GETTING ACQUAINTED:
SETTING THE STAGE FOR DEMOCRACY ASSISTANCE

DEMOCRACY SUPPORT IN EU EXTERNAL RELATIONS

EUROPEAN PARLIAMENT

OFFICE FOR PROMOTION OF PARLIAMENTARY DEMOCRACY

An OPPD background publication

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Preface

The European Union is founded on the principles of liberty, democracy, respect for human rights, fundamental freedoms and the rule of law. The European Parliament has always been a staunch defender of these principles. Through its standing committees, inter-parliamentary delegations, plenary resolutions, debates on human rights and involvement in monitoring elections, the Parliament has actively sought to give high priority to democratisation in all its external actions.

In 2008 the European Parliament set up the Office for Promotion of Parliamentary Democracy to directly support new and emerging democracies (NED) beyond the borders of the European Union. The OPPD assists in the establishment and reform of parliaments and aims at strengthening their capacity to implement the chief functions of lawmaking, oversight and representation.

Members and civil servants of NED parliaments can benefit from tailored training and counselling provided by the OPPD as well as networking with members and relevant services of the European Parliament.

The OPPD seeks to establish a continuing dialogue and partnership with NED parliaments worldwide and to support their participation as fully fledged members of the democratic community. It facilitates sharing of experiences and best practices of parliamentary methods and applications and fosters research and study of these practices.

Democracy has underpinned the political, social, cultural and economic development of the European Union and, from its collective experience, the EU is confident that it represents the best form of government. The development and consolidation of democracy worldwide has therefore become a key objective of its Common Foreign and Security Policy as well as its Development Cooperation Policy.

Although there is no authoritative definition of democracy that claims to include all possible components of democracy, there is an international consensus on the essential elements which define it[1]. Over the last two decades or so, the EU has been involved in democracy promotion policies but most observers have considered these to be rather scattered, uncoordinated and lacking an overall strategic framework.

The adoption in November 2009 by the Ministerial Council of the European Union of "Conclusions on Democracy Support in the EU's External Relations - Towards increased coherence and effectiveness" could signify the beginning of a new era of EU involvement in democracy support.

This publication provides an overview of the evolution of EU Democracy Assistance and an analysis of the various instruments used, notably the EIDHR, together with an introduction outlining different approaches to democracy assistance.

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1. OPPD publication, Democracy Revisited - which notion of democracy for the EU's External Relations?, September 2009

I. Introduction

Since the mid-1970s the number of states with liberal democratic systems of government has increased from 41 to 89 and the number of states in which reasonably free and fair elections are held has risen to 116.[2] Therefore, today about 46% of nations worldwide are liberal democracies and approximately 60% are electoral democracies.[3] It remains unclear whether a move away from democracy in some states since 2007, is the start of a backward trend towards more authoritarianism; despite this, the last three to four decades have been highly successful in producing more democratic and liberal states worldwide.[4]

One phenomenon that has accompanied all democratisation processes of the last decades is democracy promotion, that is to say, explicit efforts by foreign actors to facilitate domestic political reform processes. States, international bodies, non-governmental organisations (NGOs), and numerous other actors have developed an increasing number of different instruments with which they attempt to foster democratic institutions and processes in authoritarian and democratising states. One democracy promotion tool that has gained particular attention is democracy assistance, in other words financing projects and programmes aimed at facilitating democratisation in third countries. The European Union (EU) has been increasingly active in this area with assistance programmes in numerous non-democratic or democratising states.

This study will present the evolution of EU democracy assistance since its beginnings in the late 1980s. In addition it will analyse the implementation of the EU's major democracy assistance programmes, which include the EU's specific democracy assistance programme – the European Initiative/Instrument for Democracy and Human Rights (EIDHR) – and the democracy components of the EU's general development assistance programmes. The study adopts a mainly macro approach and therefore focuses on the implementation of programmes at global and regional levels rather than individual country level. While it excludes detailed data on EU activities in individual target states, it gives important insights into the overall application and general principles of the instrument of EU democracy assistance as part of its external democracy promotion policies. The main aim of the study is to provide the reader with an overview of EU democracy assistance and EU policy makers with suggestions for further development. In order to appreciate better the discussion of EU policy in this field, the introduction will focus primarily on the main concepts, definitions and approaches used in the academic study of democratisation and democracy promotion while putting democracy support into an historical context.

The International Dimension of Democratisation

Originally it was widely believed that transitions to democracy were, with few exceptions, highly autochthonous political acts in which external factors mattered little.[5] This fundamentally changed during the third 'wave of democracy' that began with the Portuguese revolution in 1974, reached its peak

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2. Freedom House definitions of liberal and electoral democracy apply. Provided data relates to 2009. Freedom House: Freedom in the World 2010, at http://www.freedomhouse.org/uploads/fiw10/FIW_2010_Tables_and_Graphs.pdf .
3. For different definitions of democracy see: Office for Promotion of Parliamentary Democracy (OPPD), Democracy Revisited. Which Notion of Democracy for the EU's External Relations? (2009); Beetham, D., *Democracy and Human Rights* (2000); Schmitter, P. C., and Karl, T. L., 'What Democracy is… and is not', *Journal of Democracy*, vol. 2, no. 3 (Summer 1991), page 78.
4. On the recent set-back see: Burnell, P., and Youngs, R. (eds.), *New Challenges to Democratisation* (2010).
5. O'Donnell, G., and Schmitter, P. C., *Transitions from Authoritarian Rule. Tentative Conclusions about Uncertain Democracies* (1986), page 19.

with the fall of Communism in Central and Eastern Europe (CEE) in the early 1990s, and is still ongoing.[6] Ultimately all the third wave transitions were heavily affected by the 'international dimension of democratisation' or actors and influences that originated outside a country's borders.[7] Reasons for this new relevance (of the external context) include increased political, economic and cultural links, new forms of communication, democracy's growing appeal, a higher number of established democracies and, last but not least, increasing explicit efforts by democratic states, international organisations and private bodies to promote democracy abroad.

The international dimension influences domestic democratisation processes in both intentional and unintentional ways. Although difficult to pin down, unintentional ways are visible in established role model democracies in the West; they encourage neighbouring or other democratising states to attempt regime change as occurred in the 'snowballing' of transitions in Central and Eastern European states (CEECs) in 1989/90[8]; and they can give rise to the imitation of regime change models such as the 'electoral model' in the so-called 'colour revolutions' in the Balkans and former states of the Soviet Union.[9]

In terms of intentional factors, democratic states, international organisations, civil society organisations, and private actors deliberately and purposely attempt to influence democratisation processes in third states. The numerous different intentional activities that have developed over the last two to three decades are also called democracy promotion.

Democracy Promotion and Democracy Assistance

Democracy promotion encompasses a large number of instruments deliberately employed by actors, including the EU and its Member States, to influence democratisation processes in third states and in conceptual terms can be understood as follows:

> *all overt activities, adopted, supported, and/or (directly or indirectly) implemented by (public or private) foreign actors and explicitly designed to directly contribute to the liberalisation, democratisation or consolidation of democracy of a target country.[10]*

There are three major approaches to democracy promotion (see Table 1):

1) the *coercive approach,*
2) *conditionality,* and
3) the *consensual approach.*

The *coercive,* or 'negative' or 'punitive' approach, involves the use of military, economic or political force or pressure to (re)establish a democratic regime against the will of a state's authorities. Major coercive instruments of democracy promotion include military intervention, general economic sanctions and targeted diplomatic, economic, financial and military sanctions.

Political *conditionality* links benefits to the fulfilment of conditions relating to the protection of democratic principles and human rights. Benefits

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6. Huntington, S., *The Third Wave: Democratisation in the Late 20th Century* (1991).
7. Whitehead, L., *The International Dimensions of Democratisation: Europe and the Americas* (1996).
8. Huntington, S., *The Third Wave: Democratisation in the Late 20th Century* (1991), page 15.
9. Bunce, V., and Wolchik S., 'Getting Real About "Real Causes"', *Journal of Democracy,* Vol. 20, No. 1 (January 2009), page 70.
10. The definition is closely based on Schmitter, P. C., and Brouwer, I., *Conceptualizing, Researching and Evaluating Democracy Promotion and Protection,* EUI Working Paper SPS No. 99/9 (1999), page 12.

can be removed by way of punishment or used to reward the completion of certain actions. Examples of conditionality include: suspension or redirection of assistance away from governmental channels to civil society; suspension of trade and cooperation agreements; EU membership conditionality; and EU incentive schemes, such as the General System of Preferences + (GSP+),[11] 'Governance Facility' for European Neighbourhood (ENP) states[12] and 'Governance Initiative' for African, Caribbean and Pacific (ACP) states.[13]

The *consensual* or positive approach is characterised by the consent or at least toleration of the target state's authorities, the absence of coercion, active and positive engagement by the foreign actor, pro-active rather than reactive involvement, and by direct engagement with local individuals and institutions. Consensual tools of democracy promotion include human rights dialogue, EU human rights monitoring mechanisms, election monitoring, diplomatic measures and – highly important and the focus of this paper – democracy assistance.

