by EU external assistance programmes	
01/07/2013-30/06/2014	01/07/2014-30/06/2015	01/07/2013-30/06/2014	01/07/2014-30/06/2015	01/07/2013-30/06/2014	01/07/2014-30/06/2015
18,687 (out of a total of 32,346 that received some form of EU support under all EFIs)	79,935 (out of a total of 87,462 that received some form of EU support under all EFIs)	1 (out of 19 elections supported under all EU instruments that were captured as free and fair)	1 (out of 4 supported under all EU instruments that were captured as free and fair)	2,356 (out of 196,621 that benefited from all EU instruments)	3,420 (out of 79,928 that benefited from all EU instruments)

The evaluators have struggled with this data though. Although it confirms that a considerable number of HRDs are being supported and a number of individuals benefiting from support under the EIDHR, the fact that the data follows a July – June reporting period creates a bit of a disjunction with the annual periods used for all other aspects of the evaluation and makes it difficult to put the results into context *vis a vis* other data provided. Using the definition of HRDs provided in the EU Guidelines³³⁰, where HRDs are those individuals, groups and organisations of society that promote and protect universally recognised human rights and fundamental freedoms, the data is also considerably skewed since the majority of HRDs supported by the EIDHR under various mechanisms such as CBSS grants and the Emergency Fund are excluded. And a similar problem arises with regard to individuals directly benefitting from Justice, Rule of Law and Security Sector Reform programmes funded by EU external assistance programmes – since many CBSS projects that provide considerable legal advice and assistance are excluded given that the grants fall below the EUR 750,000 threshold, a great deal of support provided under the EIDHR in this area is not captured. When it comes to the number of elections supported by the EIDHR that were regarded as free and fair, it is also somewhat confusing since, at first glance, it suggests the EIDHR is not performing in this area. However, it is presumed that the total number of ‘elections supported’ includes numerous elections where support was provided to the conducting of the election itself rather than only those where election observation was provided. Even then, the data are troubling given that 19 election observation activities were carried out in the period 2013-2014 (albeit, some falling into the early part of 2013 and some in the second half of 2014) in 18 countries (Mali had two missions), all but two of which were financed under the EIDHR (Mozambique and Kosovo were financed under other instruments) yet only one of these was reported as free and fair. A great deal of additional mining of the data would thus be required to establish how these figures were derived and if necessary, this data will need to be revised in the Final Report. Nonetheless, the data are included here since it does at least indicate that some of the support provided under the EIDHR is achieving results.

³²⁸ For example, 2008 Evaluation on Support to Prevention of Torture and Torture Rehabilitation Centres Supported by EIDHR.

³²⁹ All data provided by DEVCO Unit 06 - Quality and Results.

³³⁰ <http://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesDefenders.pdf>

The EIHDR Strategy Paper 2011-2013 contained (in Section 5 “Multi-Annual Planning”), under each of the five specific objectives, a section “expected results and performance indicators”. These were framed as potential qualitative and quantitative outcomes in accordance with the specific type of project that was eligible for funding under each objective. Indicators as such were not formulated; rather, the indicators to measure potential outcomes were to be found through “media coverage, political discourse”.³³¹ On objective 5 (EOMs), there seems to have been a conflation of outcomes and indicators. The Strategy provided no indication as to a monitoring process for the instrument overall, nor what the reporting was to be against the potential outcomes and indicators to be achieved were to be.

The 2014-2017 MIP differs from the earlier Strategy in that it provides a list of “results expected” under each of the five specific objectives; each of these is accompanied by between 2 and 3 indicators each, as well as means of verification primarily from the project level. The quality of the indicators is very uneven, however, as in particular in the case of qualitative indicators, it is difficult to establish a sound causal link between indicator and result. For example, for specific objective 3 (Support to Democracy), one of the expected results is “positive impact on domestic accountability, rule of law and effective oversight”, and one of the indicators to measure this result is Democracy Pilot Countries’ improvement on the Transparency International Corruption Perception Index, an index that measures perceived levels of corruption in a country but leaves other elements constituting accountability, rule of law and effective oversight out. Also, rule of law and corruption are not necessarily mutually exclusive. The other two indicators are focusing solely on electoral processes, i.e. are also not capturing the entire spectrum under this result.

At the level of the two general objectives of the EIDHR, a number of indicators to capture their achievement is listed, however, only one of the objectives (objective 1) has means of verification attached to it. There is no indication in the MIP as to the process and format of reporting against the indicators, nor is there a prescribed process of revision of these. The evaluators found that while at EUD level in the case study countries staff had some awareness of the existence of the instrument-level indicators, they did not use these.

As mentioned under I-331, EIDHR projects’ results are part of the overall monitoring framework developed for all EU development projects, notably the EU Results Framework, and for which in regards to EIDHR, DEVCO collects results from country-level projects, a multitude of country-specific as well as international indicators from outside as well as internal sources. At EUD-level, staff members pointed out across the case study countries that the Results Framework is of very limited use with regards to the EIDHR, and that they report against it reluctantly, given a perceived lack of suitability of the framework for the nature of projects/actions supported under EIDHR. The EUD in Peru reports having hired a consultant to help develop specific indicators for EIDHR CBSS projects at country level, and echo a concern shared by others, i.e. the limits of a results-based perspective on the interventions. For example, where projects address impending demolitions (Israel), while these might be temporarily halted, eventually, they will take place. Another example is the provision of legal aid to minority groups, and which might not result in any positive decisions whatsoever, yet, the provision of aid is an important result in itself. Staff working on EIDHR and grantees have pointed out that the existing results-based approach does not fully capture these situations, and which make up a very significant part of the actions funded under the instrument. Staff has expressed a wish to be in a greater dialogue on what meaningful indicators might be that better capture the work projects are doing.

³³¹ For example, for Objective 2, the Strategy reads that “The general indicators of the increased impact of civil society action on decision-making and political life in the countries covered will be found in media coverage, political discourse, quality of decisions and responsiveness of government to the concerns of civil society organisations.” See http://www.eidhr.eu/files/dmfile/eidhr_strategy_paper_2011_2013_com_decision_21_april_2011_text_published_on_internet_en.pdf, p. 36.

The 2014-2017 MIP suggests that an assessment against the indicators measuring the results is to be done by the mid-term evaluation,³³² but that there is no other monitoring system at the instrument level. Results against indicators are not reported in any one place. Some of the MIP's indicators are reflected in the Annual Reports on the EU's Development and External Assistance Policies and their Implementation, these are rather scattered. DG DEVCO's Strategic Plan 2016-2020 contains a Performance Table by Instrument, and where Objective 5 relates to promotion of democracy, human rights, rule of law, gender etc., under DCI, EDF, and EIDHR and is providing qualitative indicators for results under this objective. It does not, however, systematically pick up the indicators in the 2014-2017 MIP. The same is true for the EU's Annual Reports on Human Rights and Democracy.

Acknowledging both the limited use of the EIDHR indicators at instrument level on the one hand, and the need for indicators that better capture the results from EIDHR interventions, DEVCO is currently working on a revision of these indicators as part of the Results Framework. DEVCO will reach out to EUDs in the beginning of 2017 to get feedback on these, and it is anticipated that in addition to project and context specific indicators developed at project level, there will be indicators that lend themselves to uniformly capture specific types of results.

EQ 4 On Added Value

EQ 4	To what extent do the EIDHR programmes add value compared to interventions by Member States and other Key Donors?
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JC 41 The EIDHR fills a niche not covered by Member States and other key donors and JC 42 Complementarity of the EIDHR with activities of MS and major DPs

JC 41 and 42 both aim to determine the extent to which the EIDHR complements and is able to fill gaps in support provided by other Member States and major DPs supporting human rights and democracy. Two of the indicators relate to the overall support provided (to illustrate the broad geographic coverage of the EIDHR compared to countries on which Member States focus and the level of complementarity generally), while three related specifically to sample countries. For ease of reporting, these have been combined under two broad headings: support generally, and support in sample countries:

Support generally.

Two indicators relate to the support generally provided by Member States and other major DPs:

I-411 No. of actions and expenditure under the EIDHR that add value to or are able to fill gaps in other Member States / major DPs programmes and strategies in human rights, democracy and elections in terms of size of engagement, particular expertise and/or sector coverage.

I-413 Extent to which the EIDHR fills a niche in terms of geographical coverage including most difficult human rights situations

Discussions with Member States at 'HQ-level' suggest that their priorities in human rights and democracy are closely aligned with those in the EIDHR, particularly when it comes to human rights³³³. Based on the information available from stakeholder interviews:

- Czech Republic's focus includes international mechanisms, support to civil society and HRDs, freedom of expression and the media, rule of law, non-discrimination, employment and the environment. Support is primarily provided to four states in Eastern Europe, three in the Balkans, and Burma, Cuba and Iraq.

³³² See p. 24 of the 2014-2017 MIP http://eeas.europa.eu/human_rights/docs/eidhr-mip-2014-2017_en.pdf

³³³ To date, consultations have been held with the Czech Republic, Germany, the Netherlands and Sweden. As agreed with the Evaluation Manager, additional consultation with Member States at HQ level and other major DPs will be conducted as part of the OPC process in the first quarter of 2017.

- The representative from Germany is a member of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and spoke on behalf of GIZ and the Ministry of Development rather than the entire German government. Development priorities for Germany include addressing the addressing root causes of migration (asylum seekers and refugees); climate change and the human right of those must at risk from climate change; agriculture; the right of access to affordable and quality food; and human rights and fair and good working conditions. The EIDHR is thus able to complement German support to all of these priorities.
- The Netherlands priorities include the rights of LGBTIs, equal rights for women, the right to information and social media, freedom of belief and business and human rights. Support under the EIDHR complements all of these and it was confirmed by the representative that the EIDHR is a useful tool for the EU and is highly regarded by them. The Netherlands agree that the EIDHR will be able to support the implementation of the SDGs and would like to see a reference to these in programming under the EIDHR.
- The representative of Sweden had only recently been appointed to the position and was not really able to say much about the EIDHR. Sweden's priorities were reported to be fair and sustainable development, human rights and democracy, rule of law, HRDs and the shrinking space for civil society, as well as gender and promoting a feministic foreign policy. The EIDHR is clearly aligned with these priorities and able to complement Swedish support to human rights and democracy.

Since all EU actions, including those of Member States, are framed by the Strategic Framework and Action Plan on Democracy and Human Rights generally, and at local level by the Human Rights and Democracy Country Strategies, the priorities of Member States are somewhat obviously closely aligned with those in the EIDHR³³⁴. No Member States conduct election observation, none have as broad a geographical focus as the EIDHR, and few if any focus on the death penalty. This allows the EIDHR to both complement the support of Member States and fill gaps in certain areas – especially more sensitive human rights issues and when it comes to HRDs at risk. While UN Agencies also have an enormous geographic spread, almost all (other than UNDP and the UNOHCHR) focus on specific themes. With its focus on the rights of women, refugees, asylum seekers and IDPs, and children, the EIDHR complements support of UN Women, UNHCR and UNICEF (amongst others) and even finances some of their specific projects. In addition to the complementarity with UNOHCHR that comes from both core support and support to specific actions under the EIDHR, UNDP provide significant support to elections (often through establishing and managing basket funds that various Member States and the EU itself contribute to) and often work together with EIDHR projects and there is thus significant levels of complementarity in this area.

Sample countries

The following indicators were included in the inception report related specifically to sample countries:

I-412 Level of support provided under the EIDHR compared to envelopes of MS and major DPs in sample countries

I-421 Degree of complementarity / overlap of EIDHR actions in terms of size of engagement, particular expertise, and/or particular weight in advocacy with those of MS and other DPs in sample countries
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I-422 Degree to which EOMs contribute to or complement the work of MS and other DPs focused on democracy and/or electoral reform in sample countries
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The following was noted:

³³⁴ To date, consultations have been held with the Czech Republic, Germany, the Netherlands and Sweden. As agreed with the Evaluation Manager, additional consultation with Member States at HQ level and other major DPs will be conducted as part of the OPC process in the first quarter of 2017.

Pakistan

- Most DPs focus support to human rights through CSOs. A great many also focus on women's rights, violence against women and children and economic empowerment of women, and there is also an increasing focus on freedom of religion and the rights of religious minorities. These are without doubt the two biggest issues in Pakistan, but they are also the two areas where most EIDHR projects lie and the terrain is therefore quite congested.
- Despite this, CSOs argued that the needs are so big and the problems so entrenched that there could never be enough support to either area.
- The Delegation is aware of the potential for overlap and tries to ensure that support is provided to 'gaps' in the overall support – particularly acid attack survivors, where support under the EIDHR makes up the bulk of donor support to the issue.
- As a result, both CSOs and DPs believe the support provided under the EIDHR complements the support provided by other DPs.
- Other than the EU, the only major DP supporting democracy is DFID / UK. There is close coordination between the EU and DFID in this regard to ensure complementarity and a lot of their support goes to the Electoral Commission to implement the Commission's strategic plan that was developed with EU support and that in turn aims to ensure EOM recommendations were taken into account.

Uganda

- Difficult to ascertain how much effect the EIDHR has / can have in such a dense donor environment³³⁵.
- Grantees of global calls also get DGF and bilateral support from other DPs.
- Grantees feel they come out stronger in terms of planning and management capacity; some sub-grantees have learned to make their own (winning) proposals.
- Relationship with EUD opens doors to Government.
- 7 out of 12 CBSS contracts since 2011 won/managed by international organisations; smaller local organisations more difficult to reach with larger grants (co-financing requirement; management capacity).

Palestine

- EU is the major DP, but in general, very dense donor environment.
- Member States either don't know much about EIDHR, or feel it is not well coordinated.
- There also seems to be an expectation to the EU to use the instrument more specifically for the greatest HR violations, as well as for the EU to be more critical vis-à-vis the Israeli government on HR violations in OPT.

Israel

- EIDHR projects inside Israel (i.e. not affecting oPT-related issues) are focusing on issues that are not addressed by other donors, such as Bedouin rights, and gender rights within that and other marginalised communities, as well as migrants and refugee issues.
- Meetings with MS suggest that EU / EIDHR is a critical partner to the Israeli government on human rights issues – more so than individual member states can be on their own.

Peru

- EIDHR increasingly important given phasing out by EU and other DPs.
- Member States and other DPs confirm complementarity.
- Fills gaps. Few DPs supporting democracy. EIDHR is the only support being provided to mental health initiatives and rehabilitation. EIDHR has supported strategic litigation in favour of HR defenders. Provides support to conflicts in extractive industries sector where no other MS or DPs provide support. Supports LGBTI rights, electoral reform, democratic representation of women and indigenous.
- Donor coordination appears to be effective.

³³⁵ A multi-DP fund – the Democratic Governance Facility – has been established to provide funds to CSOs in Uganda. The Facility was established in July 2011 to strengthen democratisation, improve the protection of human rights, enhance access to justice, promote peaceful co-existence and improve voice and accountability in Uganda. It is supported by Austria, Denmark, European Union, Ireland, Netherlands, Norway, Sweden and the United Kingdom and has a budget in excess of EUR 100M. Many DPs also provide direct funding to CSOs and it is thus difficult to determine what effect the EIDHR has or can have in such a scenario.

- EU-Peru Dialogue 2016 on HR and democracy issues took place recently with External Relation, Ministry for Women, Ministry for Justice and HR and Ombudsman. Following issues were part of the agenda: Post-election process, Enterprises and Human Rights, Human Rights Priorities, Anti-corruption plan, HR strategy and gender.

Russia

- EIDHR is the only official funding stream available to NGOs in Russia (there is governmental funding to GONGOs). There are some philanthropic organisations doing HRDs at risk support, but this is very secretive and these organisations will typically not talk about this.

In summary:

- In countries where there are high levels of DP support to CSOs (Pakistan and Uganda in particular), it is difficult to see how the EIDHR adds value *per se* other than EOMs.
- There In a sense, given how small the EIDHR envelope is compared to what other DPs provide – particularly in countries where most support civil society rather than government – that the EIDHR can only ever hope to complement what others are doing. And it does complement other support, especially where issues are so big that no single DP could address them.
- On the other hand there are very good examples of the EIDHR being used to address gaps / fill a niche (Pakistan and Peru stand out as does Russia where the EU is the only or the major DP). However ...
- There appears to be a tendency for some Delegations to rather focus on less sensitive areas where the space is also congested (Pakistan). BUT – it may be that some support is 'hidden' and given that all are aware of support to HRDs, the possibility is that the EIDHR is being used to address these.

EQ 5 – Complementariness

EQ 5	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?
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JC 51 The EIDHR is internally coherent, consistent and aligned with EU development and external action policies

I-511 Degree of overlap / coherence / consistency across EIDHR priorities and objectives in current version and compared to previous version
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EIDHR 2007-2013

The EIDHR 2007-2013 sets the following objectives in Article 1:

- enhancing the respect for and observance of human rights and fundamental freedoms, as proclaimed in the Universal Declaration of Human Rights and other international and regional human rights instruments, and promoting and consolidating democracy and democratic reform in third countries, mainly through support for civil society organisations, 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 for the protection, promotion and monitoring of human rights, the promotion of democracy and the rule of law, and reinforcing an active role for civil society within these frameworks;
- 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.

Human rights and democracy are thus interwoven in the objectives in Article 1 – even though Article 1 (c) has a particular focus on elections and electoral process, these too include numerous related human rights issues. The EIDHR 2007-2013 does not list priorities or specific objectives - instead, these are implied by the areas listed under Article 2 (Scope), which includes:

- promotion and enhancement of participatory and representative democracy, including parliamentary democracy, and the processes of democratisation, mainly through CSOs.

- (b) 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 concerning civil, political, economic, social and cultural rights, mainly through CSOs.
- (c) the strengthening of the international framework for the protection of human rights, justice, the rule of law and the promotion of democracy.
- (d) building confidence in and enhancing the reliability and transparency of democratic electoral processes.

Although there is some separation of democracy (Article 2 (a) and (d) and human rights (Article 2 (b) and (c)), human rights and democracy are interwoven in Article 2 (in keeping with the approach in the overall objectives) and, as a result, there is consistency and coherence between Article 2 and the general objectives in Article 1.

This intermingling of human rights and democracy led to particular problems noted during the 2007-13 impact assessment³³⁶ including:

1. Grey zones between complex objectives.
2. Thematic gaps (in the areas of economic and social rights, discrimination etc..).
3. Soft aspects stronger than hard aspects.
4. Democracy too weak and pre-empted by EOMs.
5. Weak field aspects, weak CBSS.
6. Weak facilities.

A specific problem that was noted with regard to Article 1 (a) was that the Article combines support to human rights and human rights defenders in one objective, which reportedly led to confusion and overlapping or similar proposals received under two separate CfPs (one on human rights and one on HRDs)³³⁷.

EIDHR 2014-2020

The overall objectives in the current EIDHR are set out in Article 1:

- (a) 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 EOMs;
- (b) enhancing respect for and observance of human rights and fundamental freedoms, as proclaimed in the UN Universal Declaration of Human Rights (UDHR) 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.

These objectives are essentially the same as those in the 2007-2013 Regulation, with the notable exception that EOMs have been included under objective (a) so that all democracy related issues and all human rights related issues are contained in two objectives rather than being split into three as was done under the previous regulation. Nonetheless, paragraph 11 of the preamble to the EIDHR makes it clear that the EU regard democracy and human rights as inextricably linked and mutually reinforcing, which in turn is reflected throughout the instrument even though there is some separation in Article 1.

The priorities and specific objectives of the EIDHR are set out in the Annex:

- Specific Objective (SO) 1 — Support to human rights and human rights defenders in situations where they are most at risk and to situations where fundamental freedoms are most endangered. This is clearly coherent and consistent with the objectives – primarily Objective (b), but also (a) given that the terms ‘human rights defender’ and ‘human rights defender at risk’ can include those at risk for their work in trying to bring about greater democracy and protection of civil and political rights.
- SO 2 — Support to other priorities of the Union in the field of human rights. Actions prioritised under this objective will, inter alia, support human dignity (in particular the fight against the death penalty and against torture and other cruel, inhuman or degrading

³³⁶ As summarised in the slide presentation at <http://www.eidhr.eu/files/dmfile/CSOconsultation6-7NovallpresentationsMasterCopy.pdf>.

³³⁷ <http://www.eidhr.eu/files/dmfile/CSOconsultation6-7NovallpresentationsMasterCopy.pdf>. See Slide 19 in particular.

punishment or treatment); economic, social and cultural rights; the fight against impunity; the fight against discrimination in all its forms; women's rights and gender equality. Attention will also be given to emerging issues in the field of human rights. This too is totally consistent with Objective (b), which is framed broadly enough to include civil, political, social, economic and cultural rights. It is also consistent with Objective (a) given how intrinsically democracy, rule of law and human rights are linked.

- SO 3 — Support to democracy. Actions under this objective will support peaceful pro-democracy actors in third countries with a view to enhancing participatory and representative democracy, transparency and accountability. Actions will focus on the consolidation of political participation and representation, as well as pro-democracy advocacy. All aspects of democratisation will be addressed, including the rule of law and the promotion and protection of civil and political rights such as freedom of expression online and offline, freedom of assembly and association. This includes active participation in the evolving methodological debate in the area of democracy support. Where applicable, actions will take into account the recommendations of EU EOMs. The priorities included under this specific objective are coherent and consistent with Objective (a), but also with Objective (b) given the link between human rights, democracy and the rule of law. Support is also specifically included to civil and political rights set out in the UDHR and UN Covenant on Civil and Political Rights (amongst others).
- SO 4 (EOMs) is specifically intended to support Objective (a) and is completely coherent and consistent with it.
- SO 5 — Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms. The general aim is to strengthen international and regional frameworks for the promotion and protection of human rights, justice, the rule of law and democracy in accordance with Union policy priorities, which ensures that this specific objective-e is totally coherent and consistent with the overall objectives of the EIDHR.

Thus, while democracy and human rights remain interwoven in the current EIDHR, it can be argued that the separating out of human rights and democracy in the specific objectives of the current EIDHR helps to ensure greater coherence and consistency and avoids some of the overlaps identified in the previous version. The following is noted in relation to the main problems noted during the impact assessment of the previous EIDHR referred to above³³⁸:

- Coherence and consistency are enhanced, and overlaps minimised, by the inclusion of five specific objectives (SO) set out in the Annex to the current Regulation - two focused on human rights³³⁹, two on democracy³⁴⁰, and one (SO 5) focused primarily on support to targeted key human rights actors and processes but that also includes a focus on democracy. This helps to ensure that specific actions related to democracy are not lost or overwhelmed by support to CSOs focused on human rights.
- An increased focus on challenging human rights issues and situations is created by separating out support to HRDs, particularly those at risk, in SO 1 from more the general support to human rights in SO 2. This in turn has led to increased funding allocated to HRDs and increased flexibility to address specific challenges faced by individual HRDs through the creation of the EIDHR Human Rights Crises Facility and the establishment of the first stable, comprehensive and gender-sensitive EU mechanism for HRDs "ProtectDefenders.eu" (both of which are dealt with more fully in the section on implementation below). A more exhaustive definition of the human rights priorities to be supported is also included, which in turn contributes to a more concrete focus on vulnerable groups and ESCR.
- The current EIDHR includes a broader definition of democracy than just elections and Parliaments and includes media, freedom of expression, political parties and domestic observers. Coupled with the fact that the current EIDHR 'caps' support to EOMs at a maximum of 25% of the overall budget, this helps to ensure that support to EOMs does not monopolise the budget allocated to democracy³⁴¹. At the same time, SO 4 includes a clear link to 'democratic processes as described in objective 3' while SO 3 expressly

³³⁸ The following assessment is based on a comparative analysis and a key stakeholder consultation with DEVCO senior staff where most of the issues were highlighted.

³³⁹ SO 1, focused on HRDs and situations where human rights are most at risk, and SO 2, focused on key human rights issues.

³⁴⁰ SO 3 and SO 4, which deals with election observation.

³⁴¹ Stakeholder interview with senior DEVCO staff, 22 September 2016.

states that actions under SO 3 should take the recommendations of EOMs into account (where applicable).

- The role of other key actors in human rights and democracy is highlighted by the inclusion of NHRIs, regional human rights mechanisms and the ICC in SO 5, which makes the support to democracy and human rights under the current EIDHR more coherent at national, regional and international levels.
- By moving implementation matters to the CIR, the EIDHR is more focused on the substance of human rights and democracy rather than implementation mechanics that might detract from the focus of the instrument³⁴².
- A stronger link with EU political action in the field of human rights and democracy is also evident in the current EIDHR – particularly the specific mentioning of the Strategic Framework and Action Plan on Human Rights and Democracy, the work of the EU's Special Representative on HR, and the Human Rights and Democracy Country Strategies at local level³⁴³.

