

***Thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms
(including solidarity with victims of repression)***

2011 Nobel Peace Prize

"for their non-violent struggle for the safety of women and for women's rights to full participation in peace-building work":



Tawakkol Karman



Leymah Gbowee



Ellen Johnson Sirleaf

Final Report
Volume 2 – Annexes – Part 1

December 2011

Evaluation for the European Commission





PARTICIP GmbH
Germany



Aide à la Décision Economique
Belgium

d.i.e



Deutsches Institut für
Entwicklungspolitik

German Development
Institute

Deutsches Institut für
Entwicklungspolitik
Germany



Development
Researchers'
Network
Development Researchers' Network
Italy



European Centre for Development
Policy Management
Belgium



Overseas Development Institute
United Kingdom

A consortium of
Particip -ADE-DIE-DRN-ECDPM-ODI
c/o Particip GmbH, leading company:

Headquarters

Merzhauser Str. 183
D - 79100 Freiburg / Germany
Phone: +49-761-79074-0
Fax: +49-761-79074-90
INFO@PARTICIP.DE

BELGIUM OFFICE

Avenue des Arts 50 (5th floor)
B-1000 Bruxelles / Belgium
Phone: +32-2-5501160
Fax: +32-2-5501169
INFO@PARTICIP.DE

Framework contract for
**Multi-country thematic and regional/country-
level strategy evaluation studies and
synthesis**
in the area of external co-operation
Ref.: EuropeAid/122888/C/SER/Multi

**LOT 2:
Evaluation of EC main policies and
strategies in the areas of external
cooperation**

**EVA 2007 – Lot 2
Volume 1**

**Thematic evaluation of the
European Commission support to
respect of Human Rights and
Fundamental Freedoms
(including solidarity with victims of
repression)**

Final Report

Volume 2 – Annexes- Part 1

December 2011

TABLE OF CONTENTS ANNEXES - PART 1

ANNEX 1:	TERMS OF REFERENCE
ANNEX 2:	THE EU NORMATIVE AND INSTITUTIONAL FRAMEWORK
ANNEX 3:	INTERVENTION LOGIC
ANNEX 4:	INFORMATION MATRIX
ANNEX 5:	FINDINGS FROM QUESTIONNAIRE FOR EU DELEGATIONS
ANNEX 6:	NON SPENDING INSTRUMENTS
ANNEX 7:	HUMAN RIGHTS DIALOGUES

TABLE OF CONTENTS ANNEXES - PART 2

ANNEX 8:	HUMAN RIGHTS MAINSTREAMING
ANNEX 9:	THE 3 C'S
ANNEX 10:	ANALYSIS OF COUNTRY STRATEGY PAPERS
ANNEX 11:	EU PARTNERSHIP WITH REGIONAL ORGANISATIONS
ANNEX 12:	UNIVERSAL PERIODIC REVIEW
ANNEX 13:	KEY FINDINGS FROM THE REPORT "EIDHR EVALUATION ON THE ABOLITION OF DEATH PENALTY PROJECTS"
ANNEX 14:	EU SEMINARS WITH CSOs
ANNEX 15:	LIST OF PEOPLE MET
ANNEX 16:	BIBLIOGRAPHY

ACRONYMS

ACP	Africa Caribbean and Pacific countries
ACHPR	African Commission on Human and People's Rights
AGA	African Governance Architecture
AIDCO	EuropeAid Co-operation Office
ALA	Community financial instrument for support to Asia and Latin America
ASEAN	Association of Southeast Asian Nations
ASEM	Asia-Europe Meeting
AU	African Union
CAP	Common Agricultural Policy
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBSS	Country Based Support Schemes
CCI	Cross-Cutting Issue
CD	Capacity Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEMAC	Communauté Economique et Monétaire de l'Afrique Centrale
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CFSP	Common Foreign and Security Policy
COE	Council of Europe
COHOM	Human Rights Working Group of the Council of the European Union
COM	Commission Communication
CPR	Civil and Political Right
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
CSP	Country Strategy Paper
DCI	Development Cooperation Instrument
DDH	Democratie et Droits de l'Homme (European Initiative on Democracy and Human Rights)
DG	Directorate General
DG DEV	Directorate General for Development
DG DEVCO	Directorate General for Development - EuropeAid
DG ECFIN	Directorate General for Economic and Financial Affairs
DG ELARG	Directorate General for Enlargement
DG HOME	Directorate General Home Affairs
DG RELEX	Directorate General for External Relations

DG JLS	Directorate General for Justice, Freedom and Security
DIP	Democratic Institutions Program
DP	Death Penalty
EEAS	European External Action Service
EC	European Commission
ECA	Eastern Europe & Central Asia
ECD	European Consensus on Development
ECOWAS	Economic Community of West African States
ECDP	European Community's Development Policy
ECHO	European Commission Humanitarian Office
ECHR	European Court of Human Rights - European Convention on Human Rights
EDF	European Development Fund
EIUC	European Inter-University Centre for Human Rights and Democratisation
EIDHR	European Initiative for Democracy and Human Rights /European Instrument for Democracy and Human Rights
ENP	European Neighbourhood Policy
ENPI	European Neighborhood Partnership Instrument
EOM	Election Observation Mission
EP	European Parliament
EPA	Economic Partnership Agreement
EQ	Evaluation Question
ESCR	Economic, Social and Cultural Rights
ESF	ECOWAS Standby Force
EU	European Union
EUD	Delegation of the EU
FAFA	Financial and Administrative Agreement
FOMUC	CEMAC Multinational Force
GAERC	General Affairs and External Relations Council
GESC	Gender Equality Screening Checklist
GONGO	Government-Operated Non-Governmental Organization
GSP	Generalized System of Preference
HoD	Head of Delegation
HRD	Human Rights Defenders
HRDN	Human Rights and Democracy Network
HR	Human Rights
HRC	Human Rights Council
IA	Inter-American
IACHR	Inter-American Commission on Human Rights

ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRD	International Committee of the Red Cross
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IfS	Instrument for Stability
IL	Intervention Logic
ILO	International Labour Organization
IMF	International Monetary Fund
IO	International Organisation
IOM	International Organization for Migration
IPA	Instrument for Pre-Accession Assistance
iQSG	Inter-service Quality Support Group
IRFFI	International Reconstruction Fund Facility for Iraq
JPP	Justice Partnership Programme
LA	Local Authority
LIS	Local Implementation Strategy
LOFTA	Law and Order Trust Fund for Afghanistan
MARAC	Early Warning Mechanism for Central Africa
MDG	Millennium Development Goals
MEDA	European financial instrument for the implementation of the Euro-Mediterranean Partnership
MS	Member State
NGO	Non-Governmental Organization
NIP	National Indicative Programme
NSA	Non-State Actor
OAS	Organisation of American States
OECD	Organization for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe
OHCHR	Office of the UN High Commissioner for Human Rights
PA-PANDDH	Programme d'appui au plan national en matière de démocratie et droits de l'homme
PCA	Partnership and Cooperation Agreements
PPT	Powerpoint Presentation
PSC	Political and Security Committee
REH	EC budget line on rehabilitation

RG	Reference Group
RO	Regional Organisation
ROM	Result Oriented Monitoring (System)
RRM	Rapid Reaction Mechanism
RSP	Regional Strategy Paper
SEC	Commission Staff Working Document
SECR	Socio-Economic and Cultural Rights
TACIS	Technical Assistance for the Commonwealth of Independent States
TEU	Treaty of the European Union
TF	Trust Fund
TSIA	Trade Sustainability Impact Assessment
3 Cs'	Coordination, Complementarity and Coherence
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
USAID	Aid Agency of the United States
WB	World Bank
WFP	World Food Programme

ANNEX 1:

TERMS OF REFERENCE

**THEMATIC EVALUATION OF THE EUROPEAN COMMISSION SUPPORT TO
RESPECT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
(INCLUDING SOLIDARITY WITH VICTIMS OF REPRESSION)**

TERMS OF REFERENCE

of 03/06/2009

Mandate and Objectives of the Evaluation

Systematic and timely evaluation of its activities is an established priority for the European Commission. It is key to account for the management of the allocated funds and for promoting a lesson-learning culture throughout the organisation. The focus is on the impact (effects) of these programmes against a background of greater concentration of external co-operation and increasing emphasis on result-oriented approaches, particularly in the context of the programmes of the Relex Family¹.

The thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms (including solidarity with victims of repression) is part of the 2007-2013 pluri annual evaluation programme as approved by External Relations and Development Commissioners. The planning of this study was confirmed in the Evaluation programme for 2009².

The subject is wide and may overlap with other recent, on going or future evaluations and studies; in order to avoid double work, the evaluation has to be based on a focused scoping and to duly consider the integration of validated evaluation/studies results.

The main objectives of this evaluation are:

- to provide the relevant external services of the EC, other EU institutions and the wider public with an overall independent assessment of the Commission's past and current activities in the area of Human Rights and Fundamental Freedoms (including solidarity with victims of repression).
- to identify key lessons in order to improve the current and future strategies, activities and services' organization of the Commission in the domain.

To facilitate the use of the results of this evaluation the work has been split in 2 parts:

1. Mapping of activities and process assessment. Scoping and structuring the evaluation.
This first part will include all the descriptive chapters, the assessment of coordination, complementarity and coherence issues, and the structuring steps of the impact evaluation
2. Evaluation.
This second part will include the evaluation of the effects and impacts of the EC activities, based on the evaluation criteria: relevance, impact, effectiveness, efficiency, sustainability, coherence and the EC value added.

¹ Directorates General of External Relations, (RELEX), Development (DEV) and the EuropeAid Co-operation Office (AIDCO).

² http://ec.europa.eu/europeaid/how/evaluation/work_programme/documents/programme_2009_en.pdf

The evaluation should serve policy decision-making and management purposes. The main users of the evaluation will be DG Relex, DG DEV, the EuropeAid Co-operation Office and the EC Delegations. Other EC services and EU institutions may benefit from the results of this evaluation too. The evaluation should also generate results of interest to a broader audience, including governments of partner countries, Member States, civil society and others.

1. **BACKGROUND**

1.1. Policy background³

1.1.1. The international situation

By virtue of the numerous UN instruments and policy declarations as well as other international and regional instruments, **human rights are to be considered universal values, inextricably linked and to be pursued in their own right.**

The International Bill of Human Rights, including Universal Declaration of Human Rights (1948) International Covenant on Civil and Political Rights (1966) and International Covenant on Economic, Social and Cultural Rights (1966) entered into force as international law in 1976, once a sufficient number of countries had ratified the international covenants. In addition to the International Bill of Human Rights, all UN Member States have ratified at least one of the core human rights treaties and 80% have ratified four or more.

These values are also seen as integral to the process of poverty reduction, alleviation of inequality, achievement of the Millennium Development Goals as well as other important goals of international policies.

In recent years many countries have moved towards more open societies, with greater commitment on a range of human rights issues. However, the fight for human rights is a **long-term** one and multiple **challenges remain**: many countries are still autocracies where basic freedoms are systematically repressed; elsewhere, political elites too often remain unaccountable and unresponsive to citizens' expectations, sometimes reverting to repression of dissent and opposition voices.

Many factors, including the changing international context, the impact of globalisation, and evolving donor policies on empowerment and governance, have led to increasing debate and emphasis on the protection and promotion of human rights at international level. Comprehensive human rights-based approaches to development are more widespread, as is support for state building, democratic governance and civil society development.

³ The background does not present the situation related to countries candidates for EU membership as they will be outside of the geographical scope of the present evaluation see point...

Concern with security and the fight against terrorism has tended to dominate international agendas, which at the same time are highlighting the importance of ensuring human rights. This is difficult to achieve if relations with partner countries are limited to government-to-government contacts; incentives for governments to devolve and share power, tackle impunity, or strengthen pluralism are not obvious. Hence the continuing importance of support to civil society and human rights defenders to help empower citizens, allow them to claim their rights and build and sustain momentum for change and political reform.

1.1.2. The European Union

The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. The European Parliament, the Council and the Commission solemnly proclaim the Charter of fundamental rights of the European Union in 2000⁴. EU policy in support human rights in third countries has been articulated and developed in Commission communications⁵, European Parliament resolutions and Council conclusions over the years, including specific EU Guidelines on particular human rights issues⁶.

As stipulated in the Treaty mandates⁷, **the objective of developing and consolidating democracy and the rule of law, and respect for human rights and fundamental freedoms is now a feature of all forms of EU co-operation with third countries**, including in its political dialogue with the latter. The same objectives also guide the European Neighbourhood Policy⁸. The Cotonou Agreement and the EU policy on governance and development⁹ include the protection and promotion of human rights as priority issues to be integrated in country strategies, dialogues and all relevant external assistance instruments. They are acknowledged in the European Consensus on Development¹⁰ as a common value for the EU vision of development. This is echoed in recent EU regional strategies for Africa¹¹, Latin America¹², Caribbean¹³ and the Pacific¹⁴, and regional strategies for Asia¹⁵.

⁴ OJEC 18/12/2000 C364

⁵ As Communication from the Commission to the Council and the European Parliament: The European union's role in promoting human rights and democratisation in third countries COM (2001)252. Communication from the Commission to the Council and the European Parliament: Thematic Programme for the promotion of democracy and human rights worldwide under the future Financial Perspectives (2007-2013) COM (2006)23.

⁶ Guidelines to EU policy towards third countries on the death penalty, June 1998; Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, April 2001; EU Guidelines on children and armed conflict, December 2003; EU Guidelines on human rights defenders, June 2004; EU Guidelines on promoting compliance with international humanitarian law (IHL), December 2005

⁷ Article 11(1) TEU; Articles 177(2), 181a(1) TEC

⁸ Cf. Strategy Paper COM(2004) 373 final of 12.5.2004, Council conclusions of 14.7.2004

⁹ Cf. Commission Communication COM(2003)615 final of 20 October 2003, Council conclusions of 17.11.2003

¹⁰ Cf. Joint Statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission 'The European Consensus on Development'

¹¹ "The EU and Africa: towards a strategic partnership" adopted by the European Council, 15-16 December 2005

¹² Commission Communication to the European Parliament and the Council "A stronger partnership between the EU and Latin America" COM(2005) 636 final of 8.12.2005

¹³ COM(2006) 86 final of 2.3.2006

¹⁴ COM(2006) 248 final of 29.5.2006

¹⁵ COM(2001) 469 final of 4.9.2001, COM(2003) 399/4 of 9.7.2003, COM(2004) 430 final of 16.6.2004

1.1.3. EU Institutions involved

All European Union Institutions are involved in activities supporting the respect of Human Rights. A comprehensive and detailed description of the instruments applied and supporting activities completed are presented yearly in the EU Annual report on Human Rights¹⁶.

The EU Institutions and the EC services organization in charge of this area have been evolving over time, in accordance to the Treaties' mandates, and an important adjustment may occur with the future Lisbon treaty adoption. This evolving institutional and process environment has to be fully taken into account by the evaluators, in particular, for the first part of the work.

The Council of the European Union. To ensure that Human Rights concerns continue to receive appropriate attention at all levels within the EU, a Human Rights Working Group (COHOM) was created to have under its purview all human rights aspects of the external relations of the EU. The EU High Representative for the Common Foreign and Security Policy, appointed his Personal Representative for Human Rights, as a contribution to the coherence and continuity of the EU Human Rights Policy, with due regard to the responsibilities of the European Commission.

The European Parliament acts principally through its resolutions, reports, missions to third countries, human rights events, interparliamentary delegations and joint parliamentary committees with third countries, oral and written questions, special hearings on specific issues and its annual Human Rights Prize, the Sakharov Prize for Freedom of Thought.

Several Directorate General of the European Commission contribute directly with their activities to the implementation of this policy or are closely associated.

The intervention of this plurality of institutional actors confirms the importance of **coherence, coordination and complementarity** of their different activities.

1.1.4. Instruments - European Commission instruments

The different institutional actors make use, alone or in association, of a range of tools for implementing their policies on human rights: from Joint Actions, Common Positions, Political dialogue, diplomatic Démarches and specific human rights dialogues, to various instruments of financial and technical cooperation. Furthermore, and going behind the specific tools, the mainstreaming process allows to integrate human rights issues into all aspects of EU policy decision-making and implementation, including external assistance.

¹⁶ http://ec.europa.eu/external_relations/human_rights/doc/index.htm

The present evaluation will evaluate the effects and impacts of the European Commission activities under the scope defined in point 3. A distinction between spending and non spending activities may be relevant, as evaluation of non spending activities is normally more challenging in terms of methodology.

The EC services may be involved or are fully in charge of the following actions:

- Diplomatic démarches and declarations.
- Dialogues and consultations.

Dialogue is, by definition, an exchange of views that presupposes the presence of at least two parties. Dialogues take place in several levels and with different main aims, but in all cases with the mainstream commitment behind. In this respect, particular characteristics has to be considered in the specific Human Rights dialogues, political dialogues and programming dialogues at geographical level (national – regional – continental) and at thematic level.

- The human rights clause in Agreements with third countries
- Geographical instruments.

Including all the national, regional and continental programmes as Development Cooperation Instrument (DCI), European Neighbourhood and Partnership Instrument (ENPI), Financing Instrument for Cooperation with Industrialised and other High Income Countries (CIC), the European Development Fund (EDF) and Macro-economic Assistance Instrument.

- Thematic instruments.

EIDHR. The specific aim of European Community assistance, under the European Initiative for Democracy and Human Rights has been to assist in meeting differentiated human rights and democracy objectives at international and national level, complementing action within the Community's various national and regional cooperation programmes and the Rapid Reaction Mechanism¹⁷. In addition to its work in support of civil society, it has a distinguished record in supporting international human rights instruments and mechanisms, the international criminal justice system, including the International Criminal Court (ICC) and other ad hoc international criminal tribunals.

Other thematic instruments has been used for supporting Human rights: namely the DCI-based thematic programmes, especially those on Non-state actors and local authorities in development, on Investing in people, and on Cooperation with third countries in the areas of migration and asylum, which integrate the protection of human rights in various ways. The Instrument for Stability focuses on situations of urgency, crisis and emerging crisis, situations posing threats particularly to the protection of human rights.

¹⁷ Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism

1.1.5. *International fora*

The EU plays an active role in the United Nations and other International Organisations.

The UN Human Rights Council remains the key forum in the worldwide promotion and protection of human rights, and the EU contribution to its discussions is a fundamental component of the EU's external action. EU is also contributing to human rights activities of the Organisation for Security and Co-operation (OSCE), the Council of Europe and the African Union.

2. **PURPOSE AND SCOPE OF THE EVALUATION**

2.1. **Purpose**

The activities evaluated are those under the responsibility of the Relex family¹⁸, as already defined in the introduction of these Terms of Reference

2.1.1. *Part 1 - Mapping of activities and process assessment. Scoping and structuring the evaluation.*

The consultant must undertake the following tasks :

- Complete mapping of the evaluated activities undergone during the evaluation period and thorough explanation of their evolution and mixture.

As regards spending activities, an inventory of commitments and disbursements has to be included.

As regards non spending activities, the mandate and theoretical organization of activities/tools used, and as far as documentation is available, a detailed description of activities and a typology of them have to be included.

- Synthetic description of the thematic EU and international normative framework and context in relation to the central scope and definitions
- Comprehensive description of the thematic EU institutional organization, division of tasks, standard and ad hoc set out coordination.
- Assessment of the coordination, complementarity and coherence (3C's) evaluation key issues and the related value added of the EC activities¹⁹, in particular it's coordination/complementarity and coherence with other EU institutional actors, international bodies policies and other donor interventions (with a focus on Member States);
- Scoping and structuring the evaluation

¹⁸ Directorates General of External Relations, (RELEX), Development (DEV) and the EuropeAid Co- operation Office (AIDCO).

¹⁹ *The extent to which the development intervention adds benefits to what would have resulted from Member States' interventions* (as defined in AIDCO guidelines).

2.1.2. Part 2 – Evaluation

The evaluation will be based on the seven evaluation criteria: relevance, impact, effectiveness, efficiency, sustainability, coherence and the EC value added. The first five correspond to the traditional practice of evaluation of development aid and have been formalised by the OECD DAC). The following two apply to all EC policies. The criteria will be given different weightings based on the priority accorded in a maximum of 10 evaluation questions.

The Consultants must assess:

- the relevance, continuity and consistency²⁰ of the EC supporting policy (including all instruments and choice of target groups).
- the coherence within its cooperation programmes, and the consistency between general policy, programming and implementation of the supporting activities in the domain for the same period;
- The **implementation of EC supporting activities** with a special focus on non spending activities, as regards their impact, sustainability, effectiveness and efficiency for the period **2000/2008** and on intended effects for the current **2007/2013** programming cycle.
- The value added of the EC supporting policy;

The evaluation should be **forward looking, providing lessons and recommendations** for the continued support to respect of human rights in particular as regards:

- the use of the different types of dialogues in supporting human rights;
- the Commission as a change agent in the respect of human rights
- the role of geographical instruments including EDF,
- the role of thematic instruments,
- the achievements of mixing these different instruments in specific situation/country/goal.
- the successful integration of cross cutting issues
- the choice of channels and partners
- the achievements of working together with EU institutions, Member States, other donors, UN, other IOs...

²⁰ The notion of consistency should be understood as: (i) correspondence between the different objectives of a strategy, with the understanding that there is a hierarchy of objectives (with lower level objectives logically contributing to the higher level ones); and (ii) the extent to which the foreseen resources are adequate to meet the objectives set out in the strategy.

- the participation of civil society
- the potentials of supporting respect of human rights through geographical programs
- the Commission's capacity to adapt its support and its approaches to different types of country/cases situations.
- ❖ Identifying all recorded results and impacts, including any unintended ones, and comparing these to the intended results and/or impacts.
- ❖ Identifying the changes, which occurred in the areas in which EC activities were supposed to produce an impact

The evaluation should come to a **general overall judgement** of the extent to which Commission activities (policies, strategies, programmes, projects...) have contributed to the progress towards an improvement on the respect of human rights, based on the answers to the evaluation questions.

2.2. Temporal and geographical scope

2000 was a transitional year for the Commission in its delivery of assistance for the promotion and protection of human rights and democratic values. The Commission launched an ambitious reform package for the management of external assistance programmes. It provided for a 'radical overhaul' of programming, the integration of the project cycle with a single body in charge of implementation (EuropeAid), the extensive devolution of project management to Commission delegations. 2000 was also a year in which the EU restated its commitment to human rights and fundamental freedoms through the proclamation of the Charter of Fundamental Rights, by the President of the Council, the President of the Parliament and the President of the Commission at the European Council meeting in Nice.

In order to have an accurate picture of this delivery scheme, the temporal scope of the present evaluation is the **Commission's supporting activities during the period 2000 - 2008, whenever possible 2009 data will be presented** and/or integrated in the analysis. For the coverage of intended effects the period will include the current **2007/2013** programming cycle.

The geographical scope includes **all the countries where identified activities are undertaken, countries other than those which have been recognised as candidates**²¹ for EU membership as defined by COM(2001)252.

2.3. Thematic scope

2.3.1. Definitions

The consultant will list the relevant definitions to better scope and define the elements relevant for the evaluation work, in particular the elements of the title of the evaluation and

²¹ The activities in this domain in candidate countries are evaluated within their proper agenda.

the elements of the thematic scope. The definitions have to be based if possible, on EU normative²².

2.3.2. *Thematic scope and focus.*

Two points will be considered in order to define the satisfactory study field and focus. 1)The theory of action assumed– as it will be represented in the intervention logic; in this respect, the civil and political rights will be the central subject of the evaluation. 2)The available and planned studies, some important topics as Humanitarian Aid, Support to democracy, Children affected by armed conflicts may be specific focus of other evaluations, and therefore will not be central to this evaluation.

The consultant will define the thematic scope of the evaluation in the first part of the work and the focus will be specifically identified with the choices of the evaluation questions. As already pointed out in 3.1.2, the achievements of the different kind of dialogues and the results of mixing different instruments for reaching an objective, are specifically requested.

– *NB: the Consultants should use previous evaluations as important reference material. This can include previous country, regional, thematic and aid instruments evaluations related to the assignment. The Consultants should not deal with the points already covered by these evaluations, but build on them.*

3. **METHODS, APPROACH AND REPORTING**

3.1. **Methods**

The overall methodological guidance to be used is available on the web page of the EuropeAid Evaluation Unit, under the following address:

[HTTP://EC.EUROPA.EU/EUROPEAID/EVALUATION/METHODOLOGY/INDEX_EN.HTM](http://ec.europa.eu/europeaid/evaluation/methodology/index_en.htm)

3.2. **Approach to the present evaluation – key deliverables**

❖ **Launch note**

Within 14 days after the reception of the ToR, the Consultants will present a **launch note** which must contain:

1. their understanding of the ToR;
2. a methodological note, which also outlines how quality control will be conducted;
3. the provisional composition of the evaluation team with CVs²³; and

²² Defined as hard and soft law.

²³ All birthday dates must be written in the following format: dd/mm/yyyy

4. a proposed budget²⁴.

❖ **Key Deliverables**

3.2.1. First part – Mapping of activities and process assessment. Scoping and structuring the evaluation

Following the launch note, the main key deliverables of the first part are:

- the inception meeting;
- the inception report;
- the desk report n°1
- one work shop in Brussels.

Structuring Stage

Upon approval of the launch note by the Evaluation Unit, the Consultant will proceed to the structuring stage, ending in the production of an inception report.

The main focus of this work is to produce an analysis of all key relevant documents regarding the EC's activities in the theme. The Consultants will also take into account documentation produced by other donors, experts and international bodies. In order to take advantage of the rich available documentation, a literature review will be undertaken.

On the basis of the information collected and analysed, the Consultants will propose evaluation questions and prepare explanatory comments for each. The choice of questions will determine: (i) the subsequent phases of information and data collection; (ii) elaboration of analysis methods; and (iv) explanation of final judgements.

➤ **The Inception Meeting**

With the help of a working PWP presentation prepared by the Consultant, a meeting, will be held with the Reference Group to discuss and validate:

- the intervention logic, based on official documentation;
- the approach to the mapping of activities
- the evaluation's central scope and definitions, taking account of the interlinks with others themes – considerations of overlaps with other evaluations.
- the approach to the descriptions of (a) thematic EU and international normative framework with the context and (b) the thematic EU institutional organization, division of tasks, standard and ad hoc set out coordination;
- the approach to the literature review;
- the proposal for a specific question dealing with the coordination, complementarity and coherence (3C's) key issues including considerations on resources available.

²⁴ In the style of a "framework contract"

➤ Inception Report

At the end of the inception phase, the Consultants must deliver an **inception report**, which contains an outline of the content of descriptive part of the desk phase, of the mapping and the literature review and a proposal for evaluation questions.

The inception report must contain for validation:

- The evaluation's central scope and definitions
- An intervention logic
- A first outline of the description of the thematic EU and international normative framework and context in relation to the central scope and definitions
- A first outline of the comprehensive description of the thematic EU institutional organization, division of tasks, standard and ad hoc set out coordination.
- A first outline of the literature review, with an identification of main concerns and information to be used in the analysis. It will be presented as an annex of the report.
- The situation and difficulties encountered in undertaking the complete mapping of the EC's activities undergone during the evaluation period and thorough explanation of their evolution. This mapping will include the activities related to the planning, programming and use of the instruments detailed in point 1.1.4, and activities in connexion with international bodies.
As respect to spending activities the mapping will include the complete overview of EC financial contributions (planned, committed and executed).
All this information has to be organized by typology or clusters (source, activity/function/role, channel, sector, geographic sub-area/country) are to be listed; as far as possible the interventions have to be listed (dialogues, projects, programmes etc).
It will be presented as an annex of the report.
- A proposed set of 20 preliminary evaluation questions with explanatory comments associated with each question. The aim of this proposal is to allow the reference group to realize a relevant focus of the evaluation on the base of available material. The validation of a definitive set of 10 evaluation questions will be done with the desk report 1.

The report will also confirm, if necessary:

- the final composition of the evaluation team; and
- the final work plan and schedule.

The last two points will be agreed through a formal exchange of letters between the Consultants and the EC.

This phase will include an exploratory visit and any needed Fact finding missions by the Consultants to Brussels based EC services.

Desk phase

➤ **Draft Desk Report n° 1**

Upon approval of the inception report, the Consultants will proceed to the next stage of the desk phase. At the end of this phase, the Consultants will present a draft desk report N°1 setting out the results of this phase.

Volume 1 - Self standing document, including :

- An introduction with the evaluation's central scope and definitions
- The validated intervention logic
- The synthetic description of the thematic EU and international normative framework and context in relation to the central scope and definitions
- The comprehensive description of the thematic EU institutional organization, division of tasks, standard and ad hoc set out coordination.
- The answer to the Evaluation question on the coordination, complementarity and coherence (3C's) evaluation key issues.
- the complete mapping of the EC's activities undergone during the evaluation period and thorough explanation of their evolution.

Volume 2 – Evaluation structure

- a sound proposal for a maximum of 10 evaluation questions, according to the focus agreed with the Reference Group. Upon validation by the Reference Group, the definitive evaluation questions will become part of the ToR.
- a limited number of appropriate judgment criteria per evaluation question;
- a limited number of quantitative and/or qualitative indicators related to each judgment criterion
- a description of the outline of the methodological design,
- a proposal detailing suitable working methods for data and information collection from the EC's headquarters and Delegations, international bodies, experts and other donors working in the field of human rights; this proposal will include a limited number of Cases studies (minimum 4 maximum 7) identified as relevant for the questions proposed
- a detailed work plan for the next evaluation stage.

➤ **Work shop**

The Consultants will make the appropriate amendments based on comments expressed by the Reference Group and Evaluation Unit. The consultants will present the revised draft desk report 1 at a work-shop in **Brussels**. The purpose of the work-shop is to present the interim results of the work done to the European Commission services.

The Consultants shall prepare a presentation (*Power point*) for the work-shop. This presentation shall be considered as part of the deliverable. For the **work-shop** 30 copies of the desk report 1 and xx copies with full printed annexes will be produced.

The Consultants shall prepare the minutes of the meeting, with details on conclusions relevant for the next step of the evaluation.

3.2.2. *Second part: desk phase 2 – complete Evaluation*

❖ **Key Deliverables**

Following the work-shop, the main key deliverables of the second part are:

- The desk report n° 2;
- the field debriefing ;
- the final report and all appropriate support (electronic or paper) of relevant data gathered during the evaluation
- one seminar in Brussels.

Desk phase

Upon approval of the desk report n°1, the Consultants will proceed to the next stage of the desk phase. At the end of this phase, the Consultants will present a draft desk report N°2 setting out the results of this phase.

- **desk report n° 2**

This document will complete the desk report n°1 and include the following à réviser ?:

- a first outline of the strategy and methods that will be used to analyse the collected data and information, indicating any limitations;
- a chain of reasoning for answering the evaluation questions;
- a timetable outlining when preliminary answers to the evaluation questions will be available and the hypotheses to be tested in the field;
- progress in the gathering of data, with the complementary data needed for the analysis to be collected in the field identified;
- a proposal for case studies,
- methodological design, including evaluation tools ready to be applied in the field phase: (i) suitable methods of data collection within the case studies indicating any limitations, describing how the data should be cross-checked and specifying the sources; and (ii) appropriate methods for data collection to analyse the information, indicating any limitations in those methods,
- an exhaustive list of all activities examined during the desk phase. The Consultants must ensure that activities analysed in the desk phase and field phase (including ROM) are representative; and

- a work plan for the field phase that includes a list of activities, projects and programmes for in-depth analysis in the field. The Consultants must also explain the value added for the visits they are planning.

