



**External Evaluation of
the European Instrument
for Democracy and Human Rights
(2014 – mid 2017)**

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External Evaluation of the European Instrument for Democracy and Human Rights

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Table of Contents

0	List of acronyms and abbreviations	4
1	Introduction	6
2	Methodology	6
2.1	Evaluation design	6
2.2	Intervention logic	7
2.3	Limitations	12
3	A brief overview of the EIDHR	12
4	Relevance	14
4.1	Relevance at adoption on 1 January 2014.....	14
4.2	Evolving and emerging challenges	15
4.3	The ability of the EIDHR to respond to human rights and democracy challenges at instrument level	17
4.4	Congruence with EU policies since 1 January 2014	18
	Effectiveness, impact and sustainability	21
5	21
5.1	SO 1 - Support to human rights and human rights defenders in situations where they are most at risk.....	21
5.2	SO 2 - Support to other priorities of the Union in the field of human rights	24
5.3	SO 3 – Support to democracy	27
5.4	SO 4 – Election observation missions.....	30
5.5	SO 5 – Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms	32
6	Efficiency	38
6.1	The impact of the Common Implementing Regulation (CIR)	40
6.2	The Call for Proposals (CfP) process.....	42
6.3	Monitoring and evaluation	42
7	Added value	43
8	Coherence, consistency, complementarity and synergies.....	45
9	Political leverage.....	47
10	Conclusions and recommendations.....	48

0 List of acronyms and abbreviations

AAP	Annual Action Programme
CBSS	Country Based Support Scheme
CfP	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
DEG	Democracy and Elections Group
DG DEVCO	EC Directorate-General for International Cooperation and Development
DP	Development Partner
EAM	Election Assessment Mission
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
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
EOM	Election Observation Mission
EP	European Parliament
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	Headquarters
HRDs	Human Rights Defenders
HRVP	High Representative/Vice President
ICC	International Criminal Court
IcSP	Instrument contributing to Stability and Peace
ILO	International Labour Office
INSC	Instrument for Nuclear Safety Cooperation
IP	Indigenous Peoples
IPA	Instrument for Pre-Accession Assistance
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
RAL	Reste à liquider
RBA	Rights based approach to development
ROM	Results Oriented Monitoring
SDG	Sustainable Development Goals
SO	Specific Objective
SWD	Staff Working Document

UN	United Nations
UNOPS	United Nations Office for Project Services
UNHCR	UN Refugee Agency

1 Introduction

The current report is part of the evaluation of the European Instrument for Democracy and Human Rights (EIDHR) 2014-2020¹, which itself is part of a series of evaluations of the European Union's (EU) External Financing Instruments (EFIs) designed to feed into the Mid-Term Review of the EFIs required by the Common Implementing Regulation (CIR)² before the end of 2017³. The **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.

The **specific objectives** are to:

- Provide the relevant external relations services of the EU and the wider public with an independent assessment of the EU's EFIs, including complementarities/synergies between the EIDHR and each of the other EFIs.
- Inform the programming and implementation of the current EFIs, as well as the next generation of the EFIs.

Evaluand: The evaluation assessed whether the EIDHR is fit for purpose to deliver EU resources towards EU's external policy, both at the start of the planning period (2014) and currently, and considered the place of the EIDHR - its complementarities and synergies - within the wider set of EFIs. The evaluation is at the level of outcomes rather than impacts and is a **non-experimental design**.

The main **evaluation users** 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.

2 Methodology

2.1 Evaluation design⁴

The evaluation was based around six key evaluation questions (EQ), as set out in Table 1:

Table 1 – Evaluation questions

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)?
EQ 2 – Effectiveness, impact and sustainability	To what extent does the EIDHR deliver results against the instrument's objectives, and specific EU priorities?
EQ 3 - Efficiency	To what extent is the EIDHR delivering efficiently?

¹ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 85.

² Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 95. The CIR was adopted in March 2014 to provide a single set of rules for the implementation of the Development Cooperation Instrument (DCI), the European Neighbourhood Instrument (ENI), the EIDHR, the Instrument contributing to Stability and Peace (IcSP), the Instrument for Pre-Accession Assistance (IPA) II, and the Partnership Instrument (PI). Prior to this, implementing rules were included in each separate instrument.

³ The terms of reference for the evaluation are included in Part 2 – Annexes as Annex A.

⁴ The text in this section explains the key elements of the design of the evaluation and how these fit together. A detailed overview of the evaluation process is attached as Annex B.

EQ 4 – Added value	To what extent do the EIDHR programmes add value compared to interventions by Member States or other key donors?
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?
EQ 6 – Political leverage	To what extent has the EIDHR leveraged political or policy engagement?

These evaluation questions were further broken down into an agreed set of indicators⁵ to guide the entire evaluation process and to develop the consultation strategy⁶. The **general baseline** for the evaluation was the date on which the current version of the EIDHR began operating – 1 January 2014, although the terms of reference also required the team to consider the period covered by the previous version of the EIDHR (2007-13) to provide a comparative analysis on relevance, effectiveness and efficiency in particular. But while questions of relevance refer to the entire period of the previous EIDHR, it was agreed during the inception phase that, for more accurate comparisons to be made, the baseline period for activities and expenditure under the previous version of the EIDHR would be linked to the period covered by the previous multiannual indicative programme (2011-13) rather than the entire period covered by the previous regulation. When considering actions under the current regulation, the cut-off point for disbursements and commitments was set at end December 2016.

The **evaluation design** included:

- A comprehensive document review⁷ including all relevant regulations (EIDHR, Financial Regulation, CIR) as well as all other EFIs; international covenants and conventions; programming documents; European Commission Communications, staff working documents and key policy documents; the 2011 impact assessment of the 2007-2013 regulation and all available evaluations in the period 2007-16; Annual Reports, Electoral Observation Reports, Activity Reports, Result Oriented Monitoring Reports, and strategic and management plans; budget documents; publications of key partners; publications and reports of external stakeholders (such as Amnesty International and Human Rights Watch) and development partners; and an assessment of all actions funded under the EIDHR in the period 2011-13 and 2014 to January 2017.
- Key stakeholder interviews (face-to-face and/or teleconferencing) with EU management and senior staff at headquarters level; Members of the European Parliament; external stakeholders and partners; representatives of Member States and other key development partners⁸.
- Country studies (Pakistan and Russia) and onsite visits to Peru, Israel, Palestine and Uganda to observe the implementation of the EIDHR in the field during which EU Delegation staff, partners, Member States and other development partners (DPs) were consulted.
- A questionnaire sent to all Delegations with both general questions and specific questions for each of the EFIs under evaluation⁹.
- An open consultation process that ran from 7 February to 3 May 2017 during which members of the public; organisations and associations; research and academic institutions; industry, business or workers' organisations; public authorities; EU platforms, networks or associations; and anyone else was invited to comment on the draft report¹⁰.
- A technical workshop with representatives of the European Parliament and Member States to invite comments on the draft report.

2.2 Intervention logic

Given the evaluand, the methodology employed had at its core an assessment of the EIDHR's intervention logic and the assumptions on which it is based to determine whether, at the midway

⁵ See Annex C – indicator level analysis

⁶ Attached as Annex D.

⁷ See the complete list of documents consulted in Annex E.

⁸ A full list of those consulted, including during on site visits, is attached as Annex F.

⁹ Eighty-one EUDs submitted responses and results are included in the body of this report where appropriate.

¹⁰ A summary of the results of the open public consultation (OPC) is attached as Annex G.

point of implementation, these assumptions hold true and thus whether the EIDHR is indeed fit for purpose, or whether the intervention logic might require further refinement.

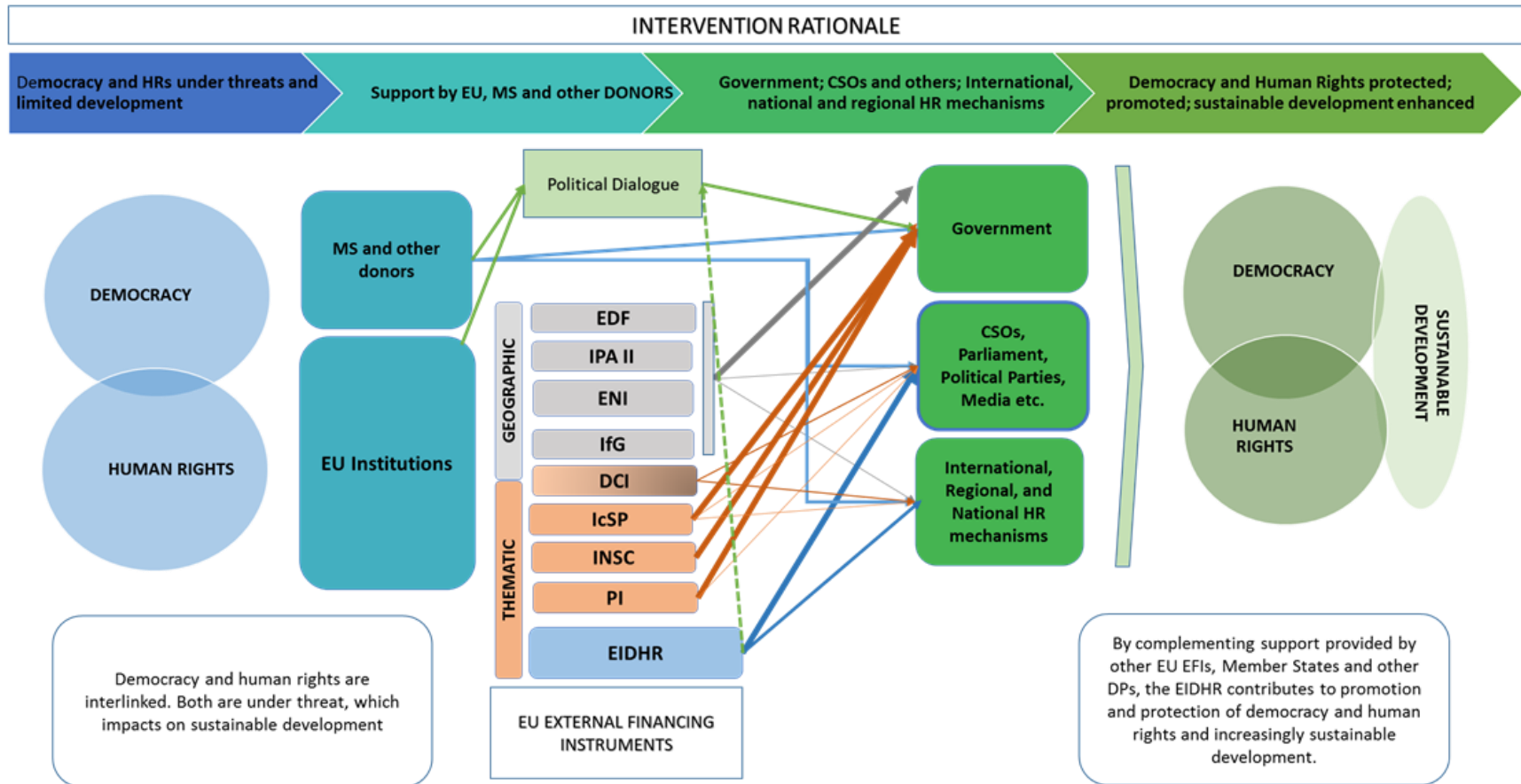
2.2.1 Intervention rationale

Human rights and democracy (including respect for key democratic principles such as separation of powers and rule of law) are key values for the EU and are at the centre of all of its foreign policy and development objectives¹¹. Democracy and human rights need to be protected, enhanced and defended to ensure that citizens are able to participate in democratic processes and claim and protect their rights and freedoms; that democratic decision-making is transparent and decision-makers are accountable for their decisions and actions; that citizens' rights to dignity and equality are protected, that they are free to follow their culture and religion, and that they are provided with and able to access services so that poverty might be addressed and eradicated. Democracy and human rights are under threat particularly (but not only) in the developing world. Although support to public and private initiatives can be effective in tackling democracy and human rights challenges, civil society is a crucial role player in this regard (together with international, regional and national human rights institutions). At the same time, civil society is facing increasing shrinking space in which to operate, be it through regulation, war or internal conflict situations, political intolerance, the rise of neo-conservatism or lack of political will to protect the rights of vulnerable groups.

Democracy too is under threat in many countries where elections are often not free or fair, where electoral processes are unreliable, and where constitutional safeguards (such as limitations on the number of terms that a President may serve) are increasingly ignored and undermined. As a result, EU development assistance must include support to human rights defenders (HRDs) (especially those at risk), civil society organisations (CSOs), the media, elections and democratic processes between elections, and international, regional and national institutions to address needs, solve problems, address current and emerging challenges, and contribute to sustainable development. While such support can be provided by the EU through geographic and other thematic instruments, and by Member States and other development partners (DPs), an EFI is required that is more flexible and responsive than other EU EFIs, especially when it comes to support to HRDs at risk, crises and emergencies, that is able to cover a greater geographic area than geographic EFIs, that specifically allows support to be provided to election observation, and that is able to address both human rights and democracy in an holistic fashion, fill complement and fill gaps in other EFIs, add value to the support provided by Member States and other DPs, and contribute to increasingly sustainable development. A diagrammatic representation of the Intervention Rationale of the EIDHR within the overall EU action in the fields of Democracy and Human Rights appears on the following page.

¹¹ As reflected in Paragraph 11 of the EIDHR, which reads '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'.

Figure 1 Intervention Rationale of the EIDHR within the overall EU action in the fields of Democracy and Human Rights



2.2.2 Intervention logic and key assumptions

The EIDHR is based on various interlinked key assumptions at the overall objective (impact) and specific objective (outcomes) levels that were tested during the current evaluation.

Key assumptions at overall objective (impact) and specific objective (outcomes) levels
Support to civil society and targeted national, regional and international actors and processes will lead to increased promotion and protection of human rights, justice, rule of law, democracy and a strengthened democratic cycle ¹² .
Support to HRDs/HRDs at risk will be more responsive in situations of crisis and emergency and efficient and lead to increased promotion and protection of universal human rights, fundamental freedoms, justice, rule of law and democracy in third countries and counteract the challenges occasioned by the shrinking space for civil society generally and high risk countries in particular ¹³ .
Support to peaceful pro-democracy actors in third countries will contribute to enhanced civil and political rights, enhanced participatory and representative democracy, transparency and accountability generally, and contribute to increasing transparency and trust in the electoral process ¹⁴ .
Election observation (in various forms) ¹⁵ will contribute to more 'reliable' electoral processes and more developed and consolidated democracy in third countries ¹⁶ .
Support to the enhancement of democratic systems that protect and respect human rights is more likely to foster sustainable development ¹⁷ .
Support to democracy and human rights under the EIDHR will complement various other tools for implementing EU policies, including political and other dialogues and financial support and technical cooperation provided under geographic and other thematic EFIs ¹⁸ .
Support to democracy and human rights under the EIDHR will add value to the support provided by EU Member States and other major development partners ¹⁹ .

While the major focus of the evaluation was on whether the EIDHR is fit for purpose, the evaluation questions also required an assessment of efficiency and effectiveness that in turn required some consideration of assumptions at the output / implementation level. In particular:

Assumptions at output / implementation level
EU Delegation (EUD) staff take the EIDHR into account when developing programmes and selecting activities to be financed under other EFIs, and vice-versa.
EUD staff know and use the procedures allowed by Financing Regulation and the CIR designed to increase efficiency and responsiveness and to address the shrinking space for civil society.
Recommendations from election observation missions (EOMs), particularly when it comes to how these may be addressed by actions under specific objective 3, are considered when launching and deciding calls for proposals under the Country Based Support Scheme (CBSS).
Donor consultation and coordination takes place regularly at HQ and EUD levels to ensure complementarity and avoid overlaps with Member States and main Development Partner (DP) programmes, projects, priorities and levels of support to CSOs.