As a result, the current EIDHR is more internally coherent than the 2007-2013 Regulation.

I-512 Degree of overlap / coherence / consistency of EIDHR with EU development and external action policies.

EU development policies include *inter alia*:

- The Lisbon Treaty, which states that 'Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.'
- The European Consensus on Development (2006)³⁴⁴, which commits the EU to:
 - reducing poverty — particularly through the Millennium Development Goals (now superseded by the 2030 Agenda). This will also impact sustainability, HIV/AIDS, security, conflict prevention, forced migration, etc.
 - democratic values — respect for human rights, democracy, fundamental freedoms and the rule of law, good governance, gender equality, solidarity and social justice.
 - nationally-led development — by the beneficiary countries themselves, based on national strategies (developed in collaboration with non-government bodies) and domestic resources. EU aid will be aligned with national strategies and procedures.
- The Agenda for Change (2011), which states in Chapter 1 'Reducing Poverty in a Rapidly Changing World' that the EU should concentrate its development cooperation in support of human rights, democracy and other key elements of good governance; and inclusive and sustainable growth for human development.³⁴⁵ In the same chapter, the commission proposes an Agenda for Change that would lead to, *inter alia*, enhanced importance of human rights, democracy and good governance trends in determining the mix of instruments and aid modalities at country level.³⁴⁶
- A Decent Life For All (2013)³⁴⁷, which is an overarching policy that recognises the importance of good governance, democracy and human rights in ending poverty and giving the world a sustainable future.
- The Union as a strong global actor (2014)³⁴⁸ which includes five overarching priorities to guide the work of the EU over the next five years: stronger economies with more jobs; societies enabled to empower and protect; a secure energy and climate future; a trusted area of fundamental freedoms; effective joint action in the world.³⁴⁹ In particular, the Council noted that one of the challenges facing the EU over the next five years will be 'managing migration flows, which are on the rise due to instability and poverty in large

³⁴² This is not without potential problems though, as discussed under EQ 3 above.

³⁴³ Stakeholder consultation with senior DEVCO staff.

³⁴⁴ (2006/C 46/01)

³⁴⁵ Page 3.

³⁴⁶ Ibid.

³⁴⁷ Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

³⁴⁸ EUCO 79/14

³⁴⁹ Page 14ff.

parts of the world and demographic trends – a matter which requires solidarity and fair sharing of responsibility.³⁵⁰

- ‘A Decent Life for All: From Vision to Collective Action’ (2014)³⁵¹, which focuses on *inter alia* eradicating poverty, building more inclusive and equal societies, increasing access to social and economic rights, gender equality, sustainable development an increased rights based approach focused on human rights, the rule of law, good governance and effective institutions, protection of vulnerable groups including refugees and internally displaced persons.³⁵²
- ‘On a transformative post-2015 agenda’³⁵³ that envisages a post MDGs agenda focused *inter alia* on poverty, social and economic rights, climate change, migration, the most disadvantaged and vulnerable (including children, the elderly and PWDs) and with the empowerment and human rights of women and girls at its core.³⁵⁴
- ‘A Global Partnership for Poverty Eradication and Sustainable Development after 2015’³⁵⁵. This Communication follows the adoption of the 2030 Agenda and sets out the overarching principles of the global partnership, including that it must be based on human rights, good governance, rule of law, support for democratic institutions, inclusiveness, non-discrimination, gender equality, environmental sustainability and respect for planetary boundaries, and that women’s rights, gender equality and the empowerment of women and girls should be key means of implementation and promoted at all levels.³⁵⁶ In addition, the new agenda should aim to eradicate poverty in all its forms and to achieve sustainable development in its three dimensions in a balanced and integrated manner.³⁵⁷ The Council Conclusions also underline the importance of the role of CSOs in nurturing democratic ownership, development effectiveness and sustainability of results.³⁵⁸

Central to all of these development assistance policies is a strong focus on poverty eradication, with a recognition of the importance of human rights and democracy in this regard. Although the EIDHR does not include a specific focus on poverty eradication, it does include an increased focus on ESCR while democratic countries that protect, respect and promote human rights are more likely to prosper.

External action policies focus on:

- Enlargement. Enlargement policy applies to countries aspiring to join the EU and include the EU As a Global Actor (see above) and the European Neighbourhood Policy (ENP). The EIDHR is clearly aligned with this by supporting human rights and democracy in neighbouring states.
- Foreign affairs and security policy. This is a very broad area that includes policies on accessing markets, international climate action, international gender equality, international human rights, peacekeeping, support for global security, EU enlargement and the ENP. Although it does not deal with accessing markets, the EIDHR is aligned with all other policy areas falling under foreign affairs and security, including:
 - ‘The European Agenda on Security (2015)’³⁵⁹, which aims to address new and complex threats have emerged highlighting the need for further synergies and closer cooperation at all levels. To this end, the Agenda sets out a shared approach for the EU and its Member States that is comprehensive, results-oriented and realistic. To maximise the benefits of existing EU measures and, where necessary, deliver new and complementary actions, all actors involved have to work together based on five key principles: ensure full compliance with fundamental rights; more transparency, accountability and democratic control, to give citizens confidence; ensure better application and implementation of existing EU legal instruments; a more joined-up inter-agency and a cross-sectorial approach; and bring together all internal and external dimensions of security. The fifth principle is of particular relevance to the EIDHR in that it recognises that

³⁵⁰ Page 19.

³⁵¹ COM(2014) 335 final

³⁵² Page 4 ff.

³⁵³ Press Release dated 16 December 2014.

³⁵⁴ Page 4.

³⁵⁵ COM(2015) 44 final

³⁵⁶ Page 3.

³⁵⁷ Page 4.

³⁵⁸ Page 9.

³⁵⁹ COM(2015) 185 final

security threats are not confined by the borders of the EU and that EU internal security and global security are mutually dependent and interlinked.³⁶⁰

- The new Global strategy for the European Union's Foreign And Security Policy is a key policy in this area and is intended to ensure the EU is more effective in tackling challenges such as energy security, migration, climate change, terrorism and hybrid warfare. The EIDHR is aligned to this and can play a role in addressing the core drivers of migration by increasing democracy and respect for human rights, increasing access to ESCR, assisting in addressing and tackling climate change as a driver of migration through support to environmental HRDs and by contributing to addressing the factors that give rise to terrorism.
- Humanitarian aid and civil protection. Although not specifically focused on these areas, the EIDHR complements other EFIs, notably the IcSP, in this area.
- International cooperation and development. The EIDHR is a major aspect of the EU's support to international cooperation and development and is aligned with this priority area.
- Migration and asylum. As mentioned above, the EIDHR contributes to reducing the drivers of migration and includes a recognition of the importance of the rights of migrants, asylum seekers and IDPs in the 'preamble'. Although it is pointed out under EQ 1 that the EIDHR's focus on asylum seekers, refugees and IDPs is limited, the fact that actions focused on refugees etc. are included in the 2016-17 MAAP indicates that the EIDHR is able to include support in this area and thus is able to align with external action policies in this regard.
- Indigenous peoples (IPs). According to the EEAS website³⁶¹, EU support to IPs is based on the UN Declaration on the Rights of Indigenous Peoples which while activities in the field of development cooperation are driven by the European Consensus on Development³⁶², which commits the EU 'to apply a strengthened approach to mainstreaming' specific cross-cutting issues, including 'indigenous peoples', to integrate their concerns at all levels of cooperation, ensuring their full participation and free, prior and informed consent. IPs are included in the EIDHR (see Art. 2 (1) (b) (iv) and Art. 2 (2) and a specific action is included in the MAAP 2016-17³⁶³. In addition a Joint Staff Working Document: Implementing EU External Policy on Indigenous Peoples has very recently been adopted and DEVCO will now work towards Council Conclusions on it³⁶⁴.

Note

The indicators included for this JC focused primarily on development and external policies rather on a more general consideration of other EU policies in the area of human rights and democracy. A more complete overview of all relevant EU policies is therefore included in Annex G.

QSG Comments

Other than positive comment from EEAS to the inclusion of IPs in the MAAP 2016-17, no other specific comments related to development and external action policies were found.

³⁶⁰ Page 4.

³⁶¹ http://eeas.europa.eu/human_rights/ip/index_en.htm

³⁶² See Articles 97, 101 and particularly Art. 103 which focuses on Democracy, Good Governance, Human rights, the rights of children and indigenous peoples.

³⁶³ Supporting key actors – Developing Indigenous Networks and Supporting the Technical Secretariat for the Indigenous Peoples representatives to the United Nations' organs, bodies and sessions in relation with Human Rights.

³⁶⁴ Stakeholder consultation with DEVCO senior staff.

JC 52 The EIDHR fills a niche not covered by other EFIs and complements support provided under these.

Note

On reflection, the original JC 52 (the EIDHR fills a niche not covered by other EFIs) and JC 53 (the EIDHR complements support provided under other EFIs) both relate to unique features of the EIDHR and, in particular, its ability to fill a niche not covered by other EFIs and, thus, to complement the support provided to human rights and democracy under other EFIs. As a result, they have been combined into the revised JC above for the purposes of this report (with concurrence of the Evaluation Manager).

The original JC 52 and JC 53 contain five indicators:

I-521 Degree to which actions under the EIDHR are able to fill gaps in EFIs focused on human rights and democracy in terms of financial amounts and/or coverage

I-522 Extent to which the EIDHR fills a niche compared to other EFIs in terms of geographical coverage (including most difficult human rights situations) and type of actors supported (including CSOs and non-registered bodies)

I-531 Extent to which the EIDHR complements other EFIs interventions or actions in the field of human rights and democracy (through specific actions, the rights based approach to development and working with non-registered bodies).

I-532 Degree of added value of EIDHR actions to programmes and projects under other EFIs

I-533 Degree to which EOMs have led to EU electoral assistance interventions, EEAS policy/political dialogue, other EEAS missions, support to Parliament under other EFIs.

The EIDHR is clearly intended to complement other EU support, as appears from the preamble to the Regulation itself:

(14) Union assistance under this Regulation should be designed in such a way as to complement various other tools for implementing Union policies relating to democracy and human rights. Those tools range from political dialogue and diplomatic demarches to various instruments for financial and technical cooperation, including both geographic and thematic programmes. Union assistance should also complement the more crisis-related actions under the Instrument contributing to Stability and Peace, established by Regulation (EU) No 230/2014 of the European Parliament and of the Council, including urgent actions needed during the first phases of the transition process.

The following features of the EIDHR make it unique compared to other EFIs and thus able to complement support provided under other EFIs, add value, and fill niches not covered by other EFIs:³⁶⁵

- The EIDHR is able to provide assistance to civil society without the consent of governments and public authorities of the third countries concerned. This allows for support to be provided to democracy and human rights when there is no political will to prioritise these under a geographical instrument (EDF, DCI or ENI) or where government might be reluctant to include particular issues for political or other reasons. Although support to civil society can be and often is included in geographic programmes under the DCI, EDF and ENI, these do not always focus on democracy and human rights even

³⁶⁵ Sources: EIDHR website, MIP/AAPs, stakeholder interviews.

though there may be serious democracy and human rights challenges in the country. The EIDHR is able to complement geographic EFIs where the geographic programme concentrates on sectors other than democratic governance such as education, health or energy. Under the EIDHR, support can also be provided to unregistered organisations and individuals, including individuals and organisations that cannot be registered or choose not to register to avoid government control and that can thus not be supported under geographic or other EFIs.

- The EIDHR is more responsive than other EFIs (with the exception of support under Article 3 of the IcSP³⁶⁶). In addition to the possibility to award direct contracts in recognised crisis situations applicable to all EFIs³⁶⁷, EIDHR support can also be provided without the need for co-financing in "human rights crisis" 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 and where it would therefore not be suitable to launch a call for proposals³⁶⁸. The CIR also allows for small grants to be provided to HRDs without the need for co-funding or complicated procedures³⁶⁹, which allows for support to HRDs at risk in emergencies. And the CIR also includes the possibility of 're-granting' under which CSOs in charge of a project can award small grants to other local organisations, non-registered entities or individual HRDs that might not otherwise be able to access EU funding.
- Unlike most EU support where EU visibility is required, confidentiality is possible for HRDs and organisations that would be at risk if it were known that they were receiving foreign funding. This is a critical issue given the shrinking space for civil society in many countries³⁷⁰.
- The EIDHR is available 'worldwide'. Although other thematic instruments such as the IcSP and thematic programmes of the DCI (the GPGC and CSO-LA) share this feature, the IcSP is largely only available in crisis situations³⁷¹ while the GPGC and CSO-LA mainly target developing countries³⁷². The EIDHR has no such limits and can be used in countries that have graduated and in 'industrialised countries such as the USA or Russia.
- Support under the CSO-LA focuses primarily on capacity building for CSOs. So while the CSO-LA can provide support to CSOs working on human rights issues that government may not approve of, such support cannot be specifically provided to the human rights activities of the organisation³⁷³. The EIDHR complements and adds value to the CSO-LA by allowing funds to be provided to activities of CSOs (and individuals) even where government would not approve. And while the CSO-LA can be used in countries where there is no bilateral programme (such as Argentina or Israel³⁷⁴), the EIDHR is usually the only EFI available in countries where no Delegation exists³⁷⁵.

³⁶⁶ According to IcSP senior staff, funds under Article 3 of the IcSP can be released as quickly as a week after a crisis situation is identified although they normally take two to three months.

³⁶⁷ Annex A11 of the PRAG

³⁶⁸ Article 2 (4) of the EIDHR read with the provisions in Article 6 (c) (ii) of the CIR.

³⁶⁹ Article 6 (c) (i).

³⁷⁰ Although 'visibility' can be waived at the request of beneficiaries under other EFIs, it is provided as a matter of course in small grants to HRDs under the EIDHR. The following paragraph on p. 20 of the 2011 Commission proposal is pertinent in this regard: 'Further to the "Jasmine revolution", it may now be revealed that the EIDHR provided support in Tunisia in 2010, prior to the transition, to activities of the Tunisian League of Human Rights (LTDH), the Association of Democratic Women (AFTD), Trade Unions (UGTT), Judges' and Lawyers' Associations and others. Lack of publicity for this support at the time might have been interpreted as abandonment or as a lack of responsiveness, but in fact the EIDHR was active on the ground.' Support under the EIDHR was provided well before the Nobel Peace Prize was awarded to some of these organisations.

³⁷¹ In terms of Articles 3 and 4 of the IcSP.

³⁷² Although it is noted that under Article 1.1 (b) of the DCI Regulation, some developed countries such as Israel are eligible for CSO/LA financing.

³⁷³ Stakeholder interview with CSO-LA senior staff.

³⁷⁴ Provided it is not used to substitute for a previous bilateral programme – stakeholder interview with CSO-LA senior staff.

³⁷⁵ The CSO-LA can, in theory, be used where no Delegation exists, but this requires the grants to be managed from HQ where there is currently insufficient capacity to implement this option. (Stakeholder interview). Other instruments can also at times be used to support such countries – for example, the DCI is used to provide support to the Democratic People's Republic of Korea while support is provided under the Instrument for Nuclear Safety Cooperation to Iran for nuclear cooperation.

- The EIDHR complements the GPGC³⁷⁶ in the areas of environment and climate change, sustainable energy, human development, food and nutrition security and sustainable agriculture and migration and asylum.
- The EIDHR allows support to be provided to countries that do not fit the definition of 'crisis country' in the PRAG but that nevertheless have extreme human rights related issues – the 'most difficult human rights situations' mentioned in the EIDHR – thus allowing it to fill a niche not covered by others³⁷⁷.
- The EIDHR is able to directly support intergovernmental organisations that implement international mechanisms for the protection of human rights (including core budget support to the OHCHR).
- The EIDHR is the first Commission instrument to include a direct focus on the RBA and is actively supporting its methodology development and implementation under EIDHR projects and other EFIs, particularly at Delegation level.
- By focusing on women's and child rights, the EIDHR complements the human development programme of the DCI that includes gender equality and women empowerment in line with the Gender Action Plan 2016-2020.
- The EIDHR is also the only EFI that includes direct support to electoral observation. Support to electoral reform itself requires government buy-in and collaboration, putting it outside the scope of direct support under the EIDHR, but recommendations from EOMs have been used to develop and contribute to geographic programmes in places such as Kyrgyzstan, Tunisia and Cambodia³⁷⁸, and more recently in the example of Pakistan referred to earlier in this report, where recommendations from the 2013 EOM and 2016 EFM have led to a new programme on support to the Electoral Commission and improved electoral process under the DCI to begin implementation during 2017.

Comments from Delegations generally

During 2014 and 2015, each DEVCO Geographic Directorate solicited responses from Delegation so the implementation of thematic programmes/projects and possible issues, which are then shared with the Thematic Directorates (including the Directorate responsible for the EIDHR). The following comments of relevance to the EIDHR were made (based on the reports submitted). Although, it should be noted that Delegations tend to report on the CSO-LA and the EIDHR together and so it is not always possible to distinguish which in particular they are referring to, the following responses are relevant when it comes to complementarity with other EU support at country level:

- Thematic instruments (and particularly the EIDHR) appear to be of particular use and relevance in crisis situations and fragile political and economic contexts, as they are considered to be more flexible and often have a direct impact on local communities, adapting to rapidly shifting environments. Support to CSOs promoting human rights was also regarded as particularly important in fragile countries and situations of crisis.
- In countries where bilateral cooperation was suspended, like Cuba in 2015, thematic programmes played a very important role in bridging the gap and to support and complement bilateral projects when those were resumed.
- In graduated countries (Latin America in particular) where bilateral programmes are in their final phase or have already been closed, thematic programmes have gained particular relative weight in the cooperation portfolio.
- EU Delegations in Latin America and the Caribbean in particular emphasised the relevance of thematic programmes for enhanced policy dialogue and for promotion of accountability mechanisms through civil society organisations. In several cases implementing small-scale actions has allowed innovating in terms of intervention methodologies, thus leading to subsequent scaling-up of interventions. In this respect complementarity between thematic and bilateral programmes is progressively improving while CSOs have also played a role in assisting to determine country programmes under the DCI and EDF.³⁷⁹
- With regard to support to the African Union during 2014, DEVCO D reported good coordination and complementary with financial instruments. Complementarities with the European Instrument for Democracy and Human Rights (EIDHR) were explored and a

³⁷⁶ C(2014) 5072 final

³⁷⁷ The list of such countries is not disclosed but contains the most closed, authoritarian regimes in the world.

³⁷⁸ Stakeholder consultation, 7 November 2016.

³⁷⁹ DEVCO G (2015) page 6.

specific programme to support the human rights regional mechanisms/special rapporteurs of the Commission on Human and Peoples' Rights (freedom of expression, freedom of association and assembly, women rights and death penalty) was approved³⁸⁰

Sample countries

The size of the EIDHR envelope is often considerably smaller than what is available under geographic instruments (where these apply) and many programmes under geographic instruments also include support to CSOs (sometimes to similar human rights and/or democracy issues supported under the EIDHR). As a result, support under it is often only ever able to complement support under other EFIs and examples of duplication were rarely found³⁸¹. In countries such as Pakistan though, where government have until very recently not allowed any EU programme to focus on human rights³⁸², the EIDHR has been the only instrument under which support to human rights could be provided and may continue to be so if the government fail to sign the financing agreement for a recent human rights programme developed under the DCI. Although support to similar issues (violence against women and girls and women's rights in particular) is included under other EFIs and there is the possibility of overlap, the EUD is aware of the issue and is considering introducing a mechanism to improve coordination. The EIDHR is also obviously critical where limited or no support is provided under geographic instruments (Israel and Russia) and where support is being phased out (Peru).

EOMs (I-533: Degree to which EOMs have led to EU electoral assistance interventions, EEAS policy/political dialogue, other EEAS missions, support to Parliament under other EFIs)

From 2014 to the end of 2016, EOMs³⁸³ will have been carried out in 21 countries. In nine countries the EOM was preceded by specific election support programme: six EDF funded, one ENPI and 2 IFS. In two cases (Ghana and Guinea-Conakry) a link could be established with complementary democracy support. In three other countries (Jordan, Myanmar and Peru) there was no technical support to the electoral process but there was EU-funded complementary support. Direct intra-EIDHR complementarity (with a direct link between actions related to objectives 3 and 4) is visible in Ghana, Myanmar and Peru. Guinea-Conakry stands out as a case where a "systemic" approach was conceived and implemented, using both the potential for complementarity within the EIDHR and with the EDF. Still, in just over half of the countries (12 out of 21), there seems to be no effect of EOMs on the programming within the EIDHR or through other instruments.

Table 5.1.1: Effect of EOMs on Programming with EIDHR / other EU support

		EOM	TA Elections	Other EU democracy support
1	Burkina Faso	2015		
2	Burundi	2015		
3	Egypt	2014		
4	Gabon	2016		Access to information (EIDHR)
5	Ghana	2016	X (EDF)	CS & Media support (FED and EIDHR)
6	Guinea	2015	X (EDF)	Civil society and parliament (FED)
7	Guinea-Bissau	2014	X (IFS)	
8	Haiti	2015	X (IFS)	

³⁸⁰ DEVCO D (2014) page3.

³⁸¹ Two examples were found: Uganda, where the EU contributes significant support under the EDF to a very large multi-donor fund – the Democratic Governance Facility (DGF) – supported by seven other Member States and DPs. Since the EU has no control over the selection of projects by the DGF management, there is always the possibility for duplication. Palestine, where numerous concerns were raised about overlap of the EIDHR with the CSO-LA and DCI thematic programmes and about the possibility of CSOs applying under multiple instruments ('double dipping').

³⁸² A new human rights programme under the DCI was accepted by government after stalling and frustrating previous EU attempts to support human rights, although the Financing Agreement has yet to be signed and some stakeholders question whether government will in fact sign it.

³⁸³ EEMs are not taken into account for this question because they do not produce publicly available recommendations that can be followed-up. The EEM reports are internal and could still be used for political dialogue but this is not verifiable.

9	Jordan	2016		Media and Parliament support (ENPI)
10	Kosovo	2014		
11	Malawi	2014	X (EDF)	
12	Maldives	2014		
13	Mozambique	2014		
14	Myanmar	2015		Media and CSO election engagement (EIDHR)
15	Nigeria	2015	X (EDF)	
16	Peru	2016		Civic engagement in elections (EIDHR)
17	Sri Lanka	2015		Conflict prevention and dialogue (EIDHR)
18	Tanzania	2015	X (EDF)	
19	Tunisia	2014	X (ENPI)	
20	Uganda	2016		
21	Zambia	2016	X (EDF)	

More recently, recommendations from the 2013 EOM and 2016 EFM in Pakistan have been used in political dialogue that has led not only to a new programme on support to the Electoral Commission and improved electoral process and under the DCI³⁸⁴, but where government are also close to agreeing a programme of legislative and other reforms that, if implemented, will address nearly if not all of the recommendations³⁸⁵. Increased complementarity is now also an explicit objective (EU Action Plan 2015-2019) and may stimulate progress.

Support to electoral reform itself requires government buy-in and collaboration, putting it outside the scope of direct support under the EIDHR. However, the EIDHR can be used to support activities under the CBSS to support elections or implement recommendations. According to data provided by DEVCO B1 (Table 5.1), the EIDHR was used to fund election-related activities such as access to information in Gabon (2016), civil society and the media in Ghana (2016), media and CSO election engagement in Myanmar (2015), civic engagement in elections in Peru (2016) and conflict prevention and dialogue in Sri Lanka (2015). Peru is also increasingly using the EIDHR to follow up recommendations from the EOM³⁸⁶. At the same time, it was pointed out by the Pakistan Delegation that some of the recommendations from EOMs, such as increasing voter and civic education, would be beyond the size of CBSS grants given the population of Pakistan³⁸⁷.

EQ 6 on leverage

As explained in the inception report, the EQ on financial leverage as drafted in the ToR is not really relevant in the context of the EIDHR given that the EIDHR focuses primarily on civil society and financial leverage is not an objective of the EIDHR. The evaluators thus adapted it based on the nature and focus of the EIDHR.

EQ 6 To what extent has the EIDHR leveraged political or policy engagement?

JC 61 Support under the EIDHR leads to political / policy engagement, and reforms.