Table 1: The International Dimension of Democratisation

Type of influence/ approach	➡	Unintentional Factors	Intentional Factors (Democracy Promotion)		
		Contagion	**Coercion ('negative')**	**Political Conditionality ('positive' or 'negative')**	**Consensus ('positive')**
Instrument/ tool	➡	role models.	military intervention, economic, diplomatic, military, financial sanctions, etc.	political conditionality clauses in agreements or assistance programmes, EU Membership conditionality, GSP+, Governance Facility, Governance Initiative, etc.	democracy assistance, political dialogues, monitoring, Special Representatives, etc.

11. http://ec.europa.eu/trade/wider-agenda/development/generalised-system-of-preferences/
12. http://ec.europa.eu/world/enp/pdf/governance_facility_en.pdf
13. Commission Staff Working Paper, *Supporting Democratic Governance through the Governance Initiative: A Review and the Way Forward*, SEC(2009)58 final, 19.1.2009.

Democracy assistance – one of the tools of democracy promotion – can be defined as:

> *all programmes and projects which are openly adopted, supported and/or (directly or indirectly) implemented by (public or private) foreign actors, (mainly) take place in target countries, in principle with the consent or toleration of these countries' authorities, and are explicitly designed to directly contribute to the liberalisation, democratisation or consolidation of democracy of the target country.[14]*

Thus, key characteristics of democracy assistance are that it works through programmes or projects which focus on changing behaviours and attitudes, or reforming institutions and processes in target states. Foreign actors can to different degrees be involved in the planning and implementation of activities, but usually bear most of the financial costs. In order to work, and intensively engage with local actors and institutions, democracy assistance is in principle implemented within the target state rather than abroad. The nature of some assistance projects, such as study visits, may exceptionally involve assistance implemented externally. Democracy assistance programmes and projects are implemented openly rather than secretly. However, individual aid recipients can at times, for their own protection, remain unidentified. Secret money transfers may help democratisation processes, but are different in nature to assistance. Democracy assistance requires, in theory, the consent of or at least toleration by the target state's authorities, otherwise it cannot be transparent, nor can it be implemented or reach its potential. Finally, by definition, democracy assistance exists to facilitate democratisation and excludes activities which might only indirectly affect democratisation, in particular socio-economic assistance.

Explaining Democratisation

In the academic literature there are two dominant approaches employed in explaining democratisation or why regime change from some type of non-democratic to democratic form of government happens and whether or not it is successful: (1) *structural approaches* and (2) *genetic or transition approaches* (see Table 2).

Structural approaches explain democratisation by looking at long-term, structural conditions, in particular socio-economic conditions, which lie outside the political system and its actors. In the 1950s they constituted the first school of regime change and, despite shifting attitudes, remain important to this day.[15] Early structural theories suggested that democracy was the final stage of modernisation and that development, while a necessary prerequisite, was unachievable in situations of low socio-economic development. Democracy would only be achieved through a process of socio-economic development, including crucial changes such as industrialisation, urbanisation, higher education standards and an overall increase in society's wealth. Korea and Taiwan are widely believed to have followed this model. However, theorists could not explain the presence of democracy in some under-developed countries such as Mongolia, or its absence in highly developed states, for instance various Arab nations.

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14. Schmitter, P. C., and Brouwer, I. (1999), supra n. 9, page 12 and 17. Major other analysts of democracy assistance use similar definitions. Carothers, T. *Aiding Democracy Abroad. The Learning Curve* (1999), page 6. Burnell, P. (ed.), *Democracy Assistance. International Co-operation for Democratisation* (2000), page 5.

15. Lipset, M. S., 'Some Social Requisites of Democracy: Economic Development and Political Legitimacy', *American Political Science Review*, vol. 53 (March 1959), page 69.

Newer structural theories, which first emerged in the early 1990s, are less deterministic.[16] They suggest that a certain level or process of socio-economic development is *not* a precondition for democratisation or indeed the presence and stability of democracy. A successful transition can occur at any level of development, as in Mongolia, while relatively poor states can have quite stable democratic systems, for example Benin and Botswana. At the same time, socio-economic development is no guarantee of democratisation or the presence of democracy, as various examples in the Middle East and Kazakhstan illustrate. Nevertheless, structural studies reveal that high levels and rates of socio-economic development can contribute to a successful transition making a stable democracy more likely. Underlying reasons for this appear to be higher levels of education, greater awareness of citizens' rights, a stronger and economically independent middle class, a 'civic culture' characterised by tolerance, a willingness to compromise and an understanding that the state is no longer the only source of income.[17]

Transition or genetic approaches do not concentrate on common, long-term or external structural factors but on the dynamics of the process in a particular case.[18] They suggest that the actions and strategic choices of key stakeholders during the shorter period of the actual political transition are the key determinants for successful democratisation. They stress the uncertainty of each case and the role of political elites - among which they differentiate between reformers and hardliners - but also of civil society, and point to the existence of crucial moments, like crises and elections. Structural factors are taken into consideration as confining conditions, but crucial are the choices made by actors.[19] It was genetic theory that introduced the three, conceptually different stages of the democratisation process mentioned above in defining democracy assistance: liberalisation, transition, consolidation.[20]

Liberalisation
Frequently transitions to democracy are preceded by a period of *political liberalisation*. It is characterised by the extension of civil liberties, such as the release of political prisoners, the easing of media censorship, greater space for civil society activity and the toleration of some political opposition; however, it falls short of embracing all minimum conditions of democracy, in particular, the holding of free and fair elections. Therefore, it is not (yet) real democratisation.

Authoritarian regimes usually introduce liberalising reforms in response to a legitimacy crisis and with the aim of retaining authority. This can occur when reformers come to power, such as Gorbachev in 1986, or as a result of external pressures or incentives. Ideally greater freedom can lead to a stronger political opposition and encourage more civil society activity, which may eventually result in a transition to democracy, as happened in Serbia in 2000. However, authoritarian rulers can impose restrictions to liberty at any time and return to authoritarianism, which was the case in the Central Asian states in the 1990s. As is happening with increasing frequency, a state may maintain a situation of liberalisation for a longer period of time eventually becoming a 'liberalised authoritarian state',[21] which

16. Przeworski, A., Alvarez, M. M., Cheibub, J. A., and Limongi Neto, A. P., 'What makes Democracy Endure?', *Journal of Democracy*, vol. 7, no. 1, January 1996, page 36.
17. Diamond, L., 'Economic Development and Democracy Reconsidered', *American Behavioral Scientist*, vol. 35, March/June 1992, page 480-2.
18. Rustow, D., 'Transitions to Democracy: Toward a Dynamic Model', *Comparative Politics*, vol. 3, no. 2 (1970), page 337; Pridham, G., *The Dynamics of Democratisation: a Comparative Approach* (2000), page 9.
19. Karl, T. L., 'Dilemmas of Democratisation in Latin America', *Comparative Politics*, vol. 23, no. 1 (1990), page 5f.
20. O'Donnell, G., and Schmitter, P. C., *supra* n. 4.
21. Bogaards, M., 'How to Classify Hybrid Regimes? Defective Democracy and Electoral Authoritarianism', *Democratisation*, vol. 16, issue 2 (April 2009), page 399.