A diagrammatic representation of the EIDHR Intervention Logic appears on the following page.

¹² Overall objectives (a) and (b) and specific objectives 1, 2, 3 and 5.

¹³ Overall objective (b) and specific objectives 1, 2 and 3, and the specific rules related to implementation in the CIR.

¹⁴ Overall objective (a) and specific objectives 3 and 4.

¹⁵ 'Election observation' is used here to cover all of the various missions supported under the EIDHR: EOMs, Election Expert Missions (EEMs), Election Assessment Team (EAM) and Election Follow-up Missions (EFMs).

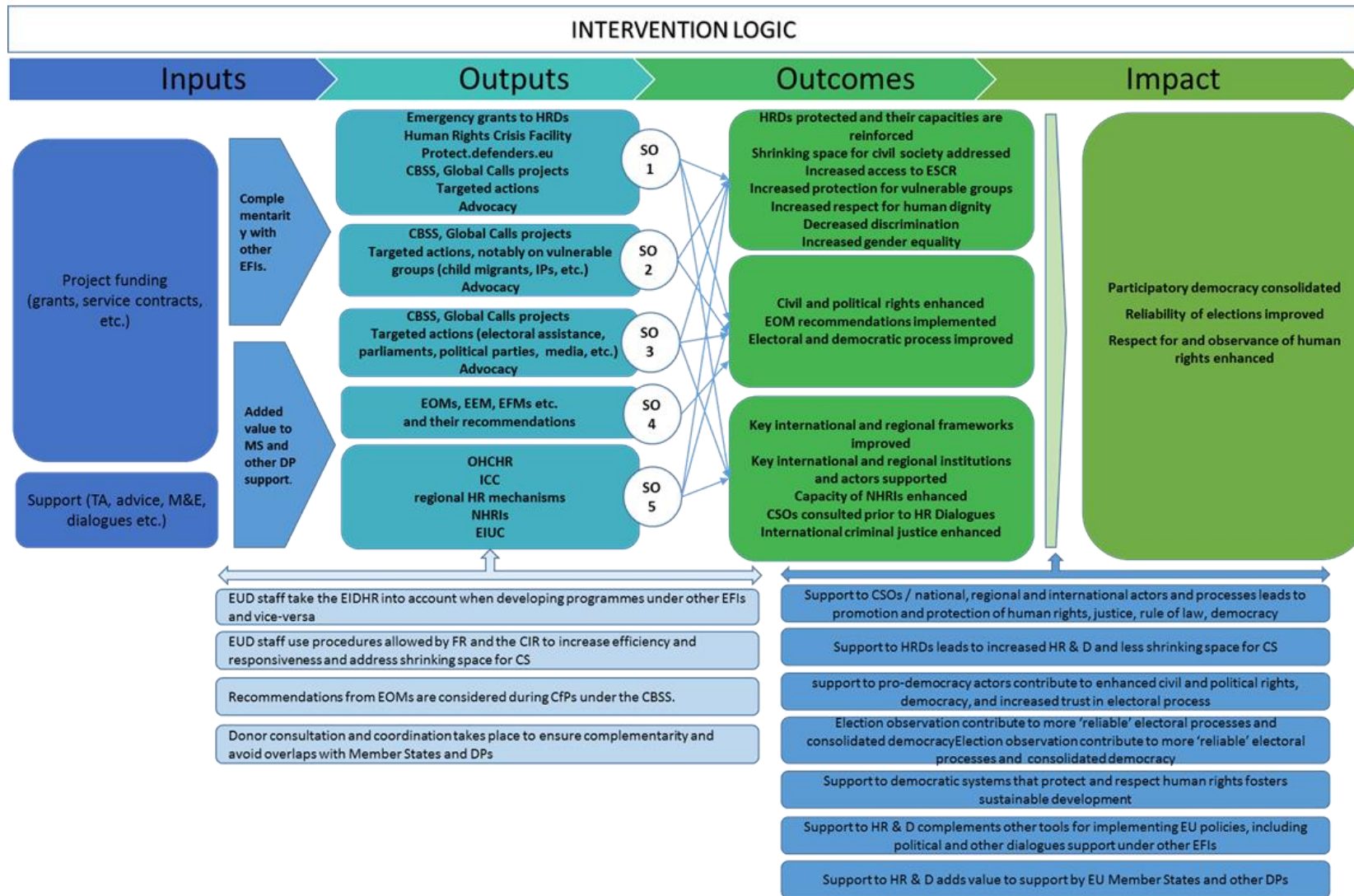
¹⁶ Overall objective (a) and specific objectives 3 and 4.

¹⁷ Paragraph (7) of the preamble.

¹⁸ Paragraph (14) of the preamble.

¹⁹ Article 3.

Figure 2 Intervention logic of the EIDHR



2.3 Limitations

Given that the evaluation took place in late 2016 to early 2017 while the EIDHR runs from 2014-2020, this evaluation is really a mid-term review. Many of the actions supported under the EIDHR have only started to be implemented and it is thus too soon at this stage to measure impact and sustainability. As a result, the focus of the evaluation, and the assessment of effectiveness in particular, is at the output level.

One of the distinguishing features of the EIDHR is the significant level of support provided to CSOs and HRDs in situations where human rights and democracy are most at risk and where the space for civil society is increasingly shrinking. To continue operating in these difficult environments, confidentiality is sometimes ensured to protect the identities and safety of the HRDs and CSOs supported this way. No EU visibility is required either. Confidential support amounts to around 9.13% of the overall EIDHR amount contracted over the period 2014-2016. Although the evaluators were provided with broad data related to this support, specific details are understandably kept confidential. As a result, some concerns raised by external stakeholders - in particular that grants are being provided to issues where there is no resistance to such support from government rather than to HRDs and CSOs working on rights and issues where there is resistance - cannot be countered even though support may well be being provided confidentially. Where relevant, reminders to this effect are included in the body of the report.

Finally, as dealt with when considering the question of 'efficiency' in the body of the report, strategic and operational indicators to measure results were not yet fully in place or linked to the EIDHR performance assessment framework during the evaluation. While these have recently been revised and finalised, their absence during the desk and validation phases of the evaluation made measuring effectiveness and results somewhat difficult.

3 A brief overview of the EIDHR

The current version of the European Instrument for Democracy and Human Rights (EIDHR)²⁰ was adopted in 2014 and covers the period 2014-2020 with an overall budget of EUR 1,333M – one of the smallest budgets of all the EFIs, as illustrated in Table 2.

Table 2 EFIs and funding 2014-2020

Geographical Instruments	Funding
European Development Fund (EDF)	€ 30,500 m
Development Cooperation Instrument (DCI)	€ 19,464 m
Of which: <i>Geographic programmes (non ACP)</i>	€ 11,800 m
<i>Thematic programmes</i>	€ 7,000 m
<i>Pan-African programmes</i>	€ 845 m
European Neighbourhood Instrument (ENI)	€ 15,433 m
Instrument for Pre-Accession Assistance (IPA)	€ 11,699 m
Instrument for Greenland	€ 217 m
Horizontal Instruments	
European Instrument for Democracy and Human Rights (EIDHR)	€ 1,333 m
Instrument contributing to Stability and Peace (IcSP)	€ 2,339 m
Partnership Instrument (PI)	€ 955 m
Instrument for Nuclear Safety Cooperation (INSC)	€ 225 m

The EIDHR has a global coverage and follows on from, and is essentially an evolution of, the first EIDHR covering the period 2007-2013, which itself was built upon the 'European Initiative for Democracy and Human Rights' created at the initiative of the European Parliament in 1994 to bring together a series of budget headings specifically dealing with democratisation and the promotion of human rights.

The **overall objectives of the current EIDHR** are set out in Article 1 of the Regulation, which states that the EIDHR is intended to provide assistance to the development and consolidation of

²⁰ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014, OJ L77, p 85.

democracy and the rule of law and of respect for all human rights and fundamental freedoms. Such assistance shall aim in particular at:

(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 Election Observation Mission (EOMs);

(b) enhancing respect for and observance of human rights and fundamental freedoms, as proclaimed in the United Nation (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 **specific objectives and priorities of the EIDHR** are set out in the Annex to the Regulation²¹:

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

To achieve these objectives, the EIDHR provides various types of support based on the relevant 2014-2017 Multiannual Indicative Programme (MIP) and the Annual Action Programmes (AAPs) or Multiannual Action Programmes (MAAPs) developed thereunder:

- Grants to local CSOs and HRDs in third countries (directly or through a sub-granting process) under the Country Based Support Scheme (CBSS) using the standard EU call for proposals (CfP) process. Such grants are awarded, managed and monitored by EU Delegations in partner countries, with assistance from Head Quarters, and aim to implement objectives 1, 2 and 3 in the Annex to the EIDHR.
- 'Global' calls for proposals / grants to CSOs to support specific human rights priorities. Global calls generally target larger, international CSOs and are focused on the entire world, specific regions or specific countries and based on five 'Lots', each with a specific focus already developed for years 2015-17²².
- Emergency grants to HRDs at risk under the EIDHR Emergency Fund for HRDs at risk and ProtectDefenders.eu.
- Confidential grants under the Human Rights Crisis Facility to CSOs and HRDs where the shrinking space for civil society makes it impossible for these to be supported without exposing them to risk or violating rules in their countries outlawing civil society from receiving international donor support.
- Targeted actions identified in the EIDHR Annual Action Programmes (AAPs) to support key actors such as National Human Rights Institutions (NHRIs); the European Inter-University Centre for Human Rights and Democratisation (EIUC) and a global network for human rights and democracy education; and support to the media, Parliaments and political parties.
- Service contracts with specific service providers, including for the conducting of EOMs and related activities.
- Pillar Assessed Grant or Delegation Agreements (PAGoDAs) with key international organisations such as the UN Office of the High Commissioner for Human Rights (OHCHR) and the International Criminal Court (ICC).

²¹ More detail on each of the specific objectives is included in Annex H.

²² Lot 1: Human rights and their defenders; Lot 2: Human dignity; Lot 3: Economic, social and cultural rights; Lot 4: Discrimination; Lot 5: Annual ad hoc.

While the overall objectives of the current EIDHR are essentially the same as under the 2007-2013 instrument, the 2014-2020 Regulation is intended to address new realities, to be more strategic in its focus, and, when read with the CIR, to include new procedures to increase efficiency, flexibility and responsiveness in situations of crisis or emergency, 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. As with the previous Regulation, the current EIDHR continues to include support to human dignity (particularly in relation to the fight against the death penalty and against torture and other cruel, inhuman or degrading punishment or treatment) but includes a stronger focus on the rights of vulnerable groups (national, ethnic, religious and linguistic minorities, women, Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) persons and indigenous peoples) and economic, social and cultural rights (ESCR)²³ than under the previous version. It is also specifically intended to address situations where fundamental freedoms are most endangered and where HRDs are most at risk²⁴. Support to key actors and processes, including international and regional human rights institutions and criminal justice instruments and mechanisms has been made more prominent in the current EIDHR²⁵ while support to electoral observation missions (EOMs) and related activities by CSOs is retained²⁶.

4 Relevance

Summary

The current EIDHR Regulation covering the period 2014-2020 was congruent with human rights and democracy challenges worldwide and related beneficiary priorities as well as EU policies on human rights and democracy as at 1 January 2014. Since then, the EIDHR has remained congruent with evolving human rights, democracy and development challenges worldwide and related beneficiary priorities and needs. The EIDHR was and remains closely aligned with EU policies on human rights, democracy and development and is thus able to contribute to their implementation.

4.1 Relevance at adoption on 1 January 2014

The EIDHR was aligned with the major beneficiary needs and priorities in the area of human rights and democracy as at 1 January 2014. Key human rights challenges at end 2013 included women's rights, child rights, torture and the death penalty, 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, the shrinking space for civil society²⁷, and increasing threats faced by HRDs²⁸. Major challenges in the area of democracy included violations of the rights to assembly and association, arrests and killings of political opponents and HRDs, threats to the independence of media and increased global mass surveillance²⁹. Only 25 countries in the world were rated as 'full democracies' in the 2013 Democracy Index³⁰ and governments were increasingly paying lip service to democracy, settling 'for

²³ Specific objective 2 of the EIDHR.

²⁴ Specific objective 1.

²⁵ Specific objective 5.

²⁶ Specific objectives 3 and 4.

²⁷ The 'shrinking space for civil society' is a term used to illustrate that, in many countries, it is becoming increasingly difficult for CSOs to operate. For example, some countries forbid or limit CSOs from receiving foreign funding. In others, regulations requiring CSOs to register with a government authority are used to prevent organisations from receiving funding by prohibiting funding of unregistered organisations and then refusing to register those working on issues the government does not agree with (such as torture or LGBTI rights). In some countries the approach is far less subtle, with government prohibiting certain types of organisations or criminalising certain activities as well as subjecting members of civil society to harassment, surveillance, imprisonment and even death.

²⁸ 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; 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.

²⁹ 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).

³⁰ Op. cit. 54 countries were rated as 'flawed democracies', 52 as 'authoritarian' and 36 considered to be 'hybrid regimes'.

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'³¹. All of these issues are reflected and prioritised in both the overall and specific objectives of the Regulation.

Given that the EIDHR is the only instrument directly targeting democracy and human rights, it is clearly relevant when it comes to its thematic focus. And by focusing on a far broader number of countries than any other EFI (or any Member State or other DP for that matter) – including almost all countries where democracy and human rights are under threat - it is also highly relevant when it comes to its geographic focus and coverage. Further, the EIDHR was aligned with, and thus able to contribute to the implementation of all major EU policies and guidelines on human rights and democracy at 1 January 2014³². These include the 'EU Agenda for Action on Democracy Support in EU External Relations' (2009)³³, 'Agenda for Change' (2011)³⁴, 'Human Rights and Democracy at the Heart of EU External Action' (2012)³⁵, 'Strategic Framework and Action Plan on Human Rights and Democracy' (2012)³⁶, 'A Decent Life For All' (2013)³⁷, 'The Overarching Post 2015 Agenda' (2013)³⁸, 'EU Plan of Action on Gender Equality and Women's Empowerment 2010–15'³⁹, 'The Roots of Democracy and Sustainable Development: Europe's Engagement with Civil Society in External Relations' (2012)⁴⁰ and the 'Toolkit to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) People (2010)⁴¹, the 'EU Agenda for the Rights of the Child' (2011)⁴², and the 'Global Approach to Migration and Mobility' (GAMM) (2011)⁴³, particularly the issue of trafficking in human beings in the GAMM.

The only EU priority area with which the EIDHR was not aligned is climate change and the environment, highlighted in the European Climate Change Programme (ECCP II) (2005)⁴⁴. However, climate change 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 as pointed out by various 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.

4.2 Evolving and emerging challenges⁴⁵

The EIDHR has remained relevant to evolving and emerging challenges in human rights and democracy since adoption. Since 1 January 2014, the world has faced an increase in terror attacks in Iraq, Syria, East and West Africa, South Asia as well as Europe and the USA - largely linked to extremist groups – as well as an escalation of conflicts in the Middle East and the rise of Da'esh in Syria and Iraq. The resultant abuse and gross violations of the rights of civilians and increased levels of forced migration (including those attempting to cross the Mediterranean and into neighbouring states) came to dominate world headlines from 2014 onwards and is reflected in all major human rights reports and stakeholder interviews conducted⁴⁶. Gender-based violence

³¹ Human Rights Watch World Report, 2014, page 1.