I-611 Degree to which EIDHR support has contributed to the ability of civil society and NHRIs to advocate / lobby for reforms

Based on an assessment of how many CBSS projects specifically include the terms 'advocacy' and 'lobbying' in their titles, 89 specific CBSS projects were identified totalling

³⁸⁴ To begin implementation in 2017 with a budget of EUR 13M.

³⁸⁵ Stakeholder consultation with senior EUD staff.

³⁸⁶ As reported during the country visit, November 2016.

³⁸⁷ Stakeholder consultation during country visit, November 2016.

approximately EUR 24.5M in the period 2014-16. The screening was done in four languages and using all possible derived combination of words.

Table 6.1.1: Occurrences of ‘advocacy’ and ‘lobbying’ in the 2014-2016 list of contracts

Language	Project title	# of occurrences
ENGLISH	advocate; advocacy	13 contracts 6 CBSS in 2014 ³⁸⁸ ; total: 1.58 M€ 3 CBSS in 2015; total: 1.05 M€ 2 Global: 1.89 M€ Total: 4.52 M€
ENGLISH	lobby; lobbying	0 contracts Total: 0.0 €
FRENCH	plaidoyer	5 contracts 2 CBSS in 2014: 0.67 M€ 3 CBSS in 2015: 1.65 M€ Total: 2.32 M€
FRENCH; ENGLISH; SPANISH; PORTUGUESE	Pomover; promoción; promotion; promoção; promote; promoting; promoviendo	84 contracts 77 CBSS: 23.75 M€ 2 Global: 2 M€ Total 25.75 M€

Table 6.1.2: Occurrences of ‘advocacy’ and ‘lobbying’ in the 2007-2013 list of contracts

Language	Project title	# of occurrences
ENGLISH	advocate; advocacy	64 contracts 3 CBSS in 2007; 0,5 M€ 9 CBSS in 2008; 1.12 M€ 14 CBSS in 2009: 1.50 M€ 8 CBSS in 2010; 2.67 M€ 10 CBSS in 2011; 1.96 M€ 9 CBSS in 2012; 2.13 M€ 1 GLOBAL in 2012; 1.39 M€ 8 CBSS in 2013; 1.42 M€ TOTAL: 12.69 M€
ENGLISH	lobby; lobbying	5 contracts 1 CBSS in 2007; 0.07 M€ 1 CBSS in 2008; 0,05 M€ 1 CBSS in 2010; 0,08 M€ 1 Global in 2010: 0,92 M€

³⁸⁸ Figures are based on decision year

		1 CBSS in 2011; 0,06 € TOTAL: 1,18 M€
FRENCH	plaidoyer	7 contracts 1 CBSS in 2008: 0,24 M€ 3 CBSS in 2010; 0,25 M€ 1 CBSS in 2011; 0,13 M€ 1 CBSS in 2012: 0,13 M€ 1 CBSS in 2013; 0,2 M€ TOTAL: 0,77 M€
FRENCH; ENGLISH; SPANISH; PORTUGUESE	Pomover; promotion; promote; promoviendo	promoción; promoção; promoting; 336 contracts Total: 80.793.460,73 €

However, this masks the fact that almost all projects under the EIDHR contain at least some elements of awareness-raising, advocacy and lobbying – both at global level (for example, global campaigns on the fight against death penalty or to raise awareness on the situation of human rights defenders at risk – see text box below) and at national and local levels (as was confirmed during sample country visits and consultations). Just as importantly, and as confirmed in interviews with senior DEVCO staff and staff at Delegations during country studies, the feedback received from beneficiaries is regarded as crucial when it comes to political and other dialogues³⁸⁹ at both HQ level and with governments in partner countries³⁹⁰. The EIDHR also funds a consultative process with CSOs to receive their input prior to Human Rights Dialogues with governments, which in turn provides excellent opportunities for lobbying and advocacy around key human rights and democracy challenges (including the shrinking space for civil society), and many of the HRDs temporarily located in Europe or elsewhere under the Emergency Fund reportedly conduct advocacy and lobbying activities while outside of their home countries³⁹¹.

Examples of advocacy in ‘global’ projects

- **ProtectDefenders.eu**³⁹². The ProtectDefenders.eu project includes awareness-raising and advocacy on the issues faced by HRDs (as well as on the mechanism itself)³⁹³. Most of the work in this area is being implemented by partner NGOs making up the 12 NGO-consortium that won the contract – all of which have considerable outreach and many of which have a specific focus on advocacy. For example, ‘The Observatory’ (a service / website implemented by OMCT and FIDH) send daily alerts to all concerned interlocutors including human rights NGOs but with an additional focus on indirectly lobbying or putting pressure on the government of the country in questions and other human rights protection

³⁸⁹ Examples of ‘other dialogues’ to those listed mentioned by stakeholders include regular meetings with civil society financed under the EIDHR (such as the annual EU-NGO Human Rights Forum that usually takes place in December and is lead by the EEAS), the EIDHR Fora, a Civil Society Forum held in March 2016, an event on Freedom of Expression at the EP in Strasbourg in December 2015, etc.) where EU high-level personalities such as the HRVP, Commissioner for Development, EP President or Vice-Presidents, and EUSR participate and can exchange views with civil society.

³⁹⁰ Stakeholder consultations. All Delegations consulted referred to the importance of knowing what is happening on the ground through feedback from beneficiaries as very important in their dialogue with government.

³⁹¹ Stakeholder consultation.

³⁹² Text on protectdefenders.eu in this textbox based on consultations with relevant staff of the mechanism.

³⁹³ Expected result (ER) The EU, the international community, other NGOs, the media and the public are more knowledgeable of the situation of HRDs collectively and individually; ER12) The EU, the international community, other NGOs, the media and the public are more knowledgeable of legal, political, and administrative provisions affecting HRDs, and of developments; ER16) The EU Mechanism has high visibility.

mechanisms that can act upon it. ESCR-Net (a partner that focuses on advocacy and training) conducts regular petitions for HRDs and publishes open letters on its website and using other channels. Although the project is only in the first year of the three-year contract and hasn't yet finalised its own campaigns, some 'project' activities (such as a digest of appeals to all human rights institutions and bodies that could take action on behalf of the HRDs concerned) have been undertaken and plans will be made for combined advocacy campaign at a later stage. A maximum of 5% of the total budget of EUR 15M is set out for these purposes in the contract and approximately EUR 200,000 has been spent in the period 1 October 2015 to 13 January 2017.

- **Support to NHRIs** (through the Danish Institute for Human Rights from 2015-18) includes training on advocacy and lobbying, although these activities are only planned for 2018³⁹⁴.

I-612 Degree to which EOM findings have created space for dialogue on electoral reform / democracy in partner countries.

As already noted, recommendations from the 2013 EOM and 2016 EFM in Pakistan have been extensively used in political dialogue with government and have reportedly led to a package of reforms, including legislative reform, that when implemented will address almost if not all recommendations. Political dialogue based on EOMs was also reported in Uganda (which is regarded as a 'good practice' example of the political dialogue required by Art.8 of the Cotonou Agreement and that takes place twice a year and at the highest levels), but unfortunately, that doesn't necessarily translate into changes of behaviour or policies³⁹⁵. The Peru EUD also reported that recommendations from EOMs are used in political dialogue, but the effectiveness of this is hampered by the fact that no future bilateral support will be provided and so there is little in the way of incentives that can be provided to government to bring about electoral and democracy reform (other than through diplomacy and political dialogue).

³⁹⁴ Stakeholder interview, DIHR, 1 November 2016.

³⁹⁵ Stakeholder consultation.

Annex D – Consultation Strategy

The consultation strategy for this evaluation 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 HQ 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 Union (EU) 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 posed³⁹⁶.
- 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.

Table 7.1.1 – Consultation phases – who, why and when

Who		Why	How
Desk phase			
DEVCO Management senior staff	B1 and	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 complementarity. 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

³⁹⁶ See Annex F for a summary of responses received.

Who	Why	How
DG NEAR	Background on DG NEAR and ENI, relationship with DEVCO, complementariness, responsibilities for implementation when it comes to Russia, Israel and Palestine, relevance, coherence with ENI.	Face-to-face interviews, follow-up telephone calls
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
FP 1	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 ³⁹⁷	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.

³⁹⁷ OHCHR, UNODC, ICC, IEUC, Danish Institute for Human Rights.

Who	Why	How
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 were consulted on background on human rights, democracy and elections).	Face-to-face interviews
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.	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

Annex E - Inventory of documents

EIDHR key documents
0. Regulations, Treaties and Agreements
<p>CIR Regulation 2014- 2020 - Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action</p> <p>EIDHR Regulation 2007-2013 - Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide.</p> <p>EIDHR Regulation 2014-2020 - 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</p> <p>DCI Regulation 2014-2020 - Regulation (EU) No 233/2014 of the European Parliament and of The Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020</p> <p>ENI Regulation 2014-2020 - Regulation (EU) No 232/2014 of the European Parliament and of The Council of 11 March 2014 establishing a European Neighbourhood Instrument</p> <p>IcSP Regulation 2014-2020 - Regulation (EU) No 230/2014 of the European Parliament and of The Council of 11 March 2014 establishing an instrument contributing to stability and peace</p> <p>EURATOM Regulation 2014-2020 - Council Regulation (EURATOM) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation</p> <p>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</p> <p>IPA II Regulation 2014-2020 - Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)</p> <p>PI Regulation 2014-2020 - Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 Establishing A Partnership Instrument for Cooperation with Third Countries</p> <p>Instrument for Greenland - Council Decision 2014/137/EU of 14 March 2014 on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other</p> <p>EU (2012); Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union; Official Journal of the European Union; 2012/C 326/01 (including the Charter of Fundamental Rights 2012/C 326/02)</p> <p>EU (2014) The Cotonou Agreement 2014, signed in Cotonou on 23 June 2000, Revised in Luxembourg on 25 June 2005, Revised in Ouagadougou on 22 June 2010 and multiannual financial framework 2014–2020</p> <p>UN (1948) Universal Declaration on Human Rights</p> <p>UN (1966) International Covenant on Civil and Political Rights</p> <p>UN (1981) Convention on the Elimination of All Forms of Discrimination Against Women</p> <p>UN (1989) UN Convention on the Rights of the Child</p> <p>UN (1986) Declaration on the Right to Development</p>
1. AAP and MAAP
<p>EIDHR Annual Action Programme 2010 and all Annexes; Commission Implementing Decision of 18/03/2010 - C(2010)1614</p> <p>EIDHR; Annual Action Programme 2011 and all Annexes; Commission Implementing Decision of 29/11/2011 - C(2011) 8630 final</p> <p>EIDHR; Annual Action Programme 2012 and all Annexes; Draft Commission Implementing Decision.</p> <p>EIDHR; Annual Action Programme 2013 and all Annexes; Commission Implementing Decision of 10/12/2012; C(2012) 9074 final</p> <p>EIDHR; Annual Action Programme 2014.and all Annexes; Commission Implementing Decision of 24/7/2014; C(2014) 5142 final</p>

<p>EIDHR; Annual Action Programme 2015 and all Annexes; Commission Implementing Decision of 1/4/2015 - C(2015) 2025 final</p> <p>EIDHR; Multi Annual Action Programme for the years 2016 and 2017. Commission Implementing Decision of 7.12.2015 - C (2015) 8548 final</p>
<p>2. AAPs for EOMs and complementary activities; key commission implementing decision</p> <p>EIDHR, Annual Action Programme 2012 for Election Observation Missions and complementary activities</p> <p>EIDHR; Annual Action Programme 2013 for Election Observation Missions and complementary activities</p> <p>EIDHR; Annual Action Programme 2014 for EOM and complementary activities.</p> <p>EIDHR; Annual Action Programme 2015 for EOMs and complementary activities</p> <p>EIDHR; Annual Action Programme 2016 for EOMs and complementary activities</p> <p>Implementing Arrangements for Election Observation Missions; Commission implementing decision of 29.10.2014 C(2014) 7782 final</p>
<p>3. Strategy papers and MIP</p> <p>EIDHR Strategy Paper 2007–2010 – Commission Implementing decision of August 2007 - C(2007)3765</p> <p>EIDHR; Strategy Paper 2011-2013 - Commission Implementing Decision of 21/04/2010 - C(2010)2432</p> <p>EIDHR; Multiannual Indicative Programme for the period 2014-2017 - Commission Implementing Decision of 21/10/2014 - C (2014) 7529 final</p>
<p>4. QSG-B: Minutes and Agenda of meetings</p> <p>QSG-B1, Agenda of meeting 21 March 2014, Draft EIDHR 2014 Annual Action Programme</p> <p>QSG-B1, Minutes of meeting 21 March 2014, Draft EIDHR 2014 Annual Action Programme</p> <p>QSG-B1, Agenda of meeting of 10 October 2014 - Draft EIDHR 2015 Annual Action Programme</p> <p>QSG-B1, Minutes of meeting of 10 October 2014 - Draft EIDHR 2015 Annual Action Programme</p> <p>QSG-B1, Agenda of meeting of 13 July 2015 - Multiannual Action Programme 2016 and 2017 for the EIDHR</p> <p>QSG-B1, Minutes of meeting of 13 July 2015 - Multiannual Action Programme 2016 and 2017 for the EIDHR</p>
<p>5. EP - DHR Committee</p> <p>Draft Minutes of the 15th meeting of the DHR Committee, 15 October 2015</p> <p>Agenda of the 15th meeting of the DHR Committee, 15 October 2015</p> <p>Agenda of the 14th meeting of the DHR Committee, 5 February 2015</p> <p>Minutes of the 14th meeting of the DHR Committee, 5 February 2015</p> <p>Final minutes of the 13th meeting of the DHR Committee 26 November 2014</p> <p>Agenda of the 12th DHR Committee meeting</p> <p>Final Minutes of the 12th DHR Committee meeting</p> <p>Agenda of the 11th Meeting of DHR Committee, 17 June 2014</p> <p>Minutes of the 11th Meeting of DHR Committee, 17 June 2014</p> <p>DE Comments on the EIDHR AAP 2015</p> <p>DE Comments on EIDHR AAP 2014</p> <p>DE Comments on the EIDHR Multi-Annual Indicative Programme 2014 - 2017</p> <p>SE Comments on the EOM AAP 2015</p> <p>COM reply to SE; on the Annual Action Programme for Electoral Observation Missions and Complementary Activities in 2015</p>
<p>6. Key Communications, joint communications, joint statements</p> <p>EU (2006) The European Consensus on Development - Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: 'The European Consensus' (2006/C 46/01)</p> <p>EU (2014); A decent Life for all: from vision to collective action - (COM 014-335)</p> <p>EU (2011); Increasing the impact of EU Development Policy: An Agenda for Change - (COM2011-637)</p> <p>EU (2011); The Future Approach to EU Budget Support to Third Countries - (COM 2011-638)</p> <p>EU (2011); The Global Approach to Migration and Mobility (COM 2011-743)</p>

EU (2012); EU Support for Sustainable Change in Transition Societies. (JOIN2012-27)

EU (2012); Social Protection in European Union Development Cooperation - (COM2012-446)

EU (2012); The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations - (COM2012-492)

EU (2012); Trade, growth and development - Tailoring trade and investment policy for those countries most in need - (COM2012-22)

EU (2013); A Decent Life for All: Ending poverty and giving the world a sustainable future. (COM2013-92)

EU (2015); A Global Partnership for Poverty Eradication and Sustainable Development after 2015 - (COM2015-44)

EU (2015); Joint Communication to the European Parliament and the Council- Capacity building in support of security and development - Enabling partners to prevent and manage crises - JOIN(2015) 17.

EU (2010); Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union, COM(2010) 573 final

EU (2010); 2020 A strategy for smart, sustainable and inclusive growth, Brussels, 3.3.2010 (COM 2010-2020 final)

EU (2014); A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries; COM(2014) 263 final

EU (2012); Trade, growth and development; Tailoring trade and investment policy for those countries most in need; SEC (2012) 87 final.

EU (2013); Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes; COM(2013) 280 final

EU (2015); A European Agenda on Migration; Brussels, COM(2015) 240 final

EU (2015); The European Agenda on Security; COM(2015) 185 final

EU (2011); An EU Agenda for the Rights of the Child; COM(2011) 60 final

EU (2016); Lives in Dignity: from Aid-dependence to Self-reliance; COM(2016) 234 final

EU (2016); Proposal for a new European Consensus on Development; Our World, our Dignity, our Future; COM(2016) 740 final

7. Key Council conclusions

EC (2013); (7/8 February 2013) - Multiannual Financial Framework - Conclusions - (EUCO 37/13)

EU (2013); The Overarching Post 2015 Agenda - Council conclusions; General Affairs Council meeting, Luxembourg, 5 June 2013.

EU (2014); Council conclusions on a transformative post-2015 agenda - General Affairs Council meeting - Brussels, 16 December 2014.

EU (2014); European council- 26/27 June 2014 - Conclusions - (EUCO 79/14)

EU (2015); A New Global Partnership for Poverty Eradication and Sustainable Development after 2015 - Council conclusions

EU (2009) Council Conclusions on the Millennium Development Goals for the United Nations High-Level Plenary meeting in New York and beyond - Supporting the achievement of the Millennium Development Goals by 2015

EU (2009) - Council Conclusions of 18/11/2009 on Democracy Support in the EU's External Relations – Towards Increased Coherence and Effectiveness. 16081/09

EU (2014)– Council Conclusions of 27/06/2014, The Union as a strong global actor. EUCO 79/14

EU (2013) - Council conclusions on EU approach to resilience; EU Council; 28/05/2013

EU (2015); Energy Union Package; A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy Brussels, 25.2.2015; COM(2015) 80 final; and Annex 1.

EU (2014) – Council Conclusions on A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries; 27/06/2014; (EUCO 79/14)

8. Key Staff Working Documents

8.1 EU International Cooperation and Development Results Framework

EU (2013) - Paving the way for an EU Development and Cooperation Results Framework SWD(2013) 530 final

EU (2015) Commission Staff Working Document Launching the EU International Cooperation and Development Results Framework -SWD(2015) 80 final

8.2 Impact assessment of the EIDHR
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
8.3 On Crisis Countries
EU (2013); Commission Staff Working Document- Action Plan for Resilience in Crisis Prone Countries - 2013-2020 - SWD(2013) 227
8.4 On HR based approach
EU (2014); Commission Staff Working Document, Tool-Box, A Rights-Based Approach, Encompassing All Human Rights for EU Development Cooperation – SWD (2014) 152 Final.
8.5 On policy coherence
EU (2015); Commission Staff Working Document (SWD) - Policy Coherence for Development 2015 EU Report - SWD(2015)-159 final EU (2013); Commission Staff Working Document (SWD) - EU 2013 Report on Policy Coherence for Development - SWD(2013) 456 final EU (2011); Commission Staff Working Document (SWD) - EU 2013 Report on Policy Coherence for Development - SWD(2013) 456 final EU (2009); Commission Staff Working Paper - EU Report on Policy Coherence for Development - SEC(2009) 1137 final EU (2007); Commission Staff Working Paper - EU Report On Policy Coherence For Development - SEC(2007) 1202
8.6 On gender equality
EU (2010): Plan of Action on Gender Equality and Women's Empowerment in Development 2010-2015 - SEC (2010) 265 final EU (2015): Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020 – SWD(2015) 182 final
8.7 Other
EU (2016); Joint Staff Working Document - Implementing EU External Policy on Indigenous Peoples Brussels, SWD(2016) 340 final EU (2016); Joint Communication - A renewed partnership with the countries of Africa, the Caribbean and the Pacific - JOIN(2016) 52 final
9. Annual Reports
9.1 CFSP annual reports
EU; (2009) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP. EU; (2010) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP EU; (2011) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP EU; (2012) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP. EU; (2013) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP. EU; (2014) Annual report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the main aspects and basic choices of the CFSP.
9.2 HRD Annual Reports
EU (2016) EU Annual Report on Human Rights and Democracy in the World in 2015 EU (2015) EU Annual Report on Human Rights and Democracy in the World in 2014 EU (2014) EU Annual Report on Human Rights and Democracy in the World in 2013 EU (2013) EU Annual Report on Human Rights and Democracy in the World in 2012 (Council Report 15144/13COHOM 239)

<p>EU (2012) Human rights and democracy in the world - Report on EU Action in 2011 (Council Report 11107/14 COHOM 109)</p> <p>EU (2011); Annual Report on Human Rights and Democracy in The World in 2010</p> <p>EU (2010) Human rights and democracy in the world, Report on EU action July 2008 to December 2009</p> <p>EU (2009) EU Annual Report on Human Rights 2008</p> <p>EU (2008) EU Annual Report on Human Rights 2007</p>
9.3 DG DEVCO: Annual Activity Reports, Strategic and Management Plans
<p>Annual Report 2008 on the European Community's development and external assistance policies and their implementation in 2007 and Highlights 2008.</p> <p>Annual Report 2009 on the European Community's development and external assistance policies and their implementation in 2008 and Highlights 2009.</p> <p>Annual Report 2010 on the European Union's development and external assistance policies and their implementation in 2009 and Highlights 2010.</p> <p>Annual Report 2011 on the European Union's development and external assistance policies and their implementation in 2010 and Highlights 2011.</p> <p>Annual Report 2012 on the European Union's development and external assistance policies and their implementation in 2011 and Highlights 2012.</p> <p>2013</p> <p>Annual Activity Report 2013, including Annexes</p> <p>Annual Report 2013 on the European Union's development and external assistance policies and their Annual implementation in 2012</p> <p>Management Plan 2013</p> <p>2014</p> <p>Annual Activity Report 2014, including Annexes</p> <p>Annual Report 2014 on the European Union's development and external assistance policies and their Annual implementation in 2013</p> <p>Management Plan 2014</p> <p>2015</p> <p>Annual Activity Report 2015, including Annexes and Commission Staff Working Document Accompanying the document, SWD(2015) 248 final</p> <p>Annual Report 2015 on the European Union's development and external assistance policies and their Annual implementation in 2014</p> <p>Management Plan 2015</p> <p>2016</p> <p>Strategic Plan 2016-2020</p>
9.4 FPI: Annual Activity Reports, Strategic and Management Plans
<p>Annual Activity Report 2013, Service for Foreign Policy Instruments –FPI; and Annexes</p> <p>Annual Activity Report 2014, Service for Foreign Policy Instruments – FPI; and Annexes</p> <p>Annual Activity Report 2015, Service for Foreign Policy Instruments- FPI; and Annexes</p> <p>Management Plan 2015, Service for Foreign Policy Instruments- FPI</p> <p>Management Plan 2016, Service for Foreign Policy Instruments- FPI</p> <p>Strategic Plan 2016, Service for Foreign Policy Instruments- FPI</p>
9.5 DG NEAR: Annual Activity Reports, Strategic and Management Plans
<p>Management Plan 2015, DG NEAR</p> <p>Annual Activity Report 2015, DG NEAR and Annexes</p> <p>Management Plan 2016, DG NEAR</p> <p>Strategic Plan 2016-2020, DG NEAR</p>
9.6 EEAS Annual Activity Reports
<p>EEAS Annual Activity Report 2015</p> <p>EEAS Annual Activity Report 2014</p> <p>EEAS Annual Activity Report 2013</p> <p>EEAS Annual Activity Report 2012</p> <p>EEAS Annual Activity Report 2011</p>
9.7 Court of Auditors Annual and Special Reports
<p>European Court of Auditors – Annual Activity Report 2015</p> <p>European Court of Auditors – Annual Activity Report 2014</p>