Field phase

Following satisfactory completion of the Desk Phase, the evaluation team will proceed to the field missions. **The field missions cannot start before the Evaluation Manager has approved the desk report**

The fieldwork shall be undertaken on the basis set out in the Final Desk Phase Report. Planned field mission will be agreed by the RG and by the EC Delegations of countries proposed for visits. If during the course of the fieldwork any significant deviations from the agreed methodology and/or schedule are perceived necessary, the Consultant must receive the approval of the Evaluation Unit before they can be applied.

➤ **Debriefings and cases notes or monographies.**

Prior completion of each country visit the Evaluation team shall prepare for the EC Delegation concerned a debriefing of the field mission, seeking to validate the data and the information gathered.

For each country case study and following completion of the field mission, the team will proceed to prepare **case study notes** to be submitted to the Evaluation Unit within ten working days after returning from the field (see Annex 2 for an outline structure of the cases notes). These notes will be annexed to the *Final Report*.

When all field missions are conducted, and before the start of the Final report writing phase, the Evaluation team shall present results of the field phase in a form of detailed debriefing for the Reference Group.

Final report-writing phase

The *Draft Final Report* will follow the structure set out in Annex 3, taking in due account comments received during de-briefings and meeting with the RG.

➤ **Draft final report**

The *Draft Final Report* shall include the answers to the evaluation questions and a synthesis of main conclusions of the evaluation.

The *Draft FINAL REPORT* should clearly account for the observations and evidences on which findings are made so as to support the reliability and validity of the evaluation. The report should reflect a rigorous, methodical and thoughtful approach. Conclusions and recommendations shall build upon findings.

Recommendations must be:

- Linked to the conclusions
- Clustered, prioritised and targeted at specific addressees
- Useful and operational
- If possible, presented as options associated with benefits and risks.

The evaluation manager will verify the quality of the submitted draft report, on the basis of the quality assessment grid in Annex 4. If the quality of the draft report is acceptable, the manager circulates it to the Reference group members for comments. The report will then be discussed in the last RG meeting with the Evaluation Team.

➤ **Final report**

On the basis of the comments expressed by the Reference Group, the Delegations and/or the Evaluation Manager, the Evaluation Team shall make appropriate amendments and submit the *Final Report*. If comments are rejected by the evaluation team, they shall explain reasons in writing.

The final version of the *Final Report* shall be presented in a way that enables publication without any further editing.

The *Final Report* shall be written in English and submitted to the Evaluation Unit in 200 copies.

The Consultants must also hand over all appropriate support (electronic or paper) of relevant data gathered during the evaluation. Furthermore, the contractor must submit a methodological note²⁵ explaining how start-up, quality control and follow-up on lessons learned have been addressed.

Dissemination and follow-up phase

Following the approval of the final report, the evaluation manager will proceed to dissemination of the results (conclusions and recommendations) of the evaluation: (i) make a formal judgement on the evaluation using a standard quality assessment grid (see Annex 4); (ii) prepare an Evaluation Summary following the standard DAC format (EvInfo); (iii) prepare and circulate a three-column *Fiche Contradictoire* (FC). The FC is prepared by the Evaluation Unit in order to ensure feedback from the evaluation and an active response from the Commission services. All three documents will be published on the Web alongside with the *Final Report*.

The Evaluators will be required to assist in dissemination and follow-up activities. In coordination with the Evaluation Unit, they shall present the conclusions and recommendations during a seminar in Brussels. Limited number of other brief presentations might also be required.

➤ **The seminar in Brussels**

The Consultants will present the final report at a seminar in **Brussels in European Commission premises**. The purpose of the seminar is to present the results, the conclusions and the recommendations of the evaluation to the European Authorities as well as to all the main stakeholders concerned (including Member States, representatives of civil society organisations and other donors).

The Consultants shall prepare a presentation (*Power point*) for the seminar. This presentation shall be considered a product of the evaluation in the same way as the reports and the data basis.

For the **seminar** 60 copies of the report and 10 reports with full printed annexes will be produced.

²⁵ Quality control note as specified in Art. I5.2) a of the Framework contract.

4. RESPONSIBILITY FOR THE MANAGEMENT AND THE MONITORING OF THE EVALUATION

The responsibility for the management and supervision of the evaluation will rest with the Evaluation Unit of the EuropeAid Co-operation Office. The progress of the evaluation will be followed closely by the Reference Group (RG) consisting of members of EC services concerned.

The RG will act as the main interface between the Evaluation Team and the Commission Services. The principal function of the Reference Group is to follow the evaluation process and more specifically:

- to advise on the scope and focus of the evaluation ,
- to act as the interface between the consultants and the Commission services;
- to advise on the quality of the work of the consultants;
- to facilitate access to information and documentation;
- to facilitate and assist in feedback of the findings and recommendations from the evaluation.

Several Reference Group meetings (about 5) will take place during the process of the evaluation, as indicated below in a time schedule.

After the signature of the contract, information referred in Annex 1, will be given to the Consultants.

5. THE EVALUATION TEAM

This evaluation is to be carried out by a team with advanced knowledge and experience in development co-operation in general terms and in human rights specific topics.

Consultants should possess an appropriate training and documented experience in the management of evaluations as well as evaluation methods in field situations. The team should comprise a reasonable mix of consultants familiar with the mapping and scoping exercise, the different regions/issues and with the different international organisations dealing with Human Rights.

Special expertise will be required concerning support to civil and political rights, defence and support of victims of repression.

Previous experience of conducting big evaluations for international organisations (UN, Council of Europe etc.) will be considered as an asset. Experience in evaluating Human Rights support operations will be also considered an advantage.

The Evaluation Unit recommends strongly that consultants from beneficiary countries will be employed (particularly, but not only, during the Field Phase).

The **team leader** must have a proved experience in EC evaluation methodology. Furthermore he shall have a considerable experience in managing evaluations of a similar size and character. In addition, each country team should be led by an experienced member of the team (or directly by the team leader).

The team must be prepared to **work in English**, and possess excellent drafting skills. Knowledge of French and Spanish in particular for the field phase, is required.

The agreed Team composition may be subsequently adjusted if necessary in the light of the final Evaluation Questions and Field Cases once they have been validated by the Reference Group.

A declaration of absence of conflict of interest should be signed by each consultant and annexed to the launch note.

6. TIMING

The evaluation will start in July 2009 with completion of the *Desk report 1* in November 2009, *work-shop* in December 2009 and *Final Report* scheduled for November 2010 and the *Dissemination seminar* taking place in December 2010. The delays for Desk report 1 and work-shop are particularly important. The following is the *indicative* schedule²⁶:

<i>Evaluation Phases and Stages</i>	<i>Deliverables Notes and Reports</i>	<i>Dates</i>	<i>Meetings</i>
Terms of Reference		Early June 2009	
Starting Stage	Launch Note	June 2009	
Desk Phase			
Structuring Stage	PPT presentation	June/July 2009	RG meeting
	Inception Report	September 2009	
Desk Study 1	Draft Desk Report 1	November 2009	RG meeting
Work shop	PPT presentation and minutes	December 2009	
Desk Study 2	Draft Desk Report 2	February 2010	RG meeting
	Final Desk Report 2	March 2010	
Field Phase		March/June 2010	
	Presentation for the RG (including final notes on case studies)	June 2010	RG meeting
Final Report-Writing Phase		July/November 2010	
	Draft Final Report	September 2010	RG meeting
	Final Report, data bases and control quality note	November 2010	
Dissemination Seminar	PPT presentation and minutes	December 2010	

Note: The timing of activities has to be realistic. A thematic evaluation takes about 18/24 months between signature of contract and approval of the final report

²⁶ The dates mentioned in the above table may only be changed in view of optimising the evaluation performance, and with the agreement of all concerned.

❖ **COST OF THE EVALUATION**

The overall costs include:

- A. the **evaluation** as such;
- B. up to 2.5% of the total budget (excluding the costs of the seminar) can be used for **quality control**; and
- C. the organisation of one **work-shop** and one **seminar** both in Brussels in European Commission premises.

The overall cost of the evaluation must not exceed € 450.000-

Note: The budget for the three elements will be presented separately in the launch note.

10. PAYMENTS MODALITIES

The payments modalities shall be as follows:

- 30% on acceptance of the inception report, plus the agreed budget to be used for quality control;
- 50% on acceptance of the draft final report; and
- the balance on acceptance of the final report.

Seminar related costs are to be invoiced and paid separately.

ANNEX 1: INDICATIVE DOCUMENTATION FOR THE EVALUATION

- *NB: the following list is indicative and by no means exhaustive. The consultants are requested to take into account any other documents relevant to the evaluation. This includes documentation available on internet OECD-DAC and EU Inventory websites in particular), as well as the documentation listed within the Evaluation Unit library.*

➤ **EU WEB**

The European Union Institutions Web sites are the central source points for the documentation related to EU Human Rights support
http://europa.eu/pol/rights/index_en.htm

In particular the key documents to considered are:

- **The European Union Annual Human rights reports and other EU documents** as 'Furthering human rights and democracy across the globe' (year of publication: 2007)
- **The European Commission communications and reports** such as
 - Governance in the European Consensus on Development: towards a harmonized approach within the European Union (COM 2006/1020)
 - Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners - Strategic guidelines (COM 294/2003)
 - Commission Staff Working Document on the Implementation of the Commission Communication on the EU's Role in Promoting Human Rights and Democratisation in Third Countries SEC(2004) 1041
 - The EU's Role in Promoting Human Rights & Democratisation in Third Countries (COM 252/2001)
 - On the implementation of measures intended to promote observance of human rights and democratic principles in external relations for 1996-1999 (COM 726/2000)
 - Democratisation, the rule of law, respect for human rights and good governance: the challenges of the partnership between the European Union and the ACP States (COM 146/1998)
 - On the implementation of measures intended to promote observance of human rights and democratic principles for 1995 (COM 673/1996)
 - The European Union and the External Dimension of Human Rights Policy : from Rome to Maastricht and Beyond (COM 567/1995)
 - The inclusion of respect for democratic principles and human rights in agreements between the Community and third countries (COM 216/1995)

- **EIDHR funding for democracy and human rights documents**

- EIDHR Annual Action Programme (AAP) 2007
- Action Fiches of the AAP
- EIDHR Regulation (No 1889/2006)
- EIDHR strategy paper 2007-2010
- External Actions through Thematic Programmes under the Future Financial Perspectives 2007-2013
- Thematic Programme for the Promotion of Democracy & Human Rights Worldwide under the Future Financial Perspectives (2007-2013)
- and other EIDHR documents prior to 2007

- **Council of the EUROPEAN UNION Documents**

- EU human rights policy
- Council conclusions on the European Union's role in promoting Human rights & Democratisation in third countries 25/06/01
- Human Rights Conclusions - General Affairs Council 19/03/01

- **EU Human rights guidelines**

The Council of the EU has elaborated a series of human rights guidelines which serve as framework for protecting and promoting human rights in third countries. These guidelines cover so far the death penalty, torture and other forms of ill-treatment, human rights dialogues with third countries, children affected by armed conflicts, human rights defenders, promotion and protection of the rights of the child as well as violence against women and girls and combating all forms of discrimination against them. In addition, the EU has adopted guidelines on International Humanitarian Law with relevance for the human rights protection and promotion.

The guidelines draw together a range of tools at the EU's disposal for promoting human rights in its Common Foreign and Security Policy (CFSP). The EU reviews periodically the implementation of the guidelines.

- EU guidelines on violence against women and girls and combating all forms of discrimination against them (2008)
- Promotion and protection of the rights of the child (2007)
- Death Penalty (2008)
- Torture and other cruel, inhuman or degrading treatment or punishment (2008)
- Human rights dialogues (2001)
- Children and Armed Conflict (2003)
- Human Rights Defenders (2008)
- International Humanitarian Law (IHL) (2005)

- **EUROPEAN PARLIAMENT documents**

- Presented under the Human rights Unit site

➤ ***OTHER SOURCES***

Other documents will be delivered to the evaluators such as

EP evaluation on the HR dialogues

EP reports and resolution on HR activities

Updated list of HR dialogues and guidelines

- ***Only public documents can be delivered as all documentation and results of the evaluation are public documents.***
- ***The following 2 documents will be handed to the Consultants after the specific contract signature:***
 - 1) Guidance note on accessing information contained by the ROM system;
 - 2) Cover page template for report(s).

ANNEX 2: OVERALL STRUCTURE OF THE FINAL REPORT

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

- Summary;
- Context of the evaluation;
- Answers to the evaluation questions;
- Conclusions (1); and
- Recommendations (2).

– NB: the final report must be kept short (70 pages maximum excluding annexes). Additional information covering the context, the programme, the methodology and analysis, must be placed in the annexes.

(1) Conclusions

- The conclusions must be assembled by homogeneous "clusters" (groups). There is no requirement to set out the conclusions according to the 5 DAC criteria;
- The chapter on "Conclusions" must contain a paragraph or a sub-chapter with the 3 to 4 principal conclusions presented in order of importance; and
- The chapter on "Conclusions" must identify areas of good practices and areas where modifications or re-orientations are required.

(2) Recommendations

- Recommendations must be linked to the conclusions without directly duplicating them;
- Recommendations must be treated on a hierarchical basis and prioritised within the various clusters (groups) selected;
- Recommendations must be realistic, operational and feasible. Any restrictions in implementing the recommendations must be specified;
- The chapter on "Recommendations" must contain a sub-chapter, or a paragraph that corresponds to the paragraph outlining the 3 to 4 principal conclusions. For each conclusion, options for action and the conditions linked to each action, as well as their likely consequences, should be set out.

The overall layout of the **Annexes** (non exhaustive) is

- Background
- Methodological approach
- Information matrix
- Monographs, case studies
- List of institutions and persons met
- List of documents consulted

NOTE ON THE EDITING OF REPORTS

- 1) The **final report** must:
 - be consistent, concise and clear;
 - be well balanced between argument, tables and graphs;
 - be free of linguistic errors;
 - include a table of contents indicating the page number of all listed chapters, annexes (with page numbering continuing from the main report) and a complete list in alphabetical order of any acronyms/abbreviations in the text; and
 - contain summaries presenting the main ideas (e.g. answers to the evaluation questions and the main conclusions summarised and presented in textboxes).
- 2) The **executive summary** must be very short (max. 5 pages)
- 3) The final version of the report shall be typed in 1 line spacing and printed on double sided paper in DIN-A-4 format.
- 4) The font must be easy to read (indicative size of the font: Times New Roman 12).
- 5) The presentation must be well spaced (the use of graphs, tables, boxes...etc and small paragraphs is strongly recommended). The graphs must be clear (e.g. shades of grey produce better contrasts on a black and white printout).
- 6) The main report must not exceed 70 pages, including the cover page, the table of content, the lists of annexes and acronyms/abbreviations. The annexes must not be too long.
- 7) The spread of content must be balanced between main report and annexes.
- 8) Reports shall be glued or stapled. Plastic spirals are not acceptable due to storage problems.
- 9) For the report cover page, please use the template as provided in Annex 1.

Please, note that:

- The Consultant is responsible for the quality of translations and their conformity with the original; and
- All data produced in the evaluation is the property of the EC.

ANNEX 3: OVERALL STRUCTURE OF THE SEMINAR PRESENTATION

The Final **presentation** will include slides for:

- Context of the evaluation;
- Intervention logic and focus of questions
- Answers to the evaluation questions (1);
- Conclusions and
- Recommendations

(1) For every question 4-5 slides will present

- The theory of action (part of the intervention logic concerned) with the localisation of the EQ
- One table with Judgement criteria and indicators
- Findings (related to JC and Indicators) and their limits.
- Conclusions and recommendations

ANNEX 4 - QUALITY ASSESSMENT GRID

Concerning these criteria, the evaluation report is:	Unacceptable	Poor	Good	Very good	Excellent
1. Meeting needs: Does the evaluation adequately address the information needs of the commissioning body and fit the terms of reference?					
2. Relevant scope: Is the rationale of the policy examined and its set of outputs, results and outcomes/impacts examined fully, including both intended and unexpected policy interactions and consequences?					
3. Defensible design: Is the evaluation design appropriate and adequate to ensure that the full set of findings, along with methodological limitations, is made accessible for answering the main evaluation questions?					
4. Reliable data: To what extent are the primary and secondary data selected adequate. Are they sufficiently reliable for their intended use?					
5. Sound analysis: Is quantitative information appropriately and systematically analysed according to the state of the art so that evaluation questions are answered in a valid way?					
6. Credible findings: Do findings follow logically from, and are they justified by, the data analysis and interpretations based on carefully described assumptions and rationale?					
7. Validity of the conclusions: Does the report provide clear conclusions? Are conclusions based on credible results?					
8. Usefulness of the recommendations: Are recommendations fair, unbiased by personnel or shareholders' views, and sufficiently detailed to be operationally applicable?					
9. Clearly reported: Does the report clearly describe the policy being evaluated, including its context and purpose, together with the procedures and findings of the evaluation, so that information provided can easily be understood?					
Taking into account the contextual constraints on the evaluation, the overall quality rating of the report is considered.					

ANNEX 2:

THE EU NORMATIVE AND INSTITUTIONAL FRAMEWORK

In this section it is presented an overview of the EU normative framework for the promotion and protection of the HR in third countries and the most important policy documents elaborated by the **European Commission**, by the **European Council** and **European Parliament** marking out the strategic framework and context for the Commission's interventions in the HR field in the world. This architecture is summaries in a a schematic way in the table 1 below.

The overview begins with the provision contained in the **Treaties** followed by the description of **EU legally binding acts** and the **policy documents** which are not formally binding but constitutes the policy framework for the EU interventions. The scheme is completed by **the instruments**, of spending and of non-spending nature to implement the HR policy.

In the field of HR the normative and policy framework is central to the reconstruction of the logic of EU interventions and to define priorities and means of actions.

These documents are then described subsequently.

<i>Legally binding documents</i>	
<p>Treaty Provisions: Art 6 TEU Article 11(1) TEU; (Articles177(2) and Art 181bis TEC)</p>	<p>Art 6 TEU European Union 'is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles that are common to the Member States'</p> <p>EU External dimension:</p> <ul style="list-style-type: none"> • Develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms is recognised as one of the objectives of the CFSP, as set out in Article 11(1) TEU • Community development policy shall contribute to the objective of developing and consolidating democracy , rule of law and human rights Articles177(2) • EU/EC policy contributes to the general objective of developing and consolidating democracy and the rule of law, and to the objective of respecting human rights and fundamental freedoms with third countries, including economic, financial, and technical co-operation' (Art 181bis TEC)
<p>EU International Agreements with non industrialized countries</p>	<ul style="list-style-type: none"> • Partnership and Association Agreements with Third Countries. From 1995 (Introduction of the Human Right Clauses as 'essential elements' clause.) • ACP-EC-Partnership Agreement "The Cotonou Agreement" June 2000
<p>Regulations</p>	<ul style="list-style-type: none"> • Council Regulation (EC) No 975/1999 of 29 April 1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms. • Council Regulation (EC) No 976/1999 of 29 April 1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries. • Council Regulation (EC, EURATOM) No 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia (TACIS), Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany the reform of economic and social structures in the framework of the Euro-Mediterranean partnership (MEDA), • Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide • Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument • Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development

	<p>cooperation,</p> <ul style="list-style-type: none"> • Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America (ALA)
Policy Documents	
<p>HR Guidelines Policy documents adopted by the Council</p>	<ul style="list-style-type: none"> ➤ Death penalty (1998, updated 2008), ➤ Torture and other cruel, inhuman or degrading treatment or punishment (2001, updated 2008), ➤ Human rights dialogues (2001), ➤ Children and armed conflict (2003, updated 2008); ➤ Human rights defenders (2004) ➤ Rights of the child (2007). ➤ Promoting compliance with <i>international humanitarian law</i> (IHL) (2005)
<p>Overarching policy documents</p>	<ul style="list-style-type: none"> • <i>Declaration by the Council and the Commission on the European Community's Development Policy, 16.11.2000</i> • <i>Joint Statement by the Council and the representatives of the Governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: "The European Consensus" (November 2005).</i>
<p>EC Communications and Council conclusions on HR</p>	<ul style="list-style-type: none"> • The European Union's Role in Promoting Human rights and Democratisation in Third Countries - Communication from the Commission to the Council and European Parliament - COM (2001) 252 of 08.05.2001 • Council Conclusions, June 2005: The European Union's Role in Promoting Human Rights and Democratisation in third Countries (2362nd Council meeting) • Governance and Development - Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee COM(2003) 615 final of 20.10.2003 • Governance in the European Consensus on Development – Towards a Harmonised Approach within the European Union - European Commission communication to the Council, European Parliament, European Economic and Social Committee and the Committee of the Regions - COM(2006) 421 of 30.08.2006 • Thematic Programme for the Promotion of Democracy and Human Rights Worldwide under the Future Financial Perspectives (2007-2013) - Communication from The Commission to the Council and the European Parliament - COM (2006) 23 of 25.01.2006
Instruments	
<p>Financial Instruments: Geographical Thematic</p>	<ul style="list-style-type: none"> • Geographical instruments, namely ALA, CARDS, MEDA, EDF and TACIS for the 2000-2007 programming exercise and DCI, EDF and ENPI for the current 2008-2013 period which are the basis for the CSPs and RSPs • Thematic Instruments European Initiative for Democracy and Human Rights, the Rapid Reaction Mechanism, the NGOs and Decentralisation budget lines, AENEAS and humanitarian aid for 2000-2007 programming exercise and, for the years 2007-2013, the European Instrument for Democracy and Human Rights, the Instrument for Stability the DCI's thematic programmes on Non-State Actors and Local Authorities, and Investing in People, Thematic Programme for Migration & Asylum as well as humanitarian aid. • Crisis management operations • EOM (Election Observation missions)

Instrument of non financial nature (EC, Council and EP)

- Dialogue and Consultations
- Demarches and Declarations,
- Joint Actions,
- Common Positions,
- Sanctions
- EU participation in the international Fora
- Cooperation with EP actions in the field of HR

LEGALLY BINDING DOCUMENTS

The Treaties

The basis for European Union (EU) action is clear. The European Union seeks to uphold the universality and indivisibility of human rights - civil, political, economic, social and cultural - as reaffirmed by the 1993 World Conference on Human Rights in Vienna. The EU also upholds the principle that the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights, as reaffirmed by the 1995 Beijing Declaration and Platform for Action. The protection of such rights, together with the promotion of pluralistic democracy and effective guarantees for the rule of law and the fight against poverty, are among the European Union's essential objectives.

EU support for human rights, democracy and the rule of law is established in the Treaties. The Treaty of Amsterdam - which came into force on 1 May 1999 - reaffirms in its Article 6 that the European Union *'is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles that are common to the Member States.*

The Commission's action in the field of external relations will be guided by compliance with the rights and principles contained in the EU Charter of Fundamental Rights which was officially proclaimed at the Nice Summit in December 2000, since this will promote *coherence between the EU's internal and external approaches.* The Treaty of Lisbon guarantees the rights set out in the Charter and gives its provisions a binding legal force in all countries except Poland, the United Kingdom and the Czech Republic.

The respect for human rights and fundamental freedoms are recognised as one of the main objective of the EU's Common Foreign and Security Policy (CFSP - art. 11). The Treaty further provides that Community development policy shall contribute to the objective of developing and consolidating democracy, rule of law and human rights (article 177 (2)), and makes a similar provision concerning Community economic, financial and technical cooperation with third countries (article 181a). This also extended the objective of promoting the respect of human rights and fundamental freedoms, from development co-operation to all forms of co-operation with third countries (Art. 181bis TEC). The Lisbon Treaty confirms and strengthens this legal framework.

The Lisbon Treaty framework is:

Article 2 TEU provides that:

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article 6 provides that:

1. The Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union of 7 December 2000, as adapted at Strasbourg, on 12 December 2007, which shall have the same legal value as the Treaties. [In the case of the Charter, "This Charter reaffirms, with due regard for the powers and tasks of the Community and the Union and the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties,

the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights.”^{27]}

The provisions of the Charter shall not extend in any way the competences of the Union as defined in the Treaties.

The rights, freedoms and principles in the Charter shall be interpreted in accordance with the general provisions in Title VII of the Charter governing its interpretation and application and with due regard to the explanations referred to in the Charter, that set out the sources of those provisions.

2. The Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Such accession shall not affect the Union's competences as defined in the Treaties.

3. Fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law.

The TEU General Provisions on the Union's External Action. Article 21 states that:

1. The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations.

Third Countries Agreements

Human rights clauses in third country agreements

In 1995, the Council of Ministers decided that a human rights clause, with a corresponding sanctions mechanism in the event of violation, should be included in all agreements with non-member countries. The rationale for this is explained in the Commission Communication on the topic, which provided the basis for the decision:

‘Initially, they [human rights] were mentioned either not at all or only in passing in the preamble of some agreements. The first reference in the body of a contractual document was in Article 5 of the fourth Lome Convention, concluded in December 1989. However, Article 5 of Lome IV and similar articles in other agreements do not provide a clear legal basis to suspend or denounce agreements in cases of serious human rights violations or interruptions of democratic process.’

This human rights clause is referred to as the **‘essential elements’ clause**. By stating explicitly that respect for human rights is an ‘essential element’ of the relations between the EU and the third country in question, and of the concluded treaty, the EU provides a legal basis for the termination or suspension of the treaty under Article 60 of the Vienna Convention on the Law of Treaties, due to a ‘material breach’ of the treaty.

It was first introduced in EC bilateral agreements in 1992 and systematically included in all partnership, trade and cooperation agreements, as well as in stabilisation and/or association agreements starting from 1995²⁸. *The principal rationale for the clause is to form a positive basis for advancing human rights in third countries through dialogue and persuasion*²⁹ and, therefore, it *should be seen not as imposing conditions, but in the spirit of a joint undertaking to respect and promote universal values*³⁰ (see positive approach below). The corollary to this positive approach is the option of taking *appropriate measures* in response to serious and persistent violations of human rights or interruptions in the democratic process (see definition of appropriate measures below)

²⁷ Charter Of Fundamental Rights Of The European Union (2000/C 364/01)

²⁸ A specific Communication adopted in 1995 spells out the standard wording and the basic modalities of the clause, with the aim of ensuring consistency in the text used and its application - COM (1995) 216 final.

²⁹ The EU: Furthering Human Rights and Democracy Across the Globe

³⁰ *Ibid*

- ◆ *Positive approach*: it is an approach based on the concepts of *exchange, sharing and encouragement* with a view of strengthening the links between development cooperation, human rights and democratic principles and, thereby, raising awareness on and fostering improvements in the human rights situation of third countries.
- ◆ *Appropriate/restrictive measures*: the EU may adopt certain measures in cases of violation of democratic principles and human rights. The range of measures is sufficiently broad to allow for a graduated response in line with the gravity of the situation, from confidential or public approaches to interventions in international forums and participation in international and regional enquiries. Where contractual relations are concerned, the Community can also postpone the conclusion of the agreement or of new projects, change the content of cooperation programmes or the channel of delivery³¹, and even suspend the agreement³² (see also restrictive measures in the context of the CFSP in box 3).
- ◆ *Suspension clause and general non-execution clause*: the Commission defines the suspension clause as a clause *authorising the suspension of the application of the agreement in whole or in part "with immediate effect" if a serious breach of its essential provisions occurs*³³. Most agreement between EU and third countries fall short of including an explicit suspension clause. Instead so-called general non-execution clauses are more commonly used because they provide for a conciliation procedure and a range of different options in case of violation of the parties' obligations, whereas immediate suspension is envisaged only in cases of special urgency³⁴. The more formalised example is provided by the Lomé Convention (Lomé IV revised) and by the subsequent Cotonou agreement.

Partnership and Co-operation Agreement

'As well as their economic clauses, PCAs include a commitment to principles of human rights and democracy and involve a 'structured' political dialogue between EU and partner state both at highest ministerial level and at civil servant and parliamentary level'

Association Agreements

Such agreements are signed as part of two EU policies: Stabilisation and Association Process (SAP) and European Neighbourhood Policy (ENP). The countries of the Western Balkans are covered by SAP and the EU signs with them "Stabilisation and Association Agreements" (SAA). The countries of the Mediterranean and the East European EU neighbours (including Souths Caucasus but excluding Russia are covered by ENP.

ACP-EC-Partnership Agreement "The Cotonou Agreement" June 2000 (African, Caribbean and Pacific countries (77 countries)

Article 9 "*Essential Elements and Fundamental Element*"

1. Cooperation shall be directed towards sustainable development centred on the human person, who is the main protagonist and beneficiary of development; this entails respect for and promotion of all human rights. Respect for all human rights and fundamental freedoms, including respect for fundamental social rights, democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development.

2. The Parties refer to their international obligations and commitments concerning respect for human rights. They reiterate their deep attachment to human dignity and human rights, which are legitimate aspirations of individuals and peoples. Human rights are universal, indivisible and inter-related. The

³¹ For instance EU may suspend co-operation with government but continue to support local population through projects carried out by civil society.

³² § 64 of COM (1995) 567. This right derives from Article 60 of the Vienna Convention on the Law of Treaties, relating to the denunciation or the suspension of the application of a treaty in case of "material breach" of the agreement, i.e. "violation of a provision essential to the accomplishment of the objective or purpose of the treaty. This right was also confirmed by the European Court of Justice (ECJ) in its decision of 3 December 1996, with regard to the "essential elements" clause in Article 1 of the cooperation agreement between the EC and the Republic of India

³³ European Commission (1995) Inclusion of respect for democratic principles

³⁴ European Commission (1995) Inclusion of respect for democratic principles

Parties undertake to promote and protect all fundamental freedoms and human rights, be they civil and political, or economic, social and cultural. In this context, the Parties reaffirm the equality of men and women.

The Parties reaffirm that democratisation, development and the protection of fundamental freedoms and human rights are interrelated and mutually reinforcing. Democratic principles are universally recognised principles underpinning the organisation of the State to ensure the legitimacy of its authority, the legality of its actions reflected in its constitutional, legislative and regulatory system, and the existence of participatory mechanisms. On the basis of universally recognised principles, each country develops its democratic culture. The structure of government and the prerogatives of the different powers shall be founded on rule of law, which shall entail in particular effective and accessible means of legal redress, an independent legal system guaranteeing equality before the law and an executive that is fully subject to the law. Respect for human rights, democratic principles and the rule of law, which underpin the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute the essential elements of this Agreement.

3. In the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions,

the primacy of law in the management and distribution of resources and capacity building for elaborating and implementing measures aiming in particular at preventing and combating corruption.

Good governance, which underpins the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute a fundamental element of this Agreement. The Parties agree that only serious cases of corruption, including acts of bribery leading to such corruption, as defined in Article 97 constitute a violation of that element.

Article 96 “Essential elements: consultation procedure and appropriate measures” According to this article the Party who considers that the other one has failed to fulfil an obligation on human rights shall provide that Party and the Council of Ministers with information and invite the Party to participate in consultations with a view to finding a solution acceptable to both parties. If no solution is found, in emergency cases or if one party rejects consultation, ‘appropriate measures’ can be taken.