³² See Annex I (Main EU Policies as at 1 January 2014),

³³ 2974th EXTERNAL RELATIONS Council meeting Brussels, 17 November 2009

³⁴ COM(2011) 637 final

³⁵ COM(2011)886 adopted by the Council on 25 June 2012 (11855/12)

³⁶ COM(2011)886 adopted by the Council on 25 June 2012 (11855/12).

³⁷ Commission Communication of 27 February 2013. Doc. 7075/13 - COM(2013) 92 final.

³⁸ Council Conclusions of 25 June 2013

³⁹ SEC(2010) 265 final.

⁴⁰ COM(2012) 492 final

⁴¹ COHOM 162, PESC 804

⁴² COM(2011) 60 final

⁴³ COM(2011) 743 final

⁴⁴ 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 GOP 21 and Paris Agreement to which the EU subscribes.

⁴⁵ 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.

⁴⁶ Migration is of course not only limited to conflict in the Middle East. It has become a worldwide problem and includes 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

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 information technology area. Increasing violations of the rights of LGBTI persons and restrictions on CSOs working on LGBTI rights were noted, as were human rights violations by business⁴⁷. Religious minorities have faced increasing limitations of the right to freedom of religion or belief, including both restrictive government control and sectarian violence, while 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 particular⁴⁸, and increasing levels of violations of land rights. 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. State surveillance and other violations of rights justified under the banner of combating terrorism increased, including increased levels of cyber censorship and security and torture. Pressure on independent national human rights institutions (NHRIs) also limited their ability to operate according to their core mandates while regional human rights protection and accountability mechanisms in Africa and the Americas have come under mounting internal threat (for example, as a result of some African countries' resistance to the international criminal court (ICC)⁴⁹ and financial crises at the Inter American Human Rights Court⁵⁰).

Limitations on the right to freedom of information and expression for journalists, writers and bloggers have increased, including a rise in murderous attacks on bloggers such as in Bangladesh. Limitations on the rights to assembly and association and restrictions on freedom of the media have also increased since 1 January 2014. Frustration and violence following the 'Arab Spring' have continued (including the reversion to authoritarian rule in Egypt during 2014) coupled with increasing levels of authoritarianism and a rise in populism. 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. 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.

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

Sudan, often as a result of socio-economic pressures in addition to those created by conflict situations. Climate change and environmental degradation have also contributed to high levels of migration and impacted on access to economic, cultural and social rights (ESCR).

⁴⁷ Most notably 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.

⁴⁸ 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/).

⁴⁹ Beginning in October 2016, when Burundi, South Africa and The Gambia notified the UN / ICC that they intend withdrawing from the Rome Statute. Russia has also stated that it will withdraw (November 2016), although, while it is a signatory, it has as yet not ratified the Statute, and the President of the Philippines, under increasing international pressure over the extrajudicial killing of alleged drug users and dealers, also suggested in November 2016 that he may withdraw his country too – see for example <http://www.reuters.com/article/us-philippines-duterte-icc-idUSKBN13C0GS>

⁵⁰ See http://www.oas.org/en/iachr/media_center/PReleases/2016/069.asp

and cheaply. A rise of nationalism and a decline of multilateralism is undermining support for global human rights and democracy initiatives. 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.

4.3 The ability of the EIDHR to respond to human rights and democracy challenges at instrument level

The current EIDHR is more internally coherent than the previous Regulation and thus better able to respond to challenges in human rights and democracy. For example, human rights and democracy were interwoven in the first two objectives of the 2007-2013 EIDHR, with a third objective specifically focused on election observation⁵¹, which led to particular problems⁵² including: grey zones between complex objectives; thematic gaps (in the areas of economic and social rights, discrimination etc.); more focus on the generally less challenging issues rather than on the more challenging aspects of human rights and democracy; democracy support was perceived to be too weak and pre-empted by EOMs; weak field aspects, weak CBSS, and weak facilities⁵³. In addition, a specific problem noted with regard to Article 1 (a) was that it combined support to human rights and HRDs in one objective, which led to confusion and overlapping or similar proposals received under two separate CfPs (one on human rights and one on HRDs)⁵⁴.

The current EIDHR has only two general objectives – one focused primarily on democracy (including election observation)⁵⁵ and the other primarily on human rights⁵⁶. Although democracy and human rights remain interwoven in the current EIDHR in line with the EU approach, the separating out of human rights and democracy in the specific objectives has improved coherence and consistency and has specifically addressed the main problems noted during the impact assessment of the previous EIDHR referred to above⁵⁷. In particular:

- 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 rights⁵⁸, two on democracy⁵⁹, and one (SO 5) focused 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 the more 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.

⁵¹ Article 1 of the 2007-13 EIDHR.

⁵² As noted during the 2007-13 impact assessment and summarised in the related slide presentation at <http://www.eidhr.eu/files/dmfile/CSOconsultation6-7NovallpresentationsMasterCopy.pdf>.

⁵³ Ibid.

⁵⁴ <http://www.eidhr.eu/files/dmfile/CSOconsultation6-7NovallpresentationsMasterCopy.pdf>. See Slide 19 in particular.

⁵⁵ Article 1 (a).

⁵⁶ Article 1 (b).

⁵⁷ 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.

⁵⁸ SO 1, focused on HRDs and situations where human rights are most at risk, and SO 2, focused on key human rights issues.

⁵⁹ SO 3 and SO 4, which deals with election observation.

- The current EIDHR includes a broader definition of democracy than just elections and Parliaments and includes support to 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 there is sufficient room (and budget) for other democracy-related activities⁶⁰. At the same time, SO 4 includes a clear link to 'democratic processes as described in objective 3' while SO 3 expressly 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 instrument.
- 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 level⁶¹.

Should election observation be included in the EIDHR? This issue was raised by some stakeholders (including during the OPC process) who questioned why election observation is included in an instrument that purports to be focused on CSOs when these are not involved in implementing EOMs or related activities⁶². Concerns were also raised around the fact that EOMs require government approval, which differs from the general approach in the EIDHR that support can be provided without government buy-in. While there is some validity to these concerns, it should be remembered that while much of the focus of the EIDHR is on support to civil society, the primary focus is on human rights and democracy and support to other key actors and processes such as the OHCHR, ICC and national human rights institutions is also included in addition to support to CSOs. In addition, EOMs often provide space for CSOs to actively engage in election process, including through domestic observation, and hence benefit indirectly from the EOM's presence. Elections are key moments in a country's democratic cycle and election observation can help to identify weaknesses and opportunities for improvement and thus contribute to increased levels of democracy in partner countries. Most stakeholders who were familiar with election observation believed it to be highly relevant despite these concerns, and in the three sample countries visited during the validation phase where EOMs and related activities had taken place, all of those consulted regarded election observation as very relevant⁶³.

Given how broadly framed the EIDHR is, it is thus able to respond to almost all emerging and evolving human rights and democracy challenges. Even where the instrument itself is largely silent on an issue such as forced migration and sustainable development, the fact that it includes the phrase 'attention will also be given to emerging issues in the field of human rights' in SO 2 has allowed programming to respond to these and other emerging issues as well.

4.4 Congruence with EU policies since 1 January 2014

The EIDHR is well aligned to new EU development priorities as they have evolved (2014-2017) and is thus able to contribute to their implementation⁶⁴. EU development policies from 1 January 2014 show an increasing focus on sustainable development and poverty eradication, smart and sustainable growth, gender equality, peace and security, climate change, and migration⁶⁵. Gender equality (including for LGBTI persons) and the rights of women and children are clearly a priority of the EIDHR and support in this area is included in the MIP and directly or indirectly in most

⁶⁰ Stakeholder interview with senior DEVCO staff, 22 September 2016.

⁶¹ Stakeholder consultation with senior DEVCO staff.

⁶² Although they are consulted when Delegations provide input on programming, interact with EOMs when these are deployed and are key benefactor of the EOMs' recommendations

⁶³ Stakeholder consultation with EUD senior staff, 28 November 2016.

⁶⁴ Confirmed during the OPC.

⁶⁵ See Annex J - EU Policies post 1 January 2014

actions supported under the AAPs/ MAAP⁶⁶. While there is no direct reference to poverty eradication or sustainable development in the EIDHR, these are included in the focus on ESCR and, as a general rule, countries with stable democracies that respect, protect and promote human rights are more likely to advance economically than others⁶⁷.

The EIDHR includes various references to peace, stability and security⁶⁸ and support to human rights and democracy is generally intended to promote more peaceful and stable societies, including through preventing, reducing and resolving conflict. The EIDHR is thus able to contribute to the implementation of EU policy on migration (such as the 2015 European Agenda on Migration⁶⁹) by helping to reduce some of the key drivers of migration such as human rights violations, poverty and conflict. When it comes to EU external action policies, these cover a broad range of issues, some of which (such as trade) can only be addressed by governments and not through an instrument like the EIDHR with its focus on civil society. Nonetheless, the EIDHR is consistent with the European Neighbourhood Policy and is completely in line with the external action policy framework focused on indigenous peoples.

Of particular importance for the EIDHR is the **EU Action Plan on Human Rights and Democracy 2015-2019**⁷⁰. This follows 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. While some of these focus on issues that the EIDHR is not designed to support – such as support to public institutions – the EIDHR remains congruent with and delivers on all relevant objectives and priorities in the current Action Plan⁷¹. In addition, 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 12-16⁷². In fact, with the recognition in the EIDHR that democracy and human rights are inextricably linked and mutually reinforcing⁷³, the EIDHR (and other EU support in the field of democracy) even goes beyond the SDGs to some extent⁷⁴. In support of the 2030 Agenda, the European Commission has recently (22 November 2016) released a Communication proposing a new **European Consensus on Development**⁷⁵ to ‘provide the framework for the common approach to development cooperation policy that will be applied by the EU and its Member States’⁷⁶. 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’⁷⁷. In addition, the Communication recognises the centrality of gender equality to achieving

⁶⁶ 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.

⁶⁷ One Member State representative noted that despite the increased focus on ESCR, the EIDHR remains primarily focused on civil and political rights. While this is true, it is also understandable given that the EIDHR focuses on both human rights and democracy (and the civil and political rights related to democracy) and includes a specific focus on EOMs that account for 25% of the budget.

⁶⁸ Section 14 of the Preamble; Article 2 (a) (x); Article 2 (4).

⁶⁹ COM(2015) 240 final

⁷⁰ JOIN(2015) 16 final

⁷¹ An overview of the Action Plan is included in Annex J.

⁷² In paragraph 9 of the Declaration.

⁷³ 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.

⁷⁴ 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

⁷⁵ https://ec.europa.eu/europeaid/sites/devco/files/communication-proposal-new-consensus-development-20161122_en.pdf

⁷⁶ Page 3.

⁷⁷ Page 5.

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'⁷⁸.

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 proposal for a 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 proposes to commit both the EU and all its Member States to implementing the RBA to ensure that "no-one is left behind" under the 2030 Agenda⁷⁹. The EIDHR is of prime importance in this regard and leads the way within the EU system when it comes to implementing the RBA.

The Rights Based Approach to Development

The Commission first began considering a rights based approach in 2012⁸⁰ 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 2014⁸¹.

The RBA has five key principles⁸²: (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 EIDHR⁸³. 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 toolbox⁸⁴. 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.

⁷⁸ Page 9.

⁷⁹ Page 8.

⁸⁰ 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'.

⁸¹ SWD(2014) 152 final

⁸² Page 17-19.

⁸³ 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

⁸⁴ 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.

5 Effectiveness, impact and sustainability

Summary

Recognising that measuring effectiveness and impact is difficult in the absence of clearly defined indicators, and that many of the actions supported under the EIDHR (including new contracts under the 2015 Global Call and CBSS) have yet to begin, support under the EIDHR has increased in key areas when compared to the previous version and there is evidence that these are already contributing to achieving the EIDHR's specific objectives in both the human rights and democracy areas and when it comes to new and emerging issues. The current EIDHR is also more 'holistic' than the previous version and significant support has been provided to international and regional human rights mechanisms in addition to CSOs. Even though measuring the effectiveness of election observation is a challenge, there is evidence that it is effective in improving the reliability of electoral processes and that follow up of EOMs has improved. Programming in particular reflects significant consultation processes with internal and external stakeholders that has ensured that the EIDHR responds well to evolving challenges and beneficiary needs, both globally and at partner country level.

The measure of 'effectiveness' requires an assessment as to whether or not the EIDHR is achieving or is likely to achieve its specific objectives (SO) in the Annex to the EIDHR.

5.1 SO 1 - Support to human rights and human rights defenders in situations where they are most at risk

Support to human rights and HRDs at risk was included in the 2007-2013 EIDHR, but **the focus on HRDs has increased considerably under the current EIDHR and is now included under its own specific objective**. Support in this area is provided under:

- 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 situations⁸⁵.
- 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).
- ProtectDefenders.eu - a dedicated project to protect HRDs at high risk and facing the most difficult situations worldwide, managed by DEVCO under a direct grant (36 months and totalling EUR 15M) that is led by a consortium of 12 specialised international NGOs with a combined total of around 2,000 affiliated members globally. 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).
- The **EIDHR Emergency Fund for HRDs at risk**, the **Human Rights Crisis Facility** (see text boxes below).

EIDHR Emergency Fund for HRDs at risk

The EIDHR (read with the Financial Regulation⁸⁶ and the CIR) makes it possible for small grants of up to EUR 10,000 to be awarded to HRDs or CSOs at risk in urgent cases, including where the latter are not registered and without the need for co-funding⁸⁷. Although this was at first managed entirely 'in-house' by DEVCO, the increase in demand for these grants led to a fee-based service contract (EUR 3M) in June 2015 under the 2014 AAP with the United Nations Office for Project Services (UNOPS) to manage the grants on behalf of

⁸⁵ 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.

⁸⁶ 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.

⁸⁷ 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.

DEVCO until March 2018 - although decisions as to who qualifies for support are still taken by DEVCO, after systematic consultation of the EEAS and the concerned Delegation notably to check the veracity of the claim. Assistance can include lawyers' fees, medical emergency fees, relocation assistance, and subsistence or security material for offices and homes. The target time between the request and the assistance reaching the HRD is 14 days, which is reportedly achieved in 75% of the cases⁸⁸. As a further protection measure, DEVCO does not disclose the identity of the HRD individuals or organisations supported through the Fund. All the emergency grants are managed with the utmost confidentiality in order to ensure the safety of the defenders.

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).

- In the period 2010-2013, 138 grants were awarded, providing emergency support to approximately 350 HRDs and their families – 3 grants in 2010; 28 in 2011; 49 in 2012; and 58 in 2013.
- Since 2014 to 13 January 2017, 246 grants have been awarded, providing emergency support to more than 600 HRDs and their families – 73 grants in 2014; 84 in 2015; and 86 in 2016; and two in early January 2017⁸⁹.

Human Rights Crisis Facility

The Human Rights Crisis Facility was established in its current form under the 2015 AAP to provide confidential assistance to projects of CSOs outside of the CBSS and global CfPs in countries where such calls would be inappropriate or impossible or where these funding streams would put organisations and individuals at risk. The 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.

Overall, 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 the Tables 3 and 4 below:

Table 3: Commitments and expenditure for HRDs 2011-13

Commitments: 2011-13 (EUR Million)							
Year	CBSS ⁹⁰	Global	Target	Small Grant ⁹¹	Crisis Facility	Relocation of HRD	Total
2011	4.84	15.7 ⁹²	0	0.25	NA	NA	20.79

⁸⁸ Data provided by DEVCO.

⁸⁹ All data provided by DEVCO.

⁹⁰ Figures based on registered contribution in the EIDHR list of projects. Figures based on decision year.