<p>European Court of Auditors – Annual Activity Report 2013</p> <p>European Court of Auditors – Annual Activity Report 2012</p> <p>European Court of Auditors – Annual Activity Report 2011</p> <p>European Court of Auditors – Annual Activity Report 2010</p> <p>European Court of Auditors – Annual Activity Report 2009</p> <p>European Court of Auditors – Annual Activity Report 2008</p> <p>European Court of Auditors – Annual Activity Report 2007</p> <p>Special Report 2015, No 21, Review of the risks related to a results- oriented approach for EU development and cooperation action.</p> <p>Special Report 2015, No 9, EU support for the fight against torture and the abolition of the death penalty</p> <p>Special Report 2014, No 18, EuropeAid’s evaluation and results-oriented monitoring systems</p> <p>Special Report 2011, No 3, The Efficiency and Effectiveness of EU Contributions Channelled Through United Nations Organisations in Conflict-Affected Countries</p> <p>Special Report 2011, No 15, Do the Commission’s Procedures Ensure Effective Management of State Aid Control?</p> <p>Special Report 2009, No15, EU Assistance Implemented Through United Nations Organisations: Decision Making and Monitoring</p>
<p>9.8. DEVCO Thematic Budget Line (TBL) Reports by each Thematic and Geographic Directorates</p> <p>TBL Report Directorate B – DEVCO G - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate B – DEVCO H - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate B - DEVCO D - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate B - DEVCO E - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate B - DEVCO F - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate C – DEVCO D - Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate C – DEVCO E – Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate C – DEVCO F – Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate C – DEVCO G – Period 01.01.2014 – 31.12.2014</p> <p>TBL Report Directorate C – DEVCO H – Period 01.01.2014 – 31.12.2014</p> <p>TBL Report, DEVCO D - Period 01.01.2015 – 31.12.2015</p> <p>TBL Report DEVCO E - Period 01.01.2015 – 31.12.2015</p> <p>TBL Report DEVCO G - Period 01.01.2015 – 31.12.2015</p> <p>TBL Report DEVCO H - Period 01.01.2015 – 31.12.2015</p> <p>Annex: Comments on the Thematic Budget Lines Management Reports by Directorates D, E, G AND H</p> <p>Annex Directorate B Comments on the Thematic Budget Lines Management Reports by Directorates D, E, F, G And H</p>
<p>10. EIDHR Compendium</p> <p>EIDHR Compendium 2000-2006</p> <p>EIDHR Compendium 2007- 2013</p> <p>EIDHR Compendium January 2007 - April 2009</p>
<p>11. Handbooks, Compendium and principles for Electoral Observation</p> <p>EU (2008) Handbook for European Union Election Observation: 2nd Edition</p> <p>EU (2016); Handbook for European Union Election Observation; 3rd edition.</p> <p>EU (2007); Compendium of International Standards for Elections Observation, 2nd Edition</p> <p>EU (2010); Compendium of International Standards for Elections, 3rd Edition</p> <p>UN (2005); Declaration of Principles for International Election Observation and Code of Conduct For International Election Observers</p> <p>UN (2012); Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations and Code of Conduct for Non-Partisan Citizen Election Observers and Monitors</p> <p>EC (2006); Methodological Guide on Electoral Assistance</p>
<p>12. Strategies, guidelines, press releases, fact sheets.</p> <p>EU (2016); Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign And Security Policy</p> <p>EU (2012) Strategic Framework and Action Plan on Human Rights and Democracy EU Strategic Framework on Human Rights and Democracy; European Council, 25/06/2012; 11855.</p> <p>EU (2015), EU Action Plan On Human Rights and Democracy, Council Conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019; 10897/15</p>

EU (2013), EU Guidelines on Death penalty – European Council; 8372/13
 EU (2009); Guidelines Human Rights and International Humanitarian Law: European Council
 EU (2008); Ensuring Protection - European Union Guidelines On Human Rights Defenders
 EU (2012); Guidelines to EU Policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment; European Council 6129/1/12 REV1
 EU (2013) Guidelines on the promotion and protection of freedom of religion or belief; European Council, 24/06/2013
 EU (2013) Guidelines to promote and Protect the enjoyment of all Human Rights by Lesbian, Gay, Bisexual, Transgender and intersex Persons, European Council, 24/06/2013
 EU (2008) Guidelines On Children and Armed Conflict, European Council.
 EU (2008) EU Guidelines for the Promotion and Protection of the Rights of the Child
 EU (2008) EU guidelines on violence against women and girls and combating all forms of discrimination against them
 EU (2009) Guidelines on promoting compliance with International Humanitarian Law (IHL) - European Council - 16841/09
 EU (2014); EU Human Rights Guidelines on Freedom of Expression Online and Offline; European Council; 12 May 2014
 EU (2003); European Security Strategy: A Secure Europe in a Better World. European Council.
 EU (2008); Report on the Implementation of the European Security Strategy- Providing Security in a Changing World -European Council
 EU, Institute for Security Studies, (2015); Towards an EU Global Strategy, Background, process, references
 EU (2006); The European Climate Change Programme.
 PBSB (2013); A New Deal for engagement in fragile states.
 UN (2015); Addis Ababa Action Agenda of the third International Conference on Financing for Development.
 UN (2015); Sendai Framework for Disaster Risk Reduction 2015 - 2030
 UN (2015); Transforming our world: the 2030 Agenda for Sustainable Development. (Resolution adopted by the General Assembly on 25 September 2015)
 UNFCCC (2015); COP 21 - Adoption of the Paris Agreement
 EU (2010); Freedom of Expression, Media and Digital Communications - A Practical guide; ND; Key issues 2010
 EIDHR (2013); CSO Consultation; EIDHR; What was done 2007-2013; PPT Presentation
 EU (2013) - Building Nuclear Safety Together, The Instrument for Nuclear Safety Cooperation (INSC). PDF Brochure.
 EU (2016) – Press Release: Sustainable Development: EU sets out its priorities; 22/11/2016
 EU (2016) – Fact Sheet: A proposal for a new European Consensus on development; 22/11/2016
 EU (2016) – Fact Sheet: Towards a renewed partnership with African, Caribbean and Pacific countries after 2020; 22/11/2016

13. Methodology

EU (2006) Evaluation Methods for The European Union's External Assistance; Methodological Bases for Evaluation - Volume 1; Directorate General External Relations; Directorate General Development; EuropeAid Co-operation Office; Joint Evaluation Unit
 EU (2006); Evaluation Methods for The European Union's External Assistance – Evaluation Tools - Volume 4
 EU (2006); Evaluation Methods for The European Union's External Assistance - Guidelines for Geographic and Thematic Evaluations - Volume 2
 EU (2006); Evaluation Methods for The European Union's External Assistance – Guidelines for Project and Programme Evaluation - Volume 3

14. Chapeau Contract (related documents)

EU (2015); Chapeau Contract; for Evaluation of Common Implementing Regulation Evaluation of Development Co-operation Instrument; Evaluation of Greenland Decision Coherence Report on the External Financial Instruments and Co-ordination
 EU (2016); Attachment 5 Chapeau Contract Schedule
 EU (2016); Attachment 6: Indicative Calendar of Workload Distribution
 EU (2016); Evaluation of the Common Implementing Regulation (CIR)- Inception Report. (Version 1, June 2016)

EU (2016); Evaluation of the Development Co-operation Instrument (DCI): Inception Report (version 2, July 2016)

EU (2016); Evaluation of the Greenland Decision (GD)- Inception Report. (Version 2, July 2016)

EU (2016); Note on coordination; Chapeau Contract.

EU (2016); Specific Terms of Reference - Chapeau Contract – Attachment 1: Evaluation of Development Co-Operation Instrument (DCI).

EU (2016); Specific Terms of Reference Chapeau Contract - Attachment 2 Evaluation of The Greenland Decision (GD) - (Council Decision 2014/137/EU)

EU (2016); Specific Terms of Reference; Chapeau Contract – Attachment 3: Evaluation of Common Implementing Regulation (CIR).

EU (2016); Specific terms of reference; Chapeau Contract - Attachment 4: coherence report on the evaluations of the EU external financing instruments.

Evaluation Road Map for EIDHR Evaluation

Guidelines for Desk Report Preparation

15. Evaluations

ECDM (2010); Study on Legal Instruments and Lessons Learned from the Evaluations Managed by the Joint Evaluation Unit Final Report; Volume 1: Final Summary Report; July 2011.

Ref.: EuropeAid/122888/C/SER/Multi Request for Service: 2010/247813

EU (2016); Evaluation of the Cotonou Partnership Agreement – Joint Staff Working Document SWD(2016) 260. And executive summary of the evaluation.

EU (2013) Strategic evaluation of EU Support to Gender Equality and Women's Empowerment in Partner Countries - Final Report, Executive Summary and Annexes Contract EVA 2011 (129907/C/SER/multi) – Lot 2 Specific contract N° – 2013/ 319463

EU (2014) Study on the uptake of strategic evaluations in EU development cooperation – Final Report, Summary and Annexes June 2014 - Framework Contract No COM 2011/Lot 1 Specific Contract N° 2013/317962

EIDHR (2007) - Prevention of Torture and Torture Rehabilitation Centres Supported by EIDHR (2007/143385) - Final Report

EIDHR (2007); Final Report of the Evaluation on the Abolition of Death Penalty Projects. (EUROPEAID/ 116548/C/SV)

EIDHR (2010); Evaluation and recommendation on EIDHR support to Human Rights Defenders - Final Report - FWC Contract n° 2009/226296 - BENEf 2009 – lot nr 7 - Governance and Home Affairs. (EuropeAid/ 127 0 54/C/SER/Multi - FINAL REPORT)

EIDHR (2011); "Strengthening democracy support to EU Delegations: from performance indicators, knowledge sharing to expert services. Study on Performance Indicators for EU parliamentary support". Final Report. Contract N°2011/279014 - FWC COM 2011 - Lot 1 – Studies and Technical Assistance in all Sectors

EIDHR (2012); Mapping of temporary shelter initiatives for Human Rights Defenders in danger in and outside the EU. Final Report.

EIDHR (2014); Mapping and study on performance indicators for European union support to civic education.

EU (2012); Study on Performance Indicators for Electoral Assistance projects developed within the context of the EC-UNDP Partnership on Electoral Assistance.

EU (2014); Specific Terms of References for the Evaluation of Election Observation Missions (EOMs) - FWC BENEFICIARIES 2013 - LOT 7: Governance and Home Affairs. RfS: 2016 / 375913.

EU (2014) - Independent Evaluation of Budget Support in Mozambique Final Report Volume I - Contract No EVA 2011/Lot 3

EU (2011); Thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms (including solidarity with victims of repression) – Final Report

Council of Europe , Directorate of Internal Oversight - Evaluation of The Council Of Europe Support To Elections; Final report

16. EOM Reports, Press Releases and Statements

EOM Uganda 2016 – Post Election Day Statement

EOM Uganda 2016 – Preliminary Statement

EOM Uganda 2011 – Preliminary Statement

EOM Uganda 2011 – Press Release

<p>EOM Uganda 2011 – Final Report</p> <p>EOM Peru 2016 – Preliminary Statement</p> <p>EOM Peru 2011 – Final Report</p> <p>EOM Peru 2011 – Press Release</p> <p>EOM Peru 2011 - Preliminary Statement</p> <p>EOM Mozambique 2014 – Preliminary Statement</p> <p>EOM Mozambique 2014 – Press Release</p> <p>EOM Mozambique 2014 – Final Report</p> <p>EOM Mozambique 2009 – Preliminary Statement</p> <p>EOM Mozambique 2009 – Press Release</p> <p>EOM Mozambique 2009 – Final Report</p> <p>EOM Pakistan 2013 – Preliminary Statement</p> <p>EOM Pakistan 2013 – Press Releases</p> <p>EOM Pakistan 2013 – Final Report</p> <p>EOM Pakistan 2008 – Preliminary Statement</p> <p>EOM Pakistan 2008 – Final Report</p> <p>EOM West Bank and Gaza 2005 – Final Report</p> <p>EU Electoral Follow-up Mission Pakistan - Final Report February 2016</p>
<p>17. FRAME Programme (FP7) - Publications</p> <p>FRAME (2016) Policymakers' Experiences Regarding Coherence in the European Union Human Rights Context, University College Dublin.</p> <p>FRAME (2016) Challenges to the Effectiveness of EU Human Rights and Democratisation Policies, University of Deusto.</p> <p>FRAME (2016) The protection of vulnerable individuals in the context of EU policies on border checks, asylum and immigration, Åbo Akademi University.</p> <p>FRAME (2016) Structures and mechanisms to strengthen engagement with non-state actors in the protection and promotion of human rights, University of Nottingham.</p> <p>FRAME (2016) The role of human rights in the EU's external action in the Western Balkans and Turkey, Eötvös Loránd Tudományegyetem (ELTE).</p> <p>FRAME (2016) Case Study on Holding Private Military and Security Companies Accountable for Human Rights Violations, University of Nottingham</p> <p>FRAME (2016) International Human Rights Protection: The Role of National Human Rights Institutions - a Case Study, Ludwig Boltzmann Institute of Human Rights (BIM).</p> <p>FRAME (2016) Engagement with regional multilateral organisations. Case study: ASEAN Perspective, Adam Mickiewicz University</p> <p>FRAME (2016) Engagement with regional multilateral organisations. Case study: OIC and League of Arab Adam Mickiewicz University</p> <p>FRAME (2016) Quantitative Analysis of Factors Hindering or Enabling the Protection of Human Rights – Danish Institute for Human Rights</p> <p>FRAME (2015) Access Guide to Human Rights Information, European Training and Research Centre for Human Rights and Democracy (ETC Graz).</p> <p>FRAME (2015) Comparative analysis of conceptions of human rights, democracy and the rule of law in selected third countries, Utrecht University.</p> <p>FRAME (2015) Case Study on ICT and Human Rights, Danish Institute for Human Rights.</p> <p>FRAME (2015) The EU's engagement with the main Business and Human Rights instruments, University of Nottingham.</p> <p>FRAME (2015) EU and Member State competences in human rights, University College Dublin.</p> <p>FRAME (2015) Report critically assessing human rights integration in AFSJ policies, Åbo Akademi University.</p> <p>FRAME (2015) Applicable regulatory frameworks regarding human rights violations in conflicts, University of Seville.</p> <p>FRAME (2015) Report on the global human rights protection governance system, Ludwig Boltzmann Institute of Human Rights.</p> <p>FRAME (2015) Human rights priorities in the European Union's external and internal policies: an assessment of consistency with a special focus on vulnerable groups, University of Deusto</p> <p>FRAME (2015) Report on in-depth studies of selected factors which enable or hinder the protection of human rights in the context of globalisation, Danish Institute for Human Rights.</p> <p>FRAME (2015) The EU's engagement with regional multilateral organisations. Case study: Inter-American perspective, Adam Mickiewicz University.</p> <p>FRAME (2015) The EU's engagement with regional multilateral organisations. Case study: African perspective, Adam Mickiewicz University.</p>

FRAME (2015) The impact of EU trade and development policies on human rights, Leuven Centre for Global Governance Studies.

FRAME (2015) Improving EU Engagement with Non-State Actors, University of Nottingham

FRAME (2015) Mapping, analysing and implementing foreign policy instruments, Eötvös Loránd Tudományegyetem (ELTE)

FRAME (2014) EU Human rights, democracy and rule of law: from concepts to practice, Utrecht University.

FRAME (2014) Human Rights Indicators in the Context of the European Union, European Training and Research Centre for Human Rights and Democracy (ETC Graz).

FRAME (2014) EU human rights engagement in UN bodies, Adam Mickiewicz University.

FRAME (2014) Human rights violations in conflict settings, University of Seville

FRAME (2014) The integration of human rights in EU development and trade policies, Leuven Centre for Global Governance Studies.

FRAME (2014) Fundamental rights in the institutions and instruments of the Area of Freedom, Security and Justice, Åbo Akademi University.

FRAME (2014) Coherence of human rights policymaking in EU institutions and other EU agencies and bodies, University College Dublin.

FRAME (2014) Factors which enable or hinder the protection of human rights, The Danish Institute for Human Rights.

FRAME (2014) The positive and negative human rights impacts of non-state actors, University of Nottingham.

FRAME (2014) Report mapping legal and policy instruments of the EU for human rights and democracy support, University of Deusto.

FRAME (2014) International Human Rights Protection: Institutions and Instruments, Ludwig Boltzmann Institute of Human Rights (BIM).

FRAME (2014) Concepts of human rights, democracy, and the rule of law: a literature review, Utrecht University.

18. Publications and reports from other key stakeholders and international donors

Amnesty International Report 2013; The State of the World's Human Rights

Amnesty International Report 2014/2015; The State of the World's Human Rights

Amnesty International Report 2015/2016; The State of the World's Human Rights

(2013); Justice and respect for all; Ministry of Foreign Affairs of the Netherlands

IPCC (2014); Climate Change 2014 Synthesis Report

The Economist (2013); Democracy index 2013; Democracy in limbo; A report from The Economist Intelligence Unit

The Economist (2014); Democracy Index 2014 Democracy and its discontents; A report from The Economist Intelligence Unit

The Economist (2015) Democracy Index 2015; Democracy in an age of anxiety

Brookings (2012); Democracy, Human Rights and the Emerging Global Order Workshop Summary November 29—30, 2012.

FIDH (2015); Annual Report 2015

Freedom House (2013); Freedom in The World 2013: Democratic Breakthroughs in The Balance

Freedom House (2014); Freedom in The World 2014: The Democratic Leadership Gap

Freedom House (2015); Freedom in The World 2015: Discarding Democracy: Return to the Iron Fist

Freedom House (2016); Freedom in The World 2016: Anxious Dictators, Wavering Democracies: Global Freedom under Pressure

Human Rights Watch; World Report 2014

Human Rights Watch; World Report 2015

Human Rights Watch; World Report 2016

OHCHR Report 2013

OHCHR Report 2014

OHCHR Report 2015

UN (2013); Report of the UN Human Rights Council; 7th organisational meeting; 22nd; 23rd sessions

UN (2013); Report of the UN Human Rights Council; 24th session

UN (2014); Report of the UN Human Rights Council; 20th and 21st special session; 25th and 26th sessions

UN (2014); Report of the UN Human Rights Council; 22nd special session; 27th session

UN (2015); Report of the UN Human Rights Council; 23rd special session; 28th, 29th sessions

UN (2015); Report of the UN Human Rights Council; 30th session

<p>UN (2015); Resolution of the GA: Transforming our world: the 2030 Agenda for Sustainable Development; A/RES/70/1</p> <p>UNHCR Global Trends 2013</p> <p>UNHCR Global Trends 2014; Forced displacements in 2014</p> <p>UNHCR Global Trends 2014; Forced displacements in 2015</p> <p>UNICEF Annual Report 2013</p> <p>UNICEF Annual Report 2014</p> <p>UNICEF Annual Report 2015</p> <p>UNICEF (2016); A fair chance for every child; The state of the world's Children 2016</p> <p>UNOPS EIDHR Interim Report, September 2016</p> <p>UNOPS EIDHR Interim Report, May 2016</p> <p>UNOPS EIDHR Interim Report, December 2015</p> <p>UNOPS EIDHR Interim Report, September 2015</p> <p>Frontline Defenders (2017): Annual Report on Human Rights Defenders at Risk In 2016</p> <p>International News Safety Institute (2016); Killing the Messenger 2016: An analysis of news media casualties carried out for the International News Safety Institute by Cardiff School of Journalism</p>
<p>19. Call for Proposals – Global and CBSS (from CRIS)</p> <p>All Global Calls for Proposals for the period 2007-2016.</p> <p>All CBSS Calls for Proposals in countries of the sample.</p> <p>All other Calls for Proposals included in the AAP 2011 to 2017.</p>
<p>20. ROM Reports (from CRIS)</p> <p>All ROM Reports for EIDHR and NEAR-TS contracts in countries of the sample.</p> <p>ROM Report for the Human Rights Defenders Mechanism (C-367873).</p>
<p>21. Targeted and global flagship actions (UNOPS; HRD; ICC; ILO; RBA; Cartooning for Peace; EIUC; etc.) - (from CRIS – Contract number + Name of contract).³⁹⁸</p> <p>160219 - Support to the EIUC's Working programme 2007-2008</p> <p>162124 - Promotion of indigenous and tribal peoples' rights through legal advice, capacity-building and dialogue</p> <p>168279 - Support to 2008-2009 Strategic Management Plan of the UNHCHR</p> <p>215285 - Support to the EIUC's Working programme 2009-2010 (year 2009)</p> <p>224497 - Support to 2010-2011 Strategic Management Plan of the UNHCHR (year 2010)</p> <p>245203 - Support to the 2010-2011 EIUC's Master programmes</p> <p>249477 - Women Connect Across Conflicts Building Accountability for Implementation of UN SCR 1325, 1820, 1888, 1889</p> <p>255639 - Support to 2010-2011 Strategic Management Plan of the UNHCHR (year 2011)</p> <p>266778 - Renforcement des appuis directs et indirects aux défenseurs des droits de l'homme de la région sud méditerranéenne</p> <p>269792 - Support to the 2011-2012 EIUC's Master programmes (year 2011)</p> <p>285071 - Support to the UNHCHR' Management Plan 2012-2013 (year 2012)</p> <p>292106 - Global network for HR and Democracy Education 2012-2013</p> <p>292809 - Building legal expertise and fostering cooperation 2012-2013</p> <p>298992 - Support to the EIUC 2012-2013</p> <p>315337 - Support to the UNHCHR' Management Plan 2012-2013</p> <p>318774 - Supporting the implementation of indigenous peoples' rights in Nepal, Peru and Central African Republic</p> <p>323196 - Building Legal Expertise and fostering cooperation 2013-2014</p> <p>325668 - Support to the EIUC 2013-2014</p> <p>325738 - Global Network for HR and democracy education</p> <p>340173 - Indigenous people access to justice</p> <p>347579 - Support to the EIUC Master Programme 2013-2014</p> <p>347584 - Global Network for HR and democracy education 2014-2015</p> <p>351652 - Support to the UNHCHR' Management Plan 2014-2017 - year 2014</p> <p>353376 - Building Legal Expertise and Fostering Cooperation 2014-2015</p> <p>355997 - Direct support to individual Human Rights Defenders</p> <p>358714 - Supporting Democracy; A Citizens' Organisations Programme</p> <p>363304 - Support to the EIUC for the academic year 2015-2016</p> <p>367873 - EU Human Right Defenders Mechanism</p> <p>371224 - Increase mobilisation towards the abolition of the death penalty in Africa</p>

³⁹⁸ All available documents, included interim and final reports when available were downloaded from CRIS.

<p>371491 - Support package for EU Delegations on the implementation of a Rights Based Approach to Development (RBA)</p> <p>372756 - Supporting respect of culture and freedoms using press cartoons as a media of universal expression – Cartooning for Peace</p> <p>372756 - Developing Indigenous Network (Docip)</p>
22. Service Contracts and Framework Contracts for EOM³⁹⁹
<p>EIDHR (2007) - Service Contract - Framework Contract (FWC)- Support to Elections Observation Missions. (2008/S 53 -071167)</p> <p>EIDHR (2012)— Service Contract - Election observation and democratic support (2012/S 74-121386)</p> <p>EIDHR (2016) - Service Contract - Technical Assistance: Media and freedom of expression in the framework of EU democracy support (EuropeAid/136894/DH/SER/Multi)</p> <p>EIDHR (2012) Framework Contract (FWC) for Support to EU Election Observation Missions - (2012/S 96-158317)</p> <p>EIDHR (2013); FWC EOM 2013; EuropeAid/132614/C/SER/multi - FWC BENEf 2013 EuropeAid/132633/C/SER/multi - Lot 7, Governance.</p> <p>EU, EIDHR/NEEDS, (2007) - Service Contract: Training and Technical Assistance Activities related to EU Electoral Observation Missions: Network for Enhanced Electoral and Democratic Support (NEEDS).</p>
23. Lists of actions
<p>List of actions for the period 2007-2013</p> <p>List of actions for the period 2014-2016</p> <p>List of CBSS CfP priorities per country. List of actions for democracy support 2014-2015 (all instruments)</p>
24. EU Budget and studies
<p>EU General Budget 2008</p> <p>EU General Budget 2009</p> <p>EU General Budget 2010</p> <p>EU General Budget 2011</p> <p>EU General Budget 2012</p> <p>EU General Budget 2013</p> <p>EU General Budget 2014</p> <p>EU General Budget 2015</p> <p>EU General Budget 2016</p> <p>EU Draft Budget 2017</p> <p>Study: “Value for money: EU programme funding in the field of democracy and rule of law”. Directorate General for Internal Policies Policy; Department D: Budgetary Affairs</p>

³⁹⁹ All available documents, included interim and final report when available were downloaded from CRIS.