The consultation process is not defined (“at the level and in the form considered most appropriate”) in contrast to Lomé IV (Article 366a of Lomé IV bis). Only a temporal limit is set: consultations have to start within 15 days after the invitation and finish within the following 60 days. Experience showed that the previous 30 day period was too short. The rest of the Article defines what could be done in cases of special urgency, if consultation is refused and if a solution is not achieved. The ACPs fought hard against the clause allowing for unilateral action in cases of special urgency, but without success. What they have achieved is the introduction of detailed definitions of “cases of special urgency” (“exceptional cases of particularly serious and flagrant violation of one of the essential elements) and of “appropriate measures”, stating that these measures should be undertaken in accordance with international law, be proportional to the violation and “priority must be given to those which least disrupt the application of this agreement”. Aid suspension is considered a measure of last resort, as already stated in Lomé IV bis (Article 366a).

Generalised System of Preferences (GPS) +³⁵

The EU's Generalised System of Preferences is a trade arrangement through which the EU provides preferential access to the EU market to 176 developing countries and territories, in the form of reduced tariffs for their goods when entering the EU market.

This system covers three separate preference regimes and one of them is known as GPS +, which is a special incentive arrangement for sustainable development and good governance. In order to become beneficiary of the GPS +, a country must have ratified and effectively implemented 27 specified international conventions in the fields of human rights, core labour standards, sustainable

³⁵ http://ec.europa.eu/trade/issues/global/gsp/memo230605_en.htm

development and good governance³⁶. In addition, the country should also be considered "vulnerable" in terms of its size or the limited diversification in its exports. For the period 2009-2011, 16 countries have qualified to receive the additional preferences offered under the GSP+ incentive arrangement³⁷.

Regulations

The regulations in the fields of external actions represent the legal basis for the financial and technical instruments; in the context of HRs the main financial thematic programme is EIDHR with the related regulations.

Regulations 975/99 and 976/99³⁸

Adopted by European Council it is the legal basis for all human rights and democratisation spending activities and specifically of the European Initiative for Democracy and Human Rights (EIDHR). These Regulations applied from 1999 to end 2006.

The adoption of the two Regulations, followed the judgement of the European Court of Justice of 12 May 1998 in case C-106/96, remedied the absence of a legal basis for the implementation of Community funding projects in third countries. They also established a Human Rights and Democracy Committee that became operational in July 1999.

In policy terms, the Council regulation concretises the general policy objectives, as set out in the Resolution 1991 and in the Treaty of EU, into 3 more specific objectives. These objectives are:

- promoting and defending the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other international instruments concerning the development and consolidation of democracy and the rule of law,
- supporting the processes of democratisation, and
- supporting measures to promote respect for human rights and democratisation by preventing conflict and dealing with its consequences, in close collaboration with the relevant competent bodies.

Each of these general objectives comprise a series of specific thematic objectives, giving EIDHR the potential to cover a wide scope of operations:

Regulation (EC) No 1889/2006

Of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide

The European Instrument for Democracy and Human Rights (EIDHR)³⁹ represents a new self-standing financing instrument for the promotion of democracy and human rights over the period 2007-2013. Its adoption in 2006 reflects the high political profile and specific Treaty mandates to create a favourable environment for consolidating democracy and the rule of law and for the respect of human rights and fundamental freedoms in partner countries. The EIDHR covers a wide range of activities meant to pursue three distinct objectives, as set out in the Regulation itself (art. 1) and in the 2007-2010 Strategy Paper:

³⁶ The List of Conventions to qualify for 'GSP Plus' Core human and labour rights UN/ILO Conventions are accessible from the external website of DG trade at http://ec.europa.eu/trade/issues/global/gsp/memo230605_en.htm

³⁷ The other 2 arrangements are the **standard GSP**, which provides preferences to 176 Developing Countries and Territories on over 6300 tariff lines and the **Everything But Arms (EBA)** arrangement, which provides Duty-Free, Quota-Free access for all products for the 50 Least Developed Countries (LDCs).

³⁸ Council Regulation (EC) No 975/1999 of 29 April 1999, laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms. Council Regulation (EC) No 976/1999 of 29 April 1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries, 29 April 1999. OJ L120/8 of 8.5.99

³⁹ Regulation (EC) No 1889/2006, of the European Parliament and the Council, 20.12.2006. More information available at: http://ec.europa.eu/external_relations/human_rights/intro/index.htm.

a. *Promotion and enhancement of participatory and representative democracy, including parliamentary democracy, and the processes of democratisation, mainly through civil society organisations, inter alia in:*

- promoting freedom of association and assembly, unhindered movement of persons, freedom of opinion and expression, including artistic and cultural expression, independent media, unimpeded access to information, and measures to combat administrative obstacles to the exercise of these freedoms, including the fight against censorship;
- strengthening the rule of law, promoting the independence of the judiciary, encouraging and evaluating legal and institutional reforms, and promoting access to justice;
- promoting and strengthening the International Criminal Court, ad hoc international criminal tribunals and the processes of transitional justice and truth and reconciliation mechanisms;
- supporting reforms to achieve effective and transparent democratic accountability and oversight, including that of the security and justice sectors, and encouraging measures against corruption;
- promoting political pluralism and democratic political representation, and encouraging political participation by citizens, in particular marginalised groups, in democratic reform processes at local, regional and national level;
- promoting the equal participation of men and women in social, economic and political life, and supporting equality of opportunity, and the participation and political representation of women;
- supporting measures to facilitate the peaceful conciliation of group interests, including support for confidence-building measures relating to human rights and democratisation.

b. *the promotion and protection of human rights and fundamental freedoms, as proclaimed in the Universal Declaration of Human rights and other international and regional instruments concerning civil, political, economic, social and cultural rights, mainly through civil society organisations, relating to inter alia:*

- the abolition of the death penalty, prevention of torture, ill-treatment and other cruel, inhuman and degrading treatment or punishment, and the rehabilitation of victims of torture;
- support for, protection of, and assistance to human rights defenders, in terms of Article 1 of the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;
- the fight against racism and xenophobia, and discrimination based on any ground including sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;
- the rights of indigenous peoples and the rights of persons belonging to minorities and ethnic groups;
- the rights of women as proclaimed in the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocols, including measures to combat female genital mutilation, forced marriages, crimes of honour, trafficking, and any other form of violence against women;
- the rights of the child, as proclaimed in the Convention on the Rights of the Child and its Optional Protocols, including the fight against child labour, child trafficking and child prostitution, and the recruitment and use of child soldiers;
- the rights of persons with disabilities;
- the promotion of core labour standards and corporate social responsibility;
- education, training and monitoring in the area of human rights and democracy, and in the area covered by paragraph 1(a)(vii);
- support for local, regional, national or international civil society organisations involved in the protection, promotion or defence of human rights and in measures referred to in paragraph 1(a)(vii);

- c. *the strengthening of the international framework for the protection of human rights, justice, the rule of law and the promotion of democracy, in particular by i) providing support for international and regional instruments concerning human rights, justice, the rule of law and democracy;*
- fostering cooperation of civil society with international and regional intergovernmental organisations, and supporting civil society activities aimed at promoting and monitoring the implementation of international and regional instruments concerning human rights, justice, and the rule of law and democracy;
 - promoting observance of international humanitarian law;
- d *Building confidence in and enhancing the reliability and transparency of democratic electoral processes, in particular:*
- through deployment of European Union Election Observation Missions;
 - through other measures of monitoring electoral processes;
 - by contributing to developing electoral observation capacity of civil society organisations at regional and local level, and supporting their initiatives to enhance participation in, and the follow-up to, the electoral process
 - by supporting measures aimed at implementing recommendations of European Union Election Observation Missions, in particular through civil society organisations.

The originality of this instrument and, at the same time, the added value that ensures the complementarity with the related Community instruments and programmes for external assistance are the following ones:

- EIDHR funding is awarded principally to non-governmental, civil society-based organisations active in the field of protecting/promoting human rights and democracy. This is a clear acknowledgement of the value and contribution of NGOs in the field
- It offers independence of action, allowing for the delivery of assistance in principle without the need for government consent, which is a critical feature of cooperation with civil society organisations at national level, especially in the sensitive areas of democracy and human rights. Ability to tackle problems at grassroots level. It also provides for measures which may be politically sensitive in some instances and allows EIDHR funds to be used as seed money for positive change.
- priority to supporting the international framework for the protection of human rights, justice, the rule of law and the promotion of democracy, reflecting the EU's general commitment to multilateralism (e.g. international criminal justice system and support for the International Criminal Court, or the abolition of the death penalty, or election observation). Because democracy and human rights are, above all, issues of global concern and constitute "public goods", global campaigns are also envisaged, requiring a transnational approach
- addresses highly specific human rights, democratisation and conflict prevention issues and lends support to small-scale projects not covered by other programmes (for instance geographical programmes will increasingly mainstream democracy and human rights, though focusing primarily on public institution-building)
- offers more flexibility of action for the permanent call for proposal tailor-made for different beneficiaries and the possibility for local NGOs to be financed through the micro-project local call especially in the form of civil rights fora & networks, working on advocacy or awareness raising, in order to promote institutional sustainability and multiplier effects and reach out to remote areas (outside the capitals) and to disadvantaged members of society.

POLICY AND STRATEGY DOCUMENTS

EU policy in support of democracy and human rights in third countries has been articulated and developed in Commission Communications, European Parliament Resolutions and Council Conclusions over the years. As indicated in the Treaty mandates¹, the objective of developing and consolidating democracy and the rule of law, and respect for human rights and fundamental freedoms is now a feature of all forms of co-operation with third countries. Central of the EU Policy now is also

the mainstreaming of human rights and democratisation into external policies and actions and the importance of dialogue with civil society.

EU Guidelines on Human Rights

The Council of the European Union elaborated six guidelines on Human Rights issues and one on respect for International Humanitarian law.

The EU guidelines are not legally binding, but because they have all been adopted at ministerial level, the guidelines represent a strong political signal that these are priorities for the Union. The Guidelines are pragmatic instruments of the EU Human Rights policy. These guidelines are practical tools to help EU representations in the field better advance our Human Rights policy.

EU actors in capitals, in Brussels and in the field implement these guidelines through specific actions such as demarches and statements

Communications and Declarations

Declaration by the Council and the Commission on the European Community's Development Policy :(November 2000)

Basically mirroring the Treaty of the EU, the Declaration acknowledges that Community development policy is grounded on the principle of sustainable, equitable and participatory human and social development. Promotion of human rights, democracy, the rule of law and good governance are an integral part of it (art. 6). Secondly, for the first time human rights, including the rights of the child, equality between men and women and the environmental dimension, are recognised as cross-cutting topics that are at once objectives in themselves and vital factors in strengthening the impact and sustainability of cooperation and that, consequently need to be properly mainstreamed at every stage of execution of the activities (art. 20).

"The European Consensus" (November 2005).

This Statement reiterates and further promotes human rights, fundamental freedoms, peace, democracy, good governance, gender equality, the rule of law, solidarity and justice as common values to be strongly advocated in dialogue with third countries (art. 13 and 17).

Governance, democracy, human rights and support for economic and institutional reforms are recognised as areas for Community action based on the Community comparative advantages and their potential for pursuing the overarching objective of EU development cooperation: the eradication of poverty in the context of sustainable development:

"Progress in the protection of human rights, good governance and democratisation is fundamental for poverty reduction and sustainable development (1). All people should enjoy all human rights in line with international agreements. The Community will on this basis promote the respect for human rights of all people in cooperation with both states and non-state actors in partner countries. The Community will actively seek to promote human rights as an integral part of participatory in-country dialogue on governance. Fostering good governance requires a pragmatic approach based on the specific context of each country. The Community will actively promote a participatory in-country dialogue on governance, in areas such as anti-corruption, public sector reform, access to justice and reform of the judicial system. This is essential to building country-driven reform programmes in a context of accountability and an institutional environment that upholds human rights, democratic principles and the rule of law" (art. 86).

Special consideration is also given to conflict prevention and fragile states. Additionally, human rights, gender equality, democracy, good governance, children's rights and indigenous peoples require more than just specific measures and policies; they also require a mainstreaming approach because they touch on general principles applicable to all initiatives and demand a multi-sectoral response. This is the reason why the Community will apply a strengthened approach to mainstreaming those cross-cutting issues (art. 100 & 101):

"Democracy, Good Governance, Human rights and the rights of children will be promoted in partnership with all countries receiving Community development assistance. These issues should be systematically incorporated into the Community's development instruments through all Country and Regional Strategy Papers. The key principle for safeguarding indigenous peoples rights in

development cooperation is to ensure their full participation and the free and prior informed consent of the communities concerned" (art. 103).

The European Union's Role in Promoting Human rights and Democratisation in Third Countries - Communication from the Commission to the Council and European Parliament - COM(2001)252 of 08.05.2001.

This is a landmark Communication on the EU's role in promoting human rights and democratisation in third countries. Firstly, it establishes an ambitious set of proposals for improving the EU's approach to human rights and democratisation questions:

- through promoting coherent and consistent policies in support of human rights and democratisation;
- through placing higher priority on human rights and democratisation in the EU's relations with third countries and by taking a more pro-active approach, in particular by using the opportunities offered by political dialogue, trade and external assistance;
- by adopting a more strategic approach to the European Initiative for Democracy and Human Rights, matching programmes and projects in the field with EU commitments on human rights and democratisation.

Since Community action cannot be viewed in isolation from other European Union initiatives, it is essential to strengthen coordination and synergies with other EU institutional players and MSs.

Secondly, respect for HRs and democracy can only be effective if it is integral part in all EU external policies; therefore, they have to be included in the planning, design, implementation and monitoring of policies and programmes (first and foremost of CSPs), as well as in the dialogue pursued by the Community and the Council.

Last, bearing in mind the limited funds available in comparison with the broad policy objectives set out in Regulations 975 and 976/1999, the Commission recommended a prioritised and long-term approach for EIDHR interventions so as to enhance their impact and effectiveness. It thus selected limited number of four thematic priority issues of intervention:

- support to strengthen democratisation, good governance and the rule of law;
- activities in support of the abolition of the death penalty;
- support for the fight against torture and impunity and for international tribunals and criminal courts;
- combating racism, xenophobia and discrimination against minorities and indigenous peoples

Also, it included provision for the identification of certain 'focus countries', chosen in line with the EU's political and development priorities, and the particular added value of the EIDHR in meeting them, and for adopting flexible mechanisms so as to allow the EU to respond to urgent and unforeseen needs.

Council Conclusions June 2005 (2362nd meeting)

The Council welcomes the Commission's Communication on the European Union's Role in Promoting Human Rights and Democratisation in Third Countries (COM (2001) 252 final) as a valuable contribution towards reinforcing the coherence and consistency of EU policy in the field of human rights and democratisation. The Council reaffirms its commitment to:

- coherence and consistency between Community action and the Common Foreign and Security Policy (CFSP) as well as development policy through close co-operation and co-ordination between its competent bodies and with the Commission;
- "mainstreaming" of human rights and democratisation into EU policies and actions;
- openness of the EU's human rights and democratisation policy through a strengthened dialogue with the European Parliament and the civil society;
- regular identification and review of priority actions in the implementation of its human rights and democratisation policy.

Governance - COM(2003) 615 final and COM(2006) 421

Two other Commission policy documents of importance in the field of Human Rights are its Communications on Governance and Development (COM(2003) 615 final of 20.10.2003) and on Governance in the European Consensus on Development COM(2006) 421 of 30.08.2006. Governance and HR are closely linked and always considered together in the EC policy documents. In the first, the Commission expresses the view that measures in support of democratisation and respect for human are key to good governance being HR one of the six clusters of governance, and restate the importance of the HR clause in the relations with third countries. On the second the Commission proposes granting additional financial support (incentive) to ACP countries adopting or ready to commit themselves to a plan that contains ambitious, credible measures and reforms. One important component for incentives derived from the political dialogue with partner countries on human rights and democracy. For the European Neighbourhood countries a Democracy Facility was introduced in 2006

ANNEX 3:

INTERVENTION LOGIC

EC INTERVENTION LOGIC

This section describes the intervention logic underlying the Commission's support to Human Rights around through the world.

It is a prerequisite for the evaluation as it facilitates an understanding of the hierarchy of objectives the Commission pursued over the evaluation period when providing this support. In the specific context the intervention constitutes the basis for formulating the 20 Evaluation Questions presented in this Inception Note and will serve as the benchmark against which the Commission support will be evaluated.

The EU contribution to the respect and promotion of Human Rights and fundamental freedom is rooted in the principles established by the International Conventions adopted in the framework of United Nation as explained in a dedicated chapter 1.

It is important to underline that the intervention logic aims at translating the objectives the Commission was pursuing, not the activities that were actually implemented. It is therefore exclusively based on official policy documents. In this particular case the main reference documents are: the Treaty mandates (*Article 11(1) TEU; (Articles 177(2) and Art 181bis TEC*); the Communication from the Commission to the Council and European Parliament COM (2001) 252 of 08.05.2001; the Communication from The Commission to the Council and the European Parliament - COM (2006) 23 of 25.01.2006; the Regulation (EC) No 1889/2006 of the European Parliament and of the Council on establishing a financing instrument for the promotion of democracy and human rights worldwide and the HR guidelines which identify priorities in this field.

A first question to reflect on for the reconstruction of the logic of intervention is the fact that democracy and human rights are inextricably linked, and considered together in all main EU official documents.

The reconstruction of the logic for supporting HR in a simple structured fashion it is indeed a complex task which is linked to their specificity of HR nature which includes different dimensions. Human Rights are an objective in itself, they are instrumental to achieve other policies objectives and should be mainstreamed at policy and implementation level to accomplish both aims. Specifically, promotion of HR and democracy are **universal value to be pursued in their own rights**, but they are also considered **instrumental** to poverty reduction and achieving the Millennium Development Goals and as a vital tool for conflict prevention and resolutions. Human rights and democratisation policy can also contribute to making globalisation (especially in trade sector) a truly inclusive process limiting the negative effect on the welfare of the world's poorest and most vulnerable groups.

Another fundamental issue to consider is the legal commitment to **mainstreaming** human rights in all aspects of EC/EU external relations at policy and programming level and in all cooperation instruments. The overview of the EU normative references for mainstreaming is included in the table at page 40. Here it is good point out that the 2001 Communications set some measures that should be applied to enhance the positive impact of EC assistance programmes on respect for human rights, such as:

- Including HR issues in the dialogue used to draw up the Country Strategy for EC assistance
- Using Country Strategies to focus on sectors or cross-cutting interventions to improve the overall governance situation and make complementary use of the full range of EC instruments available, including the EIDHR to promote human rights and democratisation
- Supporting participation of civil society in the EC's development co-operation
- Taking active steps to use participatory approaches in programme design and to assess, monitor and enhance the impact of individual projects and programmes on human rights
- Taking performance in the area of human rights (including economic, social and cultural rights), democracy and the rule of law into account when deciding country allocations under the main co-operation programmes.

Sequence and definition of the different levels of the Intervention logic

In the framework of the current evaluation, we consider the following logical levels, from the bottom to the top of the effect diagram:

1. Context:

- Normative International Framework. HR are considered in the light of universally accepted International norms (Universal Declaration HR and **nine core international human rights treaties** supplemented by optional protocols).
 - EU Normative and Political framework, which consists of legally binding legislation (the Treaty, Agreements with third countries and Regulations). In addition, the thematic policy documents that have a relation with the promotion and the respect of HR in the world. This are mostly related to Commission Communications, Council HR Guidelines and Conclusions, Commission guidelines on mainstreaming HR into policies, geographical and thematic programmes, in particular into CSPs.
 - The EU Institutional machine in relation to: the elaboration of HR policies, implementation mechanisms and coordination methods among the Commission, the Council, the Parliament and internal to the Commission.
2. Instruments (Inputs). The financial, human, and material resources used for the development intervention. These are the means used to produce outputs. In this evaluation, we considered both **financial thematic and geographical programmes** and all **non-spending activities** carried out to achieve the objectives, to mainstream HR into the other policies and that are instrumental to achieve other policies objectives (poverty reduction, inclusion into world economies, conflict prevention)
 3. Operational objectives (outputs) The specific changes occurred as primary effect of the EC interventions carry out through financial contribution and non-spending tools.
 4. Specific objectives (Results). These regard the short-term effects expected with the contribution of the EC support on the Human Right situation of the partner countries.
 5. General objective (Long-term impact). These regard the longer-term effect expected by the EC interventions on the political, social and economic context of partner countries.

The objectives diagrams

The intervention logic is represented in the form of an objectives diagram, as shown in figures below. The team presented here an objective diagram in order to make the link with the International and European Normative Framework clear and to present visually the scope of this evaluation.

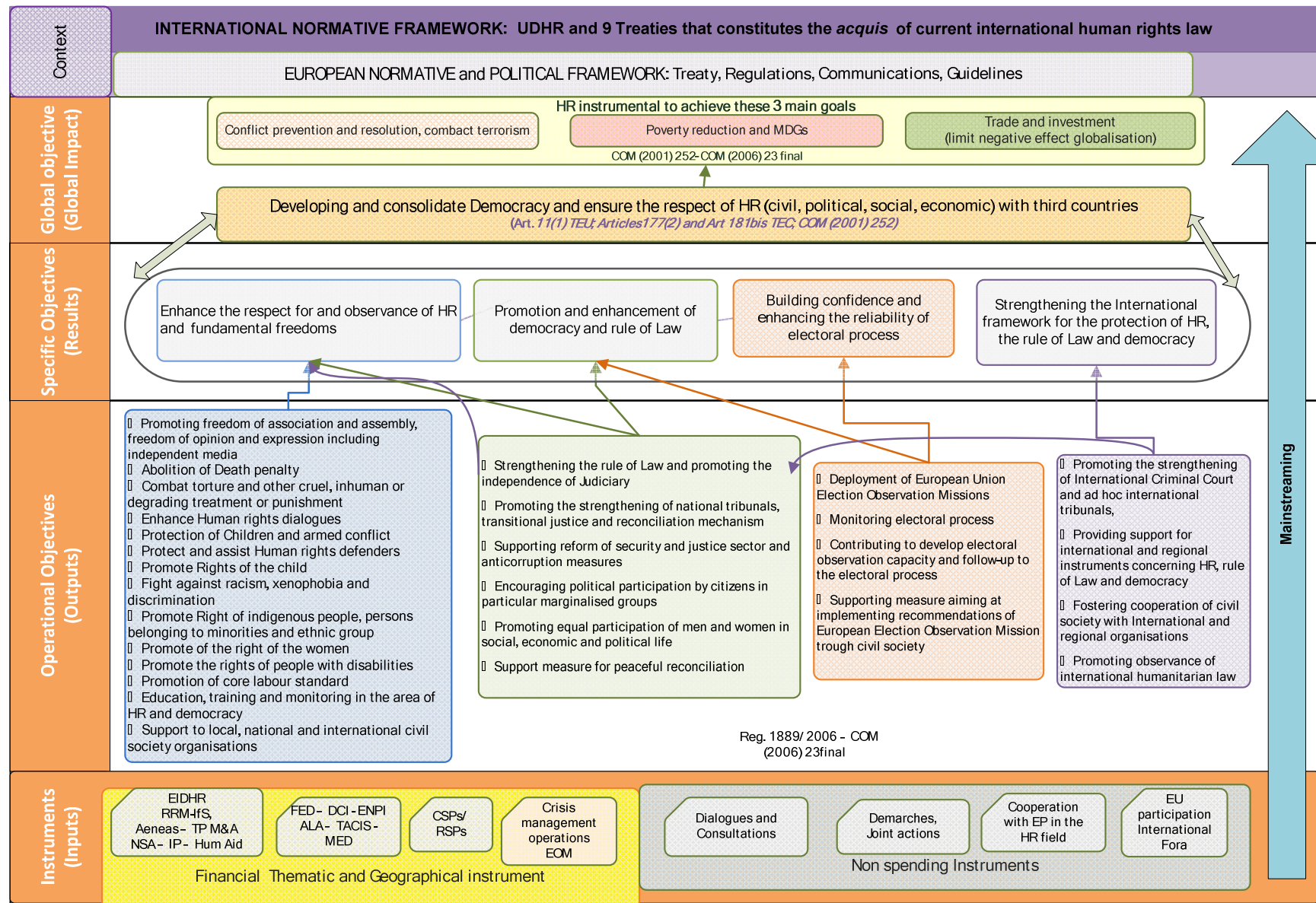
The objective diagram is the first step towards the drafting of different effect diagrams at global and regional level. This diagrams will be presented in the desk report 1 and they will be linked with the 10 Evaluation Questions selected from the 20 included in this Inception Note.

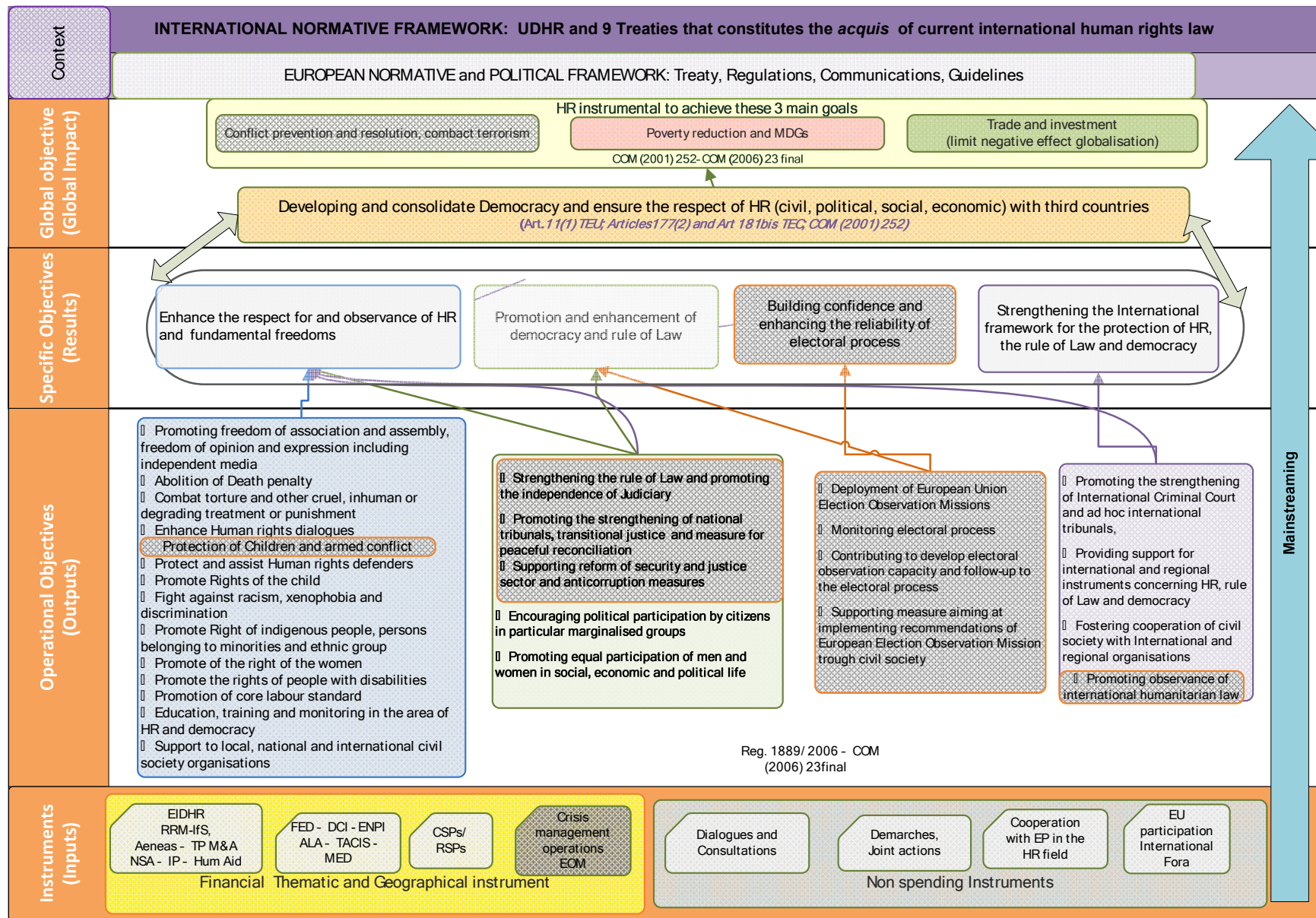
It displays four levels: global objective, specific and operational objectives and the instruments to achieve these.

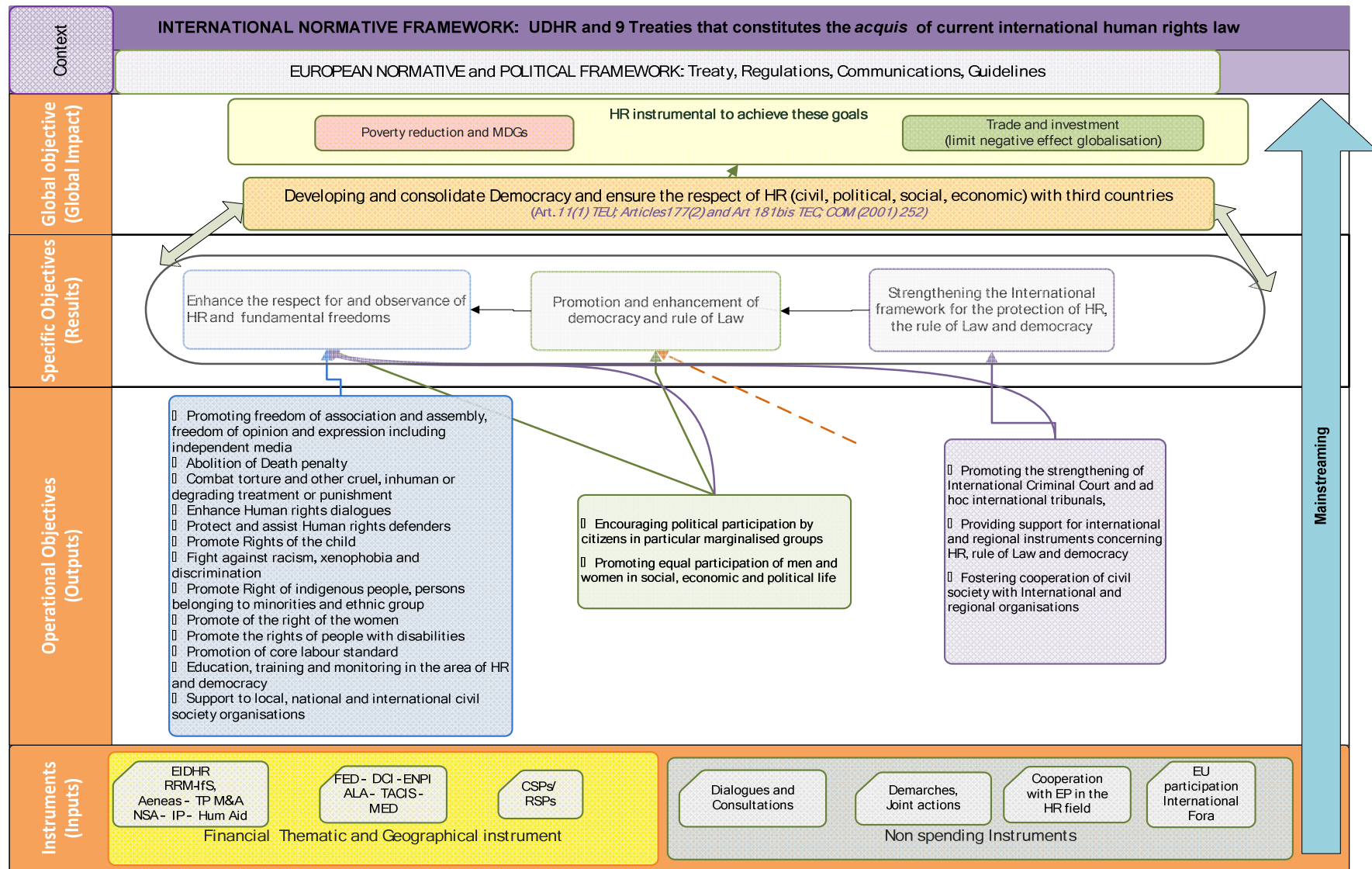
Given the comprehensiveness of the strategy followed, it was not possible to display the corresponding planned activities in the same diagram. The table contains the activities are presented in the Inventory.