⁹¹ Figures based on information received from EC; DG DEVCO

⁹² 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

2012	3.44	20 ⁹³	0	0.38	NA	1 ⁹⁴	24.82
2013	5.6	15 ⁹⁵	0	0.43	NA	NA	21.03
Total	13.88	50.7	0	1.06	NA	1	66.64

Table 4: Commitments and expenditure for HRDs 2014-17

Commitments: 2014-17 (EUR Million)						
Year	CBSS ⁹⁶	Global	Target	Small Grants to HRDs	Crisis Facility ⁹⁷	Total
2014	10.35	15 ⁹⁸	0.6 ⁹⁹	3.6 ¹⁰⁰	3.5 ¹⁰¹	30.65
2015	7.31	5 ¹⁰²	5 ¹⁰³		3.5	22.01
2016	2.47 ¹⁰⁴	4.65 ¹⁰⁵	3.4 ¹⁰⁶		3.5	15.22
2017	Not available	5 ¹⁰⁷	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 5.

Table 5 – 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	58 ¹⁰⁸	24	0	136 ¹⁰⁹	N/A	218
2014-17	45 ¹¹⁰	6 ¹¹¹	5 ¹¹²	244 ¹¹³	11 ¹¹⁴	311

⁹³ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations

⁹⁴ From global Call 2012: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations

⁹⁵ From Global Call 2013: Supporting human rights, fundamental freedoms and human rights defenders, in the most urgent and difficult situations

⁹⁶ Figures based on registered contribution in the EIDHR project list. Figures include contracts signed until 13 January 2017. Figures based on decision year.

⁹⁷ According to planned allocation

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

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

¹⁰⁰ Based on figures received from EC, DG DEVCO.

¹⁰¹ Based on yearly 3,5 M€ allocation.

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

¹⁰³ Grant to Global Alliance of NHRIs.

¹⁰⁴ 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.

¹⁰⁵ 4,65 M€ from Global Call Lot 1 (2016) – Supporting women or Human Rights Defenders defending women rights

¹⁰⁶ 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.

¹⁰⁷ 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

¹⁰⁸ 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), this includes contracts signed in 2014 out of 2013 funds.

¹⁰⁹ According to information received from EC services, DG DEVCO.

¹¹⁰ Figures based on registered contribution in the list of EIDHR projects. Figures include contracts signed until 13 January 2017. Figures based on decision year.

¹¹¹ Figures from the 2015 Global Call signed contracts.

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.

The effectiveness and value for money of support to HRDs, especially those at risk, cannot be overemphasised. For the small ‘investment’ of no more than EUR 10,000, numerous lives are potentially saved with each grant while those HRDs supported this way are able to continue to fight for democracy and human rights in their home countries – whether at home or whilst abroad – which in turn has the potential to save and improve lives and to lead to increased human rights and democracy in those countries where both are at serious risk. In addition, according to the Front Line Defenders Annual Report on Human Rights Defenders at Risk in 2016¹¹⁵, more than 1,000 HRDs were killed¹¹⁶, harassed, detained, or subjected to smear campaigns and other violations in 2016. Given the support provided to HRDs at risk through the EIDHR Emergency Fund (86 grants during 2016) and ProtectDefenders.eu (support to 387 individual HRDs in the period October to 13 January 2017), and recognising that Front Line Defenders may not be aware of all HRDs at risk and the total may thus be more than the estimate of 1,000 that they provide, the EIDHR is clearly a key provider of significant levels of support in this critical area.

5.2 SO 2 - Support to other priorities of the Union in the field of human rights

Given how broadly framed SO 2 is¹¹⁷, the evaluators focused on whether or not there has been any increase or decrease in the number of actions and amount of expenditure in a ‘sample’ of five key areas: women’s rights; discrimination based on gender or sexual orientation; human dignity (fight against death penalty and torture and other cruel, inhuman or degrading treatment or punishment); economic, social and cultural rights (ESCR); and ‘emerging issues in the field of human rights’. This is in no way meant to diminish the importance of a broad range of other groups and individuals that are particularly vulnerable to human rights violations, abuse and discrimination – most notably persons with disabilities and indigenous peoples. Instead, the sampling of the five key areas was necessitated and conducted only because of the sheer volume of support under SO 2 and the inability of the evaluators to consider all of the support provided and planned under the EIDHR.

5.2.1 Women’s rights, discrimination and human dignity

As illustrated in Table 6 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 2017, while new contracts under both the 2016 and 2017 Global Calls will also change the picture somewhat. 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.

¹¹² 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’.

¹¹³ According to information received from EC services, DG DEVCO; including small grants through UNOPS.

¹¹⁴ According to estimation received from EC 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).

¹¹⁵ <https://www.frontlinedefenders.org/en/resource-publication/annual-report-human-rights-defenders-risk-2016>

¹¹⁶ According to the report, 281 were murdered in 25 countries during 2016 (page 6).

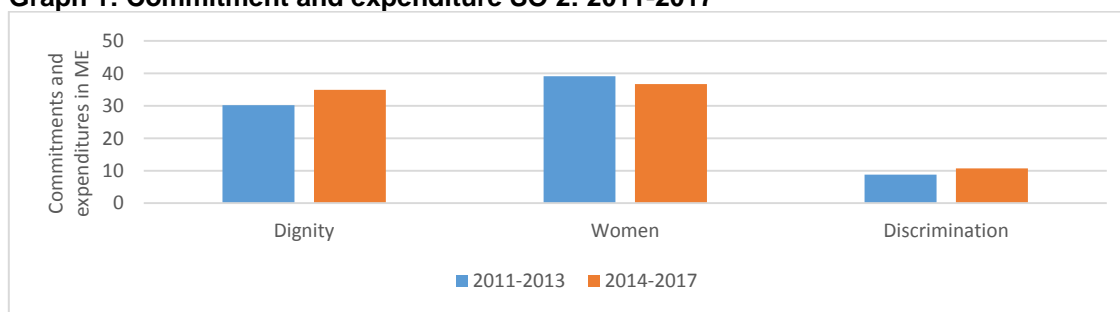
¹¹⁷ ‘Actions under this objective will, inter alia, support human dignity (in particular the fight against the death penalty and against torture and other cruel, inhuman or degrading punishment or treatment); economic, social and cultural rights; the fight against impunity; the fight against discrimination in all its forms; women’s rights and gender equality. Attention will also be given to emerging issues in the field of human rights.’

- 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 2011-13¹¹⁸.
- 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.

Table 6: Actions / expenditure: dignity, women and discrimination (2011-2017)¹¹⁹

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	30 ¹²⁰	1 ¹²¹	1	35.71 ¹²²
Women	169	7	1	39.1 ¹²³	111 ¹²⁴	NA	0	35.82 ¹²⁵
Discrimination	17	7	0	8.8 ¹²⁶	15	3 ¹²⁷	0	10.05 ¹²⁸
Totals	226	40	1	78.1	156	4	1	81.58

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



¹¹⁸ 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.

¹¹⁹ 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.

¹²⁰ 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

¹²¹ From the Global Call 2015 – To support the fight against death penalty.

¹²² The following allocations for the period 2015-2017 concern:

- 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€)

¹²³ 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.

¹²⁴ Figures from CBSS includes figures related to contracts signed up to 13 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

¹²⁵ 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€)

¹²⁶ 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).

¹²⁷ Including a top up to two 2013 calls on rights of LGBTI persons and freedom of religion or belief.

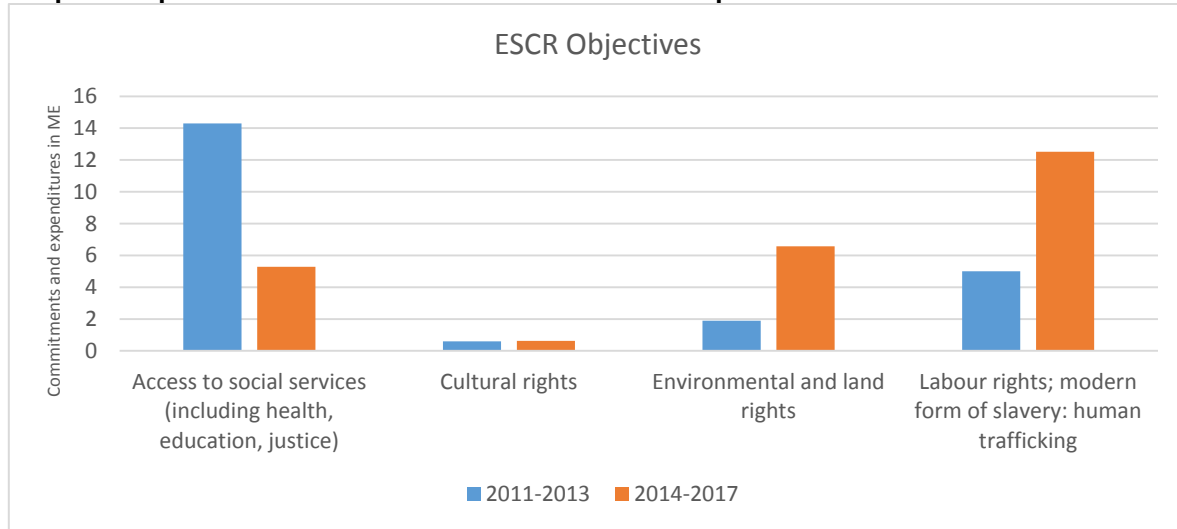
¹²⁸ Including 4.65 M allocation under Lot 4 of the 2016 Global Call. Include actions under the theme fighting discrimination based on gender identity and sexual orientation; and actions which final beneficiaries are LGBTI population.

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 others¹²⁹.

5.2.2 Economic, social and cultural rights¹³⁰

As illustrated in Graph 2 below, **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.

Graph 2: Expenditure and commitments to ECSR in the periods 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).

5.2.3 Emerging issues in the field of human rights

One of the biggest emerging issues since 1 January 2014 is what is often referred to as the ‘migration crisis’ following increased levels of migration as a result of conflicts in the Middle East and elsewhere. Although a reading of the Regulation itself shows a limited focus on ‘migrants’ *per se* and internally displaced persons, asylum seekers and refugees in particular, this is not surprising given that many of the crises were only beginning to emerge at the time the EIDHR was being prepared. But despite this apparent shortcoming, **the EIDHR includes a focus on rights that are of importance to forcibly displaced people¹³¹, on crisis situations and security threats that can lead to increased levels of enforced displacement, and human trafficking (which is often cross-border and therefore linked to forced displacement) that has enabled it to respond well to the increased levels of forcible displacement during programming and implementation** – for example, support to the rights of migrants was included in both the CBSS and Lot 4 of the global calls under the 2015 AAP¹³² (prepared in 2014); support to child migrants is

¹²⁹ 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.

¹³⁰ For this indicator, the evaluators considered support to access to social services (including health, education, justice); cultural rights, environment and land rights; and labour rights (including modern form of slavery and human trafficking).

¹³¹ In Article 1 (b), and more specifically in Article 2 (1) (a) (unhindered movement of persons) and Article 2 (1) (b) (support to protection of the rights of women and children, victims of trafficking, persons with disabilities, and economic, social and cultural rights)

¹³² Lot 4- support to migrants, including asylum seekers in third countries, internally displaced persons and stateless persons. (5M€)

included in the 2016-17 MAAP¹³³ (which in some ways predicts the Commission's November 2016 Communication proposing a new European Consensus on Development¹³⁴ that requires the EU and Member States to apply a 'rights-based approach, paying special attention to accompanied and unaccompanied minors and other highly vulnerable people'¹³⁵), 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 refugees and asylum seekers, persons belonging to minorities and persons affected by caste-based discrimination is included 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.

Although many of the actions supported under the EIDHR refer to 'migrants' and 'migration', migration itself is a broad concept and a global phenomenon that covers various reasons for migration (including economic opportunities and growth) that do not necessarily involve human rights related issues. Instead, the support already being provided under the EIDHR is really focused on migration as a result of forced displacement and the rights of those so displaced while at the same time actions supported by the EIDHR play a role in reducing the drivers of migration, including by increasing access to socio-economic rights and services, reducing levels of conflict, increasing respect for the rights of religious minorities and other vulnerable groups, supporting home-grown conflict reduction and resolution processes, and indirectly contributing to greater levels of peace and security in various ways. Focusing on forcibly displaced persons and the human rights of migrants is in fact a niche for the EIDHR and one on which the focus needs to remain. Although care is of course required to ensure that such support does not duplicate what is already being done in other parts of DEVCO and ECHO, the high levels of consultation with other internal stakeholders has and should continue to ensure that such duplication does not arise.

Finally, a contract under the EIDHR also somewhat tragically predicted a challenge before it emerged - discussions to award a grant under the EIDHR to an interesting project on freedom of expression with the NGO Cartooning for Peace had started shortly before the terrorist attack on the Charlie Hebdo offices in Paris on 7 January 2015. The project (Supporting respect of culture and freedoms using press cartoons as a media of universal expression – Cartooning for Peace) is up and running and financed under the 2016 AAP.

5.3 SO 3 – Support to democracy

5.3.1 Expenditure and commitments

Although there was no separate objective on democracy support under the 2011-2013 MIP, 206 EIDHR actions were supported in the period 2011-2013 for a total of EUR 68.81M (Table 7). Most actions under the 2011-13 MIP focused on citizen observers (41%) and civic and human rights education (28%).

¹³³ 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

¹³⁴ https://ec.europa.eu/europeaid/sites/devco/files/communication-proposal-new-consensus-development-20161122_en.pdf

¹³⁵ Page 12.

Table 7 – Actions and expenditure: Democracy (SO 3): 2011-2013¹³⁶

	Number of actions				Expenditure 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	0.3	0.39
Total	71	64	71	206	22.99	21.48	24.34	68.81

The total expenditure and commitment under the current MIP (as at 13 January 2017) 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 8).

Table 8 – Actions, commitment and expenditure (SO 3) 2014-2017

	Number of actions				Commitment and expenditure in M€			
	2014	2015	2016	Total	2014	2015	2016-2017 ¹³⁷	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	0.85 ¹³⁸	14,81
Parliaments	2	0	1	3	0.83	0.00	5 ¹³⁹	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 13 January 2017 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.

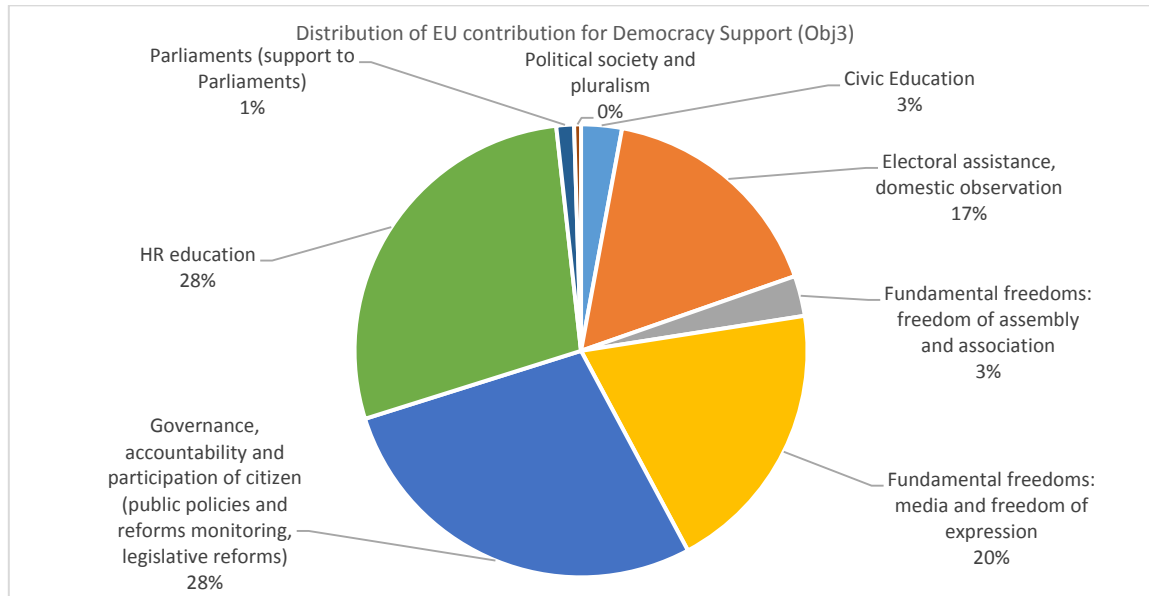
¹³⁶ Figures based on decision year

¹³⁷ Figures for 2016 are based on the list of signed contracts up until 13 January 2017

¹³⁸ Include 0,8 M€ allocation for the Action Cartooning for Peace

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

Graph 3: 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 2016-2017¹⁴⁰. 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 Support¹⁴¹. 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

¹⁴⁰ 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).