Annex F – Stakeholders consulted

Part A: Internal and external stakeholder consultation (desk and validation phases)

European Union Headquarters		
DEVCO	Klaus Rudischhauser Klaus.Rudischhauser@ec.europa.eu	Deputy Director-General
DEVCO B1	Jean-Louis Ville Jean-louis.Ville@ec.europa.eu +32 229-62256	Acting Director, Head of Unit, involved in negotiations
DEVCO B1	Sarah Rinaldi Sarah.rinaldi@ec.europa.eu +32 229-85750	dHoU, Head of sector Human Rights, Evaluation Manager
DEVCO B1	Martha Mendez Martha.mendez@ec.europa.eu +32 229-69997	HR programme manager
DEVCO B1	Luigia Di Gisi Luigia.di-gisi@ec.europa.eu +32 229-85412	HR programme manager
DEVCO B1	Chloé Sarthou Chloe.sarthou@ext.ec.europa.eu +32 229-53319	HR programme manager
DEVCO B1	Franziska Bertz Franziska.bertz@ec.europa.eu +32 229-59017	Rights-based approach
DEVCO B1	Maxence Daublain Maxence.daublain@ec.europa.eu +32 229-61664	HR programme manager, link with Gender sector
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 EuroMed Rights
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2. Registered Participants for technical workshop with representatives of the European Parliament and Member States - 27 March 2017

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Annex G – Summary of OPC results

List of acronyms and abbreviations

CBSS	Country Based Support Scheme
CIR	Common Implementing Regulation
CSO	Civil society organisation
CSO-LA	CSO and Local Authorities programme
DCI	Development Cooperation Instrument
DEVCO	Directorate-General for International Cooperation and Development
EEAS	European External Action Service
EFI	External funding instrument
EIDHR	European Instrument for Democracy and Human Rights
EOM	Electoral observation mission
EU	European Union
EUD	European Union Delegation
HRD	Human rights defender
INGO	International non-governmental organisation
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersexed
MEP	Member of the European Parliament
NGO	Non-governmental organisation
OPC	Open consultation process

0 Introduction

The open consultation process (OPC) ran from 7 February to 3 May 2017 and involved the publication of all draft evaluation reports of all external funding instruments (EFIs) online and a request for members of the public; organisations and associations; research and academic institutions; industry, business or workers' organisations; public authorities; European Union (EU) platforms, networks or associations; and anyone else to comment around four set questions (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 posed⁴⁰⁰. The responses of all participants in the OPC are summarised below.

1 Summary of OPC contributions

1.1 Question 1: Addressing EIDHR objectives

Question 1: How well do you think the EIDHR has addressed its objectives? The main assessment criteria for the evaluation are: relevance; effectiveness, impact and sustainability; efficiency; EU added value; coherence, consistency, complementarity and synergies; and leverage. Feel free to comment on the findings, conclusions or recommendations for any/all of the criteria.

⁴⁰⁰ See Annex XXX for a list of those who responded – excluding those who requested that their names not be published.

1.1.1 Summary of written contributions

A total of 48 written responses were received:

- Research / academia: 3
- Citizen / individual: 4
- Organisation / association: 23
- Industry, business or workers' organisation: 2
- Public Authority: 8
- EU Platform, network or association: 8

Of the written contributions received:

- 23 were largely positive.
- 6 were largely negative.
- 6 were partly positive, but with reservations (such as levels of sustainability and the difficulty in measuring effectiveness in the field).
- 13 expressed no real opinion but merely provided commentary (for example, on the situation in their own countries).

- The majority of **organisations** focused on implementation issues rather than on the instrument itself. In particular, Of the 22 organisations that responded directly to the question:

- 10 respondents were of the opinion that the instrument is relevant, with two stating it is not relevant. Most (8) 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. As a result, numerous comments suggested an increase in focus on particular issues, including gender equality, child rights, persons with disabilities, human rights defenders (HRDs), social and economic or labour rights, or on an increased focus on their country of origin.
- Four were of the opinion that it is effective, although it is hard to measure, while three questioned its effectiveness (two based on observations in their own countries and one raising questions around implementation and particularly the preference for larger projects and the fact that Delegations tend to 'shy away' from support to HRDs). One raised the need for consultation between organisations and Delegations to be increased.
- Four believed that the EIDHR is having an impact, with one adding that it is also sustainable.
- Two (predictably) felt the call for proposals process is particularly difficult and inefficient. Concerns were also raised by four organisations around the fact that significant funds go to large organisations rather than to those actually implementing projects within their countries. Two in particular felt that efficiency could be increased by training EU Delegation (EUD) staff on modalities under the Common Implementing Regulation (CIR) to increase efficiency and raise awareness of the specific features of the EIDHR that enable it to respond to emergencies – particularly the Emergency Fund and Human Rights Crisis Facility – and other unique features such as the funding of non-registered organisations and individuals.
- Three noted the added value of the instrument given its wide outreach and support to projects that would not otherwise be supported by development partners (DPs). However,
- None mentioned coherence, but one believed that complementariness could be increased through stronger institutional links between the EIDHR and the Development Cooperation Instrument and the Instrument contributing to Stability and Peace.
- One was of the opinion that 'leverage' could be increased through increased support to local and regional government and Increased

political dialogue with local authorities and in graduated countries (although this would seem to be more relevant to the Civil Society Organisation and Local Authorities programme (CSO-LA) than the EIDHR, the latter of which works primarily with civil society rather than government).

- Of the seven **public authorities** that responded to the question, all 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 DPs. One confirmed that monitoring and evaluation needs to be improved by finalising the indicators (which has now been done) and one raised concerns about the level of consultation with Member States.
- Six EU **platforms, networks or associations** replied directly to the question. Only two dealt with relevance and both agreed the EIDHR is highly relevant, particularly given its geographical cover and the shrinking space for civil society. Two felt it is effective and having an impact, although one of these also agreed that it may be too soon to measure this. One agreed with the organisations that training of EUD staff around the unique features created by the Common Implementing Regulation (CIR) (and the financial regulation) would increase efficiency while another believed there should be more predictability with the calls for proposals under the Country Based Support Scheme (CBSS). Only two commented on added value, with both agreeing that the EIDHR adds value to the support provided by Member States and other DPs. One also felt that efforts around advocacy at national, regional and global levels on civil society space should be increased while another believed that leverage could be increased by prioritising multi-country projects in global calls, or by restricting global calls to multi-country projects and issuing more CBSS calls.
- Two responses were received from **industry, business or workers' organisations**. One complained that human rights and democracy are not well supported, but the other was largely satisfied with the instrument (although they too agreed that efficiency could be improved by training EUD staff on the rules in the CIR and financial regulation that increase flexibility).
- Of the three responses from **research / academia**, all agreed that the EIDHR is relevant and meeting its objectives (although effectiveness and impact are hard to measure). Two specifically noted its alignment with EU policies and priorities, although one believed complementarity with other instruments has been limited so far.
- Only two **individuals** addressed the question directly, with both agreeing that the EIDHR is achieving its objectives

1.1.2 Response of the evaluation team

Overall, there is generally consensus that the EIDHR is relevant and is addressing its objectives. Predictably, most organisations called for increases in support to their own specific areas of focus, but most comments received deal with issues of implementation. Although the evaluation is really at instrument level, the draft report does deal with implementation issues and notes have been added to the effect that the OPC confirmed some of the issues already raised in the 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 (NGOs) and Member States called for more consultation when it comes to setting priorities. This is already reflected in the draft report although suggestions for restricting global calls to multi-country projects (to be addressed by international organisations) leaving 'national' projects to be addressed by local organisations under the CBSS have been included in the revision of the report although no recommendation is made in this regard since the view was only expressed by one respondent.

1.2 Question 2: The balance between support to human rights, democracy and electoral observation

Question 2: Are the current scope and components of the EIDHR (Human Rights, Democracy, Electoral observation) appropriately balanced to meet the beneficiaries' needs? Please explain your view.

1.2.1 Summary of written contributions

A total of 45 written responses were received:

- Research / academia: 2
- Citizen / individual: 4
- Organisation / association: 22
- Industry, business or workers' organisation: 2
- Public Authority: 7
- EU Platform, network or association: 8

Of the written contributions received:

- 9 were largely positive.
- 18 were largely negative.
- 8 were partly positive, but with reservations.
- 10 expressed no real opinion but merely provided commentary.
- Although the question really aimed to determine whether the balance between human rights, democracy and electoral observation was correct, most of the 20 **organisations** that responded directly to the question tended to focus again on the need for more support to be provided for the particular issues on which they focus. One agreed with the suggestion in the report that greater emphasis be given to those countries where human rights and democracy are most under threat, while two were of the opinion though that electoral observation (and support to international organisations) should be financed from geographic programme rather than under the EIDHR.
- Six of the seven **public authorities** agreed that the balance in the EIDHR is correct. Two specifically noted that, while they support electoral observation, more needs to be done to increase follow up on the recommendations from election observation missions (EOMs).
- Of the seven **platforms** that answered the question directly, most argued that the balance needs to be shifted based on their own areas of focus. Two questioned why electoral observation is included or how it links with other support to democracy, while two raised issues with the call for proposals process (not meant to be considered under this question).
- One of the **research / academia** respondents felt that, while they would want to see more support to democracy, the level of support to EOMs is too high. The other respondent believed the balance to be correct, but was concerned that too much support is given to international NGOs (INGOs).
- Three of the four **citizens** felt the balance is correct while one really only focused on issues in their country that are not being focused on under the EIDHR.
- Only one **industry, business or workers' organisation** directly addressed the question and argued that EOMs should not be included under the EIDHR.

1.2.2 Response of the evaluation team

The level of satisfaction with the balance between democracy, election observation and human rights is comparatively low but is skewed by the fact that the majority of those responding to the question would like to see more support to either human rights or democracy, depending on their area of focus. However, there is some resistance to EOMs (and, in one case, support to international organisations). While

this is understandable given that it reduces the amount of support to CSOs (who were also the majority of respondents), it does raise questions as to whether or not support to EOMs and international organisations should be moved to or fall under different instruments rather than the EIDHR. The report has been slightly amended to reflect the responses from civil society in this regard.

1.3 Question 3: Priorities of the EIDHR

Question 3: Are the current priorities of the instrument appropriate? In particular, do you think that those countries where democracy and human rights are most under threat are appropriately supported? Please provide reasons to support your view.

1.3.1 Summary of written contributions

A total of 42 written responses were received:

- Research / academia: 2
- Citizen / individual: 4
- Organisation / association: 19
- Industry, business or workers' organisation: 2
- Public Authority: 7
- EU Platform, network or association: 8

Of the written contributions received:

- 15 were largely positive.
- 6 were largely negative.
- 8 were partly positive, but with reservations.
- 12 expressed no real opinion but merely provided commentary.
- Of the 19 **organisations** that commented, three felt the prioritisation was very inappropriate, but most agreed that the prioritisation is appropriate although four would prefer to see more of a focus on HRDs and the shrinking space for civil society (others would like to see more of a focus on particular issues of concern to their organisations such as children, torture victims, indigenous peoples and economic rights).
- When it comes to **public authorities**, these generally agreed with the prioritisation but one raised concerns that EUDs tend to focus on issues that are not contested or difficult to address rather than on those where government resistance is more pronounced.
- Of the eight **platforms** that answered the question directly, the consensus was that the priorities of the EIDHR are correct (although that is only part of the question) but that support to HRDs and the shrinking space for civil society should be prioritised.
- One of the **research / academia** respondents felt that the prioritisation is correct, but the other noted that there is a need for more flexibility in countries where democracy is deteriorating.
- Only one of the **citizens** addressed the question directly and believed the prioritisation to be correct.
- Only one **industry, business or workers' organisation** directly addressed the question and argued that should continue even where a country has graduated.

1.3.2 Response of the evaluation team

Again, most of the written comments reflect the respective organisations key priorities and so some level of dissatisfaction with the priorities under the EIDHR can be expected. Comments about the need for EUDs to prioritise more difficult human rights issues within particular countries are noted but have also been addressed

earlier in this report and in the draft report. There are thus no suggestions or comments to Question 3 that need to be specifically addressed in the revised report.

1.4 Question 4: Other comments on the EIDHR

Question 4: If you have any other views on the EIDHR you would like to share, they are welcome here.

1.4.1 Summary of written contributions

A total of 33 written responses were received:

- Research / academia: 1
- Citizen / individual: 3
- Organisation / association: 21
- Industry, business or workers' organisation: 1
- Public Authority: 2
- EU Platform, network or association: 5

Of the written contributions received:

- 4 were largely positive.
- 7 were largely negative.
- 22 were neither positive nor negative but merely provided commentary or suggestions for what should be prioritised and how the instrument could be made more efficient for CSOs.

In addition to complaints about the call for proposals process and the need for a simplified procedure, and requests for more support to the particular area of focus of organisations submitting comments, specific comments and recommendations included:

- The budget should be increased, especially in light of USA (and other DPs) reducing their levels of support.
- The size of the grants should be increased to allow the period of implementation to be extended and to reach a wider 'audience' and core funding should be allowed.
- The emphasis on the short-term protection of HRDs at risk without due consideration to the context in which they operate and the specific obstacles they will face once supports ends is an approach leaves HRDs often wondering how they will survive. Support should be comprehensive, take a gender perspective, and be available at least for one year.
- The instrument needs to become even more flexible, responsive to changing needs on the ground and accessible for those operating in challenging environments to ensure that NGOs facing serious restrictions with respect to the receipt of foreign funding in their countries, as well as NGOs based in exile that cooperate with underground networks in their countries, are able to benefit from funding.
- For membership driven organisations, making partnering in all countries covered by a proposal compulsory has several adverse effects, including raising competition between international organisations for partnering with a limited number of relevant, reliable field partners and competition between local members/partners. For organisations who do not usually provide grants (particularly membership-based organisations), forcing them to do so bears the risk for them of being primarily perceived as a 'donor'.
- The use of service contracts under the EIDHR is not appropriate for either the human rights sector or for democracy support. Service contracts do not allow enough flexibility and adaptability for implementers in the context of ever-changing political environments. Moreover, rather than calling in external experts,

more attention should be given to strengthening the capacities of local structures, which is far harder to achieve through service contracts.

- Currently, there seems to be no predictable structure on the open calls
- The recent trend to provide large grants with high co-financing rates has been a significant obstacle to CSOs' abilities to access EU funding.
- More support to capacity building should be provided (although this really falls under the objectives of the CSO-LA).

1.4.2 Response of the evaluation team

Understandably, most organisations chose to focus on problems they encounter during implementation. Although this is not the main focus of the current evaluation, these have been included for consideration. Once again, there seems to be some confusion around the rules, which suggests that more needs to be done to explain these to international and regional organisations. Some of the comments received, such as that grants should be larger, that there should be a relaxation of financial reporting rules for CSOs in countries where foreign funding is not allowed, and that support to HRDs at risk should extend beyond merely extricating them from the risk, have also already been addressed by the Directorate-General for International Cooperation and Development (DEVCO).

Concerns around the need for an increase in the EIDHR budget to counter the fact that some DPs, notably the USA, are reducing funding to civil society are noted and have been reflected in the revised draft report.

1.5 Question 5: Views and comments on other instruments

Question 5: If you have any other views common to several or all instruments you would like to share, they are welcome here.

The inclusion of this question was somewhat strange. Comments related to the EIDHR have already been captured above and, as a result, the comments received have very little relevance to the evaluation of the EIDHR. Many of the responses were also extremely detailed and have not been included here. Instead, all of the comments have been shared with other evaluation teams for their consideration.

2 Other views

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 is beyond the scope of the current, instrument-level, evaluation (and beyond what is required by the consultants' terms of reference) and it is noted too that there are plans for a more detailed mid term review of all EFIs during 2017. There was also a suggestion, in line with recommendations in the report, that the language used in the CIR could be simplified to make the level of flexibility created clearer to EUD staff. To increase the efficiency of the EIDHR focus of action, a more strategic prioritisation is required - one option would be to consider and plan for 'urgent' situations beforehand (such as the migration crisis). In response, the representative for European External Action Service (EEAS) at the workshop noted that they are currently drafting new strategic recommendations on the thematic prioritisation.

The team leader for the evaluation also met with a Member of the European Parliament (MEP) 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. The results of this meeting have been included in the body of the report, where appropriate.

Annex H – Specific objectives of the EIDHR (2014-2020)

The **specific objectives and priorities of the EIDHR** are set out in the Annex to the Regulation as follows:

The Union's strategic orientation in delivering on the purpose of the EIDHR is based on five objectives described in this Annex.

Objective 1 — Support to human rights and human rights defenders in situations where they are most at risk.

Actions under this objective will provide effective support to human rights defenders (HRDs) that are most at risk and to situations where fundamental freedoms are most endangered. The EIDHR will inter alia contribute to meeting HRDs' urgent needs; it will also provide medium and long-term support that will enable HRDs and civil society to carry out their work. The actions will take into account the current worrying trend of the shrinking space for civil society.

Objective 2 — Support to other priorities of the Union in the field of human rights

Actions under this objective will focus on providing support to activities where the Union has an added value or specific thematic commitment (e.g. current and future Union guidelines in the field of human rights adopted by the Council or resolutions adopted by the European Parliament), in line with Article 2. Actions will be consistent with the priorities set out in the EU Strategic Framework and Action Plan on Human Rights and Democracy.

Actions under this objective will, inter alia, support human dignity (in particular the fight against the death penalty and against torture and other cruel, inhuman or degrading punishment or treatment); economic, social and cultural rights; the fight against impunity; the fight against discrimination in all its forms; women's rights and gender equality. Attention will also be given to emerging issues in the field of human rights.

Objective 3 — Support to democracy

Actions under this objective will support peaceful pro-democracy actors in third countries with a view to enhancing participatory and representative democracy, transparency and accountability. Actions will focus on the consolidation of political participation and representation, as well as pro-democracy advocacy.

All aspects of democratisation will be addressed, including the rule of law and the promotion and protection of civil and political rights such as freedom of expression online and offline, freedom of assembly and association. This includes active participation in the evolving methodological debate in the area of democracy support.

Where applicable, actions will take into account the recommendations of EU EOMs.

Objective 4 — EU EOMs

Actions under this objective will focus on election observation which contributes to increasing transparency and trust in the electoral process as part of the wider promotion of, and support to, democratic processes as described in objective 3.

Full-scale EU EOMs are widely recognised as flagship projects of the Union's external action and remain the principal form of action under this objective. They are best placed to provide both an informed assessment of electoral processes and recommendations for their further improvement in the context of Union cooperation and political dialogue with third countries. In particular, the approach encompassing all stages of the electoral cycle, including follow-up activities, will be further developed with complementary actions between bilateral programming and EIDHR projects.

Objective 5 — Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms.

The general aim is to strengthen international and regional frameworks for the promotion and protection of human rights, justice, the rule of law and democracy in accordance with Union policy priorities.

Actions under this objective will include activities to support local civil society's contribution to EU human rights dialogues (in line with the relevant EU guidelines) and the development and implementation of international and regional human rights and international criminal justice instruments and mechanisms, including the International Criminal Court. The promotion and monitoring of those mechanisms by civil society will be given special attention.

Annex I – Main EU Policies (human rights and democracy) as at 1 January 2014

Policy / Strategy	Key features related to democracy and human rights	Degree of alignment
Council conclusions of 18 November 2009: Democracy Support in the EU's External Relations (including the Agenda for action on Democracy Support in EU external relations) ⁴⁰¹	<p>At this Council meeting in November 2009, the Council decided to adopt an EU Agenda for action on Democracy Support in EU external relations. In terms of this, EU democracy support should aim at assisting efforts and strengthening the capacity of governments, Parliaments and other state institutions, political actors, CSOs and other actors. EU efforts (should) aim at contributing to sustainable development, respect for human rights, democratic governance, security, poverty reduction and gender equality. Recognising that the EU can play an important role in supporting States and civil society, including human rights defenders and democracy activists, who wish to move towards greater freedom, equity, justice and prosperity through the effective implementation of the EU guidelines on Human Rights, including the EU guidelines on Human Rights Defenders⁴⁰², the Agenda states that:</p> <ul style="list-style-type: none"> • Human rights and democracy are inextricably connected. Only in a democracy can individuals fully realise their human rights; only when human rights are respected can democracy flourish. Democracy, democratic governance, development and respect for all human rights – civil, cultural, economic, political and social – are interdependent and mutually reinforcing. • Progress in the protection of human rights, good governance and democratisation is fundamental for poverty reduction and sustainable development. • Democracies share certain common features including respect for human rights and fundamental freedoms, including the principle of non-discrimination. Democracy should ensure the rights of all, including the rights of persons belonging to minorities, of indigenous peoples and other vulnerable groups. • The ability of men and women to participate on equal terms in political life and in decision-making (in addition to being a human right) is a prerequisite of genuine democracy. • EU democracy support should include a special focus on the role of civil society. NGOs and other non-state actors of partner countries in particular play a vital role as promoters of democracy, social justice and human rights. 	The EIDHR was completely aligned with the Agenda as at 1 January 2014. Not only does the EIDHR follow the approach that human rights and democracy are inextricably connected, interdependent and mutually reinforcing as set out in the Agenda, it also includes a specific focus on gender equality and the supports the role of CSOs as promoters of democracy, social justice and human rights.
Increasing the impact of EU Development Policy: an Agenda for Change (2011) ⁴⁰³	<p>Chapter 1 'Reducing Poverty in a Rapidly Changing World' notes that the EU ... should concentrate its development cooperation in support of human rights, democracy and other key elements of good governance; and inclusive and sustainable growth for human development.⁴⁰⁴ In the same chapter, the commission proposes an Agenda for Change that would lead to, <i>inter alia</i>, enhanced importance of human rights, democracy and good governance trends in determining the mix of instruments and aid modalities at country level.⁴⁰⁵</p> <p>The Agenda includes a specific chapter on human rights, democracy and other key elements of good governance (Chapter 2). It states, <i>inter alia</i>, that:</p> <ul style="list-style-type: none"> • EU support to governance should feature more prominently in all partnerships, notably through incentives for results-oriented reform and a focus on partners' commitments to 	The key aspects of good governance included in the Agenda for change (human rights, democracy and rule of law) are central objectives of the EIDHR, as is support to NSAs (including CSOs) and recognises the

⁴⁰¹ 2974th EXTERNAL RELATIONS Council meeting Brussels, 17 November 2009

⁴⁰² Introduction to the Agenda, page 3.

⁴⁰³ COM(2011) 637 final

⁴⁰⁴ Page 3.

⁴⁰⁵ Ibid.

	<p>human rights, democracy and the rule of law and to meeting their peoples' demands and needs.⁴⁰⁶</p> <ul style="list-style-type: none"> • Should a country loosen its commitment to human rights and democracy, the EU should strengthen its cooperation with non-state actors and local authorities and use forms of aid that provide the poor with the support they need. At the same time, the EU should maintain dialogue with governments and non-state actors. In some cases, stricter conditionality will be warranted.⁴⁰⁷ • EU action should centre on ... <ul style="list-style-type: none"> ○ Democracy, human rights and the rule of law. The EU should continue to support democratisation, free and fair elections, the functioning of institutions, media freedom and access to internet, protection of minorities, the rule of law and judicial systems in partner countries. ○ Gender equality and the empowerment of women as development actors and peace-builders. ○ Civil society and local authorities.⁴⁰⁸ 	<p>need for confidentiality. Although the EIDHR does not specifically mention access to the internet as part of the right to freedom of expression, it does include the right (which can be understood to include the right to internet access) and it does refer to internet freedom as part of the list of civil and political rights (including freedom of expression) in Article 1 (a) (i). The EIDHR was thus totally aligned with the Agenda at 1 January 2014.</p>
<p>EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council on 25 June 2012 (SF&AP)⁴⁰⁹</p>	<p>Recognising that respect for human rights and democracy cannot be taken for granted, the Strategic Framework and Action Plan commits the EU to stepping its efforts to promote human rights, democracy and the rule of law across all aspects of external action; strengthen its capability and mechanisms for early warning and prevention of crises liable to entail human rights violations; deepen its cooperation with partner countries, international organisations and civil society, and build new partnerships to adapt to changing circumstances; and strengthen its work with partners worldwide to support democracy, notably the development of genuine and credible electoral processes and representative and transparent democratic institutions at the service of the citizen.⁴¹⁰</p> <p>The document then deals in some detail with how the EU will implement human rights. Since these are extremely close to the issues listed in the EIDHR, they are repeated here in full:⁴¹¹</p> <p>'The EU will continue to promote freedom of expression, opinion, assembly and association, both on-line and offline; democracy cannot exist without these rights. It will promote freedom of religion or belief and to fight discrimination in all its forms through combating discrimination on grounds of race, ethnicity, age, gender or sexual orientation and advocating for the rights of children, persons belonging to minorities, indigenous peoples, refugees, migrants and persons with disabilities. The EU will continue to campaign for the rights and empowerment of women in all contexts through fighting discriminatory legislation, gender-based violence and marginalisation.</p> <p>The EU will intensify its efforts to promote economic, social and</p>	<p>In line with the Strategic Framework and Action Plan, the EIDHR too combines human rights and democracy. Its alignment goes far further though and the EIDHR reflects all of the key human rights and democracy issues listed in the SF&AP. It is thus completely aligned to the SF&AP.</p>

⁴⁰⁶ Page 5.