The evaluation team presented 3 different diagrams:

- 1) A Diagramme which represents the all overall logic of intervention of the EC/EU for the support in the field of Human Rights and fundamental freedom
- 2) A Diagramme highlighting the limitation connected to the scope in a visual manner. What should be eliminated to limit the scope of this evaluation is highlighted in GREY.
- 3) A diagram presenting the logic in relation to the choice done to identify a manageable scope for this evaluation, given the ToR requirements.







ANNEX 4:

INFORMATION MATRIX

Information matrix (evaluation questions, judgment criteria and indicators)

EQ 1 <i>To what extent and how has the EC ensured the mainstreaming of human rights within its overall organisation –through adequate procedures, processes, capacity building initiatives as well as incentives?</i>																
<p>DAC Evaluation criteria : Relevance, Coherence and added value</p> <p>Rationale: During the desk phase, the EC/EU institutional architecture for dealing with human rights was further analysed (see Volume 1; pp 67). One of the observations was that much remains to be done to mainstream human rights within the organization of the EC at the level of internal systems, processes and procedures. The same holds true in terms of creating incentives for units and staff to integrate human rights in their respective areas of work. Building on this baseline from the Desk Report, EQ 1 should allow to deepen the analysis by proving further into three issues that are critical for an effective mainstreaming of human rights at EC organizational level: (i) the degree of leadership (political and managerial) exercised; (ii) the provision of adequate incentives for units and staff; (iii) the development of internal quality control systems on the application of human rights principles across the board. It should be underlined that no impact result is researched; only process aspects are investigated.</p>																
	<i>Sources of information</i>	<i>Data collection tools</i>														
		Documentary review	Inventory	CSP analysis	Interviews with							Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs	
					EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries	CSOs					
JC1.1	<i>J.C. 1.1: Political Leadership has sought to expand the space for mainstreaming human rights within the organisation</i>															
	1.1.1 Evidence of instructions provided by the political leadership to promote mainstreaming of HR (within the limits of the competences of the EC) and particularly in key sectors of intervention	<i>EC/EU documents, opinions of interviewees, questionnaire, field missions, HR brainstorming session</i>	X			X	X	X					X	X	X	
	1.1.2 Evidence of measures taken to improve the overall institutional systems, procedures and capacities to mainstream human rights	<i>EC/EU documents and opinions of interviewees</i>	X			X	X									

	1.1.3 Consistent political leadership support to ensure effective implementation of mainstreaming commitments	<i>EC/EU documents opinions of interviewees, HR brainstorming session</i>	X				X	X								X	
JC1.2	<i>J.C. 1.2: Managerial capacity and human resources available in line with policy and strategy guidelines</i>																
	1.2.1 Evidence of instructions provided by the management to promote mainstreaming of HR (all along the cooperation cycle)	<i>Opinions of interviewees, questionnaire, field missions, HR brainstorming session</i>					X	X						X	X	X	
	1.2.2 Support to developing operational guidance on how to mainstream human rights across sectors and themes	<i>Opinions of interviewees, field missions, HR brainstorming session</i>					X	X							X	X	
	1.2.3 Consistent managerial leadership support to ensure effective implementation of mainstreaming commitments	<i>Opinions of interviewees field missions, HR brainstorming session</i>					X	X							X	X	
	1.2.4 Human resources acknowledged with available time to dedicate to mainstreaming	<i>Opinions of interviewees, field missions</i>					X	X							X		
JC1.3	<i>J.C. 1.3: Incentives and trainings for mainstreaming human rights have been provided for EC staff –and possible disincentives have been reduced/ avoided</i>																
	1.3.1 Support to innovation in terms of mainstreaming HR (both at headquarters and Delegation level)	<i>Opinions of interviewees, field missions</i>					X	X							X		
	1.3.2 Provision of training and learning opportunities to staff	<i>Opinions of interviewees, field missions</i>					X	X							X		
	1.3.3 Encouragement of networking and joint action with other partners (burden sharing)	<i>Field missions</i>													X		
	1.3.4 Performance on human rights mainstreaming is rewarded	<i>Opinions of interviewees, field missions</i>					X	X							X		

JC1.4	<i>J.C. 1.4: Quality control systems to promote/monitor the mainstreaming of human rights have progressively been put in place</i>															
	1.4.1 Existing quality control systems (e.g. iQSG) attach importance to human rights mainstreaming	<i>EC/EU documents and opinions of interviewees</i>	X			X										
	1.4.2 The development of other quality control and M&E systems is encouraged	<i>Opinions of interviewees</i>				X		X								

EQ 2 <i>To what extent and how has the Commission promoted coherent policies in support of human rights in the framework of EC/EU development cooperation policies?</i>															
<p>DAC Evaluation criteria : Effectiveness, coherence added value</p> <p>Rationale: The EC shares with Council a Treaty Obligation to ensure coordination, complementarity and coherence (i.e. the 3Cs). This evaluation will focus on the application of the 3Cs in the following areas: (i) consistency and coherence between relevant Community policies covering respect of human rights (nb ref to the section of the report where these are described); (ii) consistency and coherence between relevant Community policies and other EU action, e.g. CFSP; (iii) promotion of consistent and complementary action by the EC, EU and Member States, in particular in the promotion and mainstreaming of HR through dialogue at institutionalised level and through development assistance, provided by these different players; (iv) 3Cs in international fora with a specific focus on United Nations Human Rights Council (UNGA) and the African Union.</p> <p>With the Reference Group it has been agreed that the issue of ‘coherence’ lends itself better from an evaluative investigation rather than only a desk analysis. However, in order to ensure focus, the question of ‘coherence’ will be dedicated on two critical policy areas: development cooperation and CFSP. In the former, the EC has more direct responsibilities for coherence with regard to human rights as it concerns a Pillar 1 competency, granting EC substantial degree of operating space and autonomy. The story is different for CFSP as this belongs to Pillar 2. In this area, the EC is expected to promote coherence within the limits of its competences and power.</p>															
			<i>Sources of information</i>		<i>Data collection tools</i>										
			Documentary review	Inventory	CSP analysis	Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC2.1	<i>JC.2.1: The Commission has sought to ensure coherence between its development cooperation objectives and its policy commitments on human rights</i>														
	2.1.1 Consistent policy statements in favor of coherence between the two policy areas		EC/EU documents, opinions of interviewees, questionnaire, field missions, HR brainstorming session, EU seminars with CSOs	X			X	X				X	X	X	

	2.1.2 Human rights adequately integrated in the programming process	<i>CSP analysis, opinions of interviewees, questionnaire, field missions, HR brainstorming session, EU seminars with CSOs</i>			X	X							X	X	X	X
	2.1.3 Proportion of funds dedicated to the promotion of human rights (directly or indirectly) has increased over the years	<i>Inventory and CSP analysis</i>		X	X											
	2.1.4 Existence of processes and tools to ensure coherence between the two policy areas	<i>EC/EU documents, opinions of interviewees, HR brainstorming session, EU seminars with CSOs</i>	X			X	X								X	X
	2.1.5 Evidence is collected with regard to (progress achieved with) the coherence between the two policy areas	<i>CSP analysis, field missions, HR brainstorming session, EU seminars with CSOs</i>			X									X	X	X
JC2.2	<i>JC 2.2 : The Commission has promoted a coherent application of human rights principles and policy objectives in the CFSP</i>															
	2.2.1 Windows of opportunities to promote a coherent application of human rights principles and policy objectives in the CFSP have been exploited	<i>Opinions of interviewees, field missions, questionnaire, HR brainstorming session, EU seminars with CSOs</i>				X	X	X	X				X	X	X	X
	2.2.2 Pro-active steps were taken to promote greater coherence between human rights and CFSP (within the limits of EC competencies)	<i>Opinions of interviewees, field missions, EU seminars with CSOs</i>				X	X	X	X					X		X
	2.2.3 Pro-active steps were taken to remedy to situations of “incoherence” (within the limits of its powers and competences)	<i>Opinions of interviewees, field missions, EU seminars with CSOs</i>				X	X	X	X					X		X
	2.2.4 Pro-active steps were taken to ensure greater coherence between spending and non-spending activities	<i>Opinions of interviewees, field missions, EU seminars with CSOs</i>				X	X	X						X		X
JC2.3	<i>JC 2.3. The Commission has been proactive to foster complementarity (based on comparative advantage) with Member States</i>															

	2.3.1 Evidence of a division of labor with EU Member States based on comparative advantages	<i>Opinions of interviewees, questionnaire, field missions</i>				X	X		X				X	X		
	2.3.2 The complementarity matrix was effectively used	<i>Opinions of interviewees, field missions</i>				X	X		X					X		
	2.3.3 Progress is achieved in terms of joint programming of human rights support strategies	<i>Opinions of interviewees, field missions, HR brainstorming session</i>				X	X		X					X	X	
JC2.4	<i>JC.2.4 The Commission role in promoting coherent application of HR in International Fora (UNGA, African Union)</i>															
	2.4.1 Evidence of coordination between EC and EU/Presidency in preparing key meetings	<i>EU documents, opinions of interviewees, HR brainstorming session</i>	X			X	X	X		X					X	
	2.4.2 Evidence EC specific position versus EU presented in such Fora	<i>EU documents, opinions of interviewees, field mission (Ethiopia), HR brainstorming session</i>	X			X	X	X		X				X	X	

EQ 3 <i>How has the Commission engaged with partner governments on the promotion of human rights, identified the relevant entry points, support strategies, and adapted EC responses to different country contexts (conflict, post-conflict and fragile countries)?</i>															
DAC Evaluation criteria : Relevance, effectiveness															
Rationale: The effectiveness and impact of EC interventions in third countries are largely determined by prevailing political and institutional conditions, particularly the openness of the partner government to address human rights. More often than not, the EC has to push a human rights agenda in ‘hostile environments’. This puts a premium on identifying suitable engagement strategies, possible windows of opportunities to be exploited as well as response strategies adapted to the specific context. This EQ 3 will seek to assess the EC capacity for formulating and implementing such country-specific response strategies, focusing in particular on the relation with (reluctant) partner governments at national level															
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>									
						Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC3.1	<i>JC. 3.1: The Commission has sought to define country-specific strategies to engage with national governments human rights in the short and long term framework</i>														
	3.1.1 Quality of the context analysis and related scope for home-grown improvements on human rights	<i>CSP analysis, questionnaire</i>			X						X				
	3.1.2 Strategic support provided to the development of home-grown improvements on human rights	<i>CSP analysis, opinions of interviewees, questionnaire, field missions, HR brainstorming session</i>			X		X				X	X	X		
	3.1.3 Strategic support provided to key “drivers of change” in relation to human rights	<i>CSP analysis, opinions of interviewees, field missions, HR brainstorming session</i>			X		X					X	X		
	3.1.4 Quality of the dialogue with government	<i>CSP analysis, opinions of interviewees, questionnaire, field missions</i>			X					X	X				

	3.1.5 Ability to react in a flexible way to new windows of opportunities	<i>CSP analysis, opinions of interviewees, questionnaire and field missions</i>			X		X						X	X		
JC3.2	<i>JC. 3.2: The Commission has invested in its internal capacity to engage with national governments on human rights (in terms of guidelines, tools, expertise)</i>															
	3.2.1 Availability of operational guidance for supporting human rights in difficult country contexts	<i>EU documents, opinions of interviewees</i>	X			X	X									
	3.2.2 Capacity to mobilize relevant sources of knowledge on human rights at HQ level	<i>EU documents, opinions of interviewees</i>	X			X										
	3.2.3 Capacity to mobilize relevant sources of knowledge on human rights locally or regionally	<i>EU documents, opinions of interviewees, field mission</i>	X			X	X									
	3.2.4 Capacity to use diversity of human rights tools (including dialogue) to promote human rights	<i>EU documents, opinions of interviewees, field mission</i>	X			X	X	X						X		
JC3.3	<i>JC. 3.3 The Commission has sought to increase its leverage on national governments by developing smart partnerships with other donor agencies and the UN systems</i>															
	3.3.1 Number and quality of smart partnerships with donor agencies	<i>Opinions of interviewees, field missions</i>				X	X			X				X		
	3.3.2 Number and quality of smart partnerships with relevant UN bodies	<i>Opinions of interviewees, field missions</i>				X	X			X				X		
JC3.4	<i>JC 3.4 Capacity of the Commission to respond to changing National policy environment, especially in conflict, post conflict context and with regards to fragile states.</i>															
	3.4.1 Ability to react in a flexible way to new windows of opportunities in relation to the different context and kind of partnership relations	<i>CSP analysis, field missions, HR brainstorming session</i>			X	X	X							X		X

EQ 4		To what extent and how has the EC developed dialogue and partnerships relations with regional organizations as well as civil society organizations to enhance the value of its human rights strategies and programmes in relation to the achievement of its different objectives?													
		DAC Evaluation criteria : Relevance, effectiveness, efficiency, coherence													
		Rationale: EC policy documents recognise the important role regional organizations and civil society can play in promoting human rights in their respective regions and countries as well as in enhancing the effectiveness of EC support for human rights. To this end, the EC has sought to engage in dialogue with these various players as well as to provide funding for their activities and capacity building needs. This EQ focuses on the quality and impact of these partnerships arrangements with regional organisations and civil society organizations and on their appropriateness in relation to the different thematic priorities and objectives.													
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>									
						Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						ECHQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC4.1	<i>JC. 4.1: The Commission has established strategic partnerships with regional organisations that contribute to their empowerment</i>														
	4.1.1 Existence of formal mechanisms for a dialogue on human rights	<i>EU documents, opinions of interviewees, questionnaire</i>	X			X		X	X			X	X		
	4.1.2 Quality, openness and comprehensiveness of the dialogue	<i>EU documents, opinions of interviewees, questionnaire</i>	X			X	X					X	X		
	4.1.3 Existence and quality of capacity development support strategies to enable/empower regional organizations	<i>Inventory, CSP analysis, questionnaire</i>		X	X						X	X	X		
JC4.2	<i>JC. 4.2: The Commission engages in dialogue on human rights with relevant civil society organisations in third countries and provides support that fosters their empowerment and viability</i>														
	4.2.1 Availability of mappings to identify relevant actors	<i>EU documents, Inventory, EU seminars with CSOs</i>	X	X		X	X					X			X

	4.2.2 Existence of a structured and ongoing dialogue with CSOs	<i>EU documents, Inventory, opinions of interviewees, questionnaire, EU seminars with CSOs</i>	X	X		X	X					X	X			X
	4.2.3 Existence and quality of capacity development support strategies to enable/empower CSOs	<i>EU documents, Inventory, CSP analysis, opinions of interviewees, field missions, EU seminars with CSOs</i>	X			X	X					X		X		X
	4.2.4 Responsiveness of EC strategy	<i>CSP analysis, opinions of interviewees, field missions, questionnaire, EU seminars with CSOs</i>			X	X	X					X	X	X		X

EQ 5 <i>To what extent and how has the EC ensured a complementary use of the various instruments (geographic and thematic) available to supporting human rights?</i>														
<p>DAC Evaluation criteria : Relevance, effectiveness, efficiency, coherence</p> <p>Rationale: Ensuring complementarity in the field of development cooperation is a Treaty obligation, also to be applied in the field of human rights. Various forms of complementarity can be distinguished including : (i) complementarity between EC and Member States (in the form of a task division on the basis of comparative advantages); (ii) complementarity between levels of intervention (continental, regional, national, local) and (iii) complementarity in the use of the various instruments the EC has at its disposal to promote human rights (i.e. the geographic and thematic instruments, as well as the political dialogue). This EQ will seek to understand to what extent the EC manages to combine these various instruments and exploit their synergy in a given context with a view to optimising relevance, effectiveness and impact of its human rights strategies.</p>														
	<i>Sources of information</i>	<i>Data collection tools</i>												
		Documentary review	Inventory	CSP analysis	Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
					EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC5.1	<i>JC. 5.1: The Commission has elaborated strategies (at both headquarters and Delegation level) to promote and facilitate the combined use of instruments and their synergy.</i>													
	5.1.1 Existence of strategies, processes and procedures to promote the combined use of instruments at HQ level	<i>EU documents, CSP analysis, opinions of interviewees, questionnaire</i>	X		X	X					X	X		
	5.1.2 Existence of strategies, processes and procedures to promote the combined use of instruments at Delegation level	<i>EU documents, CSP analysis, opinions of interviewees, field missions, questionnaire, HR brainstorming session, EU seminars with CSOs</i>	X		X		X				X	X	X	X
JC5.2	<i>JC.5. 2: The Commission has taken measures to overcome institutional bottlenecks against a combined use of instruments and has created incentives for improved complementarity</i>													

	5.2.1 Steps taken to improve the alignment of the programming processes related to the various instruments	<i>opinions of interviewees, field missions, HR brainstorming session</i>				X	X							X	X	
	5.2.2 Existence of institutional incentives to combine instruments in support of human rights	<i>opinions of interviewees, field missions,</i>				X	X							X		
	5.2.3 The organizational set-up at Delegation level is conducive for a combined use of instruments	<i>opinions of interviewees, questionnaire, field missions</i>					X						X	X		
JC5.3	<i>JC. 5.3: The Commission has monitored the combined use of instruments with a view to optimising impact in the field of human rights</i>															
	5.3.1 Existence and use of M&E systems to check the combined use of instruments	<i>Opinions of interviewees</i>				X	X									
	5.3.2 Existence of collective learning mechanisms/processes within EC Delegation on combined use of instruments	<i>Opinions of interviewees, field missions</i>					X							X		
	5.3.3 Outcomes of monitoring processes are used to review intervention strategies in relation to human rights	<i>Opinions of interviewees, field missions</i>				X	X							X		

EQ 6		To what extent and how have the EC/EU human rights dialogues and programming processes (at national/regional level) contributed to advance towards respect for human rights in third countries?																	
		DAC Evaluation criteria : Effectiveness and impact																	
		Rationale : The TOR request the evaluation team to identify “all recorded results and impacts, including any unintended ones, and comparing these to the intended results and/or impacts. For the Evaluation Unit it is important that the evaluation focuses not only on ‘process issues’ but pays substantial attention to impact questions. To this, it was agreed with the Reference to include four EQS on impact. EQ 6 focuses on human rights dialogues and the programming process as instruments to promote human rights																	
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>										Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						Interviews with						Other agencies	Partner countries	CSOs					
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs										
JC6.1	<i>JC 6.1. Human rights dialogues promoted/facilitated by the EC have contributed to progress towards respect for human rights in third countries</i>																		
	6.1.1 Evidence of different types of dialogues (i.e. formal, informal, time bound, as part of conditionality setting etc.) being promoted and actively monitored by delegations	<i>EU documents, inventory, CSP analysis, opinions of interviewees, questionnaire</i>	X	X	X	X		X	X		X								
	6.1.2 Evidence of HR progress in national HR monitoring reports (including NGOs alternative reports); in hearings with HR bodies (e.g. committees) and in special rapporteurs’ reports	<i>EU documents, opinions of interviewees, questionnaire, field missions, EU seminars with CSOs</i>	X			X		X		X	X	X	X				X		

JC6.2	<i>JC 6.2. The quality of the programming process has helped to identify relevant support strategies and thereby contribute to progress towards respect for human rights in third countries</i>															
	6.2.1 Monitoring mechanisms in place and data available to evaluate quality of programme processes based on human rights principle sand standards	<i>EU documents, opinions of interviewees, field missions,</i>	X				X							X		
	6.2.2 National programmes' stakeholders attribute to EC programmes a contribution towards specific improvements of human rights in their countries	<i>opinions of interviewees, field missions, questionnaire, HR brainstorming session, EU seminars with CSOs</i>					X						X	X	X	X

EQ 7		To what extent and how have EC efforts to ensure an effective application of EU human rights guidelines contributed to progress towards respect for human rights in third countries?																	
		DAC Evaluation criteria: Effectiveness and impact																	
		Rationale: The ToRs request the evaluation team to identify “all recorded results and impacts, including any unintended ones, and comparing these to the intended results and/or impacts. For the Evaluation Unit it is important that the evaluation focuses not only on ‘process issues’ but pays substantial attention to impact questions. To this, it was agreed with the Reference to include four EQS on impact. EQ 7 focuses on the effective implementation of human rights guidelines and related impacts achieved.																	
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>										Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						Interviews with							Partner countries	CSOs					
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies									
JC7.1	<i>JC 7.1. The EC has used the various means at its disposal to promote/facilitate an effective application of the human rights guidelines</i>																		
	7.1.1 Evidence that EC has deployed a wide range of mechanisms (e.g. dialogues, programmes etc.) to promote and facilitate application of HR guidelines	<i>EU documents, inventory, CSP analysis, opinions of interviewees, questionnaire</i>	X	X	X	X		X					X						
	7.1.2 National stakeholders are aware of EC HR guidelines and apply them in their programmes/work	<i>Opinions of interviewees, field missions</i>					X		X		X	X		X					
	7.1.3 Effective processes for task division among EC actors’ role in promoting guidelines in place and working	<i>opinions of interviewees, field missions</i>					X	X	X					X					
JC7.2	<i>JC 7.2. EC efforts to ensure an effective implementation have contributed to progress towards respect for human rights in third countries</i>																		

JC7.2	<i>JC 7.2. EC efforts to ensure an effective implementation have contributed to progress towards respect for human rights in third countries</i>															
	7.2.1 Mechanisms to follow up and monitor guidelines are in place and regularly updated/used	<i>EU documents, opinions of interviewees</i>	X			X	X	X					X	X		
	7.2.2 Reported evidence that compliance to EC guidelines contributes to respect for human rights, with respects to specific rights and groups.	<i>opinions of interviewees, questionnaire, field missions</i>				X	X				X	X	X	X		

EQ 8		To what extent and how have EC supported capacity development programmes (through thematic and geographic instruments), targeted at national governments, regional organisations and civil society contributed to empowering/enabling these actors to promote human rights													
		DAC Evaluation criteria : Effectiveness and Impact													
		Rationale: The ToRs request the evaluation team to identify “all recorded results and impacts, including any unintended ones, and comparing these to the intended results and/or impacts. For the Evaluation Unit it is important that the evaluation focuses not only on ‘process issues’ but pays substantial attention to impact questions. To this, it was agreed with the Reference to include four EQS on impact. EQ 8 on the effectiveness and impact of EC capacity support strategies in the field of human rights directed to both state and non-state actors.													
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>									
						Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC8.1	<i>JC 8.1: EC capacity development programmes have contributed to enabling national governments to better discharge their obligations a duty bearers with regard to human rights (through thematic and geographic instruments)</i>														
	Overall (for all JC): Monitoring systems in place and data available to assess participation to and evaluation of capacity development programmes targeted at different stakeholders.	<i>EU documents, opinions of interviewees</i>	X			X	X								
	8.1.1 Evidence that capacity development programmes have successfully targeted governments officials at different levels (i.e. % of participants from different departments, national and regional)	<i>Inventory, CSP analysis, opinions of interviewees, field missions, EU seminars with CSOs</i>		X	X		X				X	X		X	X

	8.1.2 A significant proportion of participants in CD programs report that they found the programs beneficial and think that it has helped them discharge their obligations as duty bearers	<i>opinions of interviewees, field missions, EU seminars with CSOs</i>				X					X			X		X
JC8.2	<i>JC 8.2: EC capacity development programmes have contributed to enabling regional organisations to promote human rights at regional level (through thematic and geographic instruments)</i>															
	8.2.1 Evidence that capacity development programmes have successfully targeted regional organizations at different levels (i.e. % and number and type of participants from regional organizations)	<i>Inventory, CSP analysis, opinions of interviewees and field missions</i>		X	X	X	X			X	X			X		
	8.2.2 A significant proportion of participants in CD programmes report that they found the programmes beneficial and think that it has contributed to promote HR at regional level, with reference to specific policies or initiatives	<i>Opinions of interviewees, field missions, EU seminars with CSOs</i>				X				X				X		X
	<i>JC 8.3: EC capacity development programmes have contributed to empowering and enabling civil society organisations in third countries to defend, protect, promote and lobby for the respect of human rights (through thematic and geographic instruments)</i>															
	8.3.1 Evidence that capacity development programmes have successfully targeted civil society organizations at different levels (i.e. % and number and type of participants from national and sub national CSOs) and sectors	<i>Inventory, CSP analysis and field missions</i>		X	X									X		

	8.3.2 A significant proportion of participants in CD programmes report that they found the programmes beneficial and think that it has contributed to their capacity to protect, promote and lobby for specific human rights issues, policies or violations	<i>Opinions of interviewees, field missions, EU seminars with CSOs</i>				X					X		X		X
--	---	--	--	--	--	---	--	--	--	--	---	--	---	--	---

EQ 9 To what extent and how have EC supported geographic programmes (directly or indirectly dealing with human rights) contributed to promoting human rights in third countries?															
<p>DAC Evaluation criteria : Effectiveness and impact</p> <p>Rationale: The ToRs request the evaluation team to identify “all recorded results and impacts, including any unintended ones, and comparing these to the intended results and/or impacts. For the Evaluation Unit it is important that the evaluation focuses not only on ‘process issues’ but pays substantial attention to impact questions. To this, it was agreed with the Reference to include four EQS on impact. EQ 9 focuses on the effectiveness and impact of EC support through geographic programmes. The EQ will look at both programmes directly targeting human rights and those who support it indirectly under sector or other cooperation priorities as agreed with national States.</p>															
		<i>Sources of information</i>	<i>Data collection tools</i>												
			Documentary review	Inventory	CSP analysis	Interviews with						Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries				
JC9.1	<i>JC 9. 1. Planning process of supported geographic programmes took into consideration the specific country context, stakeholders and conditions</i>														
	9.1.1 Evidence of HR analysis in the relevant countries prior to the draft of CSPs.	<i>CSP analysis, opinions of interviewees</i>			X	X	X								

	9.1.2 Evidence of consultation of key actors to elaborate the strategy	<i>Opinions of interviewees, questionnaire, field missions, HR brainstorming session</i>					X		X		X	X	X	X		
JC9.2	<i>JC 9.2 EC supported geographic programmes implementation have contributed to progress towards respect for human rights in third countries</i>															
	9.2.1 Evidence that duty bearers targeted by programmes are aware of their obligations and increasingly accountable to rights holders	<i>Opinions of interviewees, field missions, HR brainstorming session</i>					X		X	X	X		X	X		
	9.2.2 Rights holders targeted by programmes are aware of their role in claiming their rights and are better able to hold duty bearers to account	<i>Opinions of interviewees, field missions, HR brainstorming session, EU seminars with CSOs</i>					X					X		X		X
	9.2.3 Evidence of HR progress in national HR monitoring reports (including NGOs alternative reports); in hearings with HR bodies (e.g. committees) and in special rapporteurs' reports	<i>EU documents, opinions of interviewees, field missions</i>	X				X			X	X			X		
JC9.3	<i>JC 9.3. Role of the EC in the implementation at country level of the Universal Peer Review (UPR) recommendations</i>															
	9.2.1 Active participation of EC delegation in UPR processes and activities	<i>CSP analysis, opinions of interviewees, field missions</i>			X	X	X	X		X	X			X		
	9.2.2 Monitoring systems in place to follow up UPR recommendations by the EC, and internal discussions taking place on how to improve this.	<i>CSP analysis, opinions of interviewees, field missions</i>			X	X	X	X		X	X			X		
	9.2.3 Amount of EC financial contribution to National government from EC related to the implementation of UPR	<i>Inventory, CSP analysis</i>		X	X	X		X			X					

EQ 10	To what extent and how has the Commission developed its internal capacities to deal effectively and efficiently with human rights, ensured political leadership and contributed to establish a conducive overall institutional architecture for human rights in EU external action?															
	<p>DAC Evaluation criteria : effectiveness and efficiency</p> <p>Rationale: It is not sufficient to look at efforts of the EC to enhance its internal organisation and capacity for mainstreaming human rights (as proposed in EQ1). The issue of institutional capacity development at the level of EC is broader and relates to (i) overall capacities for dealing with human rights (beyond specific task of mainstreaming); (ii) the existence of sufficient exercise political/managerial leadership (including towards Council, MS, EP) and the willingness/capacity to (pro-actively) invest in the strengthening of the overall EU architecture for human rights</p>															
		<i>Sources of information</i>	Documentary review	Inventory	CSP analysis	<i>Data collection tools</i>										
						Interviews with							Questionnaire	Field missions	HR brainstorming session	EU seminars with CSOs
						EC HQ	EU Del.	Council EU & EU Parl.	EU MSs	Other agencies	Partner countries	CSOs				
JC10.1	<i>JC 10.1. The Commission has sufficient levels of capacity (at HQ and in Delegations) to manage the various dimensions of its human rights policy (political dialogue, programming, support to implementation, M and E)</i>															
	10.1.1 The Commission has an appropriate appreciation of capacities required to promote HR	<i>Opinions of interviewees, questionnaire, HR brainstorming session</i>				X	X					X		X		
	10.1.2 The capacity gaps have been identified	<i>Opinions of interviewees, questionnaire</i>				X	X					X				
	10.1.3 Existence and quality of an overall capacity development strategy within the Commission for improving performance	<i>Opinions of interviewees, questionnaire, HR brainstorming session</i>				X	X					X		X		
	10.1.4 Promotion of linkages between different DGs, units, sources of expertise within the Commission	<i>Opinions of interviewees, HR brainstorming session</i>				X								X		

JC10.2	<i>JC 10.2 The Commission has displayed leadership in the implementation of its overall human rights policy, both internally and towards Council, MS and EP</i>															
	10.2.1 Consistent implementation of EC human rights policies is promoted	<i>Opinions of interviewees, questionnaire, field missions, EU seminars with CSOs</i>				X						X	X	X		X
	10.2.2 The Commission seeks to ensure/expand its space to work on human rights through dialogue with Council, M and EP	<i>Opinions of interviewees, HR brainstorming session</i>				X	X	X							X	
	10.2.3 The Commission optimally uses its powers/competencies to promote human rights	<i>Opinions of interviewees, field missions</i>				X	X							X		
JC10.3	<i>JC 10.3. The Commission has actively supported the further consolidation of the overall EU institutional architecture for human rights</i>															
	10.3.1 Data, field-based evidence and evaluation material are collected on the functioning of the current EU architecture	<i>EU documents, inventory, opinions of interviewees, field missions</i>	X	X		X	X							X		
	10.3.2 Existence and quality of communication strategies with regard to strengths and weaknesses of EU institutional and role EC therein	<i>EU documents, opinions of interviewees,</i>	X			X	X	X						X		
	10.3.2 Existence and quality of strategies to influence the further development of the overall EU architecture for human rights	<i>EU documents, inventory, opinions of interviewees,</i>	X			X	X	X						X		

ANNEX 5:

FINDINGS FROM QUESTIONNAIRE FOR EU DELEGATIONS

Questionnaire for EU Delegations:

Thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms (including solidarity with victims of repression)

Analytical Note

The questionnaire for EU Delegation relating to the “*THEMATIC VALUATION OF THE EC SUPPORT TO RESPECT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS*” was administered to a sample of 50 Delegations.