¹⁴¹ 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).

(2015), civic engagement in elections in Peru (2016) and conflict prevention and dialogue in Sri Lanka (2015)¹⁴².

5.3.2 Human rights vs. democracy

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 EIDHR¹⁴³. 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 level¹⁴⁴. As a result, support to democracy is often included under geographic programmes and the Civil Society Organisation and Local Authorities programme (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 democracy¹⁴⁵. 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.

5.4 SO 4 – Election observation missions

There has been an increase in support to EOMs under the current EIDHR. As an indicator of the level of commitment by the EU to achieving the specific objective in SO 4 and the overall objective in Art 1 (a) of the EIDHR (improving the reliability of electoral processes), the evaluators considered the degree to which support to electoral observation has increased or decreased under the current MIP compared to the former period. There has been an increase in both the level of expenditure and the number of election observation actions under the current MIP (2014-17), partly because the total budget for electoral observation under the new EIDHR has increased to 25% of the total budget. Fifty-six 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 added¹⁴⁶.

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 as well as to contribute to the overall objective in Art 1 (a) of the EIDHR related to EOMs (improving the reliability of electoral processes). As pointed out by EEAS and the EU Service for Foreign Policy Instruments (FPI), it is impossible to link the success, failure or quality of an election process to any single factor – the political, social, economic, cultural and security situations, history, and other factors outside of the

¹⁴² Stakeholder consultation with senior DEVCO staff.

¹⁴³ Analysis of AAPs, EIDHR project list, CRIS data, stakeholder interviews and country studies. Similar concerns were raised during the OPC, although the majority of respondents were organisations that, understandably, argued either for an increase or decrease in the focus on democracy / human rights depending on their area of focus.

¹⁴⁴ 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.

¹⁴⁵ Pakistan is a good example – as explained during consultations with the EUD.

¹⁴⁶ All data provided by EEAS.

EU's control, all play a part. As a result, it is impossible to say whether an EOM alone has helped to influence the quality of an election even though most stakeholders consulted pointed to the fact that the presence of observers on the ground certainly helps to reduce the possibility of violence or tampering with results (amongst other things) and there is general consensus that election observation can be an effective contributor to the reliability of elections¹⁴⁷. Indeed, the recently completed Evaluation of EU Election Observation Activities (July 2016 – January 2017)¹⁴⁸ concludes that 'EU election observation activities are judged to be effective in all eight evaluation question areas identified as relevant to effectiveness'¹⁴⁹ and that clear signs of impact were found during the evaluation¹⁵⁰.

Other indications of effectiveness can be found in the 2015 EU Annual Report on Human Rights and Democracy¹⁵¹, which states 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 that has set the gold standard for election observation. Indeed, no other institution has carried out as many EOMs, and the EU has systematically professionalised its missions over the past two decades.¹⁵² Follow-up of observation missions and their recommendations has also increased (as evident by *inter alia* the number and choice of EFM). Various stakeholders consulted, including during the OPC, suggested that more needs to be done under the EIDHR to follow up EOM recommendations. Although it is not possible to determine the degree to which recommendations are followed up in all countries, the three countries that were considered during the validation phase of the current evaluation where at least one EOM had been deployed showed that recommendations are used in political and other dialogues, although the results are mixed:

- In Pakistan (EOM 2013; EFM 2016), although the EFM report notes that very few of the recommendations from the 2013 EOM have been implemented as yet¹⁵³, 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 adopted, would mean that almost all, if not all, recommendations from the EOM and EFM being implemented¹⁵⁴. 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 is expected to begin implementation during 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

¹⁴⁷ Stakeholder consultations (including with Member states and in sample countries).

¹⁴⁸ Roberts, H et al, December 2016.

¹⁴⁹ Page 51. The evaluation question areas were: 1. How accurate and impartial are EU assessments?; 2. How well do EU election observation activities formulate recommendations for improving electoral processes?; 3. How much do EU election observation activities contribute to deterrence /reduction in irregularities and fraud and promote professionalism?; 4. How much do EU election observation activities promote stakeholder confidence? 5. How much do EU election observation activities contribute to mitigation of election-related conflict?; 6. How many EU recommendations have been considered, and how many have been implemented, and have consequently contributed to electoral reform?; 7. How much do EU election observation activities contribute to civil society's active role, including through citizen observation?; 8. How much do EU election observation activities promote the EU being seen as an effective actor in democratic support?

¹⁵⁰ *Op. cit.*

¹⁵¹ Page 35

¹⁵² In 2015, the Council of Europe carried out an evaluation of support to elections - Evaluation of the Council of Europe Support to Elections, Final Report, February 2015, Council of Europe, Directorate of Internal Oversight. Although the report does not focus on EU election observation per se, it does not 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. Although the report notes that it is difficult to measure the specific impact of any election observation, it does say that impact is both direct and indirect, because election observation reports are powerful tools in the hands of champions of change such as civil society'.

¹⁵³ According to the report, of the 50 recommendations made none have been totally implemented, 2 were mostly implemented, 13 minimally, and 35 were not implemented at all. Out of 24 recommendations requiring legislative changes either in the Constitution (7 cases) or primary legislation (17 cases), none have been implemented to date. Out of 15 recommendations for which the Election Commission of Pakistan (ECP) has responsibility for implementation, 10 were minimally implemented and 5 were not implemented at all. (EU Electoral Follow-Up Mission, Final Report, 2016, pages 2 and 8).

¹⁵⁴ Stakeholder consultations with senior EUD staff.

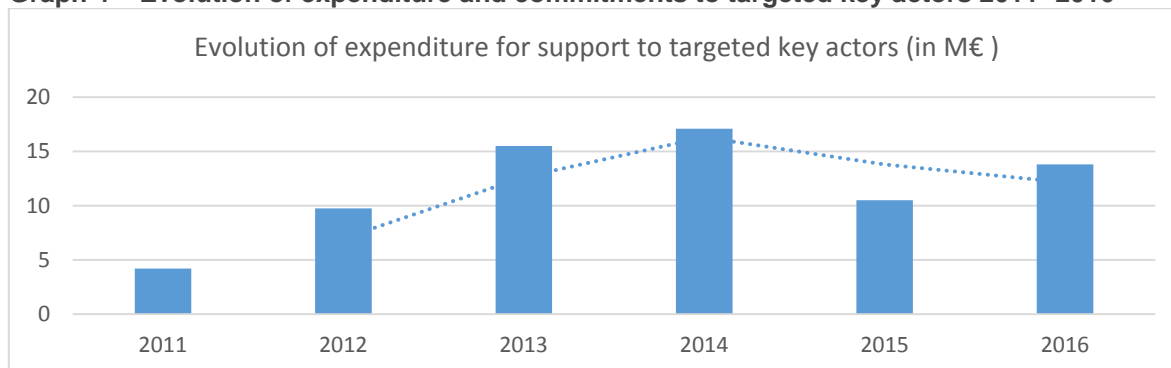
Peru not being part of the pilot exercise of the EU Agenda for Action on Democracy Support (and thus not a focal country under the new Supporting democracy – A citizens’ organisations’, including domestic observer groups’, Programme under the 2014 AAP) – the Delegation are unsure of how to address all 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 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.

5.5 SO 5 – Support to targeted key actors and processes, including international and regional human rights instruments and mechanisms

Support to targeted key actors and processes has increased under the current EIDHR. International and regional human rights mechanisms are critical role players for the protection and promotion of human rights and democracy and, as mentioned under ‘Relevance’ above, their inclusion in the EIDHR increases its coherence and makes it more relevant, particularly given the increasing threats they face – not least the ICC. Commitments and support to these has increased significantly under the current EIDHR in recognition of the critical role they play in human rights and democracy: from 15 actions with a total commitment of EUR 29.45M¹⁵⁵ under the 2011-13 MIP to 19 with a total amount of EUR 55M allocated under the current MIP¹⁵⁶. The evolution of expenditure over the period 2011-16 is illustrated in the graphic below.

Graph 4 – Evolution of expenditure and commitments to targeted key actors 2011- 2016



5.5.1 Consultation with stakeholders and beneficiaries

Stakeholders and beneficiaries were consulted during the process to develop the current Regulation and are regularly consulted during programming and implementation. The ability of the EIDHR to respond to evolving and emerging human rights and democracy challenges is an indication of the degree to which responsible staff at HQ and EUD levels track and analyse the global and relevant country contexts on a regular basis, but is also evidence of extensive

¹⁵⁵ Including support to the Pacific Island Forum Secretariat; a contribution to UNOPS to support the Extraordinary Chambers of the Courts of Cambodia; the European Inter-University Centre for Human Rights and Democratisation (EIUC); the UN Office of High Commissioner for Human Rights (UNOHCHR); and the International Criminal Court (ICC).

¹⁵⁶ In addition to ongoing support to the ICC, EIUC and UNOHCHR, actions include 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).

consultations with both stakeholders and beneficiaries. Internally, there are high levels of regular consultation between DEVCO, EEAS, DG Neighbourhood and Enlargement Negotiations (DG NEAR), the European Commission's Humanitarian Aid and Civil Protection Department (ECHO) and FPI (amongst others) in both formal and informal settings and meetings¹⁵⁷. A quality support group (QSG) is in place to discuss the MIP, AAPs and MAAPs that is chaired by DEVCO B Director and has members from other DEVCO units as well as from DG NEAR, ECHO, EEAS, and FPI. Member States consulted confirmed that consultation takes place with them, primarily during annual EIDHR Committee meetings¹⁵⁸, while information is regularly shared with them through Council working groups such as the Council Working Group on Human Rights (COHOM) or the Working Party on Development Cooperation. When it comes to election observation, there is a well-established consultation process to define the priority countries for electoral observation¹⁵⁹.

In line with best practices to promote aid effectiveness, there is significant consultation with and participation of beneficiaries (including CSOs) in the design and implementation of EIDHR financed interventions at strategic and implementation level. Consultation with civil society is a legal requirement, specifically dealt with in Article 3 (4) of the EIDHR Regulation, which states: 'The Union shall seek regular exchanges of information with, and consult, civil society at all levels, including in third countries'. With this in mind, DEVCO and the EEAS held numerous consultations with civil society in the process of developing the MIP and AAPs¹⁶⁰. DEVCO also holds 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 AAPs¹⁶¹ as well as into the design of local and global calls for proposals¹⁶².

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 account¹⁶³. When it comes to beneficiary participation during implementation, the MIP states that 'the implementation of EIDHR activities in countries is based on

¹⁵⁷ Stakeholder consultations with senior DEVCO staff members.

¹⁵⁸ Stakeholder consultation with Member States and comments to the Desk Report. The level of consultation was generally acknowledged during the OPC although one or two public authorities (including Member States) would like to see more consultation. Although some Member State representatives 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 had been completely accepted. More importantly, and as pointed out by DEVCO, the entire process followed is in line with the comitology procedure.

¹⁵⁹ As a first step, the various geographic managing directorates of the EEAS are asked to indicate their preferences. 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 (PSC) where all member states are represented at ambassador level, and to the European Parliament/Democracy and Elections Group (EP/DEG). After this consultation, the HRVP takes the final decision and informs the PSC and EP. Normally, there is one annual priority setting and a mid-year review that follow the same process. The process 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 neighbourhood. 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.

¹⁶⁰ Stakeholder consultation with senior DEVCO staff.

¹⁶¹ Stakeholder consultation with senior DEVCO staff.

¹⁶² 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).

¹⁶³ Stakeholder interview with senior DEVCO staff. This was generally supported during the OPC although one or two organisations would like to see more consultation.

the relevant policy analysis and thematic priority setting provided in the EU human rights country strategies¹⁶⁴. Support is also included under SO 5 to solicit the views of CSOs prior to human rights dialogues in third countries¹⁶⁵. The MIP envisages a mid-term review (the current process) during which beneficiaries have been consulted and which in turn provides beneficiaries an opportunity to participate in the further implementation of the EIDHR. With regard to EOMs in particular, the MIP requires findings to be presented and discussed with partner countries' institutions and with civil society¹⁶⁶. In this regard, discussions take place with the countries being considered for electoral observation, and decisions to include specific countries on the priority list is fed by the EEAS geographical department and EU Delegation who are in contact with CSOs on the desirability of the EU to observe a given election.

A concern was noted regarding consultation processes between HQ and EUDs when it comes to the simplification introduced into the procedures and practical guidelines document (PRAG) under which concept notes to be assessed are screened by external assessors¹⁶⁷ under the control of an evaluation committee at HQ level (although full proposals are still evaluated by both external assessors and relevant Delegations)¹⁶⁸. 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 sensitive proposals being accepted. This concern appears ill-founded though since Delegations participate in the evaluation of full proposals, representatives of each geographical directorate of DEVCO and NEAR are invited to the evaluation committees to consider sensitive proposals and ensure complementarity with geographic programmes, while a selection list is also sent to the Head of each concerned Delegation at the end of the evaluation of concept notes for their input and approval¹⁶⁹.

5.5.2 The effect of graduation and differentiation on implementation of the EIDHR

The EIDHR is one of the few instruments available to EUDs to maintain support to civil society in middle income or upper middle income countries that have graduated¹⁷⁰. 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 review¹⁷¹. The mere fact that a country has 'graduated' to a higher economic status does not mean that human rights and democracy have automatically improved and some of the most developed countries in the world have recently experienced democracy challenges in the face of rising levels of populism, nationalism and fear of migration. 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 of promotion and protection of human rights and democracy, as well as in those countries where human rights, democracy, governance or rule of law are not included as focal sectors or where no bilateral programmes exist. The contribution that the EIDHR can make in this regard is limited by the available budget but can nonetheless be used to provide support to key human rights and democracy issues, that coupled with an increased level of political dialogue and diplomacy, can help to address the 'gap'.

¹⁶⁴ Page 6.

¹⁶⁵ Page 21

¹⁶⁶ Page 19

¹⁶⁷ See Section 6.5.7.2 of PRAG that allows external assessors to be used for both screening of concept notes and full applications by external assessors 'if necessary'.

¹⁶⁸ Comments on the Thematic Budget Lines Management Reports by Directorates D, E, G and H (2015) page 4

¹⁶⁹ Ibid.