Table 2: The Major Approaches in Democratisation Studies

	Structural Approaches	Genetic Approaches
Main approach to explain democratisation	Focus on long-term, structural conditions, in particular socio-economic development.	Focus on actions and choices of key actors during the actual process of regime change.
Main arguments of the approach	• Higher levels and rates of socio-economic development facilitate democratisation; • Socio-economic development is no precondition for democratisation.	• No common causality for democratisation exists but each regime change is different; • Actions and choices by key actors determine outcome; • Key actors include the ruling elite, the political opposition, civil society, and the masses; • Crucial moments, like founding elections, exist during process; • Usually a 3-stage model applies: liberalisation-transition-consolidation.
Implications for Democracy Promotion / Assistance Policies	• Recognise the link between socio-economic development programmes and democratisation; • Link and coordinate socio-economic and democracy assistance programmes; • Socio-economic assistance should not replace a more direct focus on political aid.	• Recognise crucial moments or junctures and react in time; • Focus assistance on crucial actors; • Understand different, possible modes of transition and how assistance facilitates one or the other; • Understand the difference between liberalisation-transition-consolidation and adapt assistance.

is the current state of affairs in Morocco, Armenia, Singapore, Malaysia and, to a lesser extent, Russia, Azerbaijan, and Egypt.[22]

Transition

The *transition* is the major stage of the regime change. Although it is often difficult to pinpoint in practice, it starts with the collapse of the authoritarian regime and is completed when a freely and fairly elected government takes office and basic freedoms of expression and association are respected. While most nations undergo their own individual transition, it is possible to identify six ideal-types.[23] Most countries' experiences correspond to one type and others are a combination:

- Imposition of regime change by external actors, for instance Germany, Japan, Afghanistan and Iraq;
- Top-down transitions by powerful reformers of a state's ruling elites, as in the cases of Turkey or Brazil;
- Negotiated transitions or transitions by compromise, such as Spain and many CEECs, where representatives of the authoritarian regime negotiate regime change with new opposition and civil society leaders;
- Transitions from below as non-violent mass mobilisations, which compel authoritarian rulers to introduce reforms gradually, as in former Czechoslovakia;
- Transitions through revolution, that is, violent mass uprising, as witnessed in Cuba (in 1959) and (at least initially) in Romania;
- The 'electoral model' of regime change with concerted efforts by opposition leaders, civil society groups, and international election observation, who achieve regime change through winning relatively free and fair elections, for example in Serbia, Ukraine and Georgia.

There is much discussion on the most successful mode of transition. Some authors have claimed that in certain regions, especially in Sub-Saharan Africa, revolutions might be necessary for regime change, as polarised positions of incumbent and opposition leaders make negotiations unlikely.[24] Studies of transitions in Southern Europe, Latin America and Central and Eastern Europe have praised the negotiation model, which has the advantage that it envisages a life for authoritarian rulers after regime change and hence encourages their participation.[25] Strong civil society organisation and civic engagement appears an important factor in various types of transition.[26] Most recently, academic scholarship has found strong evidence that the repeated holding of relatively competitive elections generates momentum for democratisation, even if several subsequent elections remain flawed.[27] There is increasing agreement though that transition by (military) imposition has strongly disqualified itself with the experiences in Iraq.[28] Irrespective of the transition type, during the transition phase many crucial institutional decisions have to be taken on the basic rules and procedures of the new democratic system, including on the executive and parliamentary system, the electoral system, the role of the judiciary vis-à-vis the legislature, and the power of central banks. The transition phase is a crucial period for external assistance and advice.

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22. There is no agreement on the classification of regimes. This study, which uses the ratings of Freedom House, considers those countries as liberalised autocracies that fall short of being classified as electoral democracies by Freedom House but have combined average Freedom House ratings of 5.5 or better. Freedom House, *Freedom in the World 2009*, http://freedomhouse.org/
23. The ideal-types are largely based on Karl, T. L., and Schmitter, P.C, 'Modes of Transition in Southern and Eastern Europe and South and Central America', *International Social Science Journal*, no.128 (1991), page 269. Lindberg, S. I. (ed.), *Democratisation by Elections: A New Mode of Transition?* (2009).
24. Bratton, M., and van de Walle, N., 'Neopatrimonial Regimes and Political Transition in Africa', *World Politics*, vol. 46, no. 4 (July 1994), page 460.
25. Karl, T. L., and Schmitter, P. C. (1991), supra n. 21 , page 280-1.
26. Gill, G., *Democracy and Post-communism. Political Change in the Post-communist World* (2002), page 81.
27. Lindberg, S. I. (2009), supra n. 21.
28. Beetham, D., 'The Contradictions of Democratisation by Force: The Case of Iraq', *Democratisation*, vol. 16, issue 3 (June 2009), page 443.

Consolidation

A successful transition to democracy does not signify the end of the democratisation process, as democracy will usually still be weak and in need of consolidation. While the concept of consolidation has been variously defined, it can be understood as the process during which, first, at the normative/belief level, all important political actors at mass and elite level begin sincerely to believe that democracy is the most appropriate regime for their society at that particular point in time. Secondly, at the behavioural level, the same actors start routinely to behave according to this belief: they compete peacefully for power, accept the election results, obey constitutional rules, and do not seek to overthrow the regime.[29] Once these two factors are achieved, it is possible to speak of an established democracy, which, nonetheless, continues to evolve and change its specific rules. During the consolidation phase there is continued focus on the creation and adaptation of democratic norms and procedures as well as of institutions. At the same time, as suggested above, structural factors, such as successful economic policies, may be an important factor as to whether democracy is accepted as a preferable political regime.

A consolidating state is open to and in need of external assistance. During this phase, the focus will still be on establishing new and functioning institutions such as parliaments, governments and other state bodies, in addition to political parties and civic groups which will require advice, training and assistance to be able fully and effectively to carry out their new roles. Citizens too need to understand their role, rights and obligations.

Academic discourse on the best way to explain democratisation is not at a standstill and new approaches and theories are emerging all the time, especially because democratisation processes and returns to authoritarianism continue to occur. Nevertheless, the abovementioned structural and genetic studies of democratisation provide some important insights into the causes, sequence and success of regime change to democracy, which are also highly relevant to democracy promoters, for instance awareness of the limitations of the modernisation approach or the importance of crucial moments.

Approaches to Democracy Assistance

The numerous actors in democracy assistance pursue very different strategies in providing assistance influenced by various factors including the very character of the donor, the target state and the main rationale for action. Very important determinants are also the underlying notions of democracy and, as discussed earlier, the preferred approach to democratisation. Among the panoply of strategies, Thomas Carothers, a leading American writer on democracy assistance, has identified two basic approaches to providing democracy assistance: the political and the developmental (see Table 3).[30] They overlap to some extent with the distinction between product- and process-oriented assistance suggested by a foremost European analyst, Richard Youngs.[31] While some actors clearly favour one approach over the other, many combine elements of both.

29. Diamond, L., *Developing Democracy. Toward Consolidation* (1999), page 65. Linz, J.J., and Stepan, A., *Problems of Democratic Transition and Consolidation* (1996), page 5.
30. Carothers, T., 'Democracy Assistance: Political vs. Developmental?, Journal of Democracy, Vol. 20, No. 1, January 2009, page 5f.
31. Youngs, R., 'Democracy as product versus democracy as process', in van Doorn, M., and von Meijenfeldt, R. (eds.), Democracy: Europe's Core Value? (2007), page 67.

Table 3: The Basic Approaches to Democracy Assistance

	Political Approach	Developmental Approach
Theoretical basis	• Narrow, political conceptions of democracy; • Genetic theories of democratisation.	• Broad, in particular social conceptions of democracy; • Structural theories of democratisation.
Focus of assistance	Elections (electoral commissions, voter education, etc.); political parties; parliaments; media; civil rights-focused NGOs; judiciary	State capacity building; Governance; Civil society; Rule of law; Civil society broadly defined; Socio-economic reform.
Advantages	• Addresses 'core elements' of democratic system; • Avoids blurring objective of democratisation; • Awareness of 'crucial moments' and relevance of strategic choices of key actors.	• Less confrontational and therefore offers entry points into authoritarian states; • Envisages, frequently required, long-term reforms; • Gives attention to link between political and socio-economic development; • Civil society-focus renders reform process more inclusive. • Lower risk of imposing foreign models.
Disadvantages	• Risk of too limited focus, especially if on elections only; • Risk of single interventions and negligence of long-term reforms; • Risk of being too confrontational for target states' governments.	• Risk of reforms in intermediate sectors, but not in political domain; • Risk of strengthening authoritarian leaders rather than weakening them; • Insufficient knowledge about exact inter-relation between political and socio-economic reform; • Risk of belief or pretension to promote democracy without doing so.