32 out of 50 Delegations (65% of the selected sample) answered to the questionnaire. In six cases, the questionnaire was filled in by different persons in the same Delegation in order to have a broader snapshot of the HR situation and HR strategy at the Delegation level. For this reason, the result of the survey is based on 39 observations (i.e. number of questionnaires submitted). However few questionnaires are incomplete as some questions have been skipped.

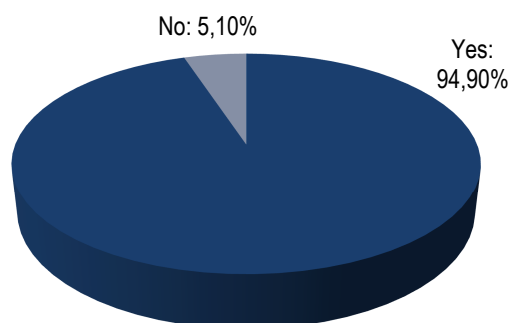
The questionnaire is a semi-structured survey (with yes/no answers & multiple choice answers & with open spaces for explanations and/or comments).

Multiple choices and yes/ no replies have been reworked to provide an immediate overview of the situation. In addition, some comments and remarks have been reworked in order to identify broader areas of interventions or key challenges to HR policy and implementation.

Question 1: QUALITY OF OVERALL EC POLICY FRAMEWORK

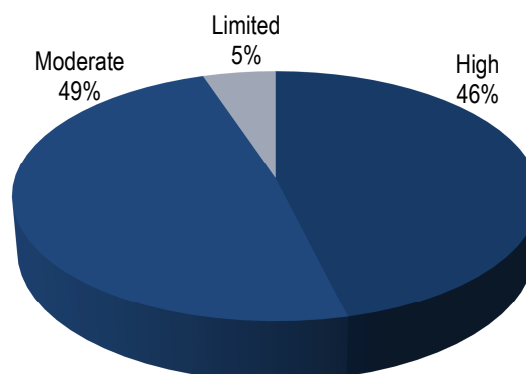
Are you aware of the main EC policy documents and guidelines related to human rights (HR)?

Are you aware of the main EC policy documents and guidelines related to human rights (HR)?	
Value	Percent %
Yes	94,90%
No	5,10%
* Total Responses 39	



How relevant are these policy documents and guidelines in terms of providing effective support to HR? [*“relevance” can refer here to issues like comprehensiveness, practical usefulness for various country contexts, regular updates, etc.*]

How relevant are these policy documents and guidelines terms of providing effective support to HR?	
Value	Responses
High	18
Moderate	19
Limited	2
* Total Responses 39	



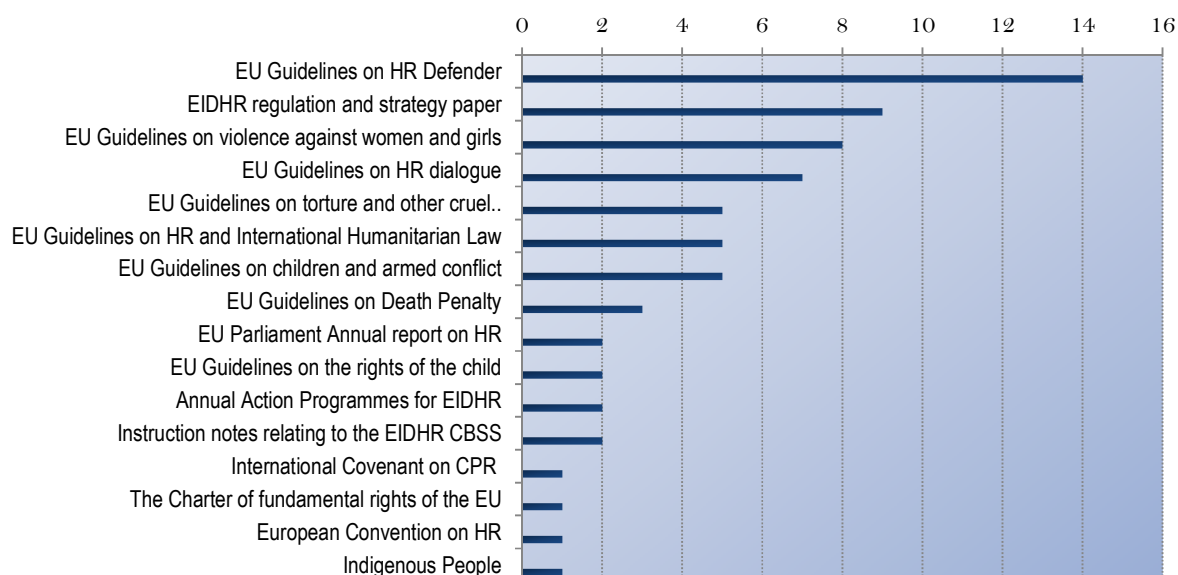
Please explain why limited relevance was chosen:	EU DEL
Because in most of cases the contents of these policy documents and guidelines are not applicable in the countries where we work. They remain as good intention declarations which cannot be backed up by facts. In particular in those countries where human rights are an uncomfortable subject and dialogue with the counterpart is limited.	Ethiopia
The guidelines provide a broad framework for the EU's external action in other countries, however, Delegations while working in local context have to adapt to local expectations, pressures, diplomatic/political positions etc. In addition, Guidelines talk a lot about providing support to issues on the ground, but this is not always backed by corresponding financial support, and therefore it has limited relevance.	India

The EU guidelines are useful as they cover the majority of relevant topics for Yemen - however, most documents remain vague and oriented towards policy level while lacking practical tools to implement them or specific country-oriented focus which makes it difficult to adapt them to the country-specific context.	Yemen
--	-------

According to you, which are the most important policy documents and guidelines providing effective support to HR?

According to you, which are the most important policy documents and Guidelines providing effective support to HR	No of responses
EU Guidelines on HR Defender	14
EIDHR Strategy Papers	9
Guidelines on violence against women and girls	8
EU guidelines on HR dialogue	7
EU Guidelines on torture and other cruel..	5
EU Guidelines on HR and International Humanitarian Law	5
EU Guidelines on Children and Armed Conflict	5
Death Penalty	3
EU Parliament Annual report on HR	2
Guidelines for the promotion and protection of the rights of the child.	2
Annual Action Programmes for EIDHR	2
Instruction notes relating to the EIDHR CBSS	2
International Covenant on Civil and Political Rights	1
The Charter of Fundamental rights of the EU	1
European Convention on HR	1
Indigenous People	1

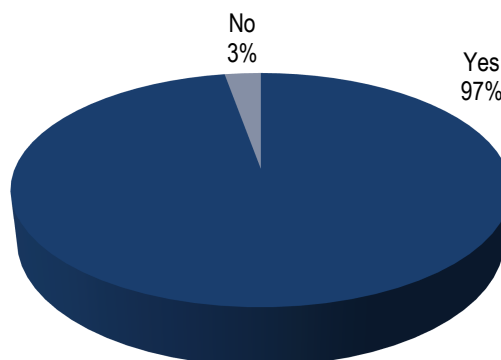
* Total Responses 25



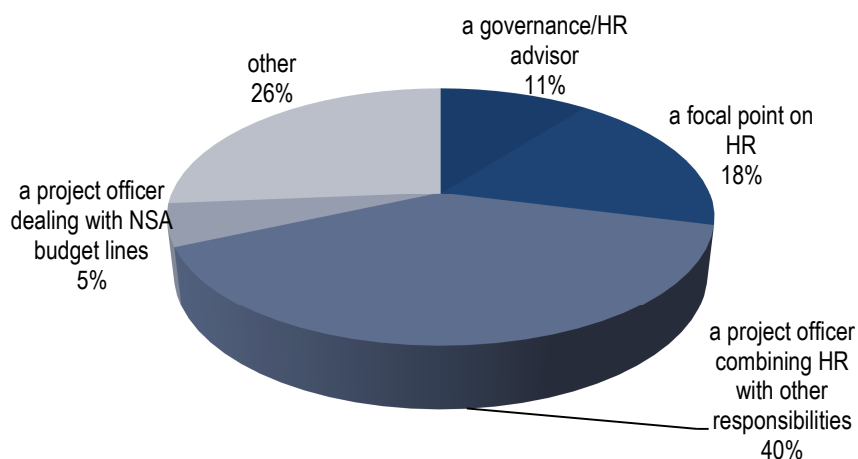
Question 2: FOLLOW-UP HR AT DELEGATION LEVEL

Is there someone specifically in charge with human rights at the Delegation?

Is there someone specifically in charge with human rights at the Delegation?	
Response	No. Responses
Yes	58
No	1
*Total Responses 59	



If yes, what is this person's position in the delegation?

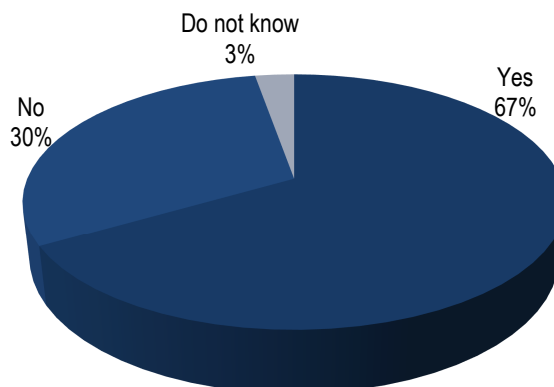


Other, please specify	EU DEL
With EEAS there is a discussion whether to separate HR reporting and advocacy to the political section (EEAS) and only project oriented activities to cooperation section. In the past there was a combination of both.	Colombia
The file is dealt with by the Political section (Chair the local EU Presidency group on HR and the OP Section for the management of the projects)	Egypt
HoS Politics, Economics, Trade, Press	Jamaica
There is a contract agent/project officer in the Operations Section of the Delegation dealing with the EIDHR, combining this responsibility with other tasks. Furthermore, the Political Section of the Delegation closely follows human rights related issues	Vietnam

Question 3: EC STRATEGY ON HR AT COUNTRY LEVEL (and possible links with regional level)

Does the Delegation have a specific strategy regarding the promotion of human rights at country level?

Does the Delegation have a specific strategy regarding the promotion of human rights at country level?		
Answer	No. Responses	%
Yes	24	67%
No	11	31%
Do not know	1	3%
responses	36	

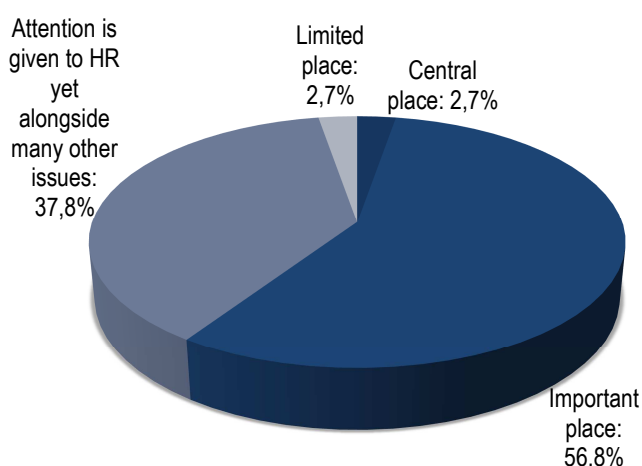


According to you, which are the most important aspects of this strategy and what are the crucial issues?	EU DEL
- Publication of the EU Guidelines on Human Rights Defenders on the EU missions websites in Portuguese; - Regular contacts with HRD: EU missions with HR program sharing the burden; - EU missions with HR program to invite EU missions without program to join for project visits (in the provinces), presentations, etc of partner organisations – Public diplomacy in order to increase visibility in defending Human Rights: mentioning of Human Rights in media statements, inviting HRDs to attend formal events,... - Following with particular attention legal procedures related to HRDs and HR cases (trial visits, prison visits,...).	Angola
HR and international humanitarian law (IHL) violations coexist with functioning state institutions. The institutional system is improving in order to overcome the above mentioned uncertainties. However, the results are not yet satisfactory. Although CSOs are numerous, varied, dynamic and well organized into platforms, those CSOs related to certain social groups which are not sufficiently organized (for example Afro-Colombians and CSOs in the regions) suffer more seriously the impact of IHL and HR violations. Strongly polarized, a phenomenon commonly found in context of internal armed conflicts, many suffer from threats and there have been a number of assassinations of civil society leaders. However, in spite of the tense situation there is still sufficient freedom and room for maneuvers for human rights and democracy advocacy. The main concern is to support the free trade exchange agreement reached with Colombia and Peru, and keep a sensitive and efficient pressure in order to see real and proven improvements in the guarantees for trade unionist and other human rights defenders.	Colombia
One key aspect of the strategy is the periodic consultations with local NGOs dedicated to HR, which allows having a constant update of the crucial issues. Right now, the number one issue is the reforms pushed by civil society to make the democratic system more direct and the political system more transparent and less dominated by political parties. Another key aspect of our strategy is fostering the consolidation of NGOs' networks.	El Salvador
Specific attention provided for human rights violations concerning vulnerable groups (women, children), as well as due consideration to linkages with political stability as well	Guinea Bissau

as justice and State administration reforms. The most crucial issue is the difficult socio-economic context of Guinea-Bissau, with particular reference to the overall weakness and inadequacy of most State institutions.	
Conducting bilateral dialogue with the third country Government 2) Supporting civil society action. Crucial Issues: The EU does not have sufficient leverage with the Indian Govt. to influence policy/action on human rights 2) Funding for human rights projects through NGOs is limited, considering the size of the country & the diversity of issues	India
The Delegation follows the EU HR Working Group's main three priorities for Pakistan: women, children and (religious) minorities. The EUHRWG has also developed specific local strategies on EAW and HRD.	Pakistan
Trial monitoring; advisory services to HRD in need	Russia
Regular dialogue with the Government of Sri Lanka & Maldives. When GSP+ was still operational, it was used as an instrument of leverage on the Government. Following its withdrawal, the Delegation is striving to engage in relevant talks	Sri Lanka & Maldives
The comprehensive strategy will be developed during the course of 2011 and will have a strong component on Human Rights defenders, on political representation and expression and women's rights.	Sudan
There is a local HR defenders strategy adopted by the EU missions on the spot. The HR aspect is also one of the most important aspects of the EU-Central Asia Strategy	Tajikistan
The strategy is to be finalised by end of February 2011. Important aspects: takes into account local context as seen by local human rights defenders. Crucial issues: need for more extensive action and consolidation of human rights defenders	Ukraine
This strategy concerns the local implementation in Viet Nam of the EIDHR CBSS, for which priorities are set for each two, three year period, in coordination with Headquarters.	Vietnam
A local strategy was developed at EU level (full involvement of MS), focusing on a mix of policy and cooperation instruments to address the main HR concerns. Those concerns are civil and political rights (press freedom, freedom of association, death penalty in particular for juveniles, torture etc.) and the situation of women.	Yemen

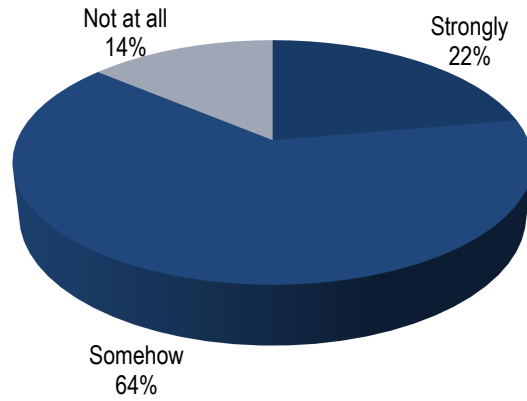
How important is the political place/position occupied by HR in the overall strategy and programmes of the EC Delegation?

How important is the political place/position occupied by HR in the overall strategy and programmes of the EC Delegation?		
Answer	No. Replies	%
Central place	1	2,7%
Important place	21	56,8%
Attention is given to HR yet alongside many other issues	14	37,8%
Limited place	1	2,7%
* Total Responses 37		

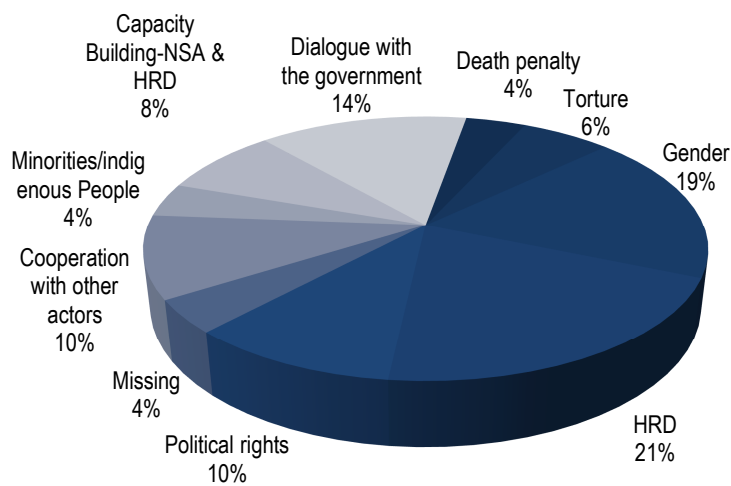


To what extent have regional Commission strategies, programmes and projects contributed to improving country efforts at promoting HR

To what extent have regional Commission strategies, programmes and projects contributed to improving country efforts at promoting HR?		
Answer	No. Replies	%
Strongly	8	22%
Somehow	25	64%
Not at all	5	14%
*Total Responses 56		



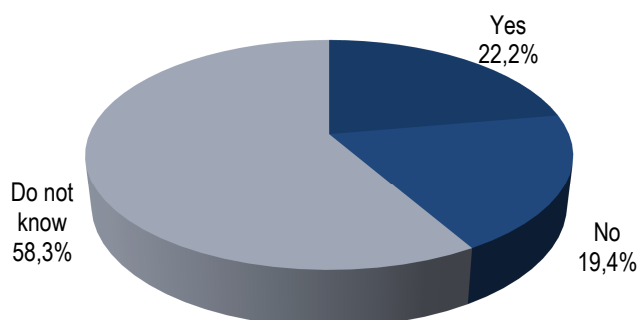
According to you, which are the most important aspects of this strategy and what are the crucial issues?



Question 4: ON THE PROGRAMMING PROCESS

During the drafting of the Country Strategy Paper(s) for the periods 2000-2008, were specific assessments made on HR challenges and possible EC response strategies?

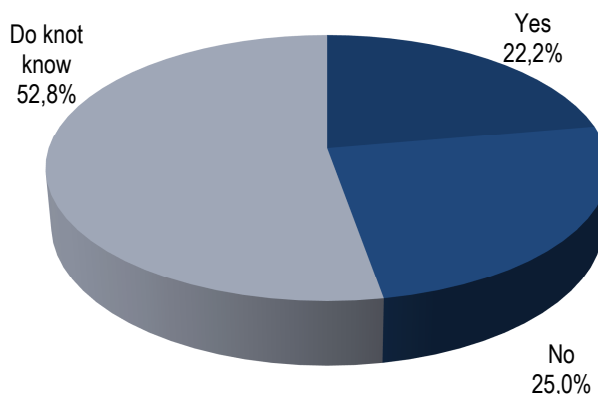
During the drafting of the Country Strategy Paper(s) for the periods 2000-2008, were specific assessments made on HR challenges and possible EC response strategies?		
Answer	No. Response	%
Yes	8	18,4%
No	7	18,4%
Do not know	21	52,6%
* Total responses 36		



If yes, please by whom and with what assistance?	EU DEL
Allocation of 7.7 M EUR was made for the support to human rights and legal and judicial reforms as complementary measures to the thematic budget line	Cambodia
Consultations with many stakeholders took place in different regions of the country. The main CSO were consulted as well. The thematic programmes and EIDHR section as well as de political section within the Delegation also gave inputs. Some of these concerns were finally taken on board in the final document, but not all of the concerns and recommendations were considered taking into account that CSPs are documents that have to be approved by the third country, Colombia in this case	Colombia
HQ initiated questionnaire, sent it to the Delegation. The political section was dealing with answer, comments from the operations were considered for the consolidated reply. In 2003 the Delegation organised and hosted regional HR conference with participation of HR NGOs from CA countries, Donors, state bodies and parliamentarians, EU member states representatives	Kazakhstan
This was done with internal resources of the Operations section and the Political section.	Sri Lanka & Maldives
Assistance focused on rule of law and legal reform.	Ukraine
Assessments on HR were done by DEL with some assistance from HQ; in respect of EC response strategies, these were not really addressed in the CSP (limited to some project aspects on HR), but rather through a dedicated HR strategy developed later bringing together projects/cooperation and policy.	Yemen

Was there dialogue with Ministries related to the consideration of HR in the main development programmes/projects ? [this question is particularly relevant for the social and economic rights that EC could take on board when providing sector support]

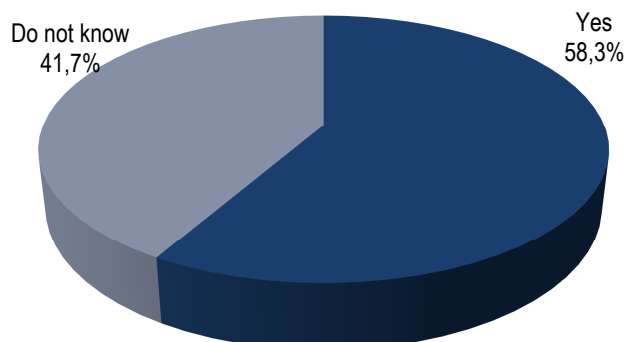
Was there dialogue with Ministries related to the consideration of HR in the main development programmes/projects ?		
Answer	No. Response	%
Yes	8	22,2%
No	9	25,0%
Do knot know	19	52,8%
*Total Responses 36		



If yes, please indicate Ministries and main topics of discussion	EU DEL
I sinalize ministries, because there is no place to sinalize for the civil society. Propely in budget lines we discuss with the civil society. For the projects FED we work with Plan ministry.	Angola
Do not know	(Cambodia; Colombia; Ghana; Guinea Bissau; Liberia; Pakistan)
This topic is discussed at least twice a year during the EU and the Republic of Moldova HRs dialogue	Moldova
Ministry of Justice (conditions of prisons with visits to prisons), Ministry of Information (Law on social order), Ministry of education (Children's rights).	Kazakhstan
Prime minister on Death penalty Social affairs on gender	Sierra Leone
RF Ministry of Justice, rule of law RF Federal Migration Service, migration RF Federal Service of Execution of Punishment, torture, rule of law, humanisation of the system	Russia
HR are specifically mentioned in the EU-Ukraine Association Agenda and had to be taken into account in the dialogue with government. I cannot provide exact examples	Ukraine
With the Ministry of Planning and Investment (MPI) regular dialogue was held within the context of defining the main development programmes. The EU support (budget, sectoral, project) would help strengthen the socio-economic rights of the poor and ethnic minorities in Viet Nam. In addition, the Delegation has a close dialogue with the Ministry of Justice regarding the implementation of the Delegation's main intervention in the rule of law area: the Justice Partnership Programme (JPP). The overall objective of the JPP is to help Viet Nam build a right-protecting justice system.	Vietnam
Discussion of women's rights has been high on the agenda with various ministries (human rights, local administration, social affairs, justice); discussion of children's rights has equally been discussed with ministries of social affairs and justice. As for rights of other groups, these are addressed through project approach, without clear and focused discussion with line ministries although they remain a so-called cross-cutting issue.	Yemen

Was/is there consultation between the delegation and other actors (multilateral and bilateral agencies,) regarding support strategies with regard to HR?

Was/is there consultation between the delegation and other actors (multilateral and bilateral agencies,) regarding support strategies with regard to HR?		
Answer	No. Response	%
Yes	21	58,3%
Do not know	15	41,7%
*Total Responses 56		

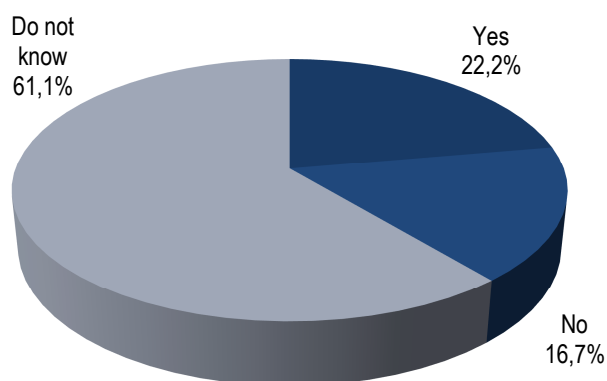


Please describe briefly	EU DEL
The Delegation is conducting a regular coordination with member state missions and other key donors (such as USAID) to human rights protection, civil society development and media freedom with a view to create synergies of the work and to avoid overlapping	Belarus
EUD-EUMS technical working on human rights	Cambodia
The Delegation has permanent consultations with othe EU State members and their development agencies, UN System, Basket funds and other non EU donors	Colombia
For instance before opening a Call for Proposals for the IEDHR CBSS or the NSA-LA, who deals with SEC rights, there are contacts with other donors, representing Member States, plus part of the civil society	Colombia
Monthly meeting with MSEU in Kinshasa on HR issues, under EU local presidency by EU delegation	DRC
Do not know	Egypt ; Eritrea ; Ethiopia ; Liberia ; Jamaica
The Delegation formulated jointly with EU Member States a local strategy to implement EU Guidelines on Human Rights Defenders.	El Salvador
The EU Delegation consults with EU member states in Ghana on many HR issues that are observed or reported by the media. In writing the HR fact sheet bilateral and multilateral agencies are usually consulted for information. The HR fact sheet is also shared with Heads of Mission.	Ghana
Dialogue with Member States Embassies and development cooperation agencies, as well as consultations with multilateral agencies (UNDP, UNIOGBIS, ICRC, etc.)	Guinea Bissau
Yes consultations do take place with UN agencies, Government Statutory bodies (e.g.NHRC) and other bilateral agencies (DFID).	India
Regular coordination/exchange of information with UNAMI, US, EU MS	Iraq
The delegation has currently a capacity development program for HR commission in the	Iraq

pipeline. In addition there is EU HR working group and other bilateral coordination meetings	
Meetings, surveys.	Kazakhstan
UN, WB, SIDA	Moldova
Regular consultation with Human Right NGOs and other foreign donors existing in the country	Russia
Strong collaboration with EU Members States on the EU HR strategy for Sierra Leone, and on gender issues. Collaboration with the UN. Member of the HR working group.	Sierra Leone
The support strategy has regularly been discussed at the EU Working Group on Human Rights, in order to ensure coordination between the EU MS's funding instruments. This is also discussed at EU Heads of Mission meetings, at the Bilateral Donor Group and the Donor Peace Support Group.	Sri Lanka & Maldives
EU coordination with MS on a monthly basis; Established working group on Human Rights with UN	Sudan
Within the context of regular EU Development Counsellor meetings and meetings of the Like-Minded Donor Group (LMDG) issues concerning strengthening of rights (mainly socio-economic) are discussed. There is also a UNDP-led human-rights related Donor coordination group, which meets periodically, to discuss Donor projects to help strengthen the rights of women, children and vulnerable groups (e.g. people living with HIV/AIDS or the handicapped).	Vietnam
A joint EU strategy on HR was developed in 2010 to ensure a single EU voice on HR topics; discussion and coordination with UNICEF on children's rights is excellent, while discussion with other agencies (UN, WB, US) takes place on a more ad-hoc basis.	Yemen

Did human rights organizations (both state and non-state actors) participate in the drafting of the Country Strategy Papers during the period 2000-2008?

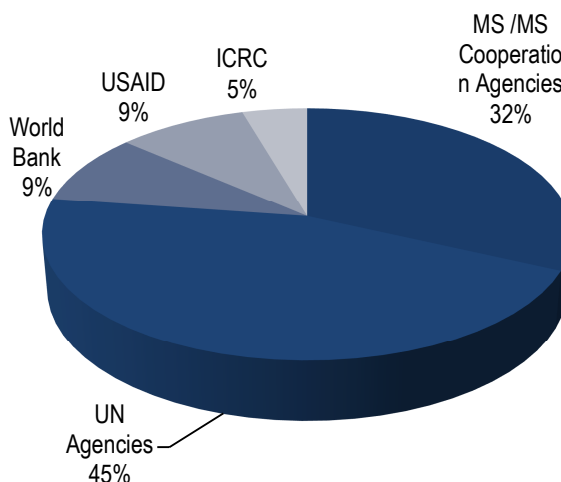
Did human rights organizations (both state and non-state actors) participate in the drafting of the Country Strategy Papers during the period 2000-2008?		
Answer	No. Response	%
Yes	8	22,2%
No	6	16,7%
Do not know	22	61,1%
*Total Responses 56		



Please describe briefly.	EU DEL
By means of consultations. The civil society has very actively commented on Mid term review of the National Indicative Programme of the CSP	Belarus
There was a number of consultations with CSO and Government of Cambodia during that process	Cambodia
Regional and national consultations. Other Forum such as the G24 and the London-Cartagena-Bogotá tripartite ad hoc arrangement which provides for a dialogue on HR issues with the support and mediation role of international community	Colombia
They had a chance to propose priorities.	Kazakhstan
Bilateral and multilateral discussions; -the EU and the Republic of Moldova HRs dialogue	Moldova
Through a consultation process, this involved mostly NSA HR.	Sri Lanka & Maldives
In mid term reviews.	Ukraine
A national consultation process on CSP included Yemeni CSO, including HR CSO who provided valuable inputs. Moreover, DEL maintains a continuous dialogue with CSO over a variety of topics, notably HR, which was reflected in the CSP and other documents	Yemen

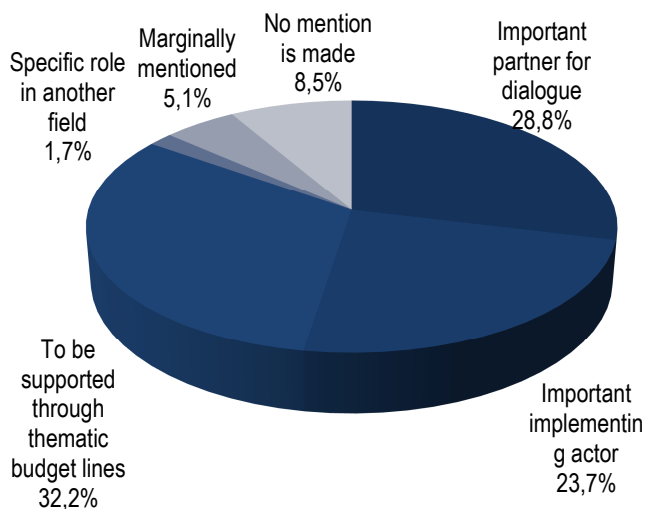
Was/is there consultation between the delegation and other actors (multilateral and bilateral agencies,) regarding support strategies with regard to HR?