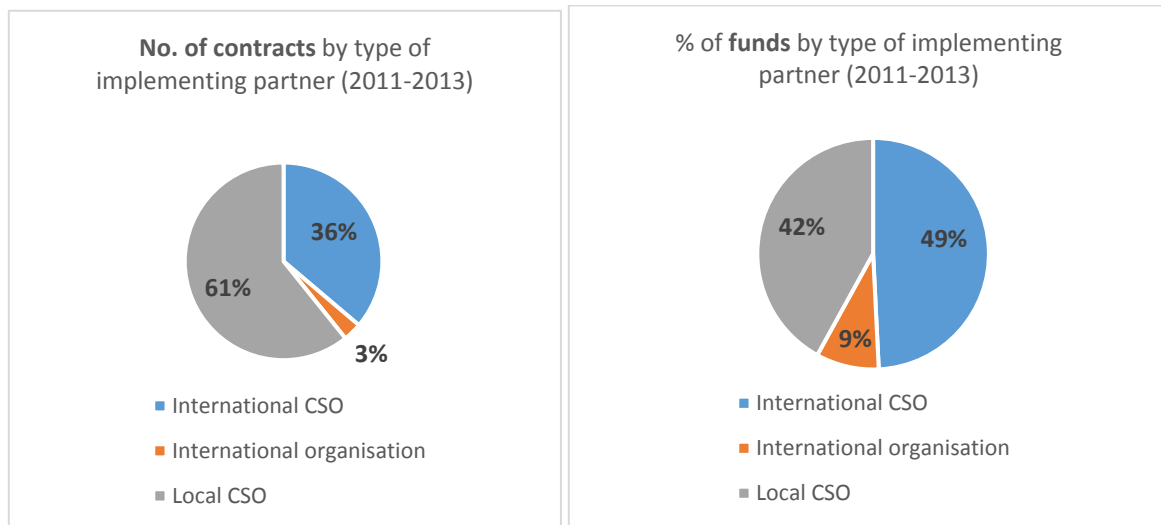
¹⁷⁰ Graduation' refers to the process in Article 5 of the DCI under which have achieved upper income levels according to the OECD/DAC list are no longer eligible for assistance under geographic programmes. Countries that are signatories to the Cotonou Agreement (ACP countries) are 'differentiated' though – while they may have become middle-income countries, a political decision was taken not to end bilateral EU support to countries with which the EU has a long established cooperation.

¹⁷¹ Data provided in the action documents on CBSS attached to the AAPs.

5.5.3 Global vs Local

There appears to be more support provided to large, international NGOs and organisations than local CSOs, but the data is skewed by the size of some contracts to international organisations and changes to the rules have ensured that support to local CSOs is included in many grants to larger, international NGOs. A question often raised by beneficiaries and others¹⁷² is the balance between support provided to (and implemented by) international organisations and large international and European-based CSOs compared to the level of support provided to local CSOs and HRDs. According to the data, and as illustrated in the graph below, support to international and European-based CSOs and international organisations under the previous MIP amounted to 39% of the actions (compared to 61% of actions implemented by local CSOs) and 58% of the funds provided under the EIDHR compared to 42% of the funds going to local CSOs.

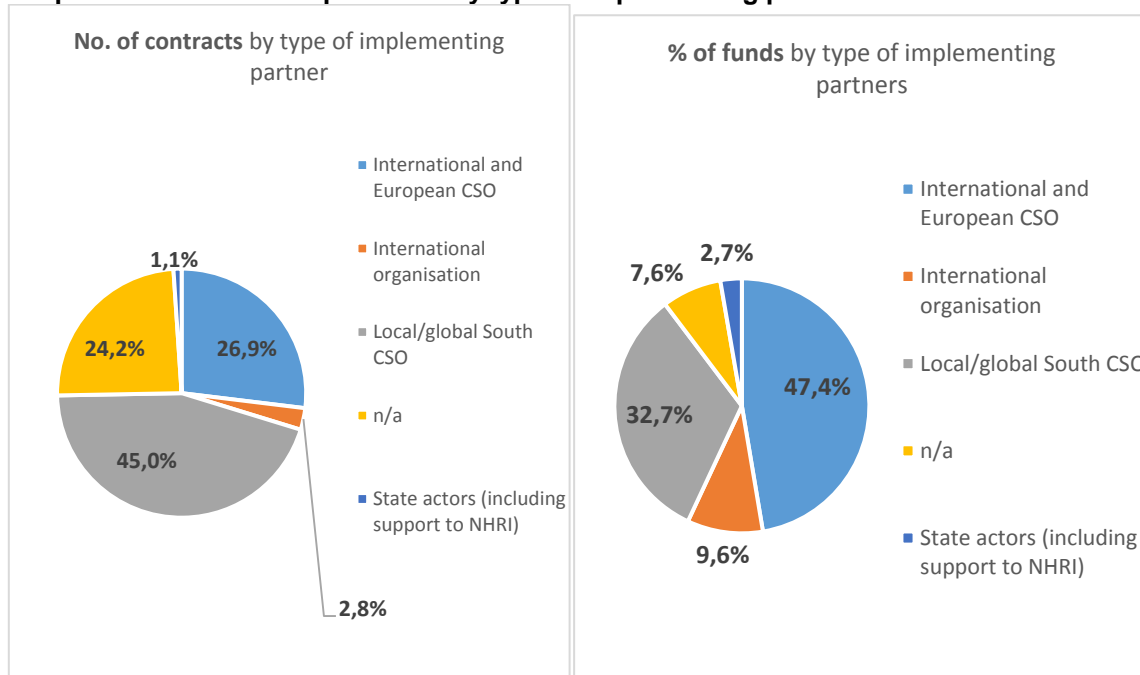
Graph 5 - Actions and expenditure by type of implementing partner 2011-2013



As illustrated by Graph 6, the percentage of funds going to international and European-based CSOs has remained relatively constant (47% under the current MIP compared to 49% in the period 2011-13 while the number of contracts has decreased to 27% from 36%). A large number of contracts have been awarded under the current EIDHR to private companies and individuals for services, which would account for the drop in the number of contracts awarded to local CSOs (from 61% under the previous MIP compared to 45% under the current EIDHR) and the decline in the percentage of funds allocated to these (from 42% to 33% under the current EIDHR).

¹⁷² For example, in the European Court of Auditors Special Report on EU support for the fight against torture and the abolition of the death penalty (2015).

Graph 6 - Actions and expenditure by type of implementing partner 2014-2016



Financial support to international and European-based CSOs and international organisations still outstrips that provided to local CSOs (as it did under the previous EIDHR), but that is understandable given that the size of grants to international organisations is generally high, and international and European-based CSOs and international organisations have far greater absorption capacity than smaller, local CSOs. A significant grant (EUR 15M) to Protect.Defenders.eu is also included under support to international CSOs, even though the beneficiaries of the support provided are locally-based CSOs. In addition, most recent contracts awarded to international CSOs under both the CBSS and Global Calls very often require these to work in partnership with and/or sub-grant to local CSOs¹⁷³. As a result, and recognising that local and international CSOs will always have concerns about how much of the support goes to the other, the support to local compared to global organisations is generally well-balanced¹⁷⁴.

Noting that Delegations are best placed to determine the human rights and democracy challenges in their own countries and that any support they provide under the CBSS must be in line with their own Human Rights Country Strategies – and that their options are therefore limited to some degree - HQ have very little control over what support Delegations choose to provide under the CBSS other than by setting priorities in the CBSS Action Documents and *ex-post* overview. This in turn makes it difficult for HQ to ensure that Delegations are maximising the options available to them under the CIR (as detailed further in the section on efficiency below) and providing support to more sensitive issues, HRDs at risk, and CSOs that are most directly affected as a result of the shrinking space for civil society. Even though support to these should be prioritised and can be provided without the

¹⁷³ A concern was 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. However, it is also noted 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 better in future.

¹⁷⁴ Similar concerns – that the bulk of funding for CSOs goes to larger organisations rather than to 'grassroots' organisations – were raised during the OPC. Although the requirement that international NGOs work with local partners and the possibility of sub-granting were recognised as ways of ensuring that funds do reach national CSOs, concerns were raised by membership-based organisations that this leads to competition amongst international NGOs to find reliable partners and competition amongst members to be included in proposals and during implementation. One suggestion in this regard was to restrict global calls to multi-country projects to be addressed by international organisations, leaving 'national' projects to be addressed under the CBSS (by national CSOs). However, since this was the view of only one respondent, no recommendation is made in this regard.

consent of government, and even confidentially if circumstances require, some Delegations are no doubt mindful of the effect that such support might have on other projects and programmes if and when government become aware of it¹⁷⁵. Not all countries face the same problems and challenges either, which makes it difficult for HQ to reduce the number of objectives under the CBSS in each cycle or to be too prescriptive when it comes to which issues and beneficiaries to support. Nonetheless, and mindful of the sensitivities and complexities involved, the priorities set in the current CBSS Action Document are quite broad¹⁷⁶ and some consideration should be given to optimising the CBSS by giving HQ a more strategic role to ensure that critical, sensitive issues and the shrinking space for civil society in third countries are addressed.

5.5.4 On impact and sustainability

Although it is too soon to measure impact and sustainability, some evidence of both was found. The evaluation question on ‘effectiveness’ included ‘impact and sustainability’ in its title even though the evaluation is at the level of outcomes rather than impacts (as described in the introduction to the report). The evaluation is also at instrument-level rather than a project-level evaluation and many actions under the EIDHR have only recently begun or are yet to begin, making an assessment of impact and sustainability premature at this stage. Nonetheless, an important question has been asked as to whether or not the EIDHR is actually making any real difference given the overall size of the budget (which, at EUR 1,332.75M, is the fourth lowest of all of the EFIs¹⁷⁷) and the more than 110 countries it covers. The question is valid, but there are signs of impact in many areas – especially when it comes to protecting and saving lives of HRDs or ensuring that funds are available to fight for democracy and human rights even when to do so is against the will of the government. The impact of support to HRDs at risk and to CSOs under the Crisis Facility is also hard to measure given that the majority of grants and projects in these areas are confidential, but examples of impact were found¹⁷⁸. Importantly, the EIDHR is about values rather than seeking an immediate return on investment and much of the support provided requires significant time before long term impact and change can be expected. In many cases, particularly when it comes to HRDs and those CSOs most affected by the shrinking space for civil society, providing support not only saves lives but also shows solidarity with and provides encouragement to HRDs and CSOs to continue the fight for human rights and democracy (which in turn provides a level of sustainability) rather than on ensuring immediate impact. Impact and sustainability of support to the EIUC, NHRIs, and UN Agencies is also virtually impossible to measure, but it can be assumed that at least some of EIUC alumni will make profound differences in the future and that NHRIs will also be better equipped to create positive impact at home.

The impact of support to electoral processes can also never be fully understood when it is impossible to determine what might have happened if the relevant EOM had not taken place. And it has to be remembered that the EIDHR was never intended to solve all of the human rights and democracy challenges in the world on its own but is instead, by definition, also intended to complement the support provided under other EFIs as well as diplomatic and political action, all of which have human rights and democracy at the core to some extent. When it comes to sustainability, CSOs, UN Agencies and others are by their very nature unsustainable without

¹⁷⁵ An example cited by EU staff at HQ level during consultations around previous versions of this report (where a Delegation faced hostility from government for providing support to an NGO focused on the rights of LGBTI persons) serves to illustrate the point.

¹⁷⁶ For example, the current CBSS Action Document prioritises various issues but also includes the possibility of support to ‘other priorities’ if these are ‘more pertinent to the local situation’.

¹⁷⁷ Only the Partnership Instrument, INCS and Greenland Decision have lower budgets. The size of the EIDHR should also be contextualised against the size of the budget for the DCI (EUR 19,661.64M); EDF (EUR 30,506M); ENI (EUR 15,432.6M); and IPA (EUR 11,698.67M) – see Table 2 above.

¹⁷⁸ By way of example, a grant to a Pakistan CSO working on reducing the incidence of acid violence has contributed to a reduction of the incidence of such attacks by 40% in two years. A project aimed at eradicating the death penalty funded under the previous EIDHR (2007-13) also came to fruition during 2015 when Pennsylvania agreed to a moratorium on the death penalty – although funded under the previous EIDHR, it is accepted that impact in such actions takes time. (See the European Court of Auditors Special Report ‘EU support for the fight against torture and the abolition of the death penalty’, 2015, page 52). Also, the fact that the EIDHR is the only instrument supporting inter alia increased human rights in the extractive industries in Peru and the only real support being provided to independent CSOs in Russia must be having some impact, no matter how small.

continued donor assistance to some degree, and while some examples of sustainability of action were found, most cannot be reported on without violating confidentiality.

Some suggestions have been made by stakeholders as to how impact could be improved, the most common being that the EIDHR should only be used to fund human rights and democracy in countries where these are most at risk, and that far more funds should be dedicated to HRDs and CSOs working on issues that are sensitive in the country context or where governments lack the political will to support change and when the space for CSOs working in these areas is far more limited. Although there is merit in such arguments, the EIDHR has a worldwide mandate and a very broad scope and limiting its geographic coverage or scope would go against the very nature of the instrument itself. The Commission itself has shown a reluctance to limit the scope of the EIDHR and prefers a 'non-prescriptive approach that does not focus on impact and a specific list of countries'¹⁷⁹. Nonetheless, with a significant portion of the budget (20-25%) 'earmarked' for human rights and HRDs in situations where they are most at risk under SO 1, the EIDHR is the only instrument that has the tools to support HRDs and CSOs in such countries, especially where government is resistant to any support being provided to sensitive issues in the country context and can block such support being provided under geographic instruments or make it increasingly difficult for CSOs working on such issues to operate. Recognising that the absorption capacities of HRDs and CSOs working on these issues is itself limited by government repression and the shrinking space for civil society, consideration should be given to increasing the budget allocation to SO 1 and to finding ways to encourage Delegations to actively seek to support HRDs and CSOs working on sensitive issues under the CBSS rather than providing support to less sensitive issues where considerable support is already being provided by Member States and other DPs (unless support to softer issues is itself linked to open the door for support to the harder and more sensitive issues as is reported to be the case in at least some countries)¹⁸⁰.

6 Efficiency

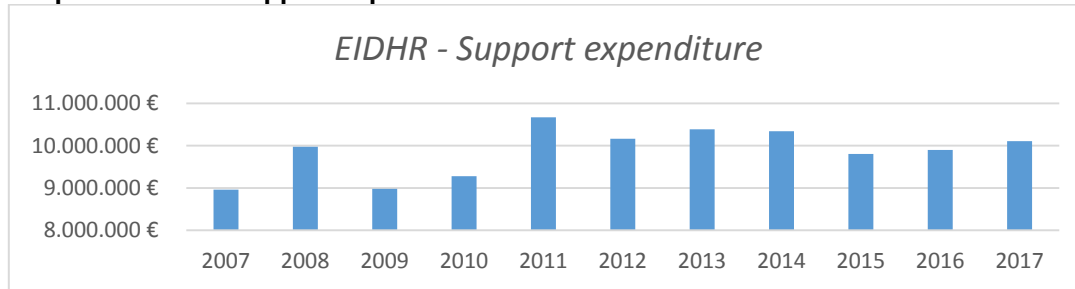
The EIDHR has generally evolved to become more efficient in terms of cost and time. As illustrated in Graph 7 below, support expenditure¹⁸¹ to implement the EIDHR has remained relatively constant over time – from a low of around EUR 8.9M in 2007 to a high of around EUR 10.7M in 2011.

¹⁷⁹ European Court of Auditors Special Report 'EU support for the fight against torture and the abolition of the death penalty', 2015, page 53.

¹⁸⁰ Stakeholder consultations with senior DEVCO staff.

¹⁸¹ 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).

Graph 7 – EIDHR Support expenditure 2007-17



When compared to the overall budget of the EIDHR, this amounts to an average of around 7.5%, (from a high of 7.6% in 2016 and 2017 and a low of 7.4% in 2007) with a only a slight escalation in the period covered by the 2007-13 Regulation compared to the current EIDHR¹⁸².