Attempts to identify distinctive European and American approaches to democracy assistance have frequently labelled the political approach American and the developmental approach European. Authors have correctly warned of simplifications, as on both continents a multiplicity of actors with different strategic preferences operates, which makes it impossible to speak of a 'single' European or American way.[32] Nevertheless, it seems fair to say that overall the vast majority of European actors voice a preference for the developmental approach, even if there are examples of political aid, including from the EU itself. Although in the US an equally high or even higher amount of funding is used for developmental democracy assistance as for political democracy assistance, there is a stronger interest and willingness to pursue the political approach.[33] Carothers states that the division is not a 'rift' but rather a diversification of approaches to be appreciated in an ever more challenging international context for democracy assistance.[34] At the same time, awareness of the two basic approaches and differences in preferred strategies provide important grounds for learning from other actors and coordinating activities more effectively.

The Political and the Developmental Approach to Democracy Assistance

The *political approach* is influenced by narrow, political conceptions of democracy and by the above-mentioned genetic theories of democratisation. It therefore focuses on core political actors, institutions and processes and recognises the importance of crucial moments, particularly during the transition phase. Political democracy assistance typically concentrates on elections, for instance central electoral commissions and civic and voter education programmes, political parties, leading politicians, the media, civil rights-focused NGOs, parliaments and, to a more limited extent, the independent judiciary. It can at times be hugely challenging to the political regime, especially if it focuses on supporting the political opposition, dissidents, or external media that broadcasts into an authoritarian state. However, in most cases political assistance is less directly oppositional and carries out many of the examples of political assistance mentioned within the authoritarian or newly democratic state and hence with the acceptance of its government.[35]

The *developmental approach* is inspired by broader concepts of democracy, in particular those encompassing the social dimension,[36] and by structural theories of democratisation. It therefore considers democratisation as a slow, gradual process entailing many small changes and reforms that eventually give rise to democracy, with the idea of the inter-linked nature of socio-economic and political reform playing a key role. It stresses, although not exclusively, the bottom-up approach and focuses on local-level reforms of which the decentralisation focus is the most prominent. It frequently combines democracy promotion with human rights promotion, due to conceptual overlaps and the fact that the latter is considered less 'interfering' and more acceptable than the former. All in all, the developmental approach avoids being confrontational and overtly political and prefers more neutral terminology to the language of democracy, politics or regime change.

32. Gerrits, A., 'Is there a distinct European democratic model to promote?', in van Doorn, M., and von Meijenfeldt, R. (eds.), *Democracy: Europe's Core Value?* (2007), at 63.
33. Carothers, T. (2009), *supra* n. 28, page 13.
34. Ibid., page 18.
35. Ibid., page 6-8.
36. A recent study by IDEA revealed a strong demand by assistance recipients to use a broader conception of democracy, including a focus on socio-economic inequalities. International IDEA, 'Democracy and Development. Global Consultations on the EU's Role in Democracy Building', (2009).

Comparative Advantages and Disadvantages

The main advantage of the political approach is that it addresses the core of a democratic system of government. If the institutions, actors, and processes it supports – free and fair elections, political parties, parliaments, independent media, free civil society organisation – are not in place, a system is not (yet) democratic, even if the target state shows positive trends in other sectors of governance, for instance decreasing levels of corruption. It thereby avoids clouding the goal that is democratisation rather than just liberalisation, governance reform, or socio-economic development. Moreover, the political approach is more conscious of crucial moments in regime change and consequently more prepared to recognise these and target assistance adequately. One recent example of timely support was the political assistance provided during revolutions in Serbia, Ukraine, and Georgia.[37]

One potential problem of the political approach is its limited focus, especially if it concentrates solely on elections. Even if relatively free and fair elections are held, a democratic system can still suffer from weak participation and representation and lack widespread inclusion (the so-called 'fallacy of electoralism').[38] Secondly, the focus on crucial moments might lead to single interventions, which can be useful, but could divert attention from the need for long-term and wider reform, such as the judicial branch. Overall, the political approach might therefore be successful in assisting a transition to democracy, but less so in achieving consolidation. Thirdly, political assistance might be too confrontational for some target states causing outright opposition leading to a strong pushback and the denial of further access to the country, for instance in Burma, Cuba and Turkmenistan.[39] A donor could in such cases concentrate solely on the political opposition and civil society groups *outside* the country (if they exist), but whose potential for successful regime change is usually minor.

Carothers identifies three main strengths of the developmental approach: It usually allows access to countries that would oppose very politically-oriented activities and therefore provides an opening basis for initial action, as in China; it foresees long-term engagement necessary for real and sustainable reform in some sectors, for instance rule of law development; and it brings attention to the link between socio-economic and political reform and consequently has the potential to implement mutually beneficial projects.[40] Overall it appears to be more beneficial for the successful consolidation of democracy rather than the transition as such. Furthermore, it carries a lower risk of imposing a certain model of democracy but allows the most appropriate domestic democratic system to grow. Due to a stronger focus on civil society development, it renders the democratisation process more inclusive than the political approach.

A major problem of the developmental approach is that it may lead to various reforms in intermediate areas, without showing any concrete results in the political domain. In the worst of cases, it can help to strengthen rather than weaken or replace authoritarian rule, as non-democratic leaders can take the credit for successful socio-economic reform and development in other sectors. Tunisia, Morocco, Egypt, and Vietnam, major aid recipients of governance reform programmes, show little sign of democratisation. It remains to be seen if governance reform and socio-economic development in Kazakhstan, which is sometimes cited as having successfully applied the developmental approach, will in turn lead to real democratisation. Thus, the developmental approach assumes two types of causal links that have not been sufficiently analysed until now:

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37. Ibid., page 9.
38. Schmitter, P. C., and Karl, T. L., 'What Democracy is…and is not', Journal of Democracy, vol. 2, no. 3 (Summer 1991), page 78.
39. Carothers, T. (2009), supra n., page 10.
40. Ibid., page 11.

1. The spill over effects of socio-economic development and reform in the governance sector on transformation in the political domain.[41] 2. The transformative potential of civil society in an environment lacking political reform. The presumption of these causal links can lead to democracy assistance not assisting democracy.[42]

Each basic approach has particular strengths and weaknesses and one will be more suitable than the other in certain target states and / or for certain phases of democratisation. Unfortunately, this does not allow for making a good, simple model of the best democracy assistance strategy for each case, as there remain questions on how individual elements of the approaches effectuate change. However, a better awareness of the existence and features of the political and developmental approaches can help donors to view and improve their own strategies more critically.

Democracy Assistance in perspective

For reasons linked to its very history and self-perception, the US has frequently, but not always positively, stood out in the history of democracy promotion and assistance. It has always felt a particular moral duty as one of the first free states and democracies, to bring freedom and democracy to other countries and, moreover has, from the very beginning, believed in some form of 'democratic peace theory', which is, that a democratic world would be safer and better for the US itself.[43] US involvement in Cuba, the Philippines and in Puerto Rico in the late 19th century and interventions and activities in Central America and Europe during the presidency of President W. Wilson (1913-1921) are widely seen as early examples of democracy promotion and assistance.[44] Many of these cases involved heavy military intervention; however, there was already some election monitoring and election assistance. After World War II, the US provided constitutional advice and funded civic education projects in Germany and Japan.[45]

The 1950s and 1960s: Decolonisation and Early Development Policies

Decolonisation and the implementation of the principle and, later, right to self-determination mandated Western states and the UN to promote democratisation in colonies and trust-territories gaining independence. It led to the organisation of referenda, first elections and assistance in constitution writing. However, external efforts usually ended shortly after independence and were in the long run largely unsuccessful.[46] Similarly, the US foresaw some form of democracy assistance, in particular in the legal sector in its early development policies, based on the assumption of a positive link between socio-economic and political development. Yet, it found little appeal within the development community and was abandoned quickly.[47] Early European development policies, despite some declarations on the goal of political development, remained within the socio-economic dimension.[48]

41. Ibid., page 10-12.
42. Youngs, R. (2007), supra n., page 71.
43. Brown, M. E., Lynn-Jones, S. M., and Miller, S. E. (eds.), *Debating the Democratic Peace* (1996).
44. Smith, T., *America's Mission. The United States and the Worldwide Struggle for Democracy in the Twentieth Century* (1994), at 7. Whitehead, L., 'The Imposition of Democracy in the Caribbean', in Whitehead (ed.), *The International Dimensions of Democratisation: Europe and the Americas* (1996), page 59.
45. Carothers (1999), page 19.
46. T. M. Franck, 'The Emerging Right to Democratic Governance', *American Journal of International Law*, vol. 86, no.1 (January 1992), page 52.
47. Carothers (1999), page 20f.
48. Crawford, G., *Foreign Aid and Political Reform: A Comparative Analysis of Democracy Assistance and Political Conditionality* (2001), page 56.