Was/is there consultation between the delegation and other actors (multilateral and bilateral agencies,) regarding support strategies with regard to HR?		
MS /MS Cooperation Agencies	7	31,8%
UN Agencies	10	45,5%
World Bank	2	9,1%
USAID	2	9,1%
ICRC	1	4,5%
*Total Responses	17	



What roles does the CSP ascribe to NSAs focusing on HR?

What roles does the CSP ascribe to NSAs focusing on HR?		
Answer	%	No. Replies
Important partner for dialogue	28,8%	17
Important implementing actor	23,7%	14
To be supported through thematic budget lines	32,2%	19
Specific role in another field	1,7%	1
Marginally mentioned	5,1%	5
No mention is made	8,5%	5
*Total Responses 56		



Other/Remarks:	EU DEL
The NSAs are not mentioned as such, but the CSP paper establishes democracy and human rights as the key objective for cooperation with Belarus	Belarus
Consultations with CSOs and other international stakeholders are not always taken on board in the final versions of CSP. The participatory exercise takes place sometimes more as a window dressing activity and its only partially useful	Colombia
There is not a particular effort in the CSP to seek complementarity between bilateral cooperation and thematic programmes/instruments.	Ethiopia
Civil society organisations may have taken part to consultation on the CSP drafting, but not specifically HR-NSA.	Ethiopia
HR-NSAs are to be supported through thematic budget lines	India
No CSP for Iraq in 2000-2008, hence questions not applicable!!	Iraq
There is no CSP 2000-2008 for Iraq. Moreover I am member of the operational section. A colleague of the political has also filled the questionnaire	Iraq
DEL supports CSO through thematic budget lines, but also under geographic budget lines as different calls for proposals are foreseen under the bilateral cooperation instruments to ensure a larger role for CSO and promote CSO-Government dialogue on a variety of topics.	Yemen

Question 5: ACTORS INVOLVED

With which type of HR organizations does the Delegation work the most? (N° of replies > If several, rank: 1=highest - 5=lowest):						
	1	2	3	4	5	Total
National HR organizations of the state	0	5	10	5	12	30
National HR umbrella organisations of the non-state	12	7	5	5	9	36
National development organisations with a HR	6	6	12	5	7	36
Universities and specialist HR bodies	2	7	6	8	13	36
International/Regional HR organisations of the non-state	7	14	2	9	4	36
Other(s):	4	9	6	1	14	34
*Total Responses 36						

With which type of HR organizations does the Delegation work the most? (In percentages)					
	1	2	3	4	5
National HR organizations of the state	0,0%	16,7%	33,3%	10,0%	40,0%
National HR umbrella organisations of the non-state	33,3%	19,4%	8,3%	15,9%	25,0%
National development organisations with a HR	16,7%	16,7%	33,3%	15,9%	19,4%
Universities and specialist HR bodies	5,6%	19,4%	16,7%	22,2%	36,1%
International/Regional HR organisations of the non-state	19,4%	38,9%	5,6%	25,0%	11,1%
Other(s):	11,8%	26,5%	17,6%	2,9%	41,2%
*Total Responses 36					

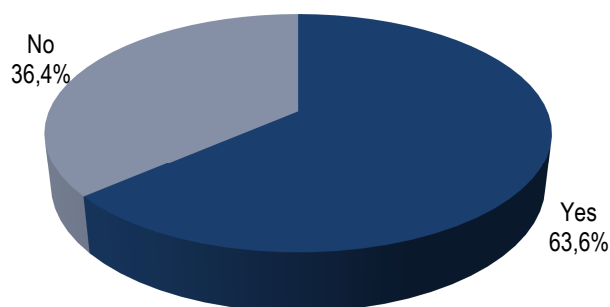
Other/Remarks:	EU DEL
The DEU mostly cooperates with the local HR NGOs and their umbrella structures. The HR INGOs are the other frequented partners.	Burundi
The Delegation works mainly with local civil society organisations be it development or human rights organisations grassroots HR organizations, and social movement CSO such as National Victims of HR violations organization, National or regional indigenous or afro descendent organization, women from social organizations networks.etc, CSO with ROOTS and process	Colombia
Rather than working with traditional human rights defenders, we do work with other organizations with HR approach but dealing for instance with peace building issues	Colombia
We work mostly with national HR organizations and national networks of HR	El Salvador

organizations	
Currently in Eritrea there are only 7 independent INGOs and 2 Local NGOs. Furthermore, there are three mass organisations affiliated to the Government operating in the country.	Eritrea
We have not collaborated strongly with universities but there is a possibility of linking with universities as well since some of them offer courses in HR.	Ethiopia
The recently issued civil society law does not allow working with HR-NSA. From 2000 to 2006 the Delegation has been working with several local HR NSA under the EIDHR, and under the EU civil society fund. Now the Civil society has obtained derogation to the law and can operate in the governance area, though NSA tends to avoid the forbidden sector.	Ethiopia
And local HR organisations at the grassroots level.	India
Please note that the HR Commission in Iraq has yet to be established. Thus there is no ongoing cooperation but a planned one. Moreover I am member of the operational section. A colleague from the political section has also filled the questionnaire	Iraq
Depends from the topic.	Kazakhstan
No regular activities in the HR sector	Liberia
Other: National NSA focused solely on HR and local HR organisations at the grassroots level especially with national or local NSAs	
In the context of the EU support for the EU - Viet Nam Strategic Dialogue activities are funded, on a case-by-case basis, with government-controlled organisations, such as the Ho Chi Minh Political Academy. Within the context of the EIDHR CBSS, grants are allocated to civil society organisations that are active in the area of strengthening of rights (mainly the rights of women, children and vulnerable groups).	Vietnam
Work with national HR organizations is the most important, while other CSO are involved as a 2nd level. Further, DEL works with political and individual HR activists and parties and obtains regular exchange of information with regional and international CSO in HR field. There are no national HR umbrella organizations in the country that can be consulted; as for universities and specialist HR bodies - again these are not existent at this point in the country.	Yemen

Question 6: MAINSTREAMING HR ACROSS SECTORS, THEMES AND INSTRUMENTS

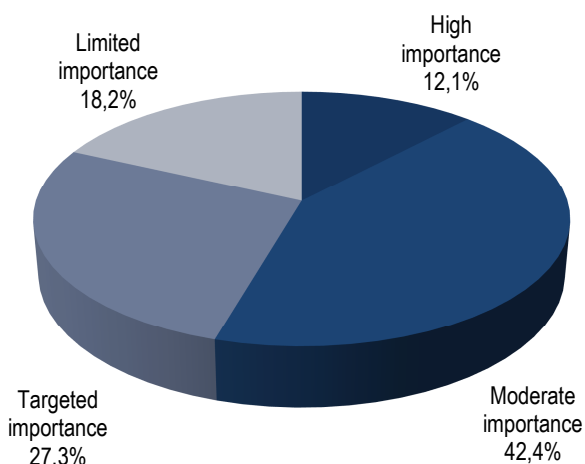
Are positive injunctions provided to ensure an effective “mainstreaming” of HR across sectors/themes/instruments?

Are positive injunctions provided to ensure an effective "mainstreaming" of HR across sectors/themes/instruments?		
Answer	No. Responses	%
Yes	21	63,6%
No	12	36,4%
* Total Responses 33		



How important is mainstreaming of HR on other cooperation sectors in practice? How relevant are these policy documents and guidelines in terms of providing effective support to HR?

How important is mainstreaming of HR on other cooperation sectors in practice? How relevant are these policy documents and guidelines in terms of providing effective support to HR?		
Answer	No. Responses	%
High importance	4	12,1%
Moderate importance	14	42,4%
Targeted importance	9	27,3%
Limited importance	6	18,2%
* Total Responses 33		



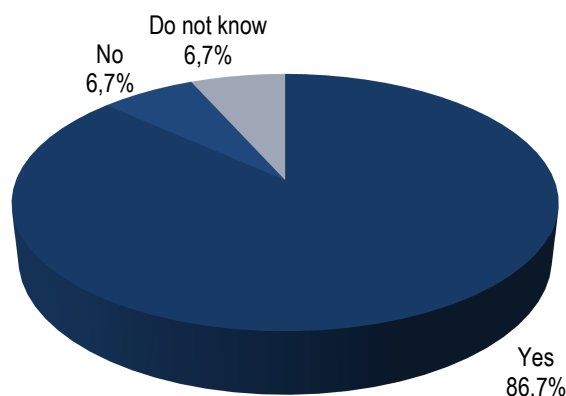
Do you have concrete examples, innovative practices or success stories with regard to mainstreaming HR?	EU DEL
No, nothing. But I would like to receive information about this !	Bolivia
The mainstreaming in bilateral cooperation has been limited due to political constraints. Nevertheless the Peace and Development strategy in CSP component 1 (70% of the CSP) has a very strong human rights oriented conceptual foundation(particularly social and economic rights)and the Peace and Development Laboratory in Magdalena Medio Region, and in Oriente Antioqueño Region can provide very interesting and hopeful experiences in mainstreaming HR through innovative practices	Colombia
We are requesting concrete results (objectives) to be mentioned in the Logical Frameworks	Colombia
No	El Salvador, Eritrea
The projects under Investing in People are a concrete example of mainstreaming socio-economic rights in a smart way without being as controversial activity by the host government.	Ethiopia
In promoting peaceful, transparent and credible elections, we also look gender dimension, i.e. the inclusion of women in politics.	Ghana
A lot of them, mostly regarding children and women rights.	Kazakhstan
Institutional Building Partnership Programme run in Russia in 2004-2011 as such - programme targeting social initiatives like social services to disabled or children incorporated a big number of human rights issues at a project and programme level	Russia
In the assistance to conflict affected populations, efforts are continuously made so that the hardware components are accompanied by flanking measures. For instance, housing (infrastructure) coupled with housing rights, legal aid (land title). Also, through the Conflict Sensitivity Assessment, and through the selection of beneficiaries and resource allocation.	Sri Lanka & Maldives
Human rights is and remains a sensitive issue in Viet Nam. In the context of the Commission's aid programme to Viet Nam there is a preference for addressing the issue in terms of socio-economic advancement of the poorest groups, e.g. ethnic minorities.	Vietnam

Question 7: ON COORDINATION, COMPLEMENTARITY AND COHERENCE

Is the Delegation involved in any co-ordination fora (committees, working groups, etc.) regarding the role of CSOs with other donors/governmental actors (Government ministries, World Bank, UNDP, bilateral donors like USAID, local authorities, etc.)?

Is the Delegation involved in any co-ordination fora (committees, working groups, etc.) regarding the role of CSOs with other donors/governmental actors

Answer	No. Responses	%
Yes	26	86,7%
No	2	6,7%
Do not know	2	6,7%
*Total Responses 30		



Please describe briefly	EU DEL
There are several of these coordination groups in Afghanistan. They are usually issue-based and/or thematic.	Afghanistan
We have a thematic group, with members state who has a regular meetings to discuss the HR subjects and that group is coordinated by Nederlands Embassy	Angola
with government the demand to allow the work of CSO is key political requirement presented regularly by the EU to Belarus	Belarus
Grupo DDHH UE (group of HR officers in Embassies) GRUS (platform of institutions in themes like development and governability)	Bolivia
Strategic committee, National Committee on Aid Coordination on a thematic basis	Burundi
EUMS technical working group	Cambodia
International Cooperation coordination efforts in fighting violencia against women and women's role in peace building (UN resolution 1325); - International Cooperation coordination mainly with Canada and Sweden in activities related to prevent child recruitment in the internal armed conflict; - consultations and information exchange with USAID - UNDP Basket Fund on Transitional Justice as observers - London-Bogota-Cartagena Process: a group of 24 States accompanying CSOs and Government to monitor implementation of UN HR reports on Colombia as well as specific recommendations by UN Experts. - World Bank study on how HR are being mainstreamed into bilateral cooperation funded 'Peace Laboratories'	Colombia
There are fora under the UNDP umbrella dealing for instance on victims' rights and rule of law issues. There is also a fora under UN-Women on gender issues	Colombia
Briefing with United Nations agencies, also Comité des droits de l'homme - Genève, and MONUSCO	DRC
The Delegation organizes every year a workshop in which representatives of donors,	El Salvador

the government, the Parliament, local authorities and civil society discuss the involvement of NGOs in cooperation programs and policies.	
Further to the establishment in 2007 of a donor coordination mechanism in Eritrea, the Development Partners Forum (DPF), the EC Delegation has played an active role in consolidating the effectiveness of the Forum, which comprises four technical coordination groups focusing on: social sectors; infrastructure; food security; and governance. However, the governance working group is not very active: the attendance is very low and the information sharing is quite limited.	Eritrea
The Delegation as part of the DAG (Donors Assistance Group) is chairing the governance technical working group, the justice working group and it is actively involved in the civil society and human rights groups. The EU is chairing the EU HRDs group since 2010	Ethiopia
The EU is chairing the Governance Sector Working Group where efforts have been made to get civil society to sit together with DPs and Government. There is a plan to help coordinate civil society working group in collaboration with other DPs.	Ghana
The EU Delegation participates in Donor meetings, regional and national events/discussions regarding role of CSOs and on-going projects, fairs of ideas.	Kazakhstan
Yes we are involved in coordination fora, which include representatives of CSO/donor/governmental entities.	Iraq
On a thematic basis	Moldova
Transnistrian Donors Meeting - HRs Dialogue	
Regular meetings take place in the EUD with the direct support mainly from NL. It involves both Member states and intern organisations	Russia
Regular HR Donor's meeting regular meetings of human right desk officers of EU MS	
HR working group coordinated by the HR Commission to Sierra Leone and UN EU HR working group. Gender working group.	Sierra Leone
UNDP provides Donor coordination in two areas: -Donor support to civil society; - Donor support for human rights-related activities. The EU Delegation participates in both fora.	Vietnam
Regular donor coordination meetings are held, including in particular on democracy and support to CSOs issues.	Ukraine
The Delegation chairs the EU Human Rights Working Group and a Donor Working Group on Child's Rights. It is also active in an InterAgency Gender Coordination Group. A group of EUMS is being set on Security and Justice. These groups discuss the work of CSOs in the country.	Pakistan
The EU Delegation as the focal point for Human Rights Defenders is in charge of organising regular meeting with CSOs and NGOs active in the field of HR	Sudan
The Delegation is actively involved in the EU Working Group on Human Rights (being the EU Liason Officer for Human Rights) as well as co-chair of the Donor Peace Support Group - Human Rights Sub-Group. Also, the Delegation is currently co-chair of the Bilateral Donors Group.	Sri Lanka & Maldives
DEL is involved in various discussion fora on the role of CSOs with other donors, e.g. Governance Group, Donor Forum - where the role of CSO is discussed and joint approaches to government are discussed. DEL also takes up this discussion with Yemeni authorities regularly.	Yemen

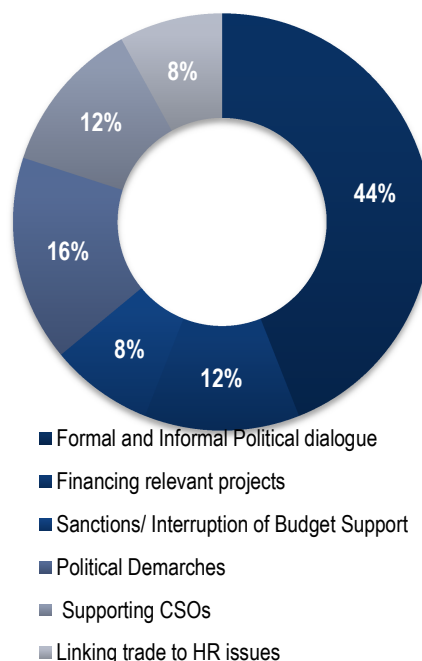
To what extent has the Commission ensured <u>coordination and complementarity</u> (on what issue?) with other donors?	EU DEL
To prevent the co-financing overlapping	Angola
Since development of civil society is a cornerstone of our assistance and policy towards Belarus, this is prominent topic for regular donor coordination in country (where there are 3 mechanisms: Delegation lead with MS; UN led for all donors; and open method of coordination among key interested donors: EC, USAID, SIDA, Dutch MFA, UK) the key directions are media freedom, human rights and civil society development. Additional topic is democratic development. The EU Delegation is not participating as we could not contribute to political parties	Belarus
Mutual info exchange with other EU missions on our respective support schemes	Burundi
Discuss over the issues to be addressed and how they should be addressed and support to NGOs by different donors	Cambodia
In the recent years (3 years) the EU Delegation has some lead on coordinating issues related to women and children EU Guidelines	Colombia
There is still space for improvement	Colombia
The Delegation participates in several thematic donors tables.	El Salvador
For instance, recently the EU started to fund a project in support of the Community Courts in Eritrea. Considering that UNDP currently is implementing a similar project (2007-2011, around 1, 3 M\$) aiming at enhancing the institutional capacity of the justice system to promote the rule of law, coordination and complementarity between the two Actions have been ensured.	Eritrea
The Commission has been very active in promoting coordination and complementarity, firstly within the EU and also among the other donors in the country. In Ethiopia the COM can be considered as the leading donor on Aid coordination and Effectiveness	Ethiopia
In the Governance Sector Working Group there other DPs beside the EU.	Ghana
There are regular Donor meetings on topics like migration, human trafficking, HR and meetings with sharing the information on topics covered by each Donor in the country and region (CA).	Kazakhstan
Coordination mechanisms were not really functioning, since only recently the country passed from an emergency to a development phase	India; Liberia
all our programming is done in close coordination with all relevant stakeholders including donors, government and implementing partners (i.e. during the preparation of our CSP 2011-2013 we mapped out the ongoing and future interventions in development cooperation including on HR issues)	Iraq
This is part of the CB Strategy	Moldova
The Delegation chairs the EU Human Rights Working Group and a Donor Working Group on Child's Rights. It is also active in an InterAgency Gender Coordination Group. A group of EUMS is being set on Security and Justice. All this group discuss the work of CSOs in the country.	Pakistan
As much as possible. Regular exchange of information on ongoing projects / programmes is ensured	Russia
Being the largest donor, the Commission takes a lead in the coordination process.	Ukraine
Highly, on providing support to the protection HRD and on issues concerning death penalty.	Sri Lanka & Maldives

The EU Delegation coordinates all actions in the field of HR at EU level and is the co-chair of a periodic coordination meeting between donors and UN.	Sudan
The Commission is one of few Donors supporting human rights through a dedicated thematic instrument (the EIDHR). Australia for instance also has a human rights call for proposals scheme (but much smaller in scope than the Commission scheme).	Vietnam
Coordination with EU donors is ongoing and exchange of information on programmes/calls for proposals launched is shared, also the experiences with implementation partners are shared. Similar experiences (although less frequent) with UN system; less coordination with USAID.	Yemen
Mainly with other EU Member States on human rights. On education and Health sector programmes with World Bank & DFID.	India

Could you indicate up to three examples of how the EC Delegation has sought to comply with the obligation to ensure coherence with regard to HR in its relations with the partner country?

Some examples of how the EC Delegation has sought to comply with the obligation to ensure coherence with regard to HR in its relations with the partner country?

Answer	%	No. Responses
Formal and Informal Political dialogue	44%	11
Financing relevant projects	12%	3
Sanctions/ Interruption of Budget Support	8%	2
Political Demarches	16%	4
Supporting CSOs	12%	3
Linking trade to HR issues	8%	2
*Total responses 21		



Could you name any activity/project/programme where development aid from different donors (including the EC) has been used to promote HR?	EU DEL
The calls for proposals	Angola
Colombia CSP 2 which promotes Institutional strengthening to fight impunity improves the justice system., and help the application of the transitional justice legal and institutional arrangements . All the projects funded by the EIDHR, NSA-LA and Investing in People, for instnace, do have such an approach Colombia	Colombia
Local NGOs on Human Rights defenders, also sexual violences, and press freedom (DRC)	

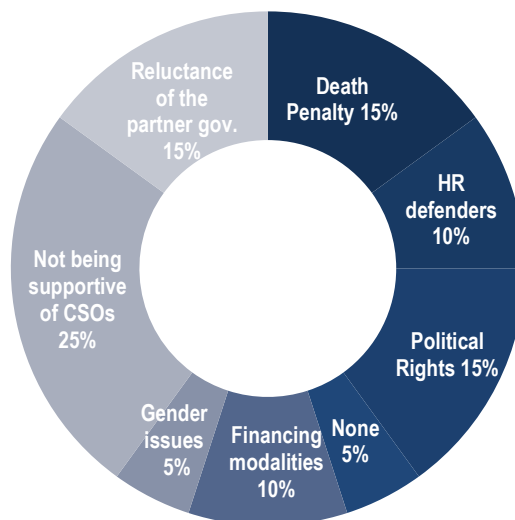
Protection of Basic Services (PBS) for the promotion of social rights (access to health and education)	Ethiopia
AIDS/HIV, tuberculosis and others.	Kazakhstan
It is planned to use funds to organise a Human Rights event (together with EU JUSTLEX mission) beginning of March 2011)	Iraq
EIDHRs DFID Transnistrian Dialogue UN HRs Program	Moldova
Some of the EIDHR projects have EC funding complemented by other donor's aid.	Pakistan
All the projects selected under EIDHR, IFS budget lines and some under NSA budget line	Sierra Leone
"Strengthening Housing, Land and Property Rights Protection in Sri Lanka & Maldives" is being financed by the EC, Norway and CIDA	Sri Lanka & Maldives
Women's and Children's Rights Programme; Combatting Torture and Impunity in Law Enforcement	Ukraine
The Commission's general budget support for Viet Nam. A number of other Donors, including EU MS, provide general budget support to Viet Nam in support of the implementation of the country's poverty reduction programme (the five-year Socio-Economic Development Plan, SEDP). One of the SEDP's objectives is to strengthen the rights (socio-economic) of the disadvantaged and poor.	Vietnam
Through bilateral programme Sharaka Yemen and also under EIDHR, EU MS have regularly provided the cofinancing requirement for EU-funded projects.	Yemen

Could you indicate up to three examples of how the EC Delegation has sought to comply with the obligation to ensure coherence with regard to HR in its relations with the partner country?	EU DEL
Meetings with civil society to hear their opinion about strategy for HR in the country; Projects co-financed by budget lines according the thematic of HR	Angola
Regular dialogue on human rights is conducted with Belarus. There are EU sanctions in place against Belarus for human rights violations. There is strategy for protection of HR Defenders in Belarus	Belarus
Demarches against criminalisation of homosexuality, demarches for a representative and neutral composition on the Independent National Electoral Committee, demarches for the abolition of the capital punishment	Burundi
the Delegation keeps regular consultations with national actors both state and non-state actors when it comes to support for human rights and addressing human rights issues	Cambodia
Press Conferences and releases on HR issues Taking part on visits of EU member states to HR Defenders or HR institution on high risk or having been attacked Since 2009 Human Rights Dialogues are taking place in Colombia	Colombia
There are meetings between the Delegation and Political Officers of member states, nonetheless, this question could be better answered by the managerial staff of the Delegation	Colombia
informal dialogue with government, special meeting with foreign ministry on death penalty, regular meeting on Justice reform	DRC

The Delegation conforms a commission with the local government and an NGOs network, where HR and development issues are discussed.	El Salvador
-Political Dialogue -Demarches for particular issues of concerns	Eritrea
1. Interruption of budget support following the clampdown by the Government's forces on protesters in the aftermath of 2005 elections 2. The Civil Society Fund main objective relating to promotion of good governance could be kept despite the new civil society law following tough negotiations with the Government.	Ethiopia
By compiling the HR fact sheet to better understand HR issues in Ghana. Holding political discussions every week to understand and be abreast with political and other issues. Ensuring that development interventions supported by the EU have HR issues mainstreamed in them.	Ghana
1) Through the EU-India annual Human Rights Dialogue 2) Demarches 3) Trial Observations of Human Rights Defenders	India
Well known national projects dealing with women and children rights and health, human trafficking and social rights.	Kazakhstan
- HRs is part of the EU-RM visa liberalisation Dialogue, - HRs is part of the JLS subcommittee meetings, - EU-RM HRS dialogue	Moldova
For example: discussions on the human rights situation in the country when rising trade-related issues.	Pakistan
Biannual EU HR consultations with Russia (RF Ministry of Foreign Affairs) preceded by consultation with Russian HR NGOs	Russia
EU HR working group. Selection of projects through the calls for proposals.	Sierra Leone
The Head of Delegation has regular dialogue with the Government of Sri Lanka & Maldives on the Human Rights situations. The programming of development cooperation is done on the basis of the HR situation and forecasted evolution.	Sri Lanka & Maldives
the dialogue on HR in the Sudan is particularly difficult. There is no independent institution as an interlocutor and the vision on HR is quite different.	Sudan
Through general budget support the EU strengthens the implementation of Vietnam's poverty programme (the Socio-Economic Development Plan, SEDP) focusing on socio-economic rights of the poor in general. Through the EIDHR CBSS the Delegation supports the rights of specific groups (e.g. women, children, the handicapped, people living with HIV/AIDS). Finally, within the context of the EU - Viet Nam Human Rights Dialogue, the Delegation raises the EU's concerns regarding respect for political rights in Viet Nam, including freedom of the press, and freedom for civil society to operate and voice criticism.	Vietnam
Reporting on implementation of the EU-Ukraine Action Plan/Association Agenda; support for CSOs activities in the area of HR.	Ukraine
DEL's dialogue with authorities on HR is supplemented with actions provided under development cooperation programmes: e.g. political demarches on juvenile death sentences are complemented by actions under a joint programme with UNICEF to strengthen juvenile justice (e.g. provision of legal expert on age determination); projects to strengthen media freedom and freedom of expression are complemented by political demarches on cases of journalists imprisoned for expression of opinion but also by dialogue with Ministry of Information on the amendments proposed to Press law; proposed amendments to CSO law are discussed with government at official level as well as with CSO and supported through projects on strengthening CSO capacities.	Yemen

In what areas does the EC Delegation face particular challenges and/or criticism from national actors and other sources in terms of ensuring coherence with regard to HR?

Main challenges and/or criticism from national actors and other sources in terms of ensuring coherence with regard		
Answer	%	No. Responses
Death Penalty	15%	3
HR defenders	10%	2
Political Rights	15%	3
None	5%	1
Financing modalities	10%	2
Gender issues	5%	1
Not being supportive of	25%	5
Reluctance of the government	15%	3
*Total responses 25 (including the replies specified below)		



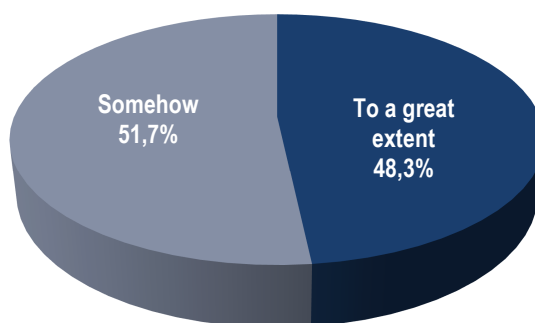
Other...	EU DEL
Civic education elections education health	Angola
Insufficient political will to tackle issues in the bilateral forum such as HR Dialogues Timing of reaction is slow or doesn't occur when very urgent situations where life of our cooperation partners or sustainability of development efforts EU funded are at risk or have been attacked Sometimes it is difficult to get the message through and have a consistent dialogue with decision making personas at the EU Delegation	Colombia
Currently, the EU is being criticized by some NSAs for leaving HR issues out of the Association Agreement signed with Central American governments. Other critics accuse the EU of not pressuring enough the Salvadorian government to comply with HR international standards.	El Salvador
Diaspora is very critical to the EU development aid in Eritrea. There is no a particular area which is affected but the entire development cooperation approach in Eritrea.	Eritrea
HR NSA criticize the EC for not having being able to prevent the issuance of the new civil society law and for not being anymore supportive to civil society as it used to be before 2005 elections. HRD-NGOs say the EC is unable to assist them in situation crises. Criticism also relates to lack of contacts with HoD in the last years compared to before.	Ethiopia
Challenges in promotion of HR, conditions on detention. Criticism on complication of administrative procedures for getting EU funds.	Kazakhstan
Establishment of effective and efficient coordination mechanisms.	India
EU is criticised for the confidentiality of EIDHR funded activities which prevent any kind of dialogue or buy in from the government. And therefore also undermines advocacy and transparency efforts	Iraq
Establishment of effective and efficient coordination mechanisms.	Liberia
Criticism related to the HR focus promoted in Pakistan when, according to national actors	Pakistan

(government) the EU (in general) discriminates Muslim due to its Islamophobia	
From Russian NGOs; provided funding is not always politically backed up by the EU.	Russia
The Government of Sri Lanka & Maldives is reluctant to engage in open discussion on Human Rights, amidst the ongoing international inquiries. It is therefore not willing to compromise in this ground. Currently, most accusations of HR violations are against the Government of Sri Lanka & Maldives, and hence its denial posture seems polarized by this fact.	Sri Lanka & Maldives
Interpretation of women rights, due process of law and political arrests are probably the most contentious issues between the EU and the Sudan.	Sudan
There is no particular criticism from national actors. In Viet Nam debate is strictly controlled by the Government/ Communist Party and discussion about rights not encouraged.	Vietnam

Question 8: POLITICAL DIALOGUE

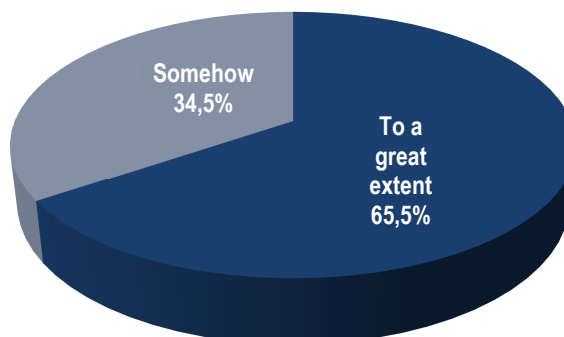
To what extent has the Commission/Delegation efficiently and effectively used the political to encourage and promote HR?

To what extent has the Commission/Delegation efficiently and effectively used the political to encourage and promote HR?		
Answer	No. Responses	%
To a great extent	14	48,3%
Somehow	15	51,7%
* Total responses 29		



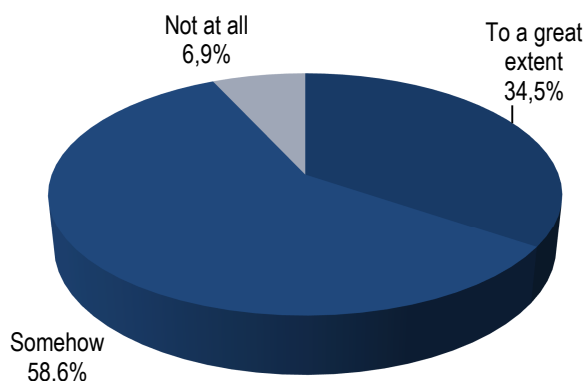
Is HR integrated in political dialogue or is it a side issue, only to be considered when there is a crisis?