Overall, **the costs of implementation have remained consistently low**. When it comes to EOMs, systems and procedures in place allow for remarkable levels of flexibility in the circumstances. Some concerns were raised by stakeholders though around the cost of electoral observation missions¹⁸³ and the relatively high percentage of the budget allocated to these compared to other aspects of democracy support. Costs vary of course based on the size of the country, level of security required, number of observers, inflation, etc., but election observation is a flagship project not only for the EIDHR but for the EU as a whole – it is clearly the leader in this area - and the benefits to the EU and the countries involved cannot be underestimated.

The disbursement rate (time taken from commitment to payment) has also improved under the current MIP compared to the former period (2007-13). With input from DEVCO B's Finance, Contracts and Audit Unit (DEVCO B6), it was agreed that the evaluators would use the 'reste à liquider (RAL) absorption rate' as a proxy to estimate the disbursement rate¹⁸⁴. Based on an assessment of this, the average under the current EIDHR from January 2014 to end 2016 is 2.45 years compared to the average over the period covered by the previous EIDHR (2007-13) of 2.81 years¹⁸⁵. And as illustrated in Table 9 below, the average size of grants under the CBSS has increased in the current period. 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.

¹⁸² Using a different approach (the total allocation in the 2014-2017 MIP and assuming an equal spend in each of its four years), the 'Value for Money: EU Programme funding in the Field of Democracy and Rule of law Study' (2016) arrives at an administrative cost of 5.8% for the period 2014-16 (page 38). Although not necessarily accurate (as noted in the report at page 40), this figure too suggests a high level of efficiency.

¹⁸³ For example, the cost per observer in the three countries where EOMs had taken place in countries visited by the evaluators range from a low of EUR 30,725 in Mozambique (2009) to an estimated EUR 87,033 for Peru (2016). Of course, inflation contributes to escalation in costs and some of these cost increases are a result of missions being organised in difficult security situations or circumstances while 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.

¹⁸⁴ The measure the ratio between outstanding commitment 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 on average 2.81 years to pay the last invoices of on-going projects at end 2013.

¹⁸⁵ This rather short time frame to disburse is due to the "N+1 rule" which requires the EU to sign contracts at the latest by the end of the year following that of the commitment under which they are financed, but also reflects other measures allowing signing of contracts within year N (such as the pooling of allocations under the CBSS or the signing of targeted actions soon after their adoption). These findings were backed up in sample countries, where the only reports of delays received were those caused by the failure of beneficiaries to comply with the EU requirements for financial reports, and many of the beneficiaries consulted regarded the EIDHR as the most efficient instrument when it comes to flow of funds

Table 9: Average size of grant by type¹⁸⁶

	2011-2013	2014-2016 ¹⁸⁷
CBSS	0.2M	0.3M
Global	0.9M	1.7M ¹⁸⁸
Small Grants to HRDs ¹⁸⁹	7,800	7,800
Targeted	1.7M	2.7M
Crisis Facility	-	0.6M ¹⁹⁰

6.1 The impact of the Common Implementing Regulation (CIR)

The introduction of new rules under the CIR has helped to increase efficiency. With the introduction of the CIR, implementation matters that were included in the 2007-13 European Instrument for Democracy and Human Rights (EIDHR) are now covered by the CIR, which in turn has helped to make the EIDHR more flexible, efficient and responsive than other EFIs in situations of crisis and emergency. The fact that the CIR maintains the possibility of ‘special measures’ in Art. 2 certainly assisted in increasing the speed of delivery under the current EIDHR – the first AAP was in fact adopted as a Special Measure and was prepared while waiting for the Regulation itself to be adopted, thus allowing for support to be provided without a gap between the end of the earlier Regulation and the start of the new EIDHR. The CIR also allows for multi-annual action plans¹⁹¹, which was not possible under the 2007-13 Regulation. DEVCO has used this provision to develop the MAAP for 2016-17 to, *inter alia*, increase predictability¹⁹² and allow for Delegations to pool funds and combine CfPs for 2016 and 2017 under the CBSS¹⁹³. This helps to reduce the burden on Delegations¹⁹⁴. Under the previous EIDHR, the Commission was able to allocate small grants on an ad hoc basis to HRDs under ‘Ad Hoc Measures’ in Art 9 (1) of the 2007 Regulation. Although there are no rules relating to ‘ad hoc measures’ in the CIR, Article 6 (c) (i) of the CIR allows for low value grants to HRDs without the need for co-funding in the most difficult conditions and in ‘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’¹⁹⁵. The rules in this regard are of critical importance to the EIDHR and have allowed grants to be awarded in a matter of days to HRDs at risk of imprisonment, enforced disappearance and assassination to allow them to continue their work to advance human rights and democracy¹⁹⁶.

In addition, Article 11 (2) (e) of the CIR allows for grants to be provided to entities without legal personality and, in exceptional and duly justified cases, other bodies or actors not identified in Article 11 when this is necessary to achieve the objectives of the EIDHR¹⁹⁷. This unique feature of

¹⁸⁶ Based on decision year.

¹⁸⁷ Figures regarding CBSS; Global; and targeted only include actions up until 13 January 2017.

¹⁸⁸ 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

¹⁸⁹ 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.

¹⁹⁰ Again, based on the confidential nature of these grants, figures are based on data provided by DEVCO senior staff.

¹⁹¹ Art 2 (1) read with Art 6 (3) of the CIR.

¹⁹² For example, the Global Calls Action Document in the MAAP sets out the priorities for both 2016 and 2017 so organisations can plan in advance based on what to expect in 2017.

¹⁹³ 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.

¹⁹⁴ As confirmed by countries visited during the validation phase. It is noted though that some stakeholders raised concerns that this may reduce flexibility and responsiveness since decisions about what to fund in 2017 were made in 2015 when developing the MAAP and questions were raised as to how the EIDHR would respond to any emerging challenges and evolving issues that might arise in late 2016 or early 2017.

¹⁹⁵ As defined in Art 2 (4) of the EIDHR.

¹⁹⁶ In this regard, specific mention was made during stakeholder consultations with the case of Dr Mukwege (founder in 1999 of the Panzi Hospital to treat women victims of sexual violence in the eastern provinces of the Democratic Republic of Congo) whose life was saved by the EU, first through an ECHO intervention that evacuated him out of DRC after an assassination attempt in October 2012, and then through an EIDHR grant to cover his living expenses after his urgent relocation to Belgium. There is a clear synergy between ECHO humanitarian aid, the EIDHR small grant, the visa and asylum given by Belgium and the Sakharov Prize awarded to him in 2014. After having been supported by EU humanitarian funds, the Panzi hospital is now supported by EU grants under the DCI.

¹⁹⁷ Article 11 (2) (c) of the CIR.

the EIDHR allows support to be provided to individual HRDs and organisations despite restrictive legislation for the registration of NGOs in numerous countries and the introduction of legislation in some countries forbidding or limiting the amount of foreign funding CSOs may receive¹⁹⁸. Direct grants of up to EUR 1M may now be awarded for up to 18 months, which has allowed for the creation of the EIDHR Human Rights Crises Facility. And to address the fact that many smaller CSOs struggle to access funding under the CfP process and are not able to compete for and absorb large grants, sub-granting¹⁹⁹ was introduced under Financial Regulation 966/2012. Art 4 (11) and is reinforced by Art 4 of the CIR²⁰⁰. As a result, sub-grants of up to EUR 60,000 are now permitted²⁰¹, which has allowed larger national and international CSOs to secure grants and then sub-grant 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 society.

All of these changes have helped ensure that the EIDHR has become more efficient, especially when it comes to providing urgent assistance to HRDs and in emergencies or crisis situations when launching a CfP would not be suitable. However, few Delegations appear to make use of all of the rules available, especially the possibility of funding unregistered organisations under the CBSS. The reasons for this advanced by stakeholders at HQ and country level include concerns about the ability of unregistered organisations to properly manage large grants, reluctance on the part of Finance and Contracts staff to deviate from the more standard approach they are more familiar with, and concerns that, while support under the EIDHR does not require government approval, Delegations nonetheless are responsible for large programmes and projects that do require approval and cooperation with government and supporting organisations and individuals that government refuses to register can cause problems when it comes to implementation of other programmes. All of these concerns are valid and there is always the possibility that support is in fact being provided to such individuals and organisations confidentially. But there is also the possibility that Delegation staff may simply not know that such rules exist. 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 itself²⁰². While annual training is provided to EIDHR Focal Points at Delegations, including on the unique features of the EIDHR read with the CIR, the relatively high turnover of staff means that some Focal Points might be in their positions for close to a year before they are trained, while it is not clear whether or not training to Finance and Contract staff necessarily includes training on these features²⁰³.

¹⁹⁸ 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 PAGO DA. When they work with local partners, it is usually via INGOs.

¹⁹⁹ 'Financial support to third parties'

²⁰⁰ The relevant rule of Regulation 966/2012 is found in Art 137 (1) which states that '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'. Article 4 of the CIR reinforces this by stating that saying that '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'.

²⁰¹ Except where financial support is the primary aim of the action, in which case no limits apply.

²⁰² For example, neither the CIR nor the EIDHR state explicitly that funding is permitted to for profit organisations in specific circumstances. Instead, this is couched in the vague language of Article 11 (2) (3) that allows support in 'exceptional circumstances, (to) other bodies or actors not identified in (Art. 11) when it is necessary to achieve the objectives of the EIDHR'.

²⁰³ Stakeholder consultation, 2 December 2016. A number of respondents in the OPC also noted the lack of consistency across Delegations when it comes to how the rules are applied, with some specifically calling for additional training to be provided to ensure that non-registered organisations and individuals are included under the CBSS or for a simplification of the language in the CIR to make it easier for EUD staff to understand.

It was also noted from responses received during the OPC that not all beneficiaries appear to understand all of the rules and requirements in the CIR, Financial Regulation and PRAG, particularly when it comes to sub-granting. Efficiency could be increased by providing improved information and/or training to potential beneficiaries on all of the applicable rules and requirements in the CIR, Financial Regulation and PRAG.

6.2 The Call for Proposals (CfP) process

At the same time, **questions have been raised around the CfP process followed by both the CBSS and the Global Calls** given the large number of applications received, the two-stage process that leads to considerable time between advertisement and first release of funds, the complexity of the process that often leads to the exclusion of smaller CSOs, the very few contracts that are eventually awarded compared to the large number of applications received, and the burden created on Delegations given the ever diminishing levels of staff²⁰⁴. DEVCO has taken various steps in this regard including by offering a service to Delegations to help them conduct the assessment of concept notes and full proposals while some Delegations have also introduced their own innovations (fostered by HQ) such as combining CfPs under the EIDHR and CSO-LA into one call, making use of the two-year planning process introduced by the MAAP to only have one CfPs covering both 2015 and 2016 or 2016 and 2017, providing training and information to potential beneficiaries, and in some cases by hiring external consultants to train CSOs on how to comply with the process and to assist in the process of screening concept notes²⁰⁵. All of these innovations help to increase the quality of proposals and reduce the burden on Delegations, but the fact remains that the CfP process is slow, time-consuming and labour intensive and some consideration needs to be given to a scoping of grant-making methods used by Member States and other DPs to determine whether there are less onerous systems in use that ensure high quality applications are received and selected and that are sufficiently rigorous to safeguard public funds while at the same time reducing the burden on staff and speeding up the process from advertisement to disbursement of funds.

6.3 Monitoring and evaluation

Although monitoring and evaluation takes place at both HQ and EUD levels, there is a need to finalise indicators at instrument level. There were no indicators at instrument level during the consultation phases of the current evaluation (although these have subsequently been finalised), while those included in the MIP are poorly designed and not widely used²⁰⁶. Indicators to measure results were of very uneven quality and there is considerable evidence that they are not used systematically to monitor achievements of results. Results against most of the indicators set at instrument level are also not systematically collected in any one place. This of course makes monitoring and evaluation of results and impact difficult (including during the current evaluation), but despite the lack of clear indicators, all EIDHR projects are monitored by their task managers on a regular basis. Upon closure of projects, all projects have to report results against the overall DEVCO results framework. Additionally, EUDs commission evaluations of CBSS portfolios covering specific periods of time. EIDHR interventions are also part of the Results Oriented Monitoring (ROM) system as well as the EU Results Framework monitoring system for all EU development projects. However, the ROM system is only compulsory for projects above EUR 750,000 which means that most global call projects and agreements with institutions such as the EIUC are

²⁰⁴ These issues were raised by virtually all beneficiaries consulted, including at Brussels and country levels. Although Delegations visited mentioned that they receive large numbers of applications, most reported that they manage to cope given innovations introduced at HQ and Delegation level, but comments in Thematic Budget Line reports made by each DEVCO Geographic Directorate for the attention of the thematic Directorates (including DEVCO B) - where the most common complaint received about the EIDHR was the amount of time taken to process and manage grants - should be borne in mind. The basic process required and the timeframes in PRAG mean that it takes around nine months from launch of a CfP to final selection, whereafter an additional few months are required for contract preparation and signature before funds are released. By way of example, the 2015 call under the CBSS was published at the end of August 2015 and the selection process was concluded in May 2016. Delegations were asked to contract in June 2016, but over 100 contracts were only signed in December 2016. To illustrate how many proposals are received compared to how many contracts are awarded at the end, DEVCO senior staff confirmed that more than 2,000 concept notes under the 2015 Global Call, with only 35 contracts awarded at the end of the process.

²⁰⁵ Stakeholder consultations with senior DEVCO staff.

²⁰⁶ Stakeholder consultations at Brussels and Delegation levels.

included. The annual core contribution to OHCHR is exempt from ROM (since it does not have a results focus) but targeted actions with OHCHR are also part of the process. On the other hand, CBSS projects almost always fall below the threshold and there is no obligation for Delegations to use the ROM system to monitor them. Nonetheless, some EUDs use ROM to monitor projects and beneficiaries confirmed that they value ROM not only for accountability purposes but also as a capacity development tool to improve their logical framework development and other project management tools²⁰⁷. There is also evidence that ROM is a valuable tool for EUDs where the number of CBSS projects in the portfolio is so large that staff resources are insufficient to ensure consistent monitoring of all projects. But where EUDs do not use ROM for EIDHR projects, a large number of projects remain outside of external monitoring. This clearly represents an area with the potential for improvement and consideration should be given to include at least a bigger part of EIDHR projects into the compulsory ROM system despite the current financial threshold.

7 Added value

Summary EQ 4

The EU is the only DP to combine support to human rights and democracy comprehensively in its policies and priorities, and is by far the biggest DP when it comes to support to human rights in particular. Although the financial envelope is comparatively small when compared to that available to Member States in particular countries, the EIDHR has a worldwide focus (unlike Member States) and a more holistic approach to democracy and human rights (when compared to most UN Agencies) and is thus able to fill gaps, add value, and complement support provided by Member States and other major DPs.

Since all EU actions and those of Member States are based on the same universal principles and values, and 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 closely aligned with those in the EIDHR²⁰⁸. No Member States conduct election observation, none have as broad a geographical focus as the EIDHR, and few if any focus on the fight against 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 enormous geographic coverage, most (other than UNDP and the OHCHR) focus on specific themes. With its focus on the rights of women, refugees, asylum seekers and internally displaced persons, 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 OHCHR 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.

Although the envelope of support under the EIDHR is often lower than what Member States and other DPs provide in some countries, Member States focus on a much smaller number of countries than the more than 110 covered by the EIDHR and the total level of support provided to human rights and democracy globally by Member States and other DPs is generally lower than the total support provided under the EIDHR. The EIDHR is thus complementary to their support. Although the focus of the current evaluation is at the instrument level rather than on programming or implementation, it is worth noting that the EU is by far the largest DP supporting human rights in particular as evidenced by data available on the OECD DAC website²⁰⁹ (and as illustrated in Table 10 below), contributing a quarter of the support provided by the top 10 DPs supporting human rights worldwide. Of course the statistics on this website include all support to human rights and not just

²⁰⁷ Stakeholder consultations at Brussels and Delegation levels.