⁴⁰⁷ Ibid.

⁴⁰⁸ Op. cit. page 6. Emphasis added.

⁴⁰⁹ COM(2011) 886 final

⁴¹⁰ Page 2.

⁴¹¹ See pages 3-4

	<p>cultural rights; the EU will strengthen its efforts to ensure universal and non-discriminatory access to basic services, with a particular focus on poor and vulnerable groups. The EU will encourage and contribute to implementation of the UN Guiding Principles on Business and Human Rights.</p> <p>The death penalty and torture constitute serious violations of human rights and human dignity. Encouraged by the growing momentum towards abolition of the death penalty worldwide, the EU will continue its long-standing campaign against the death penalty. The EU will continue to campaign vigorously against torture and cruel, inhuman and degrading treatment.</p> <p>The fair and impartial administration of justice is essential to safeguard human rights. The EU will step up its efforts to promote the right to a fair trial and equality before the law. The EU will continue to promote observance of international humanitarian law; it will fight vigorously against impunity for serious crimes of concern to the international community, including sexual violence committed in connection with armed conflict, not least through its commitment to the International Criminal Court.</p> <p>Courageous individuals fighting for human rights worldwide frequently find themselves the target of oppression and coercion; the EU will intensify its political and financial support for human rights defenders and step up its efforts against all forms of reprisals. A vigorous and independent civil society is essential to the functioning of democracy and the implementation of human rights; effective engagement with civil society is a cornerstone of a successful human rights policy. The EU places great value on its regular dialogue with civil society both inside and outside the EU and is profoundly concerned at attempts in some countries to restrict the independence of civil society.</p> <p>As a leading donor to civil society, the EU will continue supporting human rights defenders under the European Instrument for Democracy and Human Rights and make funding operations more flexible and accessible.'</p> <p>The document then includes an Action Plan on Human Rights and Democracy that includes the following outcomes of particular relevance to the EIDHR:</p> <ul style="list-style-type: none"> 2. Genuine partnership with civil society, including at the local level. 5. A culture of human rights and democracy in EU external action. 6. Effective support to democracy. 9. Respect for economic, social and cultural rights. 10. Working towards a rights based approach in development cooperation. 16. Abolition of the death penalty. 17. Eradication of torture and other cruel, inhuman or degrading treatment or punishment. 18. Effective support to Human Rights Defenders. 19. Promotion and protection of children's rights. 20. Protection of the rights of women, and protection against gender-based violence. 22. Enjoyment of human rights by LGBT persons. 23. Freedom of Religion or Belief. 24. Freedom of expression online and offline. 25. Implementation of the UN Guiding Principles on Business and human rights. 28. Promote the respect of the rights of persons belonging to minorities. 30. Enjoyment of human rights by persons with disabilities. 31. Impact on the ground through tailor-made approaches. 	
A Decent Life	This overarching policy recognises the importance of good	Although the

For All: Ending poverty and giving the world a sustainable future (2013) ⁴¹²	<p>governance, democracy and human rights in ending poverty and giving the world a sustainable future, including in the following statements:</p> <ul style="list-style-type: none"> • Poor governance, including a lack of democracy, rule of law and respect for human rights, is currently hampering efforts towards poverty eradication and sustainable development.⁴¹³ • The importance of justice and equity, human rights, democracy and other aspects of good governance goes far beyond their impact on progress towards development targets on income, education, health and other basic needs. They are also important in their own right, in all countries. The recent movements in North Africa and the Middle East showed the importance of inclusive political systems, justice and jobs, particularly for young people, and highlighted that progress on the MDGs is essential but not sufficient. Governance will remain a global challenge for the years ahead. It is important that the new post-2015 overarching framework captures these issues. The role of women is particularly important in unlocking the drive for sustainable development and all forms of barriers to equal participation need to be removed. The framework should put particular emphasis on moving towards a rights-based approach to development, on reducing inequalities, as well as on the promotion and protection of women's and girls' rights and gender equality, transparency and the fight against corruption. It should also capture the fundamental issues related to equity.⁴¹⁴ • Under the heading 'Principles for a post-2015 overarching framework' (section 5.2.1 – Scope), the policy states that 'The framework should also address justice, equality and equity, capturing issues relating to human rights, democracy and the rule of law, as well as the empowerment of women and gender equality, which are vital for inclusive and sustainable development, as well as important values in their own right. It should also address peace and security, building on the existing work on Peace Building and State Building Goals.'⁴¹⁵ 	EIDHR makes no specific mention of poverty, its focus on good governance, human rights (including ESCR) and democracy, ensures the EIDHR was aligned with the policy.
"The Overarching Post 2015 Agenda" (2013) ⁴¹⁶	Emanating shortly after the 'A Decent Life for All' policy, this Commission Communication reinforces the policy when calling for an overarching post-2015 framework (that is, post the Millennium Development Goals) that 'Ensure a rights-based approach encompassing all human rights. It should also address justice, equality and equity, good governance, democracy and the rule of law, with a strong focus on the empowerment and rights of women and girls and gender equality, and on preventing and combating violence against women as essential preconditions for equitable and inclusive sustainable development, as well as important values and objectives in themselves. We remain committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and the outcomes of their review conferences and in this context sexual and reproductive health and rights.' ⁴¹⁷	By focusing on democracy and human rights, including the rights of women, girls and gender equality (prioritised in the policy), the EIDHR was completely aligned with the policy.
The Global Approach to Migration and	Recognising that globalisation, demographic change and societal transformation are affecting the EU, MS and countries around the world, this policy states that migration is now firmly	The EIDHR makes only one direct reference

⁴¹² Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

⁴¹³ Page 3.

⁴¹⁴ Page 11.

⁴¹⁵ Page 12.

⁴¹⁶ Council Conclusions of 25 June 2013

⁴¹⁷ Page 4.

Mobility (GAMM) (2011) ⁴¹⁸	<p>at the top of the EU's political agenda.⁴¹⁹ As one of its key objectives, the Global Approach is to be defined in the widest possible context as the overarching framework of EU external migration policy, complementary to other, broader, objectives that are served by EU foreign policy and development cooperation.⁴²⁰ Four themes - legal migration and mobility, irregular migration and trafficking in human beings, international protection and asylum policy, and maximising the development impact of migration and mobility - should be covered under the GAMM as its four pillars, with the human rights of migrants as a cross-cutting dimension, of relevance to all four pillars in the GAMM.⁴²¹ In addition, addressing environmentally induced migration, also by means of adaptation to the adverse effects of climate change, should be considered part of the Global Approach.⁴²²</p> <p>The Global Approach should not be restricted geographically. It is a general approach and a method. In addition, the principle of differentiation means that the EU will seek closer cooperation with those partners that share interests with and are ready to make mutual commitments with the EU and its MS.⁴²³</p> <p>When coming to implementation, the policy notes that (in the period 2005-11) approximately 300 migration-related projects in non-EU countries had been funded under various thematic and geographical financial instruments of the European Commission, amounting to a value of € 800 million.⁴²⁴ It notes further that, in the past, the Global Approach mainly relied on a few specific tools: (a) migration profiles, (b) migration missions, (c) cooperation platforms, and (d) Mobility Partnerships. However, the EU's external migration policy also builds on EU legislation and legal instruments (so far, nine visa facilitation and thirteen EU readmission agreements, plus seven Directives on legal and irregular migration), political instruments (a large number of policy dialogues, often backed up by action plans), operational support and capacity-building (including via the EU agencies such as FRONTEX, the EASO and the ETF and technical assistance facilities such as MIEUX and TAIEX) and the wide range of programme and project support that is made available to numerous stakeholders, including civil society, migrant associations and international organisations.⁴²⁵ 'The GAMM is based on this entire spectrum of tools and instruments, which should be applied in a structured and systematic way. This will be done through tailor-made bilateral partnership frameworks that will be negotiated between the EU and each priority country concerned.'⁴²⁶</p> <p>Of the four pillars mentioned in the GAMM, the second pillar (Preventing and reducing irregular migration and trafficking in</p>	<p>to migrants / migration in the Preamble (Section 16) but it does include a focus on the rights of importance to all people generally, including migrants,⁴²⁸ and more specifically in Article 2 (1) (a) (unhindered movement of persons) and Article 2 (1) (b) (including support to HRDs and protection of the rights of women and children, victims of trafficking,⁴²⁹ PWDs and economic, social and cultural rights) as well as requiring a focus on crisis situations that can lead to increased levels of migration. It was thus largely aligned to the GAMM.</p>
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⁴¹⁸ COM(2011) 743 final

⁴¹⁹ Page 2.

⁴²⁰ Page 4.

⁴²¹ Page 6.

⁴²² Page 7.

⁴²³ Ibid.

⁴²⁴ Page 10.

⁴²⁵ Ibid.

⁴²⁶ Ibid.

⁴²⁸ Article 1 (b).

⁴²⁹ The GAMM states in this regard that 'the human rights of migrants are a cross-cutting dimension, of relevance to all four pillars in the GAMM. Special attention should be paid to protecting and empowering vulnerable migrants, such as unaccompanied minors, asylum-seekers, stateless persons and victims of trafficking' which is reflected in the EIDHR in Art. 2 (1) (b) (ix) and (x).

	human beings) is of most relevance to the EIDHR. This states, <i>inter alia</i> , that 'migration and mobility are embedded in the broader political, economic, social and security context. A broad understanding of security means that irregular migration also needs to be considered in connection with organised crime and lack of rule of law and justice, feeding on corruption and inadequate regulation'. ⁴²⁷ However, as a whole, the policy as at 2011 was very inward looking (the role of MS when it comes to migration into Europe) and when focused externally, on third countries, the focus was primarily on bilateral agreements rather than seeing a specific role for the EIDHR.	
EU Plan of Action on Gender Equality and Women's Empowerment 2010–15 ⁴³⁰ (GAP)	<p>The goal of equality between women and men and the promotion of women's rights is a fundamental value and principle for the EU.⁴³¹ Gender equality and women's empowerment (GEWE) are also essential to the attainment of international development goals, and the Millennium Development Goals (MDGs).⁴³² With that in mind, the GAP has the overarching objective to accelerate the achievement of the MDGs, especially MDG 3 (promote gender equality and empower women) and MDG 5 (improve maternal health), as well as to attain the goals set out by CEDAW, the Beijing Platform of Action, and the Cairo Programme of Action. At the same time, the Action Plan aims to reinforce EU coordination regarding gender equality policies in development cooperation with partner countries in the interest of having more of an impact on the ground. Through a series of activities (set out in 4 of the GAP), the Action Plan seeks to achieve the following specific objectives (selected on the basis of existing resources, instruments and mechanisms, and thus where the EU has a clear comparative advantage):</p> <ol style="list-style-type: none"> 1. Strengthen the lead role of the EU in promoting gender equality in development; 2. Build in-house capacity on gender equality issues in development; 3. Place gender equality issues systematically on the agenda of political and development policy dialogue with Partner countries; 4. Ensure that gender is mainstreamed in EU funded projects and that EU funded general budget support and sector support programmes (SWAPs) use gender disaggregated data and gender-sensitive performance indicators where relevant; 5. Prioritise in-country civil society participation, capacity building and advocacy on GEWE; 6. Improve the EU monitoring, accountability and transparency on allocation of funds for Gender equality in development; 7. Strengthen EU support to partner countries in their efforts to achieve MDG 3 and MDG 5; 8. Strengthen EU support to partner countries in combating gender-based violence in all its manifestations, as well as discrimination against women and girls; 9. Support partner countries in fully implementing UNSCR 1325, 1820, 1888, and 1889, including through the development of national action plans and policies on women, peace and security.⁴³³ <p>To reach the above objectives and taking into account the Paris Declaration principles and the twin-track approach proposed in the 2007 Communication on Gender Equality and Women's</p>	The importance of gender equality in human rights and democracy is recognised in the 'preamble' to the EIDHR and included in Article 2.1 (a), Article 2.1 (c), Article 2.2 and Specific Objective 2. Gender equality and women's rights are thus central to the EIDHR and it was fully aligned with the GAP at 1 January 2014.

⁴²⁷ Page 15.

⁴³⁰ SEC(2010) 265 final.

⁴³¹ As expressed, in particular, in Article 23 of the Charter of Fundamental Rights of the European Union, OJ C 303/7, 14.12.2007, p.1

⁴³² As stated on page 3 of the GAP.

⁴³³ Pages 6-7

	<p>Empowerment in Development Cooperation, the Action Plan is based on a three-pronged approach consisting of Political and Policy Dialogue, Gender Mainstreaming, and Specific Actions.⁴³⁴ With regard to the latter, the GAP states that specific actions are necessary to address the following cases:</p> <ul style="list-style-type: none"> • To prepare the conditions for effective mainstreaming. Such actions may consist of supporting the advocacy capacity of stakeholders, building-up analytical or implementation capacity, data collection, and/or monitoring activities. These actions can also be aimed at developing in-house capacity at governmental level. • To redress situations where women and girls/men and boys are particularly disadvantaged and mainstreaming does not suffice and, therefore, needs to be complemented with a more targeted and concrete approach. For instance, situations of violence against women, gender discrimination, strengthening female political candidates, etc. Gender equality and responsibility for its realisation concerns everyone. It is essential also to reach and involve men and boys through targeted actions. • Activities in the countries in which, the political situation does not allow for a meaningful political and policy dialogue in a context of fragility, post-conflict or a repressive regime, such as assistance to civil society organisations or work with women's rights activists in neighbouring countries. These activities may also be required in countries that for cultural reasons do not allow for gender equality issues to be raised significantly and credibly in the political dialogue.⁴³⁵ <p>The specific objectives set out in the Operational Framework were:</p> <ol style="list-style-type: none"> 1. Strengthen the lead role of the EU in promoting GEWE in development. 2. Build in-house capacity on gender equality issues in development. 3. Place gender equality issues systematically on the agenda of dialogue with partner countries. 4. Ensure that gender is mainstreamed in EU funded projects and that general budget support and sector support programmes (SWAPs) use gender-disaggregated indicators and include at least one gender equality performance indicator where relevant. 5. Prioritise in-country NSAs participation and capacity building and advocacy on GEWE. 6. Improve the EU monitoring, accountability and transparency on allocation of funds for GEWE. 7. Strengthen EU support to partner countries in their efforts to achieve MDG 3 and MDG 5. 8. Strengthen EU support to partner countries in combating gender-based violence and all forms of discriminations against women and girls (including increasing EU support for NSAs on the implementation of the EU Guidelines on Violence against Women and Girls and Combating All Forms of Discrimination against them). 9. Support partner countries in fully implementing UNSCR 1325 and 1820, 1888 and 1889. 	
The roots of democracy and sustainable development: Europe's engagement with	This policy states that it is based on the results of the worldwide "Structured Dialogue on the involvement of CSOs and Local Authorities in EU development cooperation" (2010 – 2011) and further develops the provisions relating to CSOs contained in the 'Agenda for Change' and takes account of the renewed European Neighbourhood Policy, the recent Enlargement	The EIDHR was completely in line with this policy as at 1 January 2014. It focuses most

⁴³⁴ Page 7.

⁴³⁵ Page 10.

<p>Civil Society in external relations, 2012⁴³⁶</p>	<p>strategies and statements on EU Budget support to Third Countries, together with international commitments under the 2011 Busan Partnership on Effective Development Cooperation. It also integrates the results of the online consultation on "Civil Society Organisations in development cooperation".⁴³⁷</p> <p>The policy recognises that an 'empowered civil society is a crucial component of any democratic system and is an asset in itself. It represents and fosters pluralism and can contribute to more effective policies, equitable and sustainable development and inclusive growth. It is an important player in fostering peace and in conflict resolution. By articulating citizens' concerns, civil society organisations (CSOs) are active in the public arena, engaging in initiatives to further participatory democracy. They embody a growing demand for transparent and accountable governance. While states carry the primary responsibility for development and democratic governance, synergies between states and CSOs can help overcome challenges of poverty, widening inequalities, social exclusion and unsustainable development. CSOs' participation in policy processes is key to ensuring inclusive and effective policies. CSOs therefore contribute to building more accountable and legitimate states, leading to enhanced social cohesion and more open and deeper democracies.'⁴³⁸ On the other hand, the policy notes that 'the relationship between states and CSOs is often delicate. A limited tradition of dialogue still prevails in many countries and far too often the space for civil society remains narrow or is shrinking, with severe restrictions applied. In many contexts, CSOs focused on human rights and advocacy, including women's organisations, face limitations in their opportunities to work and to secure funding.'⁴³⁹</p> <p>This Communication puts forward three priorities for EU support:</p> <ul style="list-style-type: none"> • To enhance efforts to promote a conducive environment for CSOs in partner countries. • To promote a meaningful and structured participation of CSOs in domestic policies of partner countries, in the EU programming cycle and in international processes. • To increase local CSOs' capacity to perform their roles as independent development actors more effectively.⁴⁴⁰ <p>The policy also notes that:</p> <ul style="list-style-type: none"> • CSOs can be supported when addressing issues that do not receive adequate consideration within national policies but are key to social progress and reflect human rights concerns as well as sustainable development issues. Countries in context of fragility, in crisis or in post conflict situation deserve a specific approach.⁴⁴¹ 	<p>support to CSOs; recognises the shrinking space in which they increasingly find themselves and includes a mix of funding modalities to respond to the widest possible range of actors, needs and country contexts in a flexible, transparent, cost-effective and result focused manner; includes a specific approach for contexts of fragility, in crisis or in post conflict situations (especially when read with the CIR); requires an increased focus on economic, social and cultural rights (particularly through support to CSOs); and includes support to key actors and processes, including national, international and regional human rights instruments and</p>
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⁴³⁶ COM(2012) 492 final

⁴³⁷ Page 5.

⁴³⁸ Page 3. The policy also includes the EU definition of CSOs: 'The concept of CSOs embraces a wide range of actors with different roles and mandates. The EU considers CSOs to include all non-State, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations. The EU values CSOs' diversity and specificities; it engages with accountable and transparent CSOs which share its commitment to social progress and to the fundamental values of peace, freedom, equal rights and human dignity.' Emphasis added. 'Not-for-profit structures' are further defined in a footnote to include 'membership-based, cause-based and service-oriented CSOs. Among them, community-based organisations, non-governmental organisations, faith-based organisations, foundations, research institutions, Gender and LGBT organisations, cooperatives, professional and business associations, and the not-for-profit media. Trade unions and employers' organisations, the so-called social partners, constitute a specific category of CSOs.'

⁴³⁹ Ibid.

⁴⁴⁰ Page 4.

⁴⁴¹ Page 6

	<ul style="list-style-type: none"> CSOs can also play a role in boosting domestic accountability at local and national levels through a free, clear, accessible flow of information. They can contribute to nurturing respect for the rule of law by monitoring effective implementation of laws and policies and they can initiate and support anti-corruption efforts.⁴⁴² CSOs play an important role in service delivery (including health, education and social protection), complementing local and national government provision and piloting innovative projects. Their capacity to identify needs, address neglected issues and human rights concerns, and mainstream services to populations that are socially excluded or out of reach is particularly important.⁴⁴³ Organisations, networks and alliances acting at the regional and global levels will be supported in tackling transnational and global challenges. The EU will also support CSOs active at the European and global levels which, in cooperation and partnership with local CSOs, act to monitor policy coherence for development, holding the international community to account for delivering on aid commitments and contribute to the promotion of global citizens' awareness.⁴⁴⁴ <p>Recognising that tailored funding constitutes an important component of the EU's engagement with CSOs and should allow better access for local organisations, the policy requires the Commission to use an appropriate mix of funding modalities so as to best respond to the widest possible range of actors, needs and country contexts in a flexible, transparent, cost-effective and result focused manner.⁴⁴⁵</p>	mechanisms.
Toolkit to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) People (2010) ⁴⁴⁶	<p>The toolkit aims to provide staff in the EU Headquarters, EU Member States' capitals, EUDs, Representations and Embassies with an operational set of tools to be used in contacts with third countries, as well as with international and civil society organisations, in order to promote and protect the human rights enjoyed by LGBT people within its external action. It seeks to enable the EU to proactively react to cases of human rights violations of LGBT people and to structural causes behind these violations. By doing so, the Toolkit was expected to further contribute to reinforcing and supporting the EU's human rights policy in general.⁴⁴⁷ This toolkit takes full account of the EU Guidelines on Human Rights and International Humanitarian Law while the Guidelines on the death penalty, on torture and other cruel, inhuman or degrading treatment or punishment, on human rights defenders and on violence against women and girls and combating all forms of discrimination against them are listed as particularly relevant.⁴⁴⁸ Support to CSOs is specifically envisaged through the EIDHR.⁴⁴⁹</p>	<p>A specific focus on the rights of LGBTI is included in Article 2 (1) (b) (viii) while the focus on marginalised and vulnerable groups in Article 2 (1) (a) (v) and on gender equality and the fight against discrimination in all its forms in specific objective 2 is broad enough to cover support to LGBTI people. As a result, the EIDHR was fully aligned with the policy as at</p>

⁴⁴² Page 7

⁴⁴³ Page 8.

⁴⁴⁴ Page 10.

⁴⁴⁵ Page 10-11.

⁴⁴⁶ COHOM 162, PESC 804

⁴⁴⁷ Page 2.

⁴⁴⁸ Page 3.

⁴⁴⁹ Page 11.

European Climate Change Programme (ECCP II) (2005) ⁴⁵⁰	The European Commission established the ECCP in 2000 to help identify the most environmentally effective and most cost-effective policies and measures that can be taken at European level to cut greenhouse gas emissions. The immediate goal is to help ensure that the EU meets its target for reducing emissions under the Kyoto Protocol. The ECCP dovetails with the EU's Sixth Environmental Action Programme (2002-12), which forms the strategic framework for EU environmental action and includes climate change among its top four priorities. ⁴⁵¹ ECCP II was launched in October 2005 to explore cost-effective options for reducing greenhouse gas emissions in synergy with the EU's Lisbon Strategy for increasing economic growth and job creation. ⁴⁵²	2014. The EIDHR contains no reference to climate change or environment and is thus not aligned (although it is noted that climate change is not a priority of the EIDHR and is dealt with by and under other EFIs, while environmental rights and issues are increasingly being addressed during programming and implementation.
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http://www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_6_raporlar/1_3_diger/environment/the_european_climate_change_programme.pdf

⁴⁵¹ Page 5

⁴⁵² Page 9.

Annex J: Main EU Policies post 1 January 2014

Policy / Strategy	Key features related to democracy and human rights	Degree of alignment
'The Union as a strong global actor' (2014) ⁴⁵³	<p>The Council agreed the strategic agenda of key priorities for the five years following 2014 and defined the strategic guidelines for legislative and operational planning for the coming years within the area of freedom, security and justice and also addressed some related horizontal issues.⁴⁵⁴</p> <p>Under the heading 'Freedom, Security and Justice', the Council noted that a key objective of the EU is to build an area of freedom, security and justice without internal frontiers, and with full respect for fundamental rights. To this end, it identified the need for 'coherent policy measures need to be taken with respect to asylum, immigration, borders, and police and judicial cooperation, in accordance with the Treaties and their relevant Protocols.'⁴⁵⁵</p> <p>The Council then went on to set a 'strategic agenda for the EU in times of change' with five overarching priorities to guide the work of the EU: stronger economies with more jobs; societies enabled to empower and protect; a secure energy and climate future; a trusted area of fundamental freedoms; effective joint action in the world.⁴⁵⁶</p> <p>In the area of climate, the Council took stock of progress towards the 2030 climate and energy framework (in line with its March 2014 conclusions) and stressed the importance of finalising the framework, although this was particularly in the area of Europe's own energy security rather than in relation to third countries.⁴⁵⁷ A similar focus is evident under heading 3 – towards an energy Union with a forward-looking climate policy.⁴⁵⁸</p> <p>Under the heading '4. A Union of freedom, security and justice', the Council noted that one of the challenges facing the EU over the following five years will be 'managing migration flows, which are on the rise due to instability and poverty in large parts of the world and demographic trends – a matter which requires solidarity and fair sharing of responsibility.'⁴⁵⁹ In this regard, three priorities were set:</p> <ul style="list-style-type: none"> • Better managing migration in all its aspects, including through better cooperation with third countries. • Preventing and combatting crime and terrorism by cracking down on organised crime, such as human trafficking, smuggling and cybercrime; by tackling corruption; by fighting terrorism and countering radicalisation – while guaranteeing fundamental rights and values. 	<p>The EIDHR includes support to regions identified in the strategic agenda forming part of the Council Conclusions (the Mediterranean, Africa and the Middle East). The EIDHR also includes a focus on trafficking and aims to increase stability and democracy in third countries. And greater democratisation and respect for and protection of human rights will reduce some of the drivers of forced migration.</p> <p>The EIDHR does not combine the issues of peace and security under one banner, but does contain references to peace, stability and security⁴⁶¹.</p> <p>The EIDHR does not specifically include any reference to climate change although support is provided to <i>inter alia</i> environmental HRDs. As a result,</p>

⁴⁵³ EUCO 79/14

⁴⁵⁴ Page 1.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ Page 14ff.