Is HR integrated in political dialogue or is it a side issue, only to be considered when there is a crisis?		
Answer	No. Responses	%
To a great extent	19	65,5%
Somehow	10	34,5%
* Total responses 29		



To what extent is civil society involved in political dialogue on HR?

To what extent is civil society involved in political dialogue on HR?		
Answer	No. Responses	%
To a great extent	10	34,5%
Somehow	17	58,6%
Not at all	2	6,9%
* Total responses 29		

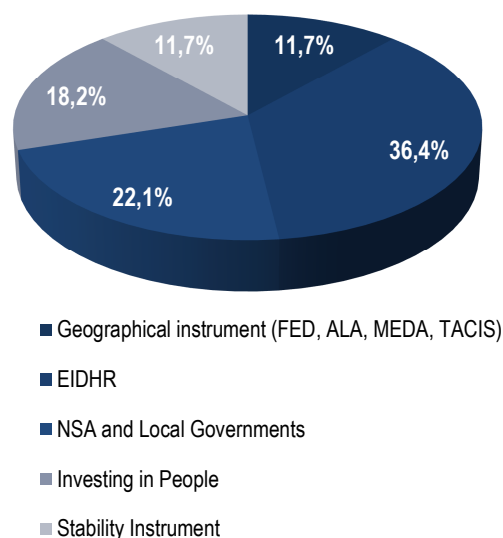


Comments	EU DEL
Political Dialogue is one of the most efficient instrument in order to discuss HRs with the authorities	Eritrea
The political dialogue has a limited impact in Ethiopia, as the dialogue is being held only with the Prime Minister. Human Rights are always high on the agenda, but the nature and structure of the dialogue does not allow achieving much.	Ethiopia
Civil society have been consulted and also participated in the development of the Human Rights strategy but not frequently.	Ghana
Political Section is chairing regular dialogue with civil society, operations are involved. There are meetings with EU Members States on HR with participation of NGOs and representatives from EU funded projects.	Kazakhstan
One of the sub-groups of the Joint Commission (PK/EC) is on Governance, migration and human rights. Other means of dialogue at political level has been sought though not formally established yet	Pakistan
Civil Society is rather active in monitoring HR and demanding improvements in the respect of HR. But unfortunately, due to the persisting threats to those who voice it out and many are scared of engaging more actively.	Sri Lanka & Maldives
Bi annual HR dialogues with the authorities, preparatory meetings with HR NGOs take place at regular basis	Russia
Civil society is only involved in discussion about rights of vulnerable groups (people living with HIV/AIDS, the handicapped) or the rights of women and children. No civil society organization, i.e. independent organizations, can address political rights in Viet Nam.	Vietnam
Consultations with CSO prior to political dialogue sessions are regular, ensuring involvement of CSO (indirect) in the political dialogue. Pol. dialogue is structured and focuses mainly on HR issues. EU political pressure has proved to be effective to address HR concerns with the Yemeni authorities - sometimes more effective than national lobbies.	Yemen

Question 9: FINANCIAL INSTRUMENTS

What kind of financial instruments are best suited to supporting HR-NSAs?

What kind of financial instruments are best suited to supporting HR-NSAs?		
Answer	No. Responses	%
Geographical instrument (FED, ALA, MEDA, TACIS)	9	11,69%
EIDHR	28	56,56%
NSA and Local Governments	17	22,08%
Investing in People	14	18,18%
Stability Instrument	9	11,69%
* Total Responses	28	



EU DEL	Geographic Instrument	
	Advantages	Disadvantages
Belarus	No advantages in case of current situation in Belarus. This money, namely ENPI allows as to be more present in country and be more influential as a player and only via this indirect influence we have an advantage	Needs approval of beneficiary government, which completely opposes any work in this direction
Burundi	Relatively big amounts, agreed upon and demanded by the government	
Colombia	The amount	In countries where HR violations are systematic and massive the State often does not have enough legitimacy to conduct such programmes and account for results In countries where and internal armed conflict is taking place it is dangerous sometimes for beneficiaries to be associated with the State on HR actions or programmes Political instability and lack of continuity between governments are common in places where HR violations are frequent corruption
Colombia	Support to public or government policies increases efficiency, effectiveness, impact	Taking into account that they go through the Government, the NSA could be reluctant to

	and sustainability The support can be on a greater scale with more beneficiaries and geographical outreach	participate on them
DRC	very consequent financial support	too large with criteria
Eritrea	The amount of funds available and the maximum limit for allocating such funds to a specific action are quite wide. Long term and sustainable actions in the field of HRs/Good Governance could be planned and could have an important impact	The allocation of funds is decided in cooperation with the Host Government. In difficult countries, such as Eritrea, this could mean a challenge in assigning the funds to independent organizations
Ethiopia	If host government/NAO agrees, the CSP could provide a good basis to develop a sustainable strategy to promote human rights and support HR NSA in a more continuous and consistent manner in the long term. Also bigger availability of funds compared to a budget line.	In countries where host governments are not inclined to discuss human rights and tend to perceive HR NSA as a threat to their power, the geographical instrument is not an option for supporting and mainstreaming of HR.
Ghana	Funds are more frequently available and can be used.	Not targeted to HR and requires some tinkering to be able to use it for that purpose
Iraq	N/A	N/A
India	Possibility of longer interventions and stronger involvement of the Government	Programming/implementation procedures too long.
Kazakhstan	Well known in the country, good budget.	Bureaucratic procedures sometimes with delay in contracting, payments and etc
Liberia	Possibility of longer interventions and stronger involvement of the Government	Programming/implementation procedures too long
Russia		There is no geographical funding for Russia anymore
Sri Lanka & Maldives	Provide substantial envelopes. Long term commitment.	Difficult to include HR as an area of focus, as it may be perceived as too politically sensitive. Risk of low absorption
Ukraine	Government buy-in is guaranteed	Less flexibility
Vietnam	Support for government-led poverty reduction programme, through which socio-economic rights of the poor can be strengthened. This is in line with the EU Backbone Strategy on Reforming Technical Co-operation as it strengthens Government ownership.	Unable to target assistance to specific groups/needs.
Yemen	Requires consultation and dialogue with national authorities on sensitive HR subjects	Authority influence in choice of partner CSOs

EU DEL	EIDHR	
	Advantages	Disadvantages
Angola	Helps, during certain time, to follow some specific projects co-financed by these instrument and we can find the results where it is applied.	Absence of the co-financing to follow up the activities in the field. This kind of support is a quite limited.
Belarus	Is very useful and pertinent in case of Belarus. Provides for possibility to fit the visibility requirements. Working via European NGOs provides smaller CSO and those who have lost their legal status due to repressions a chance to work	<u>Its allocation has been too small to create more sizable impact.</u> The democracy part of the instrument seems to be very limited
Burundi	Actions independent on the government	rather low funds
Cambodia	Stable support for human rights NGOs	
Colombia	Independence is key to human rights defense and monitoring, the EIDHR provides independence and is able to fund the best CSOs without State agreeing or supervising such projects. Potential to reach those who are in the forefront of HR Defense and facing the most risky situation Very consistent with EU values and HR Guidelines stemming from the very EU member states Visibility of EU funding gives protection and legitimacy to state or other armed actors activities HR programming has very good objectives and also allows space for local programming, and thus targeting very specific problems in a particular country or region	None except for the methodological, administrative and other flaws which are related to the fund channeling alternatives and not to the EIDHR itself. The main problems is that countries with chronic or protracted HR problems the project approach cannot ensure sustainability It rather provides support and breathing to continue working, but in a context of threats and lack of guarantees a mechanism for continued support to key stakeholders should be devised (I understand this is already included in 2011-2013 EIDHR strategy)
	It is directed only to NSA letting them to prepare independent projects	The amount is small... especially relating the CBSS
DRC	good definition and description on tasks	difficult access for NGOs, evaluations from EU are not taking into account on NGOs applications
El Salvador	It <u>responds quickly to the changing dynamics of HR</u>	Limited funds
Eritrea	<u>Eligibility rules are more inclusive compared to other budget line instruments</u>	Eligibility rules are still not enough flexible in order to allow the <u>participation of non registered organisation</u> to local Call for Proposals. The non -registered NGO cannot prove to have the minimum legal and financial requirements as per EU rules.
Ethiopia	Excellent tool, because it does not require the host government approval. The best instrument to support HR NSA. The CBSS is also an excellent tool to build the capacities of HR NSA.	In countries like Ethiopia where a law forbids foreign funding to local NSA on human rights, democracy and governance in general, also the EIDHR cannot be implemented anymore because NSA would commit something unlawful. Working from outside the country can be an option, but it is not always backed up by the decision makers

		in the Delegation, as it may be politically risky. Emergency Support mechanism for HRDs is not flexible enough and <u>still require the filling of documents which impacts on the confidentiality of the process.</u>
Ghana	These <u>are directly relevant for HR issues and easier to adapt to the context of the country.</u>	None
India	Becomes easier to select projects with specific focus on HR.	<u>Global calls don't always address country specific priorities, while country-specific calls have limited fund allocation.</u>
Iraq	Directed to NGOs and has regular calls for expressions	<u>Confidentiality of the contracted programs;</u>
India	Becomes easier to select projects with specific focus on HR.	Global calls don't always address country specific priorities, while country-specific calls have limited fund allocation.
Kazakhstan	National and regional projects.	Obligation to contribute to the project, complication of financial procedures.
Liberia	Possibility to work on "sensitive issues" with organisation which are independent from the Government	Limited funds for in-country interventions. Most of the projects are selected under international call for proposals and the opinion of Delegation is often not taken into account in the evaluation of the proposal with a high risk of having projects which are not tailored for the country. <u>Short period of implementation which impact on the sustainability of the action</u>
Pakistan	<u>Local definition of priorities of CfP (EIDHR CBSS)</u>	<u>Small size of the grants</u>
Russia	Independence of the instrument from the national authorities, local scheme is best suited for the local context, <u>low grant amount allows to reach genuine grass root initiatives</u>	Relatively low annual budget in comparison with the size of the country and local capacity. Too bureaucracy in the process limiting the number of potential applicants
	no need for agreement with authorities	<u>Limited annual budget</u> seen the size of Russia
Sri Lanka & Maldives	Can engage in small but very meaningful and well targeted actions, without necessary compromising relations with Government concerned	Scope for open coordination is limited due to the high degree of confidentiality required.
Sudan	Well known among HR NGOS. The EU is the only donor with a specific funding opportunity in the field of HR	Implementation Capacity of Sudanese NGO still very weak
Ukraine	Diversity and flexibility	Limited impact
Vietnam	Operates independently from host country governments (although in reality in Viet Nam no organisation can undertake activities without government approval). 2. <u>Possibility to channel funds directly to civil society organisations that work to promote rights.</u>	

Yemen	Independence of the programme; better suitable for more sensitive and political HR issues as no government interference is possible	Projects tend to work more in isolation and results are less readily accepted by authorities
-------	---	--

EU DEL	NSAs	
	Advantages	Disadvantages
Belarus	Useful instrument to support more neutral human rights and civil society development work	Work is heavily controlled by the government.
Burundi	Actions independent on the government	rather low funds
Cambodia	Mainstreaming human rights in the local authorities development agenda	
Colombia	It could support the dialogue between NSA and Las integrating HR into governance and development NSA and local governments initiatives Democracy, citizen's participation and HR are complementary issues	To canalize money through LAs sometimes is a nightmare many times HR are mentioned in the project but during implementation the focus on HR is frequently lost or becomes very vague
El Salvador	Funds are appropriate to support important NSA projects	Very limited funds for LG. Only a small portions of NSA applicants receives funds, while the selection process is very burdesome for Delegation staff.
Eritrea	The objectives of the action are often more general compared to other budget lines (EIDHR), allowing the participation to the CfPs of different type of NGOs proposing different type of actions.	Eligibility rules need to be more flexible in order to allow for a wider participation
Ghana	Can be used to support civil society <u>where HR can be easily mainstreamed.</u>	N/A
Iraq	I have no operational experience with the instrument but would assess that positive impulses for HR could be expected following program objectives	-
Kazakhstan	LA are involved.	New programme, LA needs to be trained on application procedures and project management.
Liberia	Possibility to develop the capacity of the local organizations	Concept too general Risk of substitution role in the provision of basic social service by NSA and creation of a "parallel system" which is not sustainable in the long term.
Pakistan	-	Local governments in Pakistan do not have the capacity to participate
Russia	Russia is not yet benefitting from the programme local scheme. If included, it would provide a good platform for	

	networking between NGOs and local authorities creating conditions for local empowerment and democracy	
Sudan	HR is always mainstreamed in the objectives of the call	Implementation Capacity of Sudanese NGO still very weak
Sri Lanka & Maldives	Can link up easily HR with other relevant sectors. It encourages the constructive involvement of LA in any type of initiative.	Very diverse type soft interventions. Difficult to bundle separate actions.
Ukraine	Diversity and flexibility	Diversity and flexibility
Yemen	Independence; provide a bridge between HR and cooperation by bringing HR concerns to the development discussion	Government sometimes reluctant to accept outcomes; sometimes attempts at indirect interference by addressing licensing issues with CSOs involved in projects; over-bearance of development issues and I-NGOs on the calls for proposals

EU DEL	Investing in People	
	Advantages	Disadvantages
Cambodia	Mainstreaming human rights in the local authorities development agenda	-
Colombia	Possibility to focus on vulnerable sectors: children, women, informal workers or on key sectors to the enjoyment of social and economic rights such as health, education, decent work, or emerging issues such as culture and development	Investing in People programme is more oriented to basic rights and needs, and it is designed to contribute to the MDGs which are not rights oriented. It also contributes to vague concepts such as social cohesion The impact therefore depends on the evaluators choice of priorities and their sensitivity and interest in promoting the HR approach in proposals coming from this thematic programme
	The call for proposals are open to very interesting topics	However, they should be regionalized if not centralized. It is difficult to manage the expectations created by centralized call for proposals
El Salvador	It targets specific issues and allows for regional interventions	The selection process is not run by the Delegation
Ethiopia	This budget line is effective in promoting and mainstreaming socio-economic and cultural rights, although not specifically mentioned. Key issues like child rights, child labour and sexual reproductive health can be addressed through projects funded under this budget line.	The budget line cannot target directly human rights as main objective
Ghana	Can be used to support HR issues specific areas covered by the thematic instrument.	N/A
India	Has scope for setting specific priorities, which gives it flexibility.	

Iraq	I have no operational experience with the instrument but would assess that positive impulses for HR could be expected following program objectives	
Kazakhstan	Good programme.	Not so widely promoted in the country in comparison with the programmes motioned above.
Sri Lanka & Maldives	Ability to target per theme.	HR can only be included as a mainstreamed component.
Ukraine	Diversity and flexibility	Diversity and flexibility
Yemen	Same as for NSA (i.e.: Independence; provide a bridge between HR and cooperation by bringing HR concerns to the development discussion)	Programmes are only awarded under global calls and no local calls are available, which would greatly contribute to these topics at a country-level

EU DEL	Instrument for Stability	
	Advantages	Disadvantages
Belarus	Very useful in post crisis situations. Much quicker and more flexible then other instruments	Potentially could contribute to calm things unnecessary down, thus not contributing to democratic change
Colombia	Great advantages: rapid response to crisis or protracted crisis where HR and Democracy is at risk; or on the contrary possibility to enhance windows of opportunity where HR and Democracy can be recuperated or improved Possibility to have projects targeted to a variety of stakeholders as appropriate to contexts. Targeted projects help to improve the implementation and work right away with the best implementations. The size of projects can be huge to have a maximum impact! Exceptions to sometimes rigid rules EU procedures enforces can improve the efficiency and effectiveness	A lot of administrative and political additional reporting increases substantially the workload Complex processes to modify any aspect of the projects Relatively short time period to implement huge resources is not always consistent with difficult contexts' and political stances related to work with this instrument and may lead to do things too fast and not having all the appropriate conditions
	To have the opportunity to target certain projects without going through a call for proposals is very interesting	The procedure to get the funds is very slow.
Ghana	N/A	N/A
Iraq	relative flexibility in terms of content and mobilisation of funds	punctual interventions which makes long term effect difficult to assess at project launch
Liberia	Rapid commitment of funds and ability to respond to emergency situation	Short period of implementation which impact on the sustainability of the action
Pakistan	-	Short-term interventions
Sri Lanka &	Possibility of fast track mobilisation. Can use flexible approaches. Can embark on higher	Political hindrances play a greater role than average. High risks of overlapping with objectives

Maldives	politically sensitive actions.	of core HR.
Ukraine	Effective for quick responses	-
Yemen	Quick procedures, independence, possibility to address different topics	Isolation and sometimes more difficult coordination with authorities on projects they are not aware of.

Question 10: IMPACT

What kind of impact did support for HR through various instruments have?

EU DEL	Geographic Instrument	
	Kind of Impact	Overall Assessment
Belarus	almost no impact directly, but indirectly we obtain valuable contacts and influence over some state structures and we can use it for human rights protections	It has more positive elements and human rights defenders are not asking to discontinue
Burundi	Through our Good Governance and ARCANE project, we do things that we are having an impact on democracy in Burundi (Burundi)	Indeed, through these projects, we work on the justice system, on the decentralisation process and on the strengthening of civil society, 3 important components for democracy.
Colombia	It is difficult to assess	It is difficult to assess
Eritrea	Capacity Building of Ministries and Governmental Offices enhanced	Projects are at an early stage and no assessment can be done
Ethiopia	The impact is limited. Support to NSA is a key component of the CSP and the EU Civil Society is acting as an effective tool to build the capacity of the civil society in general. However there is no specific targeting of HR NSA.	Limited impact as there is no mention of HR specifically in the 10 EDF CSP
Ghana	N/A	-
Kazakhstan	Promotion of HR, ratification of international documents.	International conventions on children and women rights ratified.
Iraq	N/A	N/A
Russia	Through existing programmes for civil organisations (IBPP) Russian civil society got reinforcement, platform, networking including with their EU counterparts and capacity building. Despite of their relevance and impact in Russia, the programme like the whole geographical instrument has been phased out.	Number of NGOs participated in the programmes, Number of established partnerships inside the country and with EU counterparts
Sri Lanka & Maldives	Reduction of level of tension between major ethnic communities in Sri Lanka & Maldives.	Programme results achieved, despite the heavy external political factors, but this is due to linkage to overall impact of the MIP.

Vietnam	poverty reduction	Budget support is the best way to support the overall government-led poverty reduction programme in Viet Nam, which helps strengthen the rights of the poor.
EIDHR		
	Kind of Impact	Overall Assessment
Angola	Positive impact	very several rules implemented by the EC (always civil society says that).
Belarus	The highest impact, however its funds in comparison with other budget lines and in comparison to needs are very small	The highest impact
Burundi	This is THE main instruments that we have to make the difference in this country in relation with HR	The Delegation is implementing many different projects in the areas of homosexuality, torture, albinos, gender based violence, and the elections
Cambodia	human rights actors can do their work at the grassroot levels and difficult-high risk areas	
Colombia	It is difficult to assess	It is difficult to assess
Eritrea	-increased impact of civil society action on decision-making and political life in the countries covered -Public opinion have better access to information regarding HR	Negative. Few CSOs are still present in Eritrea, most of them are not even registered. However, the Delegation has succeeded in organising celebration of few HR days where the Eritrean public had free access to.
Ethiopia	Up to 2008/09, EIDHR had a good impact thanks to the numerous projects runned under the budget line. Since 2009, all previous projects have closed and EIDHR could not be launched anymore due to the new civil society law	Good before 2008, none now
Ghana	N/A	-
India	Has resulted in (1) making justice accessible to the marginalised and vulnerable groups (2) prevention of HR violations. (3) Made the state institutions more accountable	A number of individual and public interest litigations have been taken up, basic rights of targeted people have been ensured, legislative changes have been brought in, direct services have been provided.
Iraq	to early to say; projects only started last year	-
Kazakhstan	Protection of HR.	The awareness on HR protection instruments and their application in daily life increased.
Russia	Highly relevant and demanded instrument. Allows to form and strengthen local CSAs. It is particularly relevant in the situation when most of foreign donors are phasing out their support to Russia and the official state support from Russian authorities is	constantly increasing number of highly professional and relevant proposals from local NGOs all over Russia. High demand to support grass root initiatives in particular in Russian regions.

	provided mainly to organisations loyal to the state policies.	
Russia	EIDHR manages to support important activities of NGOs which otherwise would not have the capacity to be implemented	Overall positive. Difficult to reach out to new NGOs that did not work earlier with EU.
Sri Lanka & Maldives	Monitoring and dissemination of minority rights, children's rights, land housing and property rights.	More HR conscious, self-empowered communities, with effective dispute settlement mechanisms.
Sudan	The only established funding mechanisms for national NGOs	
Vietnam	Awareness raising activities at different levels (local, provincial and national).	Effective way of targeting specific vulnerable groups (e.g. people living with HIV/AIDS) and draw attention to their plight

		NSA
	Kind of Impact	Overall Assessment
Belarus	Impact on long term work in development of culture of civil society and human rights. The downside is control of government	Rather positive
Burundi	The Delegation is using the NSA instrument mainly to strengthen local civil society organisations and this is also a way of reinforcing democracy, but it is more an indirect impact. The Delegation had never used this instrument before.	We have just started 4 LA contracts and we do think that they might have an impact on local governance and democracy, but it is still early to say.
Cambodia	bring human rights closer to the duty holders	
Colombia	It is difficult to assess	It is difficult to assess
Eritrea	Capacity building of Non State Actors to strengthen their participation in poverty reduction and sustainable development strategies	Very limited. Few CSOs are still present in Eritrea, most of them are not registered. During the last Call for Proposal launched by the Delegation, proposals of actions aimed to strengthen NSA capacity building have been received, but no proposal of this nature has been selected due to the lack of legal and financial requirements as per EU rules of the NGOs proposing such type of actions.
Ghana	N/A	
Kazakhstan	NSA and LA cooperation and understanding on particular issues improved.	Positive impact on target groups of population.
Iraq	N/A	N/A
Sri Lanka & Maldives	Increased partnerships between NSAs and more proactive constructive engagement with local authorities.	Efforts for moving towards a more cohesive society, aware and respectful of religious pluralism, integrating disabled and socially marginalised people.

Sudan	Provides funding for activities which have a HR consideration in their implementation
-------	---

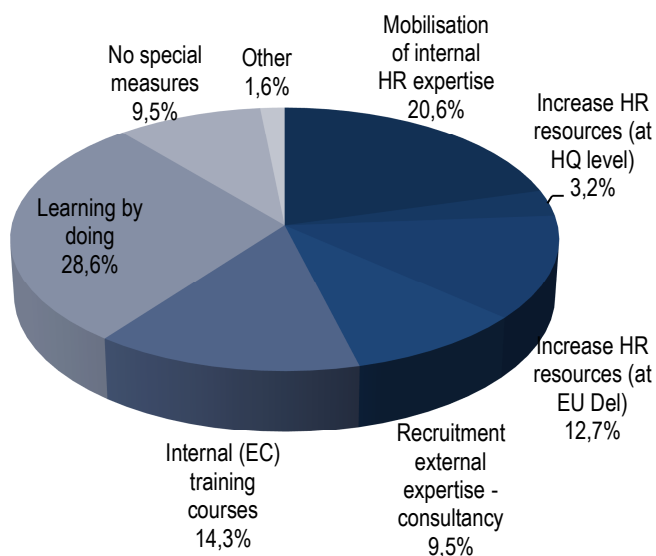
Investing in people	
Kind of Impact	Overall Assessment
Cambodia	rights bearers are more empower
Colombia	It is difficult to assess
Ethiopia	Projects under this budget line have contributed to increase people's awareness on their socio-economic rights. Schools have been built, hence increasing access to education. Trafficked children have been rehabilitated
Ghana	N/A
Iraq	N/A
Sri Lanka & Maldives	Positive impact on war affected children and child ex-combattants.
	Only one project from a Global CfP, so limited in scale.

Ifs	
Kind of Impact	Overall Assessment
Belarus	Very high impact in crisis situations, but can also create additional resistance from the government (Belarus)
Colombia	It is difficult to assess (Colombia).
Ghana	N/A
Iraq	N/A
Sri Lanka & Maldives	Contributed substantially to the formulation of the Local Implementation Strategy of the EU HR Guidelines, and to the physical security of HRD
	Several hundreds of threatened HRDs have been physically protected, and measures taken to contribute to the implementation of the LIS.

Question 11: INSTITUTIONAL CAPACITY TO DEAL WITH HUMAN RIGHTS

How has the Commission/Delegation developed its overall institutional capacity to deal effectively and efficiently with CSO channeling?

How has the Commission/Delegation developed its overall institutional capacity to deal effectively and efficiently with HR?		
Answer	No. Replies	%
Mobilisation of internal HR expertise	15	20,6%
Increase HR resources (at headquarter level)	2	5,2%
Increase HR resources at Delegations	8	12,7%
Recruitment external expertise (consultancy)	6	9,5%
Internal (EC) training courses	9	14,3%
Learning by doing	18	28,6%
No special measures	6	9,5%
Other (Please specify)	1	1,6%
* Total Responses 25		

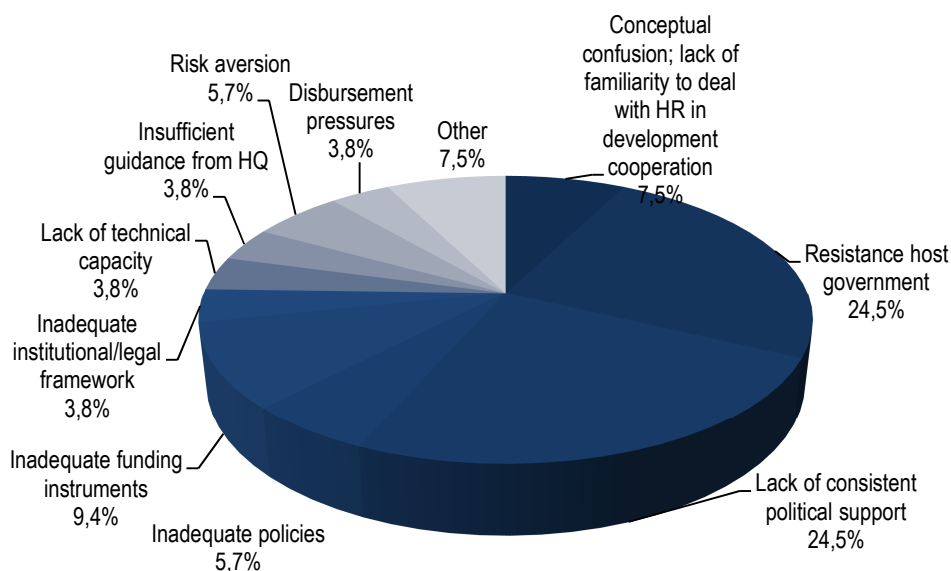


Other/Remarks:	EU DEL
There are already internal resources with enough knowledge on human rights issues and EU legislation, project management, etc., but they are not always properly used	Colombia
Annual regional meetings for EU Delegation staff and HR local actors/contractors organized by HQ are effective and positively evaluated/appreciated by civil society.	Kazakhstan
HR training would be useful	Sri Lanka & Maldives
In 2005 an ALAT/contract agent was recruited to help implement the EIDHR CBSS scheme, which was first introduced for Viet Nam in that year. No training courses on human rights or EIDHR have been provided, so it has been mainly a question of "learning by doing".	Vietnam

Question 12: MAIN OBSTACLES AND CHALLENGES FOR AN EFFECTIVE HR STRATEGY

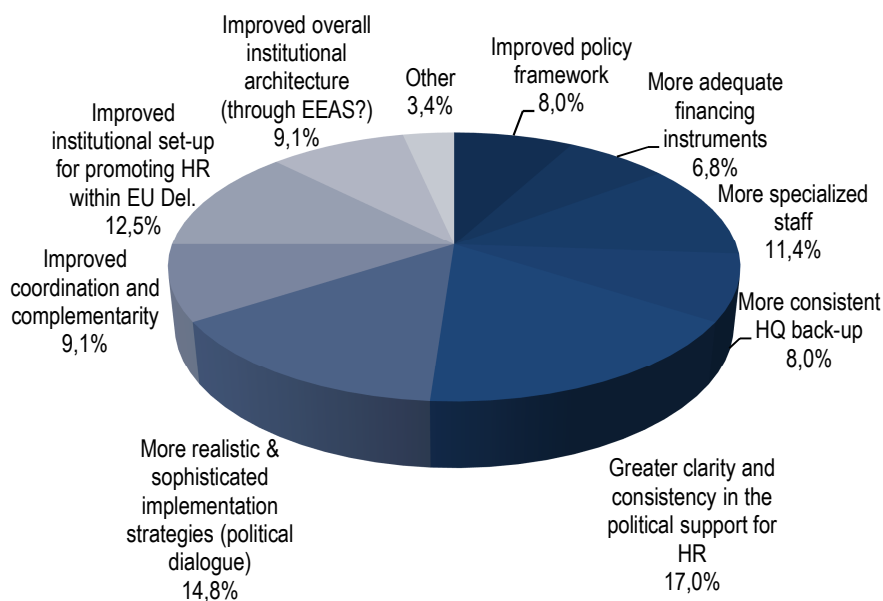
If any, what have been the *main obstacles* to develop and implement an effective and coherent HR strategy and related support programmes

If any, what have been the main obstacles to develop and implement an effective and coherent HR strategy and related support programmes?		
Answer	No. Responses	%
Conceptual Confusion; Lack of familiarity to deal with HR in development cooperation	4	7,5%
Resistance host government	13	24,5%
Lack of consistent political support	13	24,5%
Inadequate policies	5	5,7%
Inadequate funding instruments	5	9,4%
Inadequate institutional/legal framework	2	3,8%
Lack of technical capacity	2	3,8%
Insufficient guidance from HQ	2	3,8%
Risk aversion	5	5,7%
Disbursement pressures	2	3,8%
Other (Please specify)	4	7,5%
* Total Responses 22		



What are the main challenges/measures needed in terms of improving EC performance in HR?