²⁰⁸ 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.

²⁰⁹ <http://stats.oecd.org/qwids/>

that provided under the EIDHR, but it does provide some insight as to the level of EU commitment compared to both Member States and other DPs.

Table 10 - Human rights commitments of major DPs 2010-15 (USD Million)²¹⁰

	2010	2011	2012	2013	2014	2015	Average	%
EU	206	223	331	181	241	212	232	25
Sweden	181	161	174	157	238	131	174	19
Norway	93	92	123	176	124	91	117	13
USA	90	87	91	88	100	107	94	10
Denmark	65	106	38	127	88	100	87	9
Germany	52	47	58	77	78	61	62	7
Netherlands	36	56	57	45	53	28	46	5
Switzerland	22	17	35	42	56	61	39	4
Canada	22	43	27	34	47	52	38	4
Spain	77	36	28	13	23	11	31	3

Member States and other major DPs consulted during country visits generally confirmed the EIDHR is complementary to their support and, in addition to support to election observation where the EU remains the main DP, good examples of complementarity and the ability of the EIDHR to fill gaps were found. Recognising that the six countries covered by the evaluators can in no way constitute a representative sample, the following is noted if only to illustrate the point²¹¹:

- A good example of the ability of the EIDHR to fill gaps was noted in Pakistan, with EU support under the EIDHR being the only support to acid violence in the country (and where a reported drop of around 40% in acid violence attacks has been recorded since 2014).
- Evidence of the EIDHR filling gaps in support by Member States and other DPs was found in Israel where grants under the EIDHR have (amongst others) been used to fund Bedouin rights, women's rights within marginalised communities (Bedouin and Israeli Arab communities), migrants and refugees and other issues that no other DPs supports.
- In Peru, support under the EIDHR complements support provided by other DPs but increasingly fills gaps now that Peru is regarded as a middle income country. In particular, the EU is the only DP, and the EIDHR the only instrument, financing democracy. The EIDHR has also been used to fund issues that no other Member State or DP support including strategic litigation in favour of HRDs, to address conflicts in the extractive industries sector, and to support the rights of LGBTI persons.
- In Russia, where most donors have stopped providing funds, the EIDHR does not so much complement the work of others but provides some of the only support to CSOs in an environment where considerable gaps exist.

While it is harder to see the role of the EIDHR in countries where DPs eschew providing funds to government in favour of support to CSOs (such as Pakistan and Uganda), the assumption that support under the EIDHR complements the work of Member States and other DPs nonetheless generally holds true²¹².

²¹⁰ <http://stats.oecd.org/qwids/> using 'commitments' to all DAC countries and the DAC Code 15160 (human rights).

²¹¹ All text that follows is based on stakeholder consultations in partner countries, including an overview of the support provided conducted during country visits.

²¹² This finding is supported to some extent by the results of the questionnaire-based survey sent to all Delegations as part of the evaluation process. 85% of respondents reported that the EIDHR adds value to the EU's external action when compared to interventions by EU Member States or other DPs. The two most commonly mentioned components of support under the EIDHR in this regard were 'particular expertise provided' (specific skills, experience or type of activity provided that other actors do not to provide) (58%); and 'Political influence/leverage vis-à-vis other donors or with the partner country' (54%). It must be noted though that while the overall percentage is high, it should be seen in the context of other responses received, where the EIDHR ranks second to last compared to other instruments included in the survey.

8 Coherence, consistency, complementarity and synergies

Summary EQ 5

The EIDHR has a multitude of unique features that clearly enable it to complement support provided under other EFIs, while information from CSOs and other stakeholders, and EOMs, provide key data and recommendations for HQ and Delegation levels to use in political dialogue and diplomacy in third countries, and the assumption that support under the EIDHR will complement the support provided under other EFIs thus holds true.

There is a high level of complementarity with other EFIs. The EIDHR was clearly intended, by design, to complement support provided under other EFIs - as appears from the preamble to the Regulation itself²¹³. The following unique or unusual features are particularly relevant in this regard:

- 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 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 generally better able to respond and provide support in crisis and emergency situations than other EFIs (with the exception of support under Article 3 of the IcSP²¹⁴). In addition to the possibility to award direct contracts in recognised crisis situations applicable to all EFIs²¹⁵, 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 proposals²¹⁶. The CIR also allows for small grants to be provided to HRDs without the need for co-funding or complicated procedures²¹⁷, 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.
- The EIDHR is available 'worldwide'. Although other thematic instruments such as the IcSP and the GPGC programme of the DCI share this feature, the IcSP is largely only available in crisis situations²¹⁸ while the GPGC mainly targets developing countries²¹⁹. 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.

²¹³ See paragraph (14) of the preamble which states: '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 human rights and are essential for social justice as well as Council, including urgent actions needed during the transition process.'

²¹⁴ 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.

²¹⁵ Annex A11 of the PRAG

²¹⁶ Article 2 (4) of the EIDHR read with the provisions in Article 6 (c) (ii) of the CIR.

²¹⁷ Article 6 (c) (i).

²¹⁸ In terms of Articles 3 and 4 of the IcSP.

²¹⁹ 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.

- 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 countries²²⁰.
- Support under the CSO-LA programme of the DCI 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 organisation²²¹. 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 Israel²²²), the EIDHR is usually the only EFI available in countries where no Delegation exists²²³.
- The EIDHR complements the GPGC²²⁴ 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 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 and is 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 Cambodia²²⁵, 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.

The assumption in the intervention logic that support under the EIDHR will complement the support provided under other EFIs thus holds true. The only real concern raised by stakeholders in this regard is that, while in theory the separation is clear between the EIDHR and other thematic and instruments and geographic programmes providing support to CSOs working in human rights and democracy, in practice the responsibility falls on EUDs to ensure that overlaps do not occur. Although it obviously differs from one Delegation to the next, capacity constraints and work pressure can lead to a lack of coordination²²⁶. However, while recognising that some overlap can

²²⁰ 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.

²²¹ Stakeholder interview with CSO-LA senior staff.

²²² Provided it is not used to substitute for a previous bilateral programme – stakeholder interview with CSO-LA senior staff.

²²³ 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.

²²⁴ C(2014) 5072 final

²²⁵ Stakeholder consultation, 7 November 2016.

²²⁶ As reported by various stakeholders including EUDs consulted in sample countries.

occur, particularly between projects under the CSO-LA and the EIDHR, DEVCO point out that this rarely happens in practice²²⁷.

9 Political leverage

Summary EQ 6

EIDHR support has significantly 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. EOM findings and recommendations have also created space for dialogue on electoral reform and democracy and have led to reform in at least some partner countries.

Support under the EIDHR complements other tools for implementing EU policies and leverage political or policy engagement as required by paragraph (14) of the preamble.

Firstly, EIDHR support has significantly contributed to the ability of civil society and NHRIs to advocate and lobby for reforms. At least 89 specific CBSS projects were identified with the words 'advocacy' or 'lobbying' (and their equivalents in French, Spanish and Portuguese) in their title, totalling approximately EUR 24.5M in the period 2014-16. 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 level²²⁸ (for example, global campaigns on the fight against the death penalty or to raise awareness on the situation of human rights defenders at risk) and at national and local levels²²⁹. Perhaps more importantly, the feedback received from beneficiaries is regarded as crucial when it comes to political and other dialogues at both HQ level and with governments in partner countries²³⁰. Such 'other dialogues' 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 led by the EEAS), the EIDHR Fora, a Civil Society Forum held in March 2016, and an event on Freedom of Expression at the European Parliament in Strasbourg in December 2015) where EU high-level personalities such as the HRVP, Commissioner for Development, European Parliament President or Vice-Presidents, and EUSR participate and can exchange views with civil society. In line with SO 5 of the EIDHR, 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). Many of the HRDs temporarily located in Europe or elsewhere under the Emergency Fund reportedly also conduct advocacy and lobbying activities while outside of their home countries²³¹. The EU also funds advocacy activities for CSOs to lobby it directly in favour of human rights and democracy generally or about specific human rights situations or HRDs. EOM findings and recommendations also create space for diplomacy and dialogue on electoral reform and have led to reform in at least some partner countries²³². And finally, and in line with the current MIP²³³, support under the EIDHR is also able to complement other policy tools like the EU's generalised scheme of preferences ('GSP'), both directly (as was done under the 2015 Global Call) and indirectly through support to CSOs working on various human rights, labour rights, environmental and other matters falling under the 27 Conventions

²²⁷ Stakeholder consultation with senior DEVCO staff.

²²⁸ The ProtectDefenders.eu project also includes awareness-raising and advocacy on the issues faced by HRDs (as well as on the mechanism itself). Most of the work in this area is being done by partner NGOs making up the 12 NGO-consortium that implement the project – all of which have considerable outreach and many of which have a specific focus on advocacy. 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.

²²⁹ As confirmed during sample country visits and consultations.

²³⁰ 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.

²³¹ Stakeholder consultation.

²³² In addition to the use of EOM recommendations to push for electoral reform in Pakistan, 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 policies. The Peru EUD also reported that recommendations from EOMs are used in political dialogue. (Stakeholder consultation).

²³³ Page 4.

linked to GSP+ and whose feedback provides valuable insight into governments' compliance with and implementation of the relevant instruments.

10 Conclusions and recommendations

The evaluators are of the opinion that the EIDHR is largely fit for purpose and that no legislative modification of the instrument or any delegated act to modify the annex is required until the end of the period. The EIDHR was **relevant** at the time of adoption when compared to the major human rights and democracy challenges worldwide at 1 January 2014 and is sufficiently broad in its objectives, scope and priorities to encompass and respond to almost all emerging or evolving human rights and democracy challenges since then – including the increasingly shrinking space for civil society and threats facing HRDs. The EIDHR was also clearly based on all major EU policies and guidelines as at 1 January 2014 and able to contribute to their implementation; and it remains relevant when it comes to implementing new EU policies since January 2014, including but not limited to the current EU Action Plan on Human Rights and Democracy and the SDGs. It is also the instrument primarily responsible for implementing the rights based approach to development and will also have a key role to play in the new European Consensus for development once adopted.

Although it is difficult to measure **effectiveness** at this stage, the fact that activities and expenditure is increasing is an indicator that the EIDHR is on the right track when it comes to meeting its specific objectives. As might be expected given that the budget for the current EIDHR has increased by around 21% compared to the previous Regulation²³⁴, there has been an increase in levels of commitment and expenditure, and in the number of actions supported in almost all areas – most notably when it comes to HRDs and the shrinking space for civil society, ESCR and increasingly to the rights of those forcibly displaced. Despite this increase in focus on 'new' issues and priorities, support to democracy, EOMs and other key human rights issues (women's rights, human dignity and discrimination) has continued and even increased in some areas. Although some examples of **impact and sustainability** were found, particularly when it comes to support in emergency and crisis situations, it is too soon to determine whether or not impact is being made in most cases. Challenges in these areas often take many years to address and no single instrument or development partner will achieve them alone. And as noted in the report, the EIDHR is about values rather than seeking an immediate return on investment and much of the support provided is intended to show solidarity with and provide encouragement to HRDs and CSOs to continue the fight for human rights and democracy (in addition to saving lives).

The EIDHR has become increasingly **efficient**, in part because of changes introduced by the CIR that have made it easier for the EIDHR to respond quickly to situations of emergency and crisis, including HRDs at risk and to address the shrinking space for civil society, but also as a result of changes introduced in the Financing Regulation (and picked up in the CIR) to allow for sub-granting. Costs of implementation have remained consistently low and the disbursement rate has improved under the current MIP

Despite the fact that many Member States and other DPs support civil society, human rights and democracy, often with far larger budgets than are available under the EIDHR, the EIDHR is able to **add value** to the work of Member States and other DPs. The EU is by far the biggest DP when it comes to support to human rights, and one of the few DPs to combine democracy and human rights so comprehensively in so many of its policies and priorities – which in turn is mirrored in the support available under the EIDHR. Few Member States or other DPs include comprehensive support to both human rights and democracy, support to election observation, eradication of the death penalty or HRDs at risk. Most DPs, including Member States, also have far narrower geographic focuses and priorities than the EIDHR. As a result, the assumptions that the EIDHR will add value to the support provided by Member States, to fill gaps and complement Member States' support holds true.

²³⁴ From EUR 1.104M to EUR 1.333M

Although its budget is modest compared to other EFIs, the EIDHR is well placed to **complement and create synergies with other EFIs**. The EIDHR occupies a unique position in the pantheon of EFIs, most notably in its worldwide focus and the ability to provide support to civil society without requiring the consent or buy-in of governments in host countries and to respond quickly when human rights and democracy are under threat. It is also the only instrument specifically focused on election observation and increasing compliance with the rights based approach.

Significantly, support under the EIDHR (including to CSOs prior to and following political dialogues in third countries and to election observation) provides invaluable information and **political leverage** for the EU at both HQ and Delegation levels for ongoing political dialogue and diplomacy. It is thus a key added-value to the EU policy toolbox.

The EIDHR is not without problems though. Although monitoring and evaluation is taking place at various levels, the absence of clear indicators for the first three years of the current EIDHR, since addressed, have made it difficult to measure effectiveness and impact during that period. And while there is evidence that recommendations from EOMs and EEMs are followed up in some countries, various stakeholders questioned whether Delegations in particular are using the EIDHR to do so. In this regard, a suggestion raised in the OPC – that the EIDHR needs to support the follow-up to EOMs and EEMs to promote the implementation of recommendations, while complementing existing instruments – is noted. Support to democracy also needs to be broadened, particularly when it comes to political parties and Parliaments. And while changes introduced by the CIR have made the EIDHR more responsive in urgent or emergency situations, some Delegations are reportedly not making use of these unique features. Although the fact that much of the support provided this way is confidential makes it difficult to measure the extent to which this is true, Delegations need to be encouraged to make full use of the rules and to maximise the unique features of the EIDHR to fund human rights and democracy when these, and the HRDs and CSOs working on them, are most at risk, leaving support to less sensitive issues to be covered by other EFIs, Member States and DPs. And while it is one of the few instruments that is able to provide support to countries that have graduated, its impact in supporting democracy and human rights in such countries is limited by the available budget and the fact that support to democracy is often expensive and needs to target government, which is outside the instrument's purview and is best left to diplomacy and political dialogue.

Finally, recognising that innovations have been introduced at both HQ and Delegation levels that have helped reduce the burden on HQ and EUDs created by the CfP process, the fact remains that the two-stage process and rigorous requirements in the process are cumbersome, time consuming and labour intensive.

Recommendations

- Budget allocations to those aspects of the EIDHR specifically aimed at human rights and democracy emergencies, the rights of those forcibly displaced, and addressing the shrinking space for civil society should be increased to maximise the impact of the unique features of the EIDHR.
- The CBSS should be made more strategic by giving HQ the possibility to ensure that critical, sensitive issues and the shrinking space for civil society in third countries are addressed. HQ also needs to find ways to encourage and support Delegations to make better use of the EIDHR's unique features to address the shrinking space for civil society and support human rights and democracy where they are most at risk.
- Diplomacy, political dialogue and other means should be increased in graduated countries to ensure that gains made in democracy and human rights continue to receive attention once geographic programmes are phased out.
- The EIDHR should be used more effectively to support the follow-up of EOM and EEM recommendations while complementing existing instruments, for example through mobilising the necessary technical expertise to engage in specific areas identified by an EOM and/or EEM.

Overall implementation of EU assistance

- An assessment of the grant-making procedures of Member States and other major DPs should be conducted to determine whether a more suitable, speedier and less labour intensive

procedure can be found to the current call for proposals process in PRAG for grants to CSOs under all EFIs .