The 1970s: The German Stiftungen and Human Rights Policies

A majority of analysts suggest that the current wave of democracy assistance began with the shift to political aid by the German political foundations in the 1970s and stress the importance of their model for policy developments in many states, including the US. The German 'Politische Stiftungen' are publicly funded, independent foundations established by individual political parties with which they are personally and ideologically affiliated. They had largely been founded after World War II in order to contribute to the strengthening of a democratic political culture within Germany. Soon they became a form of 'official' German development organisation operating world-wide, for aid given via these semi-governmental bodies seemed more acceptable than that which came directly from post-Nazi Germany. Initially, following the prevailing modernisation approach, their assistance was socio-economic only. However, in the mid-1970s the German political foundations also began to provide some political aid, in particular support to party- and trade union-related institutions, media projects, and civic education initiatives, initially predominantly in Southern Europe. Reasons for the shift were, on the one hand, the increasing disillusion with the modernisation approach and the new, pro-democratic environment in Portugal, Spain and, later, Greece. On the other hand, their experience with political assistance within Germany and their status as semi-governmental bodies gave the foundations a comparative advantage over other actors.[49]

Additionally in the 1970s, the human rights movement made important advancements and laid the basis for further development of human rights and democracy promotion policies. Most notable were, firstly, the creation of some special procedures that allowed UN bodies to investigate serious human rights abuses and secondly, the entering into force of the International Covenant of Civil and Political Rights (ICCPR) and the International Covenant of Economic, Social, and Cultural Rights (ICESCR), which foresaw international human rights monitoring mechanisms. Thus it became increasingly difficult to argue that human rights constituted a domestic affair only and to oppose the expression of concerns and positive action as regards human rights by third states or international organisations. Still, it should be noted that core political rights initially remained side-lined in these developments, and the choice of the system of government continued to be seen as a purely domestic matter until a decade later.

Besides developments at UN level, some countries refocused their human rights policies in the 1970s, most notably the US under Jimmy Carter who declared human rights as the 'soul' of his foreign policy. New US policy instruments included political conditionality for development assistance and US voting on multilateral loans in international financial institutions; annual US State Department reports on human rights in aid recipient states; the creation of human rights officers in US embassies; and human rights assistance programmes.[50] Despite criticism of double standards and a one-sided focus on civil rights, the policies were judged effective and important in several, especially Latin American, countries.[51]

Reference should also be made to the beginnings of the Conference on Security and Cooperation in Europe (CSCE) in the 1970s, which discussed human rights issues, but overall also clearly showed the limitations in the promotion of civil and political rights due to the general East-West confrontation.

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49. Pinto-Duschinsky, M., 'Foreign Political Aid: The German Party Foundations and their US Counterparts', *International Affairs*, vol. 67, no. 1 (1991), page 34; Mair, S., Germany's Stiftungen and Democracy Assistance: Comparative Advantages, New Challenges, in: Burnell, P. (ed.), *Democracy Assistance. International Co-operation for Democratisation* (2000), at 128.
50. Crawford (2001), page 168; Carothers (1999), page 28-9.
51. Sikkink, K., 'The Effectiveness of US Human Rights Policy 1973-80', in Whitehead, L., *The International Dimensions of Democratisation: Europe and the Americas* (1996), page 96.

The 1980s: The Start of Democracy Assistance in the US

In the early 1980s the US made democracy promotion and assistance 'official' US policy. Ronald Reagan famously announced this shift in a speech to the British Parliament in June 1982, in which he also invited other countries to follow the US example. The shift was first driven by strong anti-communism, but eventually also by the idea that democracies would in the long-run better serve US policy interests than right-wing dictatorships. It was facilitated by eleven or so transitions to democracy in Latin America between 1979 and 1985.[52]

As part of the new policy, the US government's international development agency, USAID, started to provide democracy assistance. It initially concentrated on elections, parliaments and the administration of justice, predominantly in Latin America, but soon extended its thematic and geographical focus. In 1983 the National Endowment of Democracy (NED) was founded by the US Congress as the first organisation of its kind entirely devoted to democracy assistance. It was inspired by the German Stiftungen, but differs in its set-up and operation. Registered as a non-profit organisation, it receives annual congressional appropriations which, besides providing some grants directly to NGOs, it independently disburses funds through four main grantees which are associated with the two major parties, labour, and business. It also serves as a knowledge hub on democracy assistance and publishes the Journal of Democracy. The NED first focused on civil society development and electoral processes and, geographically, on Latin America, but also provided aid to Solidarity in Poland and backed other human rights groups and dissident

activities in Eastern Europe. Similar to USAID, it had extended its focus by the late 1980s.[53]

In line with the US, in 1988 Canada created its own semi-governmental democracy and human rights assistance institution, the Rights and Democracy Center, which only works directly with local and regional NGOs.

The Start of Democracy Assistance in Europe

The unexpected fall of the wall and the numerous transitions to liberal democracy in CEE in the second half of 1989 and the first half of 1990 removed important obstacles to democracy and human rights promotion. Indeed, most aid recipients either no longer opposed engagement in more political issues with Western donors because they were themselves democratising or were not in a position to do so because they could no longer play off one superpower against another.[54]

However, it was only after Douglas Hurd, the British Foreign Secretary, had embraced democracy promotion in a declaration of June 1990 that other European States followed.[55] The European Parliament adopted in 1992 a resolution on a European Democracy Initiative,[56] and quite a number of bodies and programmes[57] were created. Often these existed in parallel, attempting to carve out a special niche but with little coordination or transparency.

This environment produced a number of weaknesses such as a one-sided focus on elections and NGOs, and frequent neglect of political actors and institutions, including parliaments, often through fear of aid appearing too political.[58] Other deficien-

52. Carothers (1999), page 29.
53. Carothers, T., 'The NED at 10', *Foreign Policy*, no. 95 (Summer 1994), page 123; Carothers (1999), page 31.
54. Burnell, P., 'Democracy Assistance: Origins and Organisations', in Burnell, P., *Democracy Assistance. International co-operation for Democratisation* (2000), page 39f.
55. Crawford (2001), page 56.
56. European Parliament, Resolution on a European Democracy Initiative, OJ 1992 C150/281.
57. Mair (2000), page 145-6; Carothers (1994), page 123.
58. See e.g. Carothers (1999), page. 342; Youngs, R., 'Democracy as Product versus Democracy as Process', in van Doorn, M., and von Meijenfeldt, R., *Democracy: Europe's Core Value?* (2007), page 71-2.

cies observed were the absence of long-term strategies and analysis of the local situation or insufficient use of project management and evaluation tools.[59]

Over the last two decades and, despite the rhetorical importance accorded to democracy and human rights, the EU has spent relatively little money on their promotion and protection through its various assistance programmes. On average, only 0.7% of all EU external assistance programmes was allocated to democracy assistance policies in the period 1996-2006 through the EIDHR.

Today, without a change in EU policy and implementation regulations, it still appears highly doubtful that the considerably increased annual financial reference amounts can be respected in the years ahead.

In summary, while there have been examples of democracy assistance throughout the 20th century, the current 'wave' of democracy assistance started with the political work of the German political foundations in Southern Europe in the 1970s and with the US in Latin America in the 1980s. European states followed around 1990, in particular at the end of the cold war and after a new paradigm in development policy had called for political reform as a condition for successful socio-economic development programmes. Ever since the early 1990s an increasing number of democracy assistance actors has emerged worldwide, including states, international organisations, civil society bodies and private actors. Simultaneously, larger budgets have been devoted to democracy assistance programmes. Over the last number of years there have been increasing efforts to make democracy assistance policies more professional, as weaknesses in the approaches and strategies applied during the 1990s continue to be discovered. However, democracy promotion faces increasing opposition from non-democratic states, whose methods of controlling and limiting political aid have become more sophisticated. The analysis presented in this background paper underlines that the EU has been using both the developmental and political approaches to its democracy assistance policy but indicates also that there is room for strengthening the political approach and to offer more support to sectors such as media, political parties and parliaments. Making better use of the EIDHR and putting the "D" back will be one of the impending big challenges.

Still, there is reason to be optimistic that the EU will finally get its act together in the area of human rights, democracy and the rule of law to ensure that they indeed become "a silver thread running through all that we do."[60]

The adoption in November 2009 by the Council of the EU of a formal text on "Democracy Support in the EU's External Relations", including an Agenda for Action, represents the first attempt to establish a clear framework for action and could provide the necessary impetus for more coherence and consistency.