What are the main challenges/measures needed in terms of improving EC performance in HR?		
Answer	No. Responses	%
Improved policy framework	7	8,0%
More adequate financing instruments	6	6,8%
More specialized staff	10	11,4%
More consistent HQ back-up	7	8,0%
Greater clarity and consistency in the political support for HR	15	17,0%
More realistic and sophisticated implementation strategies (political dialogue)	15	14,8%
Improved coordination and complementarity	8	9,1%
Improved institutional set-up for promoting HR within Delegation	11	12,5%
Improved overall institutional architecture (through EEAS?)	8	9,1%
Other (Please specify)	5	5,4%
* Total Responses 24		



Other/Remarks:	EU DEL
Often there is a gap between the lines given in the official HR policy documents/guidelines and the actual stance/back up from HQ when it comes to raising human rights related issues with host governments which do not want to discuss this subject or pretend there is no problem. In substance HR policy lines are rarely backed up by facts and consistent behaviors.	Ethiopia
Improved policy framework of the Sri Lanka & Maldivesn Government	Sri Lanka & Maldives
There should be a realization that in Viet Nam there is only so much the Commission can do to promote human rights, in particular the more sensitive political rights, freedom of the press and civil society, as well as the issue of anti-corruption. These are sensitive issues with the Communist government. However, government ownership and sovereignty have to be respected. The EIDHR CBSS has been implemented with some success and this should continue. The Delegation has to be constantly take care however not to provide any affront to the Government. Through EIDHR only respect for socio-economic rights and the rights of vulnerable groups can be promoted. The policy framework (the priority issues specified in the call for proposals guidelines) should perhaps better recognize this reality.	Vietnam
Please add any further comments below:	EU DEL
The EU has a great HR legal framework but still lacks clear rules regarding how to implement them on daily bases...	Colombia
Thanks for this survey HR focal point is not an easy job but still enthusiastic!	DRC

Appendix - List of participating EU Delegations

Country	Region	Contact person for EIDHR/Operational section	Position in the EU Delegation
1. Afghanistan	Asia & Central Asia	Pinero Lozano Zahra	Task Manager for Justice, HR and Civil Society
2. Angola	ACP	Pereira Aurea	Manager project and focal point HR
3. Belarus	ENPI	Aizsalnieks Janis	coordinator for operations
4. Bolivia	Central & Latin America	Stecher-Rasmussen Soren	programme officer
		Alvarez Gabriel	Political Analyst
5. Burundi	ACP	Pinkava Pavel	Political advisor
6. Cambodia	Asia & Central Asia	Kiet Lenghour	Programme Officer for Governance and Human Rights
7. Colombia	Central & Latin America	Salazar Posada Marcela	EIDHR programme manager DEVCO
		Santillan Luzuriaga Asier	Attaché
		Alonso Pedro	Head of section
8. DRC	ACP	Sabourin Elise	Attachée politique
9. Egypt	ENPI	Lidou Armelle	Deputy head of section
10. El Salvador	Central & Latin America	Perseu Giuliano	Project officer
11. Eritrea	ACP	Cerea Paola	Program manager
12. Ethiopia	ACP	Mussetti Ilaria	Governance Programme Manager
13. Ghana	ACP	Allan Josphe Bogrebon	Programme Officer
		Torcoli Francesco	programme officer
14. Guinea Bissau	ACP	Valabrega Piero	Chargé des affaires politiques et des relations avec la presse
15. India	Asia & Central Asia	Srinivasan Renuka	Project manager
16. Iraq	Middle East	Stemberger Anton	Attache/Program Manager Ops
		Paszatory Clarisse	Political Matters Advisor

17. Jamaica	ACP	Millar Thomas	Head of Section
18. Kazakhstan	Asia & Central Asia	Levchenko Elena	Project manager
19. Lebanon	ENPI	Abbas Roula	Task Manager
20. Liberia	ACP	Varlese Francesca	Project manager
21. Moldova	ENPI	Lorenz Dirk	Political Officer
		Stamate Gheorghe	Project Manager
22. Nicaragua	Central & Latin America	Louro Pena Alicia	Project officer Governance & Human Rights
23. Pakistan	Asia & Central Asia	Forte Daniela	Development Advisor- Human Rights
24. Russia	ENPI	Zabrodotskaya Natalia	EIDHR programme manager
		Blonde Piet	political officer
25. Sierra Leone	ACP	Ramey Virginie	Project manager
26. South Africa	ACP	Driesmans Igor	Political officer
27. Sri Lanka & Maldives	Asia & Central Asia	Oliver Cruz Ignacio	Task Manager
28. Sudan	ACP	Galletti Chiara	Human Rights Coordinator
29. Tajikistan	Asia & Central Asia	Normantiene Akvile	Political Officer
30. Ukraine	ENPI	Topolnytskyy Stanislav	Sector Manager
31. Vietnam	Asia & Central Asia	Bardoul Jean Pierre	contract agent, Operations Section, dealing with EIDHR
32. Yemen	Middle East	Horvers Mary	Governance, Human Rights & State Building Advisor

ANNEX 6:

NON SPENDING INSTRUMENTS

NON FINANCIAL INSTRUMENTS

The Terms of Reference call for an exploration of the “the use of different types of dialogues in supporting human rights” (p. 8). These are defined as including: “the specific Human Rights Dialogues, political dialogues and programming dialogues at geographical and thematic level”. Policy and political dialogues are central to the EU approach to human right promotion in third countries as stated in the Council Conclusions of the 25 June 2001 ‘The Council reaffirms the importance it attaches to its human rights dialogue with third states as a key tool in promoting human rights worldwide’. These forms of engagement are broadly defined as ‘non financial instruments’. In addition to this, the evaluation will also consider other forms of related dialogue, which have potential impact on HR issues such as the dialogues with civil society and the trade dialogue.

The table below outlines the main types of non-financial instruments, which will be included in the scope of this evaluation and reflected in the evaluation questions. These include:

- Dialogues:
 - General dialogues based on regional or bilateral treaties, agreements or conventions dealing systematically with the issue of human rights
 - Dialogues focusing exclusively on human rights
 - Ad-hoc dialogues extending to CFSP-related topics such as that of human rights
 - Dialogues in the context of special relations with certain third countries on the basis of broadly converging views
 - Dialogue with civil society
 - Trade dialogue
- Joint Actions
- Common Positions
- Démarches and Declarations
- Restrictive measures
- EU contribution in International Fora (United Nations, Council of Europe, OSCE)

Table 1: Typology of non spending actions

Types of non spending activities	Main focus	Institutional organisation, task division and coordination
Dialogues of a rather general nature based on regional or bilateral treaties, agreements or conventions dealing systematically with the issue of human rights	This category falls under the heading of what might be called “political dialogue” with partner countries. The human rights clause makes it possible to address HR issues. These dialogues include:relations with candidate countries the Cotonou Agreement with the ACP and the Trade, development and Cooperation Agreement with South Africa relations between the EU and Latin America the Barcelona process (Mediterranean countries) Partnership and Cooperation Agreements or Cooperation Agreements, in particular in the context of the European Neighbourhood Policy political dialogue with Asian countries in the context of ASEAN and ASEM dialogue with	Shared competence between the European Commission and the Council. A variety of institutional arrangements exists, including the dialogue conducted by the EC under Article 8 and 96 of the Cotonou Agreement or the dialogue on human rights organised in specific ‘Subcommittees’ established under the Association Agreements in the ENP. Decision-making through the Council ⁴⁰ For more details on internal and external legal basis see below

⁴⁰ For the 79 ACP countries which have signed the Cotonou Agreement, Article 8 binds the parties to regular political dialogue on a range of issues including human rights and good governance. If this regular political dialogue fails to satisfy major concerns with human rights, democratic principles and rule of law, urgent consultations can be instituted under Article 96 *Source*. For example, relations with Liberia were suspended in 1996, and were re-opened in 2000 according to Article 96. These talks were suspended again the following year, and only resumed in June 2006, when the Council of Ministers decided to normalise relations with Liberia under Article 8 of the revised Cotonou Agreement, and political dialogue was reinstated.

	central Asia relations with the Western Balkans bilateral relations in the framework of association and cooperation agreements	
Dialogues focusing exclusively on human rights	These “dedicated” or “structured” dialogues focus solely on human rights. The fact that such a dialogue exists does not preclude discussion of human rights at any level of the political dialogue	Involves the Troika on the European side and high level officials from the third party
Ad-hoc dialogues extending to CFSP-related topics such as that of human rights	Such dialogues were organised for specific countries such as Cuba and Sudan and clearly fall under the remit of the CFSP	Dialogues are organised by the Troika, following a recommendation of COHOM
Dialogues in the context of special relations with certain third countries on the basis of broadly converging views	These dialogues involve “like-minded countries” such as United States, Canada, Japan and associated countries. Their main objective is to discuss issues of common interest and the possibilities for cooperation within multilateral agencies	Participation of the Troika. Presidency ensures the lead while the European Commission organises the event
Dialogue with civil society	Aimed at facilitating civil society inputs into policy-making for all regions with which the EU has relations. Organised both in the field and in Brussels (including in liaison with European Parliament)	Since 1999, the Commission and Council regularly organize a EU Human Rights Forum involving EU Institutions and representatives of academic institutions and NGOs Commission can use its coordinating role in country to organise occasional roundtables with civil society and Member States Meetings with civil society also take place through the Human Rights Contact Group at the EP Recently the Commission initiated the <i>Structural Dialogue Process</i> , which involves Civil Society (European and from the South), MS, EC, and EP, in a long-term dialogue on the role of CS in EU cooperation. The dialogue engages human right CSOs and is headed by AIDCO F1.
Trade dialogue	Trade and investment are areas that have seen a proliferation of initiatives aimed at promoting human rights. The EC has its own instrument in the form of a ‘social incentive clause’ in the Generalised System of Preferences (GSP) as well as a special incentive arrangement (GSP-plus) around which a trade dialogue is organised with certain countries. Either status can be withdrawn as a result of concerns on human rights or labour issues (following an investigation procedure)	EC in driving seat. Collaboration required of the Council to take decisions
Joint Actions	The joint actions address specific situations where action by the Union is deemed to be required. In the period covered by this report, the EU adopted a number of Joint Actions relevant to human rights. The Joint Actions in question relate primarily to the appointment of EU Special Representatives (EUSRs) ⁴¹ The EUSR are emissaries of the	Led according to the CFSP procedures

⁴¹ The eleven EU Special Representatives in office in the following regions:
 – **Afghanistan** • (Francesc Vendrell, appointed on 25 June 2002)¹,

	European Union with specific tasks abroad. They serve as the eyes and ears of the European Union, promote democracy, human rights and generally represent the European Union in a specific region. They are funded and coordinated by the High Representative of the Union for Foreign Affairs and Security Policy, currently Catherine Ashton.	
Common Positions	Common Positions essentially deal with restrictive measures either following an obligation imposed by a United Nations Security Council resolution or as an EU autonomous measure. Sanctions are applied in pursuit of specific CFSP objectives as set out in Article 11 of the TEU, which include, but which are not limited to, promoting respect for human rights and fundamental freedoms, democracy, the rule of law and governance.	Led according to CFSP procedures
Démarches and Declarations	Démarches and declarations are widely used to convey concerns related to human rights ⁴² . The main subjects tackled by them are protection of human rights defenders, illegal detention, forced disappearances, the death penalty, torture, child protection, refugees and asylum seekers, extrajudicial executions, freedom of expression and of association, the right to a fair trial, and elections.	Démarches are usually carried out in a confidential manner, jointly by the current and incoming Presidencies as well as the Commission.
Restrictive measures (CFSP)	Restrictive measures or sanctions - are mainly an instrument of diplomatic or economic nature which seek to <i>bring about a change in policy or activity by the target country, part of the government, entities or individuals</i> ⁴³ in accordance with the specific objectives of the CFSP, as set out in art. 11 of the Treaty on European Union. They have been frequently imposed by the EU in recent years by the means of common positions, either on an autonomous EU basis or implementing binding Resolutions of the Security Council of the United Nations. There is a wide range of possible	Led according to CFSP procedures

- **The African Great Lakes Region** • (Roeland van de Geer, appointed on 15 February 2007)²,
- **The African Union** • (Koen Vervaeke, appointed on 6 December 2007)³,
- **Bosnia and Herzegovina** • (Miroslav Lajčák, appointed on 18 June 2007)⁴,
- **Central Asia** • (Pierre Morel, appointed on 5 October 2006)⁵,
- **Kosovo** • (Pieter Feith, appointed on 4 February 2008)⁶,
- **The former Yugoslav Republic of Macedonia** • (Erwan Fouéré, appointed on 17 October 2005)⁷,
- **The Middle East** • (Marc Otte, appointed on 14 July 2003)⁸,
- **Moldova** • (Kálmán Mizsei, appointed on 15 February 2007)⁹,
- **The South Caucasus** • (Peter Semneby, appointed on 20 February 2006)¹⁰,
- **Sudan** • (Torben Brylle, appointed on 19 April 2007)¹¹.

⁴² Démarches and declarations are also employed in a positive sense. Recently the EU welcomed a number of positive developments through declarations on, for example, humanitarian Agreements in Colombia (9 October 2007), and the abolition of the death penalty (4 January 2008) and the release of human rights defenders (14 February 2008) in Uzbekistan. Declarations are also used to convey a message in support of EU priorities: e.g. on the European Day against the Death Penalty (common declaration of the EU and the Council of Europe)²⁶ or the UN International Day in Support of Victims of Torture²⁷. Démarches were made in all regions of the world to promote the universality and integrity of the Rome Statute of the International Criminal Court.

⁴³ Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy, 15114/05, 02.12.2005, p. 4

	restrictive measures which could be adopted by the EU and they may include ⁴⁴ : diplomatic sanctions (expulsion of diplomats, severing of diplomatic ties, suspension of official visits);	
The Human Rights Personal Representative of the Secretary General of the CFSP	<p>This position was created in December 2004 by the High Representative of the CFSP Mr Solana.</p> <p>The former HR personal representative, Mrs Kionka was responsible for human rights within the Council Secretariat, thus bringing more coherence and continuity to EU human rights policy (with due regard for the responsibilities of the European Commission).</p> <p>The HR PR is engaged in a broad spectrum of activities on a broad range of topics, ranging from public diplomacy to policy formulation, including mainstreaming human rights into CFSP and ESDP, participating in human rights dialogues and consultations with third countries and generally contributing to the implementation of EU Human Rights and International Humanitarian Law Guidelines as well as EU human rights policy in the UN, the Council of Europe and the OSCE.</p>	Led according to CFSP and Council Secretariat procedures
Participation of EU in International Fora- <u>United Nation</u>	<p><u>United Nation General Assembly</u> (Third Committee on social humanitaria and cultural affairs)</p> <p><u>United Nation Human Rights Council</u></p> <p><u>Universal Peer Review process</u></p>	<p>The EU/EC is represented by the country holding the rotating Presidency.</p> <p>The EU as such is a mere observer at the UN, its impact comes through coordination of Member State positions at the UN – which has been intensified over the years on human rights issues both at the General Assembly and at the Human Rights Council</p>
EU Cooperation with Council of Europe	<p>Cooperation between the European Union and the Council of Europe takes place within the framework of a Memorandum of Understanding signed in May 2007</p> <p>On 18 June 2008, an agreement was signed between the Commission and the Council of Europe concerning cooperation in the EU Agency for Fundamental Rights¹⁰⁸.</p>	EC participate in organisation of regular meetings, exchange of information and coordination of activities.
EU Cooperation with the Organisation for Security and Cooperation in Europe	<p>The EU continued to support the OSCE's efforts to enhance security through all three of its dimensions, namely the politico-military, the economic and environmental and the human dimension.</p> <p>The EU attach particular importance to OSCE/ODIHR election observation missions undertaken both in EU and non-EU participating States.</p>	EU presence to decision in the Council and other meetings, through its participating Member States

⁴⁴ The complete list of the restrictive measures in force in the framework of the CFSP can be found at: http://ec.europa.eu/external_relations/cfsp/sanctions/measures.htm See also: Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy.

ANNEX 7:

HUMAN RIGHTS DIALOGUES

DIALOGUE MATRIX

This matrix have been identified by the evaluation team to assess the quality of dialogue processes and applied to different types of HR and political dialogues in the different case study at country level.

The matrix below summaries the main criteria used to inform the analysis and to respond to the overall evaluation question on the impact of dialogue. Although the quality of the dialogue in itself cannot guarantee its effectiveness in terms on HR impacts, we believe that such a systematic approach to assess the dialogue processes and implementation provides a useful analytical framework.

Key process criteria	Political dialogue	Structured HR dialogue under dedicated sub-committee	Country level specific dialogue	Multi stakeholders dialogue (e.g civil society)
Grounded in HR international framework				
EU political leadership and mandate				
Clarity of roles and responsibilities				
Legitimacy and representativeness of actors				
Technical knowledge and capacity				
Human and financial resources				
Commitment to outcomes and results				
Synergies with programmatic instruments (geographic & thematic)				

FINANCIAL CONTRIBUTION FOR THE DIALOGUES OVER 2000-2010

Although the human rights' dialogues can be classified among non-spending activities, the EC has still released some financial contributions in order to promote them and, over the period 2000-2010, such contributions equaled € 53 mln.

As outlined by table 1, from the inventory we can distinguish among various types of dialogues, most notably:

- Dialogue on human rights (with China, Georgia, Haiti, Iran, Israel, Philippines, Russia, South Africa, and, at regional level, with the African Union and countries belonging to South East Asia as well as worldwide);
- CFSP-related dialogues, in particular: (i) dialogue on the peace process and conflict resolution (with Colombia, India, Iraq, Ukraine, West Bank & Gaza Strip and the countries of the Southern Caucasus), and (ii) dialogue on security and human rights (with Burundi, Mexico and the Mediterranean region);
- Political dialogue (with Argentina, China, Guatemala, Kazakhstan, Vietnam and Zimbabwe);
- Dialogue on political and economic cooperation (with Indonesia, Zimbabwe);
- Dialogue with civil society (with Armenia, Burundi, Cambodia, Chile, China, Egypt, Mexico, Morocco, Tanzania, West Bank and the Gaza Strip, the African Union, the LAC region, Central Asia, the Mediterranean);

- Intercultural dialogue (with Angola, Brazil, Bolivia, Egypt, Israel, Russia, Syria, Tanzania, West Bank & Gaza Strip and the Mediterranean region through the so-called “*Partnership Dialogue Facility*”, with Asian countries in the context of ASEM);
- Social dialogue (with Armenia, Ethiopia, Eritrea, Georgia, Guatemala, Syria, Russia Ukraine, the Mediterranean region);
- Media dialogue (with Israel and Ukraine);
- Dialogue on local governance and decentralization (with Burkina Faso);

Table 1 – List of dialogues financed by the EC by country (2000-2010)

Country	Title	Year	Planned amount (in €)
Algeria	Mise en oeuvre d'un dialogue de vie par un dialogue d'action	2005	15.658
Angola	Historias - Drama for Dialogue	2010	651.874,00
Argentina	Evaluación de Medio Término del Programa de Apoyo al Dialogo sobre Políticas	2010	18.208,00
Armenia	Facilitating Multi-Stakeholder Dialogue for Addressing Child Labour Issues by the Armenian Companies	2010	150.000,00
	Civil society human rights seminar with Armenia, Yerevan 9-10 November 2010	2010	104.040,00
Bolivia	Colectivos Interculturales	2007	80.000
Brazil	Ser-Tão Brasil: CRIAndo diálogos interculturais para fortalecimento da cidadania e promoção da diversidade	2009	445.500
Burkina Faso	DIALOGUE-ETUDE DE FEASABILITE-FORMULATION DU PROGRAMMED"APPUI A LA GOUVERNANCE LOCALE ET A LA DECENTRALISATION 10 FED	2008	186.641
Burundi	DIALOGUE CONSORTIUM/C-C NO 2008/166173 - APPUI A L"ORGANISATION DES MISSIONS D"INSPECTION DANS LE SECTEUR JUDICIAIRE	2008	33.112
	Appui à la création des services fonciers des communes de Shombo et Nyabikere dans un cadre de dialogue avec la société civile	2009	220.000
Cambodia	EU – Asia institutional co-operation and multinational dialogues on enabling the meaningful participation of Cambodia, Lao People's Democratic Republic (Lao PDR) and Vietnam in the Clean Development Mechanism (CDM)	2004	334.197
	Civil society human rights seminar with Cambodia, Phnom Penh, early September 2010	2010	122.303,00
Chile	Apoyo al Diálogo UE - sociedad civil Chilena en asuntos de empleo y cohesión Social	2008	2.050
	II Parte- Apoyo al diálogo UE- Sociedad Civil Chilena sobre cooperación en asuntos de empleo y Cohesión Social	2009	5.820
	Dialogo social y buen trabajo	2009	147.589
China	EU-China Seminar Beijing	2001	91.560
	Assistance technique Chine 2000	2000	95.444
	Seminar "China"s economy and its impact on the world : Enhancing the EU-China economic dialogue"	2004	39.978
	EU-China Human Rights Dialogue Seminar, Beijing	2004	116.283
	EU-China Human Rights Dialogue Seminar, UK	2005	143.962
	EU-China Human Rights Dialogue Seminar, AT	2006	135.958

	Technical Assistance to EU-China Policy Dialogues Support Facility Programme	2006	3.865.080
	EU-China Human Rights Dialogue Seminar - Beijing - September/October 2007	2006	224.929
	Assesment of the EC China sectoral dialogues	2007	72.436
	Audit of the "EU-China Policy Dialogues Support Facility" (PDSF)	2008	19.728
	EU-China Human Rights Dialogue Seminar - Beijing - November/December 2008	2008	208.741
	Contract replacing contract n°2006/126-721: Organi sation of the EU-China Human Rights Dialogue Seminar 16-17 October 2006 in Beijing	2008	123.208
	Technical Assistance to EU-China Policy Dialogues Support Facility Programme (top up - PDSF+)	2009	1.799.450
	Midterm Evaluation of the EU-China Policy Dialogues Support Facility (PDSF)	2009	50.944
	EU-China Civil Society Dialogue on Participatory Public Policy. Strengthening the Role of Citizens in Public Policy Making and Implementation.	2010	995.476,00
Colombia	Dialogo Diverso para la Paz en Colombia	2009	300.000
Congo (DRC)	Renforcement du Dialogue Publique-Privé au Nord Kivu	2010	90.000,00
Egypt	Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures	2005	5.000.000
	Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures II	2008	7.000.000
	"Organization of one event in the framework of the European Year of Dialogue between Cultures"	2008	60.000
Eritrea	Support to the National Confederation of Eritrean Workers (NCEW) for the strengthening of social dialogue in Eritrea	2009	1.300.000
Ethiopia	Strengthening Social Dialogue in the Labour Sector	2003	402.920
	ASSOCIATION FOR THE PREV.& MAGT OF CONFLICT-CSF/SMALL GRANT/2006/2/APMC--PUBLIC DIALOGUE FORUM ON THE PROBLEMS OF IMP.	2006	8.163
	PASTORALIST FORUM ETHIOPIA----CAPACITY BUILDING OF NGO/CSOSIN ADVOCACY AND DIALOGUE FOR SUSTAINABLE PASTORALIST DEVT.	2007	124.898
Georgia	Community – Full Member of Political Dialogue	2006	41.068
	Promoting Social Dialogue in Georgia	2009	150.000
	EU-Georgia Civil Society Human Rights Seminar on media freedom and Internally Displaced Persons (IDPs), Tbilissi, 27-28-29 October 2009	2009	179.027
	Capacity-Building of Non-State Actors for Policy Dialogue	2010	84.140,00
global	Royaumont Project: Promotion of the Culture and Practice of Social and Civil Dialogue	2000	436.382
	EU-African Union (AU) Civil society Dialogue on Human Rights, Brussels, Belgium 15-16 April 2009	2009	139.975
	Organisation de 3 séminaires régionaux de dialogue avec les org. de la société civile - Egypte - Mexique - Tanzanie	2009	55.000
	Organization of events related to the implementation of the structured dialogue 2010	2009	633.839
	Organization of events related to the implementation of the Structured Dialogue December 2010 - May 2011	2010	769.947,40

	Avenant au contrat-cadre Lot 4 2009/224345 pour l'assistance technique au Dialogue Structuré	2010	160.000,00
	12TH EU - NGO Forum on Human Rights - Brussels - 12-13th of July 2010	2010	187.294,00
	12TH EU - NGO Forum on Human Rights, Brussels, 12-13th of July 2010 – Human rights expertise	2010	32.808,00
Guatemala	CDC/2001/24 - "Institucionalización del mesodiálogo en Guatemala"	2001	309.192
	Dialogo politico para el empoderamiento de la ciudadanía buscando mejorar el acceso a la justicia, la seguridad ciudadana y la exigencia de los derechos humanos	2008	80.000
	Dialogo estrategico sobre trabajo decente y economia informal	2010	387.737,00
	Participación sindical en el diálogo social a nivel departamental para un desarrollo social incluyente y sostenible en Guatemala	2010	362.916,00
Guinea (Conakry)	DIALOGUE HAUT NIVEAU FINANCEMENT DEVELOPPEMENT 22-24/10/07 NY	2007	1.520
	DIALOGUE CONS. / AT APPUI ELECTORAL	2008	88.890
	Dialogue cons. / avenant n°2 au CS 196 855	2009	46.450
Haiti	Débats démocratiques pour les jeunes haïtiens	2004	58.996
	Projet de renforcement du dialogue communal pour la promotion des libertés et des droits individuels, de la paix et de l'Etat de droit dans les départements des Nippes et du Sud	2007	71.580
	FHE/INITIATIVE DIALOGUE POLITIQUE ET ENVIRONNEMENT	2006	203.500
India	India-Europe Security Dialogue	2003	18.594
	Dialogue Initiative for Peace and Conflict Resolution in Kashmir	2009	1.001.806
Indonesia	EU-Indonesia Dialogue on Political & Economic Cooperation	2008	155.311
	EU-Indonesia Dialogue on Political & Economic Cooperation	2010	31.062,20
Iran	EU-Iran Human Right Dialogue	2002	226.319
	EU-Iran Human Rights Dialogue Phase II	2003	187.569
Iraq	Assesment of potential for dialogue in Nineveh Province	2010	99.179,00
Israel	Arab-Israel Internet Dialogue: An Expanded bitterlemons.org	2003	450.022
	Negation of Violence, Tolerance Education and Cultural Dialogue	2004	219.261
	EU-Israel Media Dialogue	2005	55.994
	bitterlemons.org Israeli-Palestinian internet dialogue: years 6,7,8	2006	368.280
	EU-Israel Media Dialogue	2006	31.977
	EU-Israel Media Dialogue 2007	2006	2.500
	Negev development through dialogue	2007	29.988
	EU-Israel Media Dialogue 2007-8	2007	25.451
	Creating a dialogue of Human Rights: Development of a cross cultural mode towards the empowerment of disadvantaged residents in Lod, Amman, East Jerusalem	2008	270.984
	Youth Media Intercultural Dialogue	2008	10.000

	EU-Israel Media Dialogue 2009	2008	29.124
	EU-Israel Media Dialogue 2010	2009	36.983
Jordan	From Crisis to Stability - Widening and Deepening Dialogue and Creating Policy Guidelines	2003	436.381
Kazakhstan	Debates	2006	45.258
	Policy Dialogue and Advice Programme (PDAP) of the Republic of Kazakhstan	2008	3.080.450
	Dialogue for a Policy on the relationship between the Secular State and Religion	2009	243.250
Lebanon	Action pour le Dialogue Communautaire au Sud Liban (ADICS-Liban)	2005	50.542
Mexico	Technical Assistance to the EC-Mexico Social Cohesion Policy Dialogues	2008	746.962
	Diálogo para una agenda legislativa integral sobre seguridad pública con enfoque de derechos humanos	2009	90.743
Morocco	Festival de théâtre solidaire - d'une rive à l'autre, un même dialogue	2007	32.142
	Civil society human rights seminar with Morocco, Rabat, 22-23rd September 2010	2010	146.050,00
	Organisation d'une consultation avec des représentants de la société civile marocaine à Casablanca le 08.06.2010	2010	4.991,00
Mozambique	Support to Government of Mozambique in its dialogue and relations with Mozambican Civil Society	2009	79.356
Philippines	EU-Philippines Human Rights Dialogues	2005	99.985
regional	Brochures ""Le Dialogue des Cultures et des Civilisations dans le Processus de Barcelone	2003	13.132
	Set up of the future Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures	2004	187.951
	Etudes et Dialogue Euro-Méditerranéen en matière de coopération politique et de sécurité	2005	4.899.755
	Beyond Boredom, Dust and Decay - Museums as Life Long Learning Spaces for Intercultural Dialogue	2008	495.000
	Communications/ Media Relations Coordinator for ASEM Dialogue Facility	2008	164.220
	Seminar ASEM dialogue facility on Cultural Diversity	2008	162.981
	The South Caucasus Mediation & Dialogue Initiative for Reignited Peace Processes	2009	1.490.000
	Continued support to the Partnership Dialogue Facility	2009	1.500.000
	Organisation d'une conférence pour la société civile organisée, en marge du Sommet EU-LAC	2010	99.934,96
	Preparations V EU-LAC Civil Society Forum, Madrid, 15/16 March 2010	2010	100.000,00
	Civil society human rights seminar with African Union	2010	135.781,00
	Assistance in the design & implementation of the structured dialogue on civil society's involvement in EC external cooperation on Democracy and Human Rights in the Mediterranean	2010	163.984,00
	Civil society human rights seminars with Central Asia, Brussels 21-24 June 2010 – Human rights expertise	2010	41.504,00
	Civil society human rights seminar with Central Asia, Brussels, 21-24 June 2010 - Organisation	2010	171.226,82
	Organization of a regional seminar for Civil Society Organizations in the ENPI region - 28 June-2 July	2010	214.988,75
	TRES MED 4: Working on social dialogue and cooperation	2010	1.500.000,00

Russia	Writing ToR for the EU funded project ""Social Dialogue"	2005	7.468
	IBPP Culture: The Light that Shines in the Darkness - a contemporary approach to Leo Tolstoy to enhance the cultural dialogue within the framework of the cooperation project between Yasnaya Polyana and Stiftung Schloss Neuhardenberg	2007	300.000
	EU-RUSSIA HUMAN RIGHTS CONSULTATIONS WITH NGOs	2010	119.975,00
South Africa	Organization of Nine Provincial Public Participation Dialogues	2009	150.888
Sudan	DIALOGUE CONSORT. SUGGEST - T.A. IN SUPPORT OF EC PROGRAMMES FOR THE GOVERNANCE & RULE OF LAW SECTOR IN SOUTHERN SUDAN	2008	199.028
Syria	Dialogue culturel Syrie-Europe	2003	91.987
	Initiative pour un Dialogue Théâtral EuroMéditerranéen	2004	49.875
	Syria-Europe Children"s dialogue - Musical Concert	2008	50.000
Tanzania	ECO/GPP -INTERCULT.DIALOGUE WAPI-BRITISH COUNCIL-EUR.4978.06	2008	4.978
Uganda	IRC/IMPROVED WASH GOVERNANCE THROUGH DIALOGUE AND CONCERTED ACTION IN THE WEST NILE REGION IN UGANDA	2008	225.333
Ukraine	Ukrainian trade union federations as partners in social dialogue	2004	183.571
	Non-governmental Media Dialogue	2005	64.642
	PROMOTION OF JOINT CULTURAL HERITAGE AS A WAY OF CULTURAL DIALOGUE DEVELOPMENT BETWEEN COMMUNITIES IN CROSS-BORDER REGION OF CHERNIVTSI AND SUCEAVA	2008	261.166
Vietnam	Support to the EU - Viet Nam Strategic Dialogue	2008	748.950
West Bank & Gaza Strip	Dialogue Orient Occident en Palestine et Jordanie	2003	36.648
	Bridging the Dialogue Gap	2005	467.186
	The Other's role. Drama experiences between intercultural dialogue and commitment.	2005	75.449
	Promoting Dialogue and Cultural Understanding of our Shared Heritage - PUSH	2006	374.073
	Fostering Palestinian Dialogue on a National Agenda	2009	361.592
	PYALARA - occupied Palestinian territory - Organisation of consultations with civil society on the Non State Actors programme	2010	10.000,00
Zimbabwe	Zimbabwe policy dialogue: building international consensus between Africa and Europe	2008	71.477
	Towards a new Zimbabwe - Sharing Skills for Dialogue on Pro-Poor Policies	2010	149.824,00
TOTAL			52.917.493