⁴⁵⁷ Page 9ff.

⁴⁵⁸ Page 18.

⁴⁵⁹ Page 19.

⁴⁶¹ Section 14 of the preamble states that 'Union assistance should also complement the more crisis-related actions under the Instrument contributing to Stability and Peace, established by Regulation (EU) No 230/2014 of the European Parliament and of the Council.' Article 2 (a) (x) states that support to democracy should include 'supporting measures to facilitate peaceful conciliation between segments of societies, including support for confidence-building measures relating to human rights and democratisation'. Article 2 (4) states that the measures referred to in the Regulation 'shall take into account the specific features of crisis or urgency situations and 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.'

	<ul style="list-style-type: none"> Improving judicial cooperation among MS.⁴⁶⁰ <p>Under heading '5. The Union as a strong global actor', the Council noted that to deal with instability in the wider neighbourhood and to defend its interests and values and to protect citizens, a stronger engagement of the European Union in world affairs is crucial. As a result, the following foreign policies will be key in the coming years:</p> <ul style="list-style-type: none"> Maximise our clout by ensuring consistency between MS' and EU foreign policy goals and by improving coordination and coherence between the main fields of EU external action, such as trade, energy, justice and home affairs, development and economic policies; Be a strong partner in our neighbourhood: by promoting stability, prosperity and democracy in the countries closest to our Union, on the European continent, in the Mediterranean, Africa and in the Middle East; Engage our global strategic partners, in particular our transatlantic partners, on a wide range of issues – from trade and cyber security to human rights and conflict prevention, to non-proliferation and crisis management. Develop security and defence cooperation so we can live up to our commitments and responsibilities across the world. 	the EIDHR largely complies with the new EU priorities reflected in these Council Conclusions.
'A Decent Life for All: From Vision to Collective Action' (2014) ⁴⁶²	<p>This Communication refers to the policy: A Decent Life For All: Ending poverty and giving the world a sustainable future (2013)⁴⁶³ and specifically notes that 'eradicating poverty and achieving sustainable development are fundamental global challenges affecting the lives of current and future generations and the future of the entire planet.</p> <p>The Communication also recognises that, after the end of the MDG period:</p> <p>'The new universal framework needs to be transformational if it is to respond adequately to new challenges. This includes tackling issues of global concern that were not sufficiently covered in the MDGs such as inclusive and sustainable growth, inequalities, sustainable consumption and production, migration and mobility, decent work, digital inclusion, health and social protection, sustainable management of natural resources, climate change, disaster resilience and risk management, and knowledge and innovation. A post-2015 framework should also ensure a rights-based approach encompassing all human rights and address justice, equality and equity, good governance, democracy and the rule of law and address peaceful societies and freedom from violence. Given the amplifying effect of climate change on the challenges associated with both poverty eradication and sustainable development, the new framework should be responsive to climate change as a cross-cutting issue.'⁴⁶⁴</p> <p>The communication then goes on to set various priority areas: eradicating poverty; building more inclusive and equal societies through adequate investment in all people, particularly the most disadvantaged, on the basis of equal rights and opportunities, by providing income security and universal and non-discriminatory access to social services; tackling food insecurity and malnutrition; the achievement of equitable and universal</p>	<p>Although it has no specific focus on issues such as ocean management, sustainable cities and corruption, the EIDHR follows a rights based approach with a major focus on equality (including for women), human rights, and democracy and rule of law and an increased focus in the 2014-2020 Regulation on vulnerable groups and access to economic, social and cultural rights (including the right to an adequate standard of living and core labour standards).</p> <p>Although the EIDHR does not include a specific focus on climate change it is substantially in line with this Communication.</p>

⁴⁶⁰ *Ibid.*

⁴⁶² COM(2014) 335 final

⁴⁶³ Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

⁴⁶⁴ Page 3.

	coverage by quality health services; increasing access to quality education; increased gender equality and women's empowerment; promoting access to safe drinking water and sanitation; increasing access to clean, affordable and sustainable energy and improving energy efficiency; full and productive employment and decent work for all; inclusive and sustainable growth; sustainable cities and human settlements; sustainable consumption and production; sustainable management of the oceans; mainstreaming biodiversity into key policy areas; addressing land degradation; an increased rights based approach focused on human rights, the rule of law, good governance and effective institutions (particularly stressing freedom of expression, association, social dialogue, peaceful protest, meaningful public participation, access to information, protection of vulnerable groups including refugees and internally displaced persons, adoption of national legal frameworks and policies to reduce corruption, and ensuring justice institutions are accessible, impartial, independent and respect due process rights; and building peaceful societies by tackling poor governance, political and social exclusion, inequalities, corruption and the non-provision of basic services. ⁴⁶⁵	
'On a transformative post-2015 agenda' ⁴⁶⁶	According to these Council conclusions, the EU and MS remain strongly committed to the Millennium Declaration, to accelerating efforts to achieve the Millennium Development Goals (MDGs) and to ensuring that the post-2015 agenda provides a comprehensive follow-up to Rio+20 and addresses the structural causes of poverty, inequality, climate change, and environmental degradation. ⁴⁶⁷ To achieve this, the agenda should address the challenges and opportunities as set out in the Open Working Group (OWG) proposal on Sustainable Development Goals (SDGs): poverty; hunger, food security, nutrition and sustainable agriculture; health and well-being; education; gender equality and women's empowerment; water and sanitation; energy; inclusive and sustainable growth, employment and decent work; infrastructure, sustainable industrialisation and innovation; inequality; cities and human settlements; sustainable consumption and production patterns; climate change; oceans, seas and marine resources; terrestrial ecosystems, forests, desertification, land degradation and biodiversity; peaceful and inclusive societies, access to justice and accountable institutions; means of implementation and the global partnership for sustainable development. ⁴⁶⁸ In addition, well-managed migration and human mobility should be fully recognised in the agenda as potential development enablers, acknowledging the need to address also the opportunities and challenges of migration. ⁴⁶⁹ The agenda should also address the needs of the most disadvantaged and vulnerable (including children, the elderly and PWDs) and should have the empowerment and human rights of women and girls at its core. ⁴⁷⁰	The EIDHR is substantially in line with the priorities identified in these Council Conclusions.

⁴⁶⁵ Page 4 ff.

⁴⁶⁶ Press Release dated 16 December 2014.

⁴⁶⁷ Page 1.

⁴⁶⁸ Page 3.

⁴⁶⁹ *Ibid.*

⁴⁷⁰ Page 4.

A Global Partnership for Poverty Eradication and Sustainable Development after 2015 ⁴⁷¹	<p>This Communication follows the adoption of the 2030 Agenda and sets out the overarching principles of the global partnership, including that it must be based on human rights, good governance, rule of law, support for democratic institutions, inclusiveness, non-discrimination, gender equality, environmental sustainability and respect for planetary boundaries, and that women's rights, gender equality and the empowerment of women and girls should be key means of implementation and promoted at all levels.⁴⁷² In addition, the new agenda should aim to eradicate poverty in all its forms and to achieve sustainable development in its three dimensions in a balanced and integrated manner.⁴⁷³ The Council Conclusions also underline the importance of the role of CSOs in nurturing democratic ownership, development effectiveness and sustainability of results.⁴⁷⁴</p>	<p>The EIDHR's primary focus is on human rights, good governance, rule of law, support for democratic institutions, inclusiveness, non-discrimination, gender equality, women's rights and gender equality and includes an indirect focus on poverty eradication (through support to ESCR). It is thus in line with this Communication.</p>
'Capacity building in support of security and development - Enabling partners to prevent and manage crises' ⁴⁷⁵	<p>Although its focus is primarily on security capacity building efforts in partner countries, the Communication recognises that 'The primary objective of the EU's development policy is the reduction and, in the long term, the eradication of poverty, but development policy also addresses sustainable development, inequalities, social injustice and human rights violations. This is essential in addressing the root causes of insecurity and conflict. At the same time, development cooperation objectives have to be taken into account in other EU policies that are likely to affect developing countries. In support of this, the 2011 Commission Communication on "Increasing the impact of EU Development Policy: an Agenda for Change" and the related 2012 Council conclusions, recalled the need to tackle the challenges of security, fragility and transition as a matter of priority.'⁴⁷⁶ The Communication lists those instruments of relevance to increasing security (ICsP, IPA, ENI, DCI and the EIDHR, as well as the Common Foreign Security Policy budget) but notes that the definition of Official Development Assistance (ODA) provided by the Organisation for Economic Cooperation and Development's (OECD) Development Assistance Committee (DAC) 'potentially limits spending on security capacity building, insofar as ODA criteria generally exclude military expenses'.⁴⁷⁷ As a result, it concludes that 'there is currently no EU budget instrument designed to provide a comprehensive financing to security capacity building in partner countries, in particular its military component'.⁴⁷⁸</p>	<p>The EIDHR targets poverty reduction through an increased focus on ESCR (amongst other things) and has the ability to contribute to greater security in third countries. It is also specifically mentioned in this Communication.</p>

⁴⁷¹ COM(2015) 44 final

⁴⁷² Page 3.

⁴⁷³ Page 4.

⁴⁷⁴ Page 9.

⁴⁷⁵ JOIN(2015) 17 final

⁴⁷⁶ Page 3.

⁴⁷⁷ Page 7. The Communication then goes on to specifically mention restrictions under the DCI and EDF that limit spending on military purposes.

⁴⁷⁸ Page 8.

<p>‘The European Agenda on Security (2015)’⁴⁷⁹</p>	<p>The Agenda aims to address new and complex threats that have emerged, highlighting the need for further synergies and closer cooperation at all levels. To this end, the Agenda sets out a shared approach for the EU and its Member States that is comprehensive, results-oriented and realistic. To maximise the benefits of existing EU measures and, where necessary, deliver new and complementary actions, all actors involved have to work together based on five key principles: ensure full compliance with fundamental rights; more transparency, accountability and democratic control, to give citizens confidence; ensure better application and implementation of existing EU legal instruments; a more joined-up inter-agency and a cross-sectorial approach; and bring together all internal and external dimensions of security. The fifth principle is of particular relevance to the EIDHR in that it recognises that security threats are not confined by the borders of the EU and that EU internal security and global security are mutually dependent and interlinked⁴⁸⁰.</p>	<p>With its focus on both human rights and democracy, the EIDHR is able to contribute to the implementation of the Agenda.</p>
<p>‘A European Migration (2015)’⁴⁸¹</p>	<p>The Agenda comes at a time of increased migration, including refugees, asylum seekers and internally displaced persons as a result of increased levels of conflict and war, particularly in Syria and Iraq and recognises that the response had been insufficient.⁴⁸² The first part of the Agenda responds to the need for swift and determined action in response to the human tragedy in the whole of the Mediterranean and includes a focus on saving lives at sea, targeting criminal smuggling networks, responding to high-volumes of arrivals within the EU (Relocation), a common approach to granting protection to displaced persons in need of protection (Resettlement), working in partnership with third countries to tackle migration upstream, and using the EU’s tools to help frontline Member States. It then goes on to set four pillars to manage migration better: reducing the incentives for irregular migration, border management, a strong common asylum policy, and a new policy on legal migration.</p>	
<p>‘Global Strategy for the EU’s Foreign and Security Policy (2016)’</p>	<p>The Global Strategy comes at a time when the EU is under increasing threat from both external and internal crises (such as heightened levels of migration, terrorism and the decision by the UK to leave the EU). It identifies five priorities: the security of the EU; state and societal resilience to the East and South (including a more effective migration policy); an integrated approach to conflicts (including promoting development and human rights to address the threat of terrorism and the challenges of demography, migration and climate change); cooperative regional orders; and global governance for the 21st Century based on international law, which ensures human rights, sustainable development and lasting access to the global commons.⁴⁸³ It focuses on peace and security, prosperity, democracy (including respect for and promotion of human rights and the rule of law) and a rules-based global order. And it states that development policy will become more flexible and aligned with strategic priorities while the availability of limited sums for activities aimed at conflict prevention and civil society support will be made more flexible.⁴⁸⁴</p> <p>The Strategy is essentially a ‘vision document’ though, that will in turn lead to a revision of existing sectoral strategies as well as new thematic or geographic strategies in line with the political</p>	<p>The EIDHR has an increasing focus on forced migration as well as a central focus on human rights, democracy and the rule of law. It is thus in line with this Strategy.</p>

⁴⁷⁹ COM(2015) 185 final

⁴⁸⁰ Page 4.

⁴⁸¹ COM(2015) 240 final

⁴⁸² Page 2.

⁴⁸³ Pages 9-10.

⁴⁸⁴ Page 48.

	priorities of the Global Strategy. ⁴⁸⁵	
Joint Communication: 'Action Plan on Human Rights and Democracy (2015-2019): Keeping human rights at the heart of the EU agenda' (2015) ⁴⁸⁶	<p>The Joint Communication sets out a draft Action Plan (subsequently adopted by the Council on 20 July 2015).⁴⁸⁷ The purpose of the Action Plan is 'to continue implementing the EU Strategic Framework on Human Rights and Democracy, with sufficient flexibility so as to respond to new challenges as they arise. It builds upon the existing body of EU human rights and democracy support policies in the external action, notably EU guidelines, toolkits and other agreed positions, and the various external financing instruments, in particular the EIDHR.'⁴⁸⁸</p> <p>The Action Plan sets out the following objectives and actions⁴⁸⁹:</p> <p>OBJECTIVE I. BOOSTING OWNERSHIP OF LOCAL ACTORS</p> <p>a) Delivering a comprehensive support to public institutions through:</p> <ul style="list-style-type: none"> • Supporting the capacity of National Human Rights Institutions (NHRIs) • Supporting election management bodies. • Supporting the capacity of Parliamentary institutions. • Targeted support to the justice sector. • Providing comprehensive support to public institutions. • Strengthening cooperation with regional human rights and democracy mechanisms. <p>b) Invigorating civil society through:</p> <ul style="list-style-type: none"> • Promoting stronger partnership with third countries' CSOs, including social partners and between authorities, parliaments and CSOs. • Empowering CSOs defending women and girls' rights. • Invigorating support to HRDs, including in international and regional fora. • Addressing threats to NGOs' space. <p>OBJECTIVE II. ADDRESSING KEY HUMAN RIGHTS CHALLENGES</p> <ul style="list-style-type: none"> • Promoting freedom of expression and privacy. • Cultivating an environment of non-discrimination. • Promoting gender equality, empowerment and participation of women and girls. • Upholding Children's rights. • Combatting torture, ill-treatment and the death penalty. • Fostering a comprehensive agenda to promote Economic, Social and Cultural Rights (ESCR). • Advancing on Business and Human Rights. <p>OBJECTIVE III. ENSURING A COMPREHENSIVE HUMAN RIGHTS APPROACH TO CONFLICTS AND CRISES</p> <ul style="list-style-type: none"> • Moving from early warning to preventive action. • Enhancing the capacity to address conflicts and crises at multilateral and regional level. • Supporting compliance with International Humanitarian Law. • Promoting and supporting accountability and transitional justice. • Mainstreaming Human Rights into all phases of CSDP planning, review and conduct 	<p>The Action Plan includes a specific reference to the EIDHR as the particular EFI when it comes to implementation and the EIDHR is completely in line with the priorities set out in it (although some of the support it envisages, such as to the formal justice sector, public institutions and trade and investment policy, falls outside of the scope of the EIDHR).</p>

⁴⁸⁵ Page 51.

⁴⁸⁶ JOIN(2015) 16 final

⁴⁸⁷ (10897/15)

⁴⁸⁸ Page 7.

⁴⁸⁹ Page 7 ff.

	<p>OBJECTIVE IV. FOSTERING BETTER COHERENCE AND CONSISTENCY</p> <ul style="list-style-type: none"> • Migration/trafficking in human beings/smuggling of migrants/asylum policies. • Trade/investment policy. • Counter terrorism. • Pursuing a Rights Based Approach to Development. • Strengthening the contribution of impact assessments to the respect of human rights. <p>OBJECTIVE V. DEEPENING THE EFFECTIVENESS AND RESULTS CULTURE IN HUMAN RIGHTS AND DEMOCRACY</p> <ul style="list-style-type: none"> • Increasing the effectiveness of human rights dialogues. • Improving the visibility and impact of Human Rights Country Strategies. • Focusing on a meaningful implementation of EU Human Rights Guidelines. • Maximising the impact of electoral observation. • Ensuring the effective use and the best interplay of EU policies, tools and financing instruments. 	
<p>‘Gender Equality and Women’s Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020’⁴⁹⁰.</p>	<p>This document is commonly referred to as the EU Gender Action Plan 2016-2020 (GAP 2016-2020). It builds on the lessons learnt from, and achievements of, the previous GAP 2010-2015 and consolidates the context, rationale and priorities of a refreshed approach that reaffirms and translates the EU’s policy and political commitments to gender equality into more effective delivery of concrete results for girls and women, while promoting more efficient coordination, implementation and monitoring of EU activities in this area.⁴⁹¹ It covers the Commission services’ and EEAS activities in partner countries, especially in developing, enlargement and neighbourhood countries, including in fragile, conflict and emergency situations and promotes policy coherence with internal EU policies, in full alignment with the EU Human Rights Action Plan (dealt with above).⁴⁹²</p> <p>To deliver on this vision, Commission services and the EEAS will strengthen their efforts to place gender equality and the empowerment of girls and women at the heart of the EU’s external actions, focusing on four pivotal areas - three thematic and one horizontal:</p> <ul style="list-style-type: none"> • Ensuring girls’ and women’s physical and psychological integrity with a particular focus on violence against women and girls, harmful practices, control over sexual and reproductive health, sexual violence (including in conflict affected countries) and gender stereotypes), trafficking of women and girls, increasing access to health care and nutrition, and ending child, early and forced marriage). • Promoting the economic and social rights / empowerment of girls and women including access to quality education, improving access to decent work and national social protection, access to financial services and the use of and control over land, and access to and control over clean water, energy, information and communication technology and transport infrastructure). • Strengthening girls’ and women’s voice and participation by contributing to women’s increased participation in policy, governance and electoral processes at all levels, empowering girls’ and women’s organisations and human rights defenders, supporting agents of change working to shift negative social or cultural norms, including the media, women’s grassroots organisations and the active 	<p>The EIDHR includes both a direct focus on gender equality and women’s rights, as well as an indirect focus through mainstreaming of gender into most actions.</p>

⁴⁹⁰ SWD(2015) 182 final

⁴⁹¹ Page 2.

⁴⁹² *Ibid.*

	<p>involvement of men and boys, and women's increased participation in decision-making processes on climate and environmental issues.</p> <ul style="list-style-type: none"> Shifting the Commission services' and the EEAS' institutional culture to more effectively deliver on EU commitments including through a focus on the rights based approach, ensuring dedicated leadership across Commission services and the EEAS, improving the quality of partnership, coordination and dialogue at all levels, adopting a clear results-driven approach, monitoring external relations' resource and budget allocations to gender and identifying means of ensuring adequate financial support for the implementation of this SWD (including by using EFIs, including the EIDHR, in a flexible manner to both mainstream gender across all initiatives and to fund targeted and gender-specific actions.⁴⁹³ 	
SWD: 'Tool-Box: a Rights-Based Approach, encompassing all Human Rights for EU development cooperation' (2014)	<p>The Commission first began considering a rights based approach in 2012⁴⁹⁴ leading to the development of a 'tool box' on 'A Rights-Based Approach, Encompassing All Human Rights For EU Development Cooperation' endorsed by the EU Council of Ministers on 19 May 2014⁴⁹⁵.</p> <p>The RBA has five key principles⁴⁹⁶: (1) Applying all Rights (legality, universality and indivisibility of human rights); (2) participation and access to the decision making process; (3) non-discrimination and equal access; (4) accountability and access to the rule of law; and (5) transparency and access to information. The EIDHR Regulation recognises the importance of the RBA in Section 8 of the Preamble, and consequently, the RBA has been increasingly mentioned or dealt with in various action plans under the EIDHR⁴⁹⁷. The RBA is also a requirement in the EDF and DCI. However, implementation of the RBA has been relatively slow. To address this, a service contract has been awarded under the EIDHR to increase compliance with the RBA commitment in all EU development assistance. The contract is for an amount of EUR 1.43M for a period of 24 months, from December 2015 to December 2017 and includes: a) country and context-specific training and guidance on RBA, with a focus on support to EUDs, b) training on human rights defenders for EUDs, and c) the provision of technical assistance in the process of local calls for proposals, including at the assessment stage. As at 13 January 2017, nine EUDs have been trained on the RBA and toolbox⁴⁹⁸. Although it was envisaged that RBA training would also be provided to thematic units at HQ, the focus in the last quarter of 2016 has instead been to integrate the RBA into Brussels-based trainings for Delegations on democracy support; mainstreaming of women's, children's and disability rights; justice and anti-corruption. Training for thematic units will be carried out in 2017. The 2016 Global Call and some calls for proposals under the CBSS also now require applicants to follow the RBA.</p>	<p>The EIDHR includes a specific focus on the RBA and is the lead instrument when it comes to implementation by the EU. (As described more fully in the body of the report).</p>

⁴⁹³ Page 4 ff.

⁴⁹⁴ The RBA is mentioned in the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council on 25 June 2012 (COM(2011) 886 final) that includes 'Working towards a rights based approach in development cooperation'.

⁴⁹⁵ SWD(2014) 152 final

⁴⁹⁶ Page 17-19.

⁴⁹⁷ For example, it is referred to in the Summary of the Special Measure for 2014; as a cross-cutting issue in the support to NHRIs in the 2014 AAP; in the summary to the 2015 AAP and in the Action Document for Supporting Democracy - Media and freedom of expression in the framework of the pilot exercise for democracy' under the 2015 AAP; in the 2016-17 MAAP, where it is referred to in the CBSS and the action document for Supporting Key Actors – the European Network of National Human Rights Institutions (ENNHRI), as well as various references to a 'human rights approach' in other actions

⁴⁹⁸ Stakeholder consultation. Delegations to Botswana, Burkina Faso, Ecuador, Bolivia, Honduras, Guatemala, West Bank/Gaza Strip, Israel and Peru have been trained to date.

<p>‘Lives in Dignity: from Aid-dependence to Self-reliance: Forced Displacement and Development’⁴⁹⁹</p>	<p>The aim of this Communication is to put forward a policy framework to prevent forced displacement from becoming protracted and to gradually end dependence on humanitarian assistance in existing displacement situations by fostering self-reliance and enabling the displaced to live in dignity as contributors to their host societies, until voluntary return or resettlement⁵⁰⁰. The Communication ‘sets out a new, development-oriented policy framework to address forced displacement in the form of a series of recommendations. It aims to connect different instruments and actions to ensure that the EU has an effective, full-cycle, multi-actor approach to tackle forced displacement. In addition, the Communication is a call for support for this new approach by our implementing partners: UN agencies, international organisations, non-governmental organisations, civil society organisations (CSOs), the private sector and other non-state actors in both the EU and partner countries’.⁵⁰¹ It refers back to the European Agenda on Migration (2015 – listed above) but notes that the current Communication focuses on situations of protracted forced displacement in partner countries due to conflict, violence and human rights violations, irrespective of the status of the displaced under the 1951 Refugee Convention. Elements of the new policy may also be applicable to displacement caused by natural disasters and climatic events, while recognising the different politics, contexts, needs and solutions.⁵⁰² Reference is also made to the 2030 Agenda, which “recognises forced displacement as one of the key factors that threaten to reverse much of the development progress made in recent decades. For this reason, it has included refugees and IDPs in the category of vulnerable people who should not be ‘left behind.’”⁵⁰³</p>	<p>The EIDHR includes a focus on many rights of importance to those forcibly displaced while programming has also seen an increase in support to the issue. Forced displacement is an area of ‘migration’ that the EIDHR is well placed to address by providing support to those CSOs focused on the rights of those forcibly displaced.</p>
<p>‘Implementing EU External Policy on Indigenous Peoples’⁵⁰⁴ (joint Staff Working Document)</p>	<p>In line with the 2015-2019 EU Human Rights and Democracy Action Plan (see above), this Joint Staff Working Document focuses exclusively on the EU external policies and development cooperation. It provides an overview of actions supporting indigenous peoples, in relation to the developments within the UN and its instruments such as the UNDRIP and the Outcome Document of the WCIP. It then lays out a number of considerations on how the EU could enhance the implementation and impact of its existing external policies and financing instruments, notably in the context of development, to strengthen its overall support to indigenous peoples (IPs)⁵⁰⁵. The document notes that the 2015-19 Action Plan ‘contains actions relating to the protection and promotion of the rights of indigenous peoples. Under the section “Cultivating an environment of non-discrimination”, there is an action to “further develop the EU policy in line with the UN Declaration on the Rights of Indigenous Peoples and the outcome of the 2014 World Conference on Indigenous Peoples”. The Action Plan also calls for enhanced efforts to protect Human Rights Defenders working on ESCR: in this context, indigenous peoples are specifically mentioned as are issues of particular relevance to them such as land-related human rights issues,</p>	<p>IPs are included in the EIDHR (see Art. 2 (1) (b) (iv) and Art. 2 (2) and a specific action is included in the MAAP 2016-17⁵⁰⁸. The EIDHR is thus congruent with this Communication and able to contribute to its implementation (as is already being done).</p>

⁴⁹⁹ COM(2016) 234 final

⁵⁰⁰ Page 2.