The creation of a European External Action Service (EAS) in 2010 should help in this regard too, by allowing democracy and human rights specialists to become systematically involved in the daily operations, and ensuring that these fundamental values become an intrinsic part of EU Foreign Policy. Or, in the words of Jerzy Buzek, President of the EP: "With the new EAS, we have to speak with one voice on democracy support, and human rights, using all the instruments at our disposal."[61]

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59. See e.g. two recent evaluations of the EU's major democracy and human rights assistance programme: 'Evaluation EIDHR. Programa Andino de Derechos Humanos y Democracia' (January 2006) and 'Evaluation of the EIDHR Programme [in Russia]' (June 2008), at http://ec.europa.eu/europeaid/what/human-rights/studies_evaluations_en.htm.
60. Catherine Ashton, HR Representative of the EU, 10 May 2010
61. Round Table Community of Democracies, Brussels, 16 November 2009

II. Introducing EU Democracy Assistance

The Emergence and Evolution of EU Democracy Assistance

Pre-1991: First Signs of an Emerging Policy

While the current 'wave' of democracy assistance began with the shift to political aid by the German political foundations in the mid -1970s and with the start of US democracy assistance in the early- to mid-1980s, it took the European Community (EC),[62] as with all European states, slightly longer to become active in the field. Of course, the EC applied political membership conditionality from early on, as it required states wishing to accede to the EC to have a democratic system of government;[63] however, unlike during the enlargement to the East in the 1990s, it did not support the democratisation processes in Portugal, Spain and Greece in the 1970s and 1980s with democracy assistance measures. At the same time, the EC's and the European states' development policies were of a strictly socio-economic nature, missing a political component and instruments such as aid conditionality or democracy assistance.[64] Europe lacked the particular driving forces that caused the start of democracy promotion in the US, in particular strong anti-communism, the belief in the democratic peace theory and the self-perception of having a moral imperative to bring liberty to the world. Rather, memories of the Prague Spring of 1968 and Europe's colonial past made European 'political interference' in Eastern and developing countries more difficult.

Nevertheless, important first steps were taken in the 1970s and 1980s that would soon give rise to an EC policy of democracy promotion and assistance. In the field of democracy assistance the European Parliament played a leading role whilst carefully watching developments in the US. In 1978, using its increased budgetary powers, it inserted a budget line for human rights assistance projects into the EC budget. Although the line mainly concentrated on torture victims, it constituted an important first step in using the instrument of assistance in the field of human rights protection and promotion. Moreover, in 1986 the European Parliament included the first, at least partial, EEC democracy assistance budget line in the EC budget: 'Assistance to NGOs in Chile'. This line resulted from intensive contacts of European political leaders with, and lobbying by, exiled Chilean opposition politicians and was facilitated by the widespread condemnation of the Pinochet regime and the minor geopolitical importance of Chile.[65]

Furthermore, in 1986, the Member States, within the framework of European Political Cooperation (EPC), first publicly declared their and the EC's commitment "to promote and protect human rights and fundamental freedoms" and emphasised in this context "the principles of parliamentary democracy and the rule of law" ('Statement on Human Rights' of July 1986).[66] The statement only envisaged 'weak' forms of human rights and democracy promotion,

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62. European integration began with the foundation of three 'European communities' in the 1950s, of which the European Economic Community (EEC), frequently referred to as the European Community (EC), was the most comprehensive. It was formally renamed EC by the Treaty of Maastricht (1992). The European Union (EU), founded in 1992, encompassed the supranational EC together with its two intergovernmental pillars. The Treaty of Lisbon (2009), simplifying the structure, introduced 'EU' as the organisation's official name, superseding the EC.

63. 'Document on European Identity' of 1973 by the EEC Member States, Bull. EC 12-1973, page 118-22; 'Declaration on Democracy' of 1978 by the European Council, Bull. EC 3-1978, page 5-6; Pridham, G. (ed), *Encouraging Democracy: The International Context of Regime Transition in Southern Europe* (1991).

64. G. Crawford, Foreign Aid and Political Reform: A Comparative Analysis of Democracy Assistance and Political Conditionality (2001), page 56; Marantis, D. J., 'Human Rights, Democracy, and Development: The European Community Model', Harvard Human Rights Journal, vol. 7 (Spring 1994), page 5.

65. Angell, A., 'International Support for the Chilean Opposition 1973-1989: Political Parties and the role of Exiles', in: Whitehead, L., *The International Dimension of Democratisation. Europe and the Americas* (1996), page 191.

66. Bull. EC 7/8-1986, para. 2.4.4.

for instance declarations of concern and diplomatic missions. However, it constituted an important initial public expression by Member States of the EC's emerging external human rights and democratisation policy.[67] One of the first concrete outcomes of the statement was the inclusion of an early, albeit soft form of a human rights clause (without any suspension mechanism) in the 1989 trade and development agreement with the ACP states, the so-called Lomé IV Convention.[68]

1990-1992: The Start of
EEC Democracy Assistance

The 1986 'Statement on Human Rights' did not result in democracy assistance, but the European Parliament continued allocating funds to the programme for NGOs in Chile, which increased from 2 million ECUs in 1986 to 10 million ECUs in 1990. In 1990, the Parliament also inserted an additional line into the budget, 'Democracy in Chile and Central America' (with a 10 million ECUs allocation), that soon covered the whole of Latin America. Importantly, the programmes were created irrespective of any socio-economic development agenda but rather out of an interest in democratisation itself. At the same time, they remained confined to a region that had been considerably affected by the third wave of democracy and where assistance was welcomed.

It required several further major developments before the EC introduced a geographically broader democracy assistance policy that was also based on an explicit EC policy declaration to that end. The third wave of democracy spread to regions beyond Latin America and created a more welcoming environment for democracy promotion in many parts

of the world. The fall of Communism facilitated democracy promotion in CEECs and the former Soviet Union and (further) weakened the bargaining power of (dictatorial) developing states to oppose democracy and human rights promotion. A shift in development thinking, in particular caused by a 1989 World Bank report on Africa, stressed the importance of the political dimension for successful development.[69] Last but not least, the failure of development policies, and human rights not being taken into consideration, brought donor governments under increasing pressure from their citizenry.[70]

While all the aforementioned factors played a role, the new development credo in Europe, including within the EC, was extremely appealing. Rather than immediately embracing democracy promotion as goal in itself, it was done within the framework of development cooperation. While several European states, in particular the UK and Scandinavian countries,[71] declared their policy shift in mid-1990, a joint declaration was adopted by the EPC during the European Council meeting in Rome in December 1990. This reworded 'Statement on Human Rights' stressed the "interrelationship between democracy, human rights, and sustainable development" as the new, central idea of Member State and EEC development policies.[72]

Following this crucial statement, all EC institutions began to invest a great deal of time in expanding the new policy agenda. Most notable, in March 1991 the Commission published SEC(91) 61 final, a policy document that raised several issues which are still important today, for example the

67. King, T., 'Human Rights in European Foreign Policy: Success or Failure for Post-modern Diplomacy?', *European Journal of International Law*, vol. 10, no. 2 (1999), at 316.
68. Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, OJ L1991 L229/2-280; Fierro, E., *The EU's Approach to Human Rights Conditionality in Practice* (2003), page 66f.
69. World Bank, Sub-Saharan Africa: From Crisis to Sustainable Growth (1989).
70. Burnell, P., 'Democracy Assistance: Origins and Organisations, in Burnell, P. (ed.), *Democracy Assistance. International Co-operation for Democratisation* (2000), page 39-41.
71. Crawford, G., *Foreign Aid and Political Reform. A Comparative Analysis of Democracy Assistance and Political Conditionality* (2001), page 56-61.
72. Bull. EC 12-1990, page 138.

need for consistency among EC and Member State actions.[73] The June 1991 Luxembourg European Council adopted a 'Declaration on Human Rights', confirming the policy shift in development.[74] In November 1991 the European Parliament adopted a resolution on 'human rights, democracy and development' which endorsed SEC(91) 61 final.[75] On 28 November 1991 the Council and the Member States meeting in the Council adopted a resolution on 'human rights, democracy and development' which would remain a key guiding policy document to this day.[76] It declared a preference for a positive and supportive, rather than punitive, approach to human rights and democracy promotion. It mentioned key instruments, including 'active support', in other words democracy assistance, for example, for elections, institutional reform, the rule of law, NGOs, and good governance. Greater resources would be devoted to these ends within the allocations available for development programmes and future cooperation programmes would contain this objective. This resolution constituted the first explicit declaration that the EC would provide democracy assistance.

The 1992 budget included two new, additional democracy assistance budget lines: (1) 'Phare Democracy' for CEECs (5 million ECUs), allocations for which were taken from the Phare programme, the EEC's socio-economic assistance programme for post-Communist CEECs, and (2) 'Human Rights and Democracy in Developing Countries' (10 million ECUs), mainly focusing on ACP states.

Around the same time that democracy promotion became an EEC policy objective, the intergovernmental conference (IGC) on political union took place which resulted in the creation of the European Union (EU). The new and revised treaties gave the new policy objective of democracy and human rights promotion a basis in primary EU law. These were declared an objective of the EU's new common foreign and security policy (CFSP) and were referred to in the new EC-Treaty (ECT) title on development cooperation. Nevertheless, the scope of EU human rights policies would remain disputed throughout the 1990s.

1993-1994: The 'European Initiative for Democracy and the Protection of Human Rights'
While the Council had envisaged democracy assistance as part of general development programmes in its 28 November 1991 resolution, it continued primarily to develop in the form of single, self-standing budget lines for individual regions or topics, similar to the aforementioned programmes for Latin America, ACP states and CEECs. From 1990 onwards, each subsequent annual EU budget included an additional democracy and/or human rights assistance budget line or envisaged an increase in the funds of existing lines. In 1994 'Tacis Democracy', focusing on the newly independent states (NIS) of the former Soviet Union (with an initial 5 million ECUs allocation), and 'Peace-building and Democracy in former Yugoslavia' (with 4 million ECUs) started. By 1994, the total budget of the 10-odd EC democracy and human rights lines amounted to approximately 45 million ECUs, while it had been around 2.35 million ECUs in 1986 and roughly 22 million ECUs in 1990.

In the 1994 budget, on the European Parliament's initiative, the various existing democracy and human rights budget lines were brought together in a single budget Chapter, Chapter B7-52, entitled 'European Initiative for Democracy and Human

73. Commission Communication to the Council and Parliament on human rights, democracy and development cooperation, SEC(91) 61 final, 25.3.1991.
74. Bull. EC 6-1991, page 17.
75. European Parliament, Resolution on human rights, democracy and development, OJ 1991 C 326/259.
76. Resolution of the Council and the Member States meeting in the Council on human rights, democracy and development, Bull. EC 11-1991, page 122; Simma, B., Aschenbrenner, J. B., Schulte, C., 'Human Rights Considerations in the Development Co-operation Activities of the EC', in Alston, P. (ed.), *The EU and Human Rights* (1999), page 575f.

Rights' and was subsequently renamed 'European Instrument for Democracy and Human Rights' (EIDHR) in 2006. The move was preceded by a European Parliament idea, strongly spearheaded by one of its members, Edward McMillan-Scott (UK), for a 'European Democracy Initiative'[77] in 1992 and by the inclusion of a budget heading with the same name in 1993, albeit without appropriations. The launch of the EIDHR constituted an important step in the creation of a single, comprehensive EU democracy and human rights assistance programme.

At the same time the Commission, in particular through its 'Standing Inter-departmental Group on Human Rights', began to harmonise procedures used in the implementation of the various budget lines. The procedures differed considerably, as numerous geographical units, in part pertaining to different Commission Directorates-General (DGs), were involved in the implementation of EIDHR programmes and used their own very specific rules. By 1994 application forms, evaluation grids, and some other features were harmonised but differences remained, in particular the identification of projects and partners ('calls for proposals', as used in Phare/Tacis Democracy as against 'spontaneous applications' in other programmes). Harmonisation constituted another important step towards the EIDHR becoming a single programme.

Expenditure on democracy assistance under the general socio-economic programmes increased slowly in the first years after the crucial Council policy declaration of November 1991. There were slight increases in commitments under the European Development Fund (EDF), the source for development aid for ACP states, and the programme for Latin America, especially after the new assistance regulation for Latin America (and Asia), the

so-called ALA regulation of February 1992,[78] had expressly included as objectives democracy promotion and assistance. However, there were only few or very minor increases in democracy assistance under the development programmes for the Mediterranean, the NIS and Asia - although the latter was also covered by the ALA regulation.

Structural reasons related to the rules and procedures of the general development programmes accounted for a delay to some changes. Unlike the EIDHR which operated on annually included budget lines, the general development programmes worked on the basis of legal acts which defined the scope of assistance. In the early 1990s none of these acts envisaged or authorised democracy assistance and it would require time until new regulations were adopted that would do so. Moreover, unlike the EIDHR which worked (and still works) without a formal agreement with target state governments, the implementation of the general development assistance regulations required (and still requires) a formal accord. Not all recipient states wanted economic aid to be replaced by political aid. Additionally, EC aid administrators needed time to accept and implement the switch in development policy, as it represented a major shift in thinking and a change to previous work practices. Finally, there was a misperception within the Commission, as those implementing general development programmes believed that democracy assistance would be adequately covered by the specific EIDHR programmes, but this was not the case.

At the same time, some democracy assistance began under the CFSP pillar of the EU, in particular regarding election support. Major examples were the deployment of EU election observers and provision of assistance during the first multi-party elections in Russia in December 1993 and during the first multi-racial elections in South Africa in April

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77. European Parliament, Resolution on a European Democracy Initiative, OJ 1992 C150/281.
78. 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, OJ 1992 L 52/1.

1994.[79] Lacking coherence, actions were funded from first and second pillar funds.

1995-1998: COM(95) 567 final: The External Dimension of the EU's Human Rights Policy: From Rome to Maastricht and Beyond

During the mid-1990s, the overall position of human rights and democracy within the EU was considerably strengthened, not least due to the enlargement process.[80] The Treaty of Amsterdam, signed in 1997, inserted several new provisions into primary law, notably declaring democracy and human rights as foundational principles of the EU. Against this background, there were also efforts to intensify democracy promotion in the external dimension.

In 1995 the Commission published a communication that specifically and exclusively focused on the EU's external human rights policy and, albeit less overtly, its external democratisation policy. It attempted to set out a strategy for achieving the goals of this policy: COM(95) 567 final.[81] It addressed a whole range of topics and suggested, among others, a greater use of incentive measures and conditionality clauses together with a stronger focus on conflict prevention and crisis response measures. The idea of incentive measures started to be used later in the framework of Lomé IV and the EDF, while political conditionality clauses in the form of 'essential element clauses' were systematically included in most external agreements and unilateral assistance measures from 1995 onwards.[82] Some conflict-related projects began to be financed under the EIDHR programmes and, later, by the Rapid Reaction Mechanism (RRM, 2001).[83]

As regards democracy assistance, COM(95) 567 final raised three major issues. First, it confirmed the parallel implementation of democracy assistance through the EIDHR programmes as well as general development programmes. Reflecting on their relationship, it suggested that EIDHR programmes should be used chiefly for pilot, innovative projects that could, if successful, be taken over eventually by the general programmes. No fundamental differences between focus groups and implementing partners were identified. Secondly, the Commission identified election support – observation and assistance – as a particularly effective form of democracy promotion and suggested further engagement and professionalism in the field, which was followed up in the second half of the 1990s. Thirdly, it stressed the need for more flexible mechanisms to react to crisis situations or rapidly emerging opportunities, such as a regime change. This eventually led to a contingency reserve within the EIDHR programme and, later, to the use of RRM funds for democracy assistance.