⁵⁰¹ Page 5-6.

⁵⁰² Page 3.

⁵⁰³ Page 4.

⁵⁰⁴ SWD(2016) 340 final

⁵⁰⁵ Page 3.

⁵⁰⁸ Supporting key actors – Developing Indigenous Networks and Supporting the Technical Secretariat for the Indigenous Peoples representatives to the United Nations’ organs, bodies and sessions in relation with Human Rights.

	'land grabbing' and climate change ⁵⁰⁶ . The role of the EIDHR, including support to IPs mentioned therein, is specifically noted ⁵⁰⁷ .	
'Proposal for a new European Consensus on Development Our World, our Dignity, our Future' ⁵⁰⁹	<p>This proposal is in support of the 2030 Agenda and aims to 'provide the framework for the common approach to development cooperation policy that will be applied by the EU and its Member States'⁵¹⁰. The Communication recognises that 'shortcomings in governance, democracy, human rights and the rule of law, including corruption and security challenges and the shrinking space for public participation and civil society, pose a fundamental challenge to the effectiveness of development efforts'⁵¹¹. In addition, the Communication recognises the centrality of gender equality to achieving the SDGs and commits the EU and Member States to 'promote women's rights, gender equality and the empowerment of women and girls and their protection as a priority across all areas of action'⁵¹².</p> <p>The proposal also recognises the importance of a rights based approach to development (RBA) that 'will encompass all human rights and promotes inclusion and participation; non-discrimination; equality and equity; transparency and accountability' and commits the EU and Member States to implementing the RBA to ensure that no-one is left behind under the 2030 Agenda⁵¹³.</p>	With its focus on democracy, human rights, gender equality, non-discrimination and the shrinking space for civil society, and with the EIDHR being the key EU EFI when it comes to the RBA, the EIDHR is congruent with this proposal and will have a key role to play in implementing both the Communication and the SDGs themselves.
'A renewed partnership with the countries of Africa, the Caribbean and the Pacific' ⁵¹⁴	<p>The Partnership Agreement between the members of the African, Caribbean and Pacific (ACP) Group of States and the EU and its Member States, signed in Cotonou on June 2000 is due to expire in February 2020, which 'marks a strategic opportunity to rejuvenate the EU's relationship with its partners in Africa, the Caribbean and the Pacific, taking into account the changed global context and focusing the partnership on common interests, objectives and shared responsibilities'⁵¹⁵. The Joint Communication sets out the ideas and proposed building blocks for a political partnership with the African, Caribbean and Pacific (ACP) countries. It builds on the internationally agreed UN 2030 Agenda, which provides a universal set of common objectives and on the Global Strategy for the EU's Foreign and Security Policy, which provides strategic guidance on the EU's external interests and ambitions. The Communication is also coherent with the Commission proposal to revise the European Consensus on Development⁵¹⁶.</p> <p>The proposals include significant support to peace and human security, democracy, the rule of law, good governance and human rights for all ACP countries, with a focus on migration and mobility management for Africa in particular.</p>	The EIDHR is congruent with this proposal.

⁵⁰⁶ Page 9.

⁵⁰⁷ Pages 11-12.

⁵⁰⁹ COM(2016) 740 final

⁵¹⁰ Page 3.

⁵¹¹ Page 5.

⁵¹² Page 9.

⁵¹³ Page 8.

⁵¹⁴ JOIN(2016) 52 final

⁵¹⁵ Page 4.

⁵¹⁶ *Ibid.*

A note on the 2030 Agenda:

<p>UNGA Resolution: Transforming our world: the 2030 Agenda for Sustainable Development (2015)⁵¹⁷</p>	<p>The 2030 Agenda for Sustainable Development follows on from and seeks to build on the MDG and sets out 17 Sustainable Development Goals (SDGs) and 169 targets for all countries to achieve by 2030. The 17 SDGs are:</p> <p>Goal 1. End poverty in all its forms everywhere</p> <p>Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture</p> <p>Goal 3. Ensure healthy lives and promote well-being for all at all ages</p> <p>Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all</p> <p>Goal 5. Achieve gender equality and empower all women and girls</p> <p>Goal 6. Ensure availability and sustainable management of water and sanitation for all</p> <p>Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all</p> <p>Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all</p> <p>Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation</p> <p>Goal 10. Reduce inequality within and among countries</p> <p>Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable</p> <p>Goal 12. Ensure sustainable consumption and production patterns</p> <p>Goal 13. Take urgent action to combat climate change and its impacts (acknowledging that the UN Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change).</p> <p>Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development</p> <p>Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p> <p>Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</p> <p>Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development.</p>	<p>Noting that the EIDHR predates 2030 Agenda, with its focus on human rights, gender equality, women's rights, child rights, vulnerable groups, ESCR (including health, education, nutrition, water and sanitation and the right to an adequate standard of living and core labour standards) and the inclusion of environmental HRDs, the EIDHR will contribute to achieving its goals – in particular Goals 1-8, 10 and 12-16.</p>
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⁵¹⁷ A /RES/70/1

Annex K – Evaluation Matrix

This annex presents the main evaluation findings as they emerged from each of the Evaluation Questions. Findings are grouped by judgement criterion and are provided at the indicator level. The tables further provide the sources of information, as well as an appreciation of the quality of the evidence for each finding – according to the following scale:

Ranking of evidence	Explanation
Strong	The finding is consistently supported by a range of evidence sources, including documentary sources, quantitative analysis and qualitative evidence (i.e. there is very good triangulation); or the evidence sources, while not comprehensive, are of high quality and reliable to draw a conclusion (e.g. strong quantitative evidence with adequate sample sizes and no major data quality or reliability issues; or a wide range of reliable qualitative sources, across which there is good triangulation).
More than satisfactory	There are at least two different sources of evidence with good triangulation, but the coverage of the evidence is not complete.
Indicative but not conclusive	There is only one evidence source of good quality, and no triangulation with other sources of evidence.
Weak	There is no triangulation and/or evidence is limited to a single source.

EQ 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 (2017)?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC11 The EIDHR instrument was congruent with human rights and democracy challenges worldwide and related beneficiary priorities as well as EU policies on human rights and democracy, in 2014.	I-111: The EIDHR was aligned with the major beneficiary needs and priorities in the area of human rights and democracy as at 1 January 2014.	<ul style="list-style-type: none"> • EIDHR Regulation. • Main EU policies and related documents as at 1 January 2014 (see Annex F). 	Strong
	I-112: The EIDHR was congruent with all major EU policies and guidelines as at 1 January 2014 (save for climate change and the environment) and is thus able to contribute to their implementation.	<ul style="list-style-type: none"> • EU Annual Report on Human Rights and Democracy in the World in 2013.⁵¹⁸ • UNICEF Annual Report 2013.⁵¹⁹ • UNHCR 'Global Trend' Report 2013.⁵²⁰ • OHCHR Report 2013.⁵²¹ • Report of the UN Human Rights Council 2013.⁵²² • Human Rights Watch – 2014 World Report⁵²³ (covering 2013). • Amnesty International Report 2014/15.⁵²⁴ • Freedom in the World 2014⁵²⁵ (covering 2013) • Democracy Index 2013.⁵²⁶ • Stakeholder interviews – DEVCO staff, MS, other EFI senior staff, EUDs 	Strong
JC 12 The EIDHR has been congruent with evolving human rights and democracy	I-121: The EIDHR continues to reflect most of the evolving beneficiary needs and priorities (as evidenced by the worldwide evolution of the human rights and democracy context) Where the instrument is largely silent on an issue (that was not a major issue	<ul style="list-style-type: none"> • EIDHR Regulation • AAP (2014 and 2015) • MAAP (2016-17) • EU Annual Report on Human Rights and Democracy in the World in 2014. • UNICEF Annual Report 	Strong

⁵¹⁸ Although this report focuses mainly on EU activities in the area of human rights and democracy and does not provide an assessment, EU priorities have no doubt been determined through extensive consultation and it is assumed reflect the major issues facing the world immediately prior to the adoption of the EIDHR 2014-20.

⁵¹⁹ http://www.unicef.org/publications/index_73682.html

⁵²⁰ <http://www.unhcr.org/statistics/country/5399a14f9/unhcr-global-trends-2013.html>

⁵²¹ http://www2.ohchr.org/english/OHCHRReport2013/WEB_version/index.html

⁵²² A/68/53 and A/68/53/Add.1

⁵²³ https://www.hrw.org/sites/default/files/wr2014_web_0.pdf

⁵²⁴ <https://www.amnesty.org/en/latest/research/2015/02/annual-report-201415/>

⁵²⁵ <https://freedomhouse.org/sites/default/files/FIW2014%20Booklet.pdf>

⁵²⁶ http://www.ihsnews.net/wp-content/uploads/2014/06/Democracy_Index_2013_WEB-2.pdf

EQ 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 (2017)?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
challenges worldwide and related beneficiary priorities and needs over the period 2014-2017.	at the time), it has responded well during programming and implementation. .	2014, 2015. ⁵²⁷	
	I-122: The EIDHR programming documents (Multiannual Indicative Programme and Annual Action Plans) have adapted to evolving beneficiary needs and priorities, as of 2015, 2016, 2017.	<ul style="list-style-type: none"> • UNHCR 'Global Trend' Report 2014, 2015.⁵²⁸ • OHCHR Report 2014 and 2015.⁵²⁹ • Report of the UN Human Rights Council 2014, 2015.⁵³⁰ • Human Rights Watch – 2015 and 2016 World Reports.⁵³¹ 	Strong
	I-123: There is evidence of beneficiaries' participation in the design and implementation of EIDHR financed interventions at strategic and implementation level, although some beneficiaries raised concerns in this regard.	<ul style="list-style-type: none"> • Amnesty International Report 2015/16.⁵³² • Freedom in the World 2015 and 2016.⁵³³ • Democracy Index 2013.⁵³⁴ 	Strong
	I-124: Election observation and related follow-up activities remain relevant for the promotion and support of democratisation processes.	<ul style="list-style-type: none"> • Websites: Human Rights Watch, Amnesty International, Freedom in the World. • Stakeholder interviews 	Strong
	I-125: There are good grounds for combining human rights and democracy in the EIDHR and consensus that both human rights and democracy should be included in the EIDHR.		Strong
JC13 The EIDHR has been congruent with other evolving development	I-131: The EIDHR is well aligned to new EU development priorities as they have evolved (2014-2017) and able to contribute to their implementation.	<ul style="list-style-type: none"> • EIDHR regulation • EU Human Rights and Democracy Reports • All EU policy documents as listed in Annex G. • Stakeholder interviews. 	Strong

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http://www.unicef.org/publications/index_82455.html

http://www.unicef.org/publications/files/UNICEF_Annual_Report_2015_En.pdf

and

http://www.unicef.org/publications/index_91711.html

⁵²⁸ <http://www.unhcr.org/statistics/country/556725e69/unhcr-global-trends-2014.html>

and

http://www.unicef.org/publications/files/UNICEF_Annual_Report_2015_En.pdf

⁵²⁹

http://www2.ohchr.org/english/OHCHRReport2014/WEB_version/allegati/Downloads/1_The_whole_Report_2014.pdf

and http://www2.ohchr.org/english/OHCHRReport2015/allegati/Downloads/1_The_whole_Report_2015.pdf

⁵³⁰ A/69/53, A/69/53/Add.1, A/70/53 and A/70/53/Add.1

⁵³¹ https://www.hrw.org/sites/default/files/wr2015_web.pdf and

⁵³² <https://www.amnesty.org/en/latest/research/2016/02/annual-report-201516/>

⁵³³ https://freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf

and

https://freedomhouse.org/sites/default/files/FH_FITW_Report_2016.pdf

⁵³⁴ <http://www.sudestada.com.uy/Content/Articles/421a313a-d58f-462e-9b24-2504a37f6b56/Democracy-index-2014.pdf> and <http://www.yabiladi.com/img/content/EIU-Democracy-Index-2015.pdf>

EQ 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 (2017)?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
challenges worldwide and related EU policies over the period 2014-17	I-132: The EIDHR contributes to implementing the SDGs in the 2030 Agenda. It is also congruent with, and able to contribute to the implementation of, the proposed new European Consensus on Development that in turn is focused on Europe's implementation of the 2030 Agenda.	<ul style="list-style-type: none"> • 2030 Agenda. 	Strong

EQ 2	Effectiveness, impact, sustainability		
	To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC 21: The EIDHR contributes to enhanced respect for and observance of human rights and fundamental freedoms.	I-211: Support to HRDs and HRDs at risk was included in the 2007-2013 EIDHR but the focus on these has increased considerably under the current EIDHR both in terms of the number of actions and the level of commitment and expenditure.	<ul style="list-style-type: none"> • CRIS data • EIDHR project list • Dashboard • Stakeholder consultations • All relevant policies 	More than satisfactory
	I-212: Despite an increased focus in the current EIDHR on HRDs at risk, ESCR and vulnerable groups, support to more traditional human rights issues such as discrimination, human dignity and women's rights continues. Expenditure and commitment has remained the same or increased in all three areas. There has been an increase in the number of actions targeting women's rights and discrimination but a slight decrease in number of actions on human dignity.		More than satisfactory
	I-213: The financial commitment to ESCR has increased considerably under the 2014-2020 EIDHR – while the number of actions has decreased in the current period, these figures (will rise once contracts under the 2016-17 Global calls and contracts under the CBSS during 2017 are included.		More than satisfactory
	I-214: There has been a considerable increase in both number of actions and expenditure on international and regional human rights instruments and mechanisms in the current period compared to the period covered by the previous MIP (2011-13).		More than satisfactory
	I-215: In line with new EU priorities, indirect support is provided to peace and security and support to the rights of migrants (particularly when it comes to forced migration) under the current EIDHR.		More than satisfactory
	I-216: Internal consultation processes are conducive to programming, identification/formulation of effective actions in the area of human rights.		More than satisfactory

EQ 2	Effectiveness, impact, sustainability		
	I-217 Graduation and differentiation has not affected the implementation of the EIDHR and instead have increased the importance of EIDHR to EUDs in countries where other support has been phased out. However, there is also a need for political dialogue and diplomacy to increase to cover the 'gap' created by graduation.		Strong
JC 22: The EIDHR contributes to developing and consolidation of democracy and strengthening the democratic cycle and processes in third countries	I-221: There level of expenditure and commitment for support to democracy under SO 3 has increased under the current MIP compared to the 2011-13 MIP, but there has been a decrease in the number of actions. . However, the number of actions and level of expenditure can be expected to increase once all contacts under the 2016-17 CBSS and targeted contracts are signed during 2017.	<ul style="list-style-type: none"> • EEAS decision notes 2013, 2014, 2015 • EIDHR MIPs 2011-2013; 2014-2017 • EIDHR AAP 2011 - 2015 • EIDHR MAAP 2016-2017 • EOM AAP 2012-16 • FPI AAR 2012-15 • ENOP, The implications of service contracts in the field of democracy support and human rights. A position paper from the ENOP, August, 2016. • Evaluation of EU election observation activities. Inception Report, August 2016. • QSG Minutes, EIDHR MIP and AAPs (2014-2016) • Stakeholder interviews 	Strong
	I-222: Although measuring the effectiveness of election observation remains a challenge in an evaluation of this nature, there are indications that election observation is meeting the overall and specific objectives of the EIDHR.		Strong
	I-223: There is an emerging trend to improve follow-up to observation missions and their recommendations, including in sample countries.		Strong
	I-224: Comprehensive internal consultations take place when developing election observation actions and contribute to the programming of actions.		Strong

JC 23: The EIDHR contributes to EU priorities for smart, sustainable and inclusive growth policies and development aid effectiveness.	I-231: There is an increase in the number of actions and expenditure in support of EU priorities for smart and sustainable growth in the period covered by the current MIP (2014-17) compared to the period covered by the previous MIP (2011-13).	<ul style="list-style-type: none"> • MIP, AAPs, MAAP • All relevant EU policies related to smart, sustainable and inclusive growth (as listed in Annex A) • All relevant policies related to development aid assistance (see Annex A) 	Strong
	I-232: EU policy priorities (such as gender equality and environment) have been increasingly mainstreamed since 2014.	<ul style="list-style-type: none"> • CRIS data • EIDHR project list • Stakeholder interviews. 	Strong
	I-233: Best practices to promote aid effectiveness are evident in the area of consultations with civil society.		Strong

EQ 3	Efficiency		
	To what extent is the EIDHR delivering efficiently?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC 31: The EIDHR has evolved to become more efficient in terms of cost and time.	I-311: Support expenditure related to the implementation of the EIDHR has remained stable and low under both the previous and current EIDHRs, which in turn indicates that implementation is generally efficient.	<ul style="list-style-type: none">• CRIS data• EIDHR project list.• Data provided by DEVCO Finance• EU Budgets	More than satisfactory
	I-312: EOMs are deployed efficiently in terms of logistical organisation and inter-institutional cooperation and there is no evidence that delays in the flow of funds have occasioned any delays or led to the cancellation of planned EOMs.	<ul style="list-style-type: none">• EOM Annual Action Plans 2012/13/14/15/16• EOM Annual Action Reports 2013/14/15• EEAS decision notes on EOMs• EODS website• Stakeholder consultations• CRIS data	Strong
JC 32: Processes used for actions under the EIDHR have evolved to increase efficiency.	I-321: There has been a decrease in time taken from commitments to payments (the 'disbursement rate') under the current MIP compared to the former period (2007-13).	<ul style="list-style-type: none">• Data provided by DEVCO Finance	Indicative but not conclusive
	I-322: The EIDHR has made very good use of the possibilities for flexibility in the CIR and Financial Regulation (FR) to be more responsive compared to former period. Concerns exist around the CfP process which is lengthy,	<ul style="list-style-type: none">• EIDHR Regulation.• CIR• FR• PRAG• Stakeholder interviews	Strong

EQ 3		Efficiency	
		To what extent is the EIDHR delivering efficiently?	
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
	labour intensive and complicated, especially for smaller CSOs..		
	I-323: The average size of contracts has increased in the current period compared to that covered by the previous MIP (2011-13), which suggests that the EIDHR has become easier to manage and is becoming more efficient.	<ul style="list-style-type: none"> • CRIS data • EIDHR project list. • Data provided by DEVCO staff. 	More than satisfactory
JC 33: Appropriate and self-correcting monitoring processes are in place.	I-331: Monitoring processes are in place, but could be enhanced by increased use of results-oriented monitoring (ROM) for EIDHR projects, including those under the CBSS that fall below the ROM threshold.	<ul style="list-style-type: none"> • Stakeholder interviews (EUD staff, DEVCO and DG NEAR HQ staff). • Stakeholder interviews with grantees. • ROM reports. • Thematic and CBSS portfolio evaluation reports. • DEVCO Unit 06 list of contracts. 	Strong (although there is some confusion regarding the DEVCO Unit 06 data)
	I-332: Strategic and operational indicators to measure results are not yet fully in place or linked to the EIDHR performance assessment framework but are currently being revised.		

EQ 4	Added Value		
	To what extent do the EIDHR programmes add value compared to interventions by Member States or other key donors?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC 41: The EIDHR fills a niche not covered by Member States and other key donors and JC 42: Complementarity of the EIDHR with activities of MS and major DPs⁵³⁵	I-411 and I-413: Actions and expenditure under the EIDHR add value to and are able to fill gaps in other MS / major DPs programmes and strategies in human rights, democracy and elections.	<ul style="list-style-type: none"> • Stakeholder interviews (Netherlands, Sweden, Germany, Czech Rep) • ROM reports for sample countries • Stakeholder consultations in sample countries. 	More than satisfactory although additional consultation required during OPC.
	I-412, I-421 and I-422: Although the envelope of support under the EIDHR in sample countries is often lower than what MS and other DPs provide, the EIDHR is complementary to their support and examples of the EIDHR being used to fill gaps in donor support were found.		

⁵³⁵ JC 41 and 42 both aim to determine the extent to which the EIDHR complements and is able to fill gaps in support provided by other MS and major DPs supporting human rights and democracy. Two of the indicators relate to the overall support provided (to illustrate the broad geographic coverage of the EIDHR compare to countries on which MS focus and the level of complementariness generally), while three related specifically to sample countries. For ease of reporting, these have been combined under two broad headings: support generally, and support in sample countries

EQ 5			
Coherence, consistency, complementarity and synergies			
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?			
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC 51: The EIDHR is internally coherent, consistent and aligned with EU development and external action policies.	I-511: There is greater coherence and consistency across EIDHR priorities and objectives and fewer overlaps in the current version of the EIDHR than under the previous version.	<ul style="list-style-type: none"> EIDHR 2007-2013 EIDHR 2014-2020 Stakeholder consultations Summary of evaluation of EIDHR 2007-13⁵³⁶ 	Strong
	I-512: The EIDHR is coherent and consistent with EU development and external action policies.	<ul style="list-style-type: none"> Stakeholder consultations All EU development and external action policies 	More than satisfactory
JC 52 The EIDHR fills a niche not covered by other EFIs and complements support provided under these. ⁵³⁷	I-521, I-522, I-531, I-532 and I-533: The EIDHR has various 'unique' features that allow it, by design, to complement EU support under other EFIs and to fill gaps in other instruments (the EIDHR is also the only EFI that includes direct support to electoral observation and is able to support electoral assistance interventions under other EFIs).	<ul style="list-style-type: none"> EIDHR 2007-2013 EIDHR 2014-2020 All relevant AAPs and MAAP Internal stakeholder consultations (DEVCO Senior staff, EDF, DCI, CSO-LA, IcSP, DG NEAR, Team Leaders of other Evaluations, EUDs in sample countries) CIR 	Strong

⁵³⁶ www.eidhr.eu/files/dmfile/CSOconsultation6-7NovallpresentationsMasterCopy.pdf.

⁵³⁷ On reflection, the original JC 52 (the EIDHR fills a niche not covered by other EFIs) and JC 53 (the EIDHR complements support provided under other EFIs) both relate to unique features of the EIDHR and, in particular, its ability to fill a niche not covered by other EFIs and, thus, to complement the support provided to human rights and democracy under other EFIs. As a result, they have been combined into the revised JC above for the purposes of this report (with concurrence of the Evaluation Manager).

EQ 6	Political Leverage		
	To what extent has the EIDHR leveraged political or policy engagement?		
Judgement Criteria	Summary response (indicator)	Source of information	Quality of evidence
JC 61: Support under the EIDHR leads to political / policy engagement, and reforms	I-611: EIDHR support has contributed to the ability of civil society and NHRIs to advocate / lobby for reforms while support to beneficiaries in turn provides EU HQ and Delegations with considerable input into political and other dialogues.	<ul style="list-style-type: none"> • CRIS Data • EIDHR Project List • DIHR • DEVCO Annual Reports on Democracy and Human rights 	More than satisfactory
	I-612: EOM findings and recommendations have created space for dialogue on electoral reform and democracy and have led to reform in at least some partner countries.	<ul style="list-style-type: none"> • Stakeholder consultations (DEVCO and EUDs in sample countries). 	More than satisfactory