From the mid-1990s, commitments for democracy, human rights and good governance assistance in general socio-economic programmes finally started to increase. The topic of democracy promotion was raised more explicitly during contacts with most regions while new assistance acts clearly authorised such activities. The launch of the 'Euro-Mediterranean Partnership' in 1995 brought a political dimension to EU-Mediterranean relations and the new MEDA programme (1996) spoke unequivocally of democracy promotion and foresaw democracy assistance with a budget of 9 million ECUs.[84] A revision of the Lomé IV Conven-

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79. Communication from the Commission on EU Election Assistance and Observation, COM(2000) 191 final, 11.4.2000, page 25f.
80. De Búrca, G., 'Beyond the Charter: How Enlargement has Enlarged the Human Rights Policy of the EU', *Fordham International Law Journal* vol. 27 (2004), page 679.
81. Communication from the Commission to the Council and the European Parliament, The European Union and the external dimension of human rights policy: From Rome to Maastricht and beyond, COM(1995) 567 final, 22.11.1995.
82. Commission Communication on the inclusion of respect for democratic principles and human rights in agreements between the community and third states, COM(95) 216 final, 23.5.1995.
83. Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism, OJ 2001 L57/5.
84. Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership, OJ 1996 L 189/1; R. Youngs, 'The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?', Democratisation vol. 9, no. 1, (2002), page 40.

tion in 1995 included strengthening the political conditionality clause. In addition, the new Financial Protocol earmarked 'incentive financing' for "institutional and administrative reform measures, with a view to democratisation and the rule of law" that would be granted in addition to other funding.[85] Moreover, a communication devoted to the topic of 'democracy, rule of law, human rights and good governance in EU-ACP relations' (COM(98) 146 final)[86] attempted to clarify the concepts and stressed the need for more assistance in the fields. As regards the NIS, the new Tacis regulation of 1996[87] was more explicit on democracy promotion than its predecessor and newly concluded cooperation agreements, the so-called Partnership- and Cooperation Agreements (PCAs), declared democracy promotion as an objective of the partnerships and, in part, also included provisions for 'cooperation on democracy'.[88]

The only region that remained largely excluded from these developments was Asia, towards which the EU remained reluctant and careful in raising democracy issues. Communications with the region revealed a preference for soft, diplomatic tools, in particular dialogue.[89] In 1996, the EU initiated its specific human rights dialogue with China and eventually in 1998 an exclusive human rights and democracy programme for Asia was established, however, only with a very small allocation of 5 million ECUs. In comparison, the total budget of the EIDHR in 1998 was around 97 million ECUs.

April 1999: The EIDHR Regulations
Throughout the 1990s, the numerous, individual EIDHR programmes operated on the basis of the EU budget only and did not have a legal basis in secondary law. This became increasingly problematic from a legal standpoint, in particular after case *C-106/96 UK v. Commission*[90] clarified that 'significant' EC expenditure, that is, anything beyond pilot or preparatory measures, required such a legal basis. Consequently the Commission's proposal for an EIDHR regulation led to a major dispute between the Commission and the Council Legal Service about the scope of EC human rights competences. The Council Legal Service, pushed by some Member States, essentially argued that the EC did not have competence to adopt a regulation for a self-standing democracy and human rights assistance programme like the EIDHR. In their opinion, it could only implement development-related democracy assistance, and political aid would have to be provided under the CFSP pillar. Such interpretation stood in stark contrast with EC policy of that time, endangered the EC's external democratisation policy and caused outrage among European civil society. It was not supported by all Member States, however, and reflected the unease of some states to increasing EC human rights competences and a particular fear of an extension of these competences from the domain of the Member States.[91]

The dispute was eventually solved, largely in favour of a broader interpretation of EC human

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85. Agreement amending the Fourth ACP-EC Convention of Lomé signed in Mauritius on 4 November 1995, OJ 1998 L 156/3, Article 224(m) of the Convention and Article 3(2)(iv) of the Second Financial Protocol.
86. Commission Communication to the Council and the Parliament, 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(98) 146 final.
87. Council Regulation (Euratom, EC) No 1279/96 of 25 June 1996 concerning the provision of assistance to economic reform and recovery in the New Independent States and Mongolia, OJ 1996 L 165/1.
88. See e.g. the PCA with Uzbekistan.
89. Communication from the Commission, Towards a new Asia Strategy, COM(1994) 314 final; Communication from the Commission, Europe and Asia: A Strategic Framework for Enhanced Partnerships, COM(2001) 469 final.
90. Case C-106/96 *United Kingdom v. Commission* [1998] ECR I-2729.
91. Weiler, J. H. H. and Fries, S., 'A Human Rights Policy for the European Community and Union: The Question of Competences', in Alston, P. (ed), *The EU and Human Rights* (1999), page 147.

rights and democracy-related competences in EC external relations. The relevant EIDHR regulations were adopted in April 1999: Regulation No. 975/1999,[92] covering developing countries, and Regulation No. 976/1999,[93] covering all other third countries. They were initially valid until 31 December 2004, and then prolonged until 31 December 2006.[94] The adoption of two identical rather than one single regulation was necessary because of the incompatibility of the procedural legal basis of the two provisions of the ECT that authorised the action.

The EIDHR regulations did not establish a single EIDHR programme, but constituted a further step in that direction. They laid down common rules for the thematic scope of the programmes which was very extensive and did not follow the Council Legal Service's interpretation. However, the regulations failed to envisage (common) rules for programming and did not clarify the specific character of the EIDHR in relation to the general development programmes.

**1999-2001: The Transformation
of the EIDHR into a single Programme**
During 1999-2001 the EIDHR finally became a single, comprehensive EU human rights and democracy programme. Three main changes led to this transformation. First, procedural rules were unified and the model developed under the Phare/Tacis Democracy Programme was made applicable to the entire EIDHR. This implied, in particular, that 'calls for proposals', rather than spontaneous applications became the primary mode of project selection and that projects were financed in three major forms: macro, micro or targeted. In 1999 the first geographically comprehensive EIDHR 'call for proposals' for macro projects was held, which covered all world regions except Latin America and the Mediterranean, followed in 2001 by the first truly global call for macro projects. In 2001 the micro project facility, first used in Phare countries in 1994, started to be extended to countries beyond the Phare/Tacis region. Secondly, in 2001, the EU budget no longer allocated funds for democracy and human rights to regions, but primarily to broadly- defined thematic fields. Thirdly, in 2001 the Commission presented its first, single, comprehensive EIDHR programming document that laid down a global strategy for EIDHR assistance.

At the same time, during the 1999-2001 period the budget commitments for the EIDHR remained relatively equal at around 100 million Euro.

Between 1999 and 2001 intensive efforts were made in establishing rules and procedures for European Union Election Observation Missions (EU EOMs), which had gained much importance since COM(95) 567 final, but which continued to require a single, coherent structure for decision-making and financing. Eventually it was decided to 'supranationalise' EU EOMs, in other words, to take

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92. Council Regulation (EC) No 975/1999 of 29 April 1999 laying down the requirements for the implementation of development co-operation 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, OJ 1999 L 120/1.
93. 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, OJ 1999 L 120/8.
94. Regulation (EC) No 2240/2004 of the European Parliament and of the Council of 15 December 2004 amending Council Regulation (EC) No 975/1999 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, OJ 2004 L 390/3; Council Regulation (EC) No 2242/2004 of 22 December 2004 amending Regulation (EC) No 976/1999 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, OJ 2004 L 390/21.

all relevant decisions and to finance missions within the first pillar, i.e. the EIDHR, however, with close involvement of the Council and the Parliament during all stages.[95] Suggestions by the Commission to organise 'EU election assistance missions' similar to EU EOMs were rejected by the Council, which instead envisaged election assistance to be provided through development programmes and the EIDHR.

In 1999 and 2000 the EU's external democratisation policy also continued to get a stronger basis within the mainstream development programmes. In 1999 a new Tacis regulation was adopted that, unlike any prior regulation, presented democracy promotion as a goal of EC assistance and provided a detailed list of priority areas for intervention. Uniquely, it also expressly stipulated that in the drafting of programming documents, the need for and goal of democratisation should be given particular attention.[96] In addition the new MEDA regulation of 2000 was slightly more detailed on the target areas of democracy assistance than its predecessor, however, in a much weaker fashion than Tacis.[97] The relevance of democracy promotion in EU relations with both, the Mediterranean states and some NIS, was also given additional backing in the three Common Strategies towards the Mediterranean, Russia, and Ukraine, adopted by the European Council during 1999 and 2000.[98] As regards ACP states, a new ACP-EC agreement, the Cotonou Agreement signed in 2000 strengthened the position of human rights, democracy and good governance by introducing, next to the Lomé IV existing political conditionality clause, good governance as a 'fundamental element' of the agreement and by enhancing political dialogue.[99]

At a more general level, the Council and the Commission confirmed the relevance of democratisation in their statement on 'The European Community's Development Policy' of November 2000.[100] The important new policy declaration stipulated that the EC's policy was based on the 'principle of sustainable, equitable and participatory human and social development' and that 'promotion of human rights, democracy, the rule of law and good governance' was an integral part of it. It identified six priority areas of EC assistance, one of which was 'institutional capacity building' which envisaged the promotion of working democratic institutions, good governance, including the fight against corruption and the rule of law.

May 2001: COM(2001) 252 final: The European Union's Role in Promoting Human Rights and Democratisation in Third Countries

The Commission's second major communication on the EU's external human rights and democratisation policy[101] made several suggestions for the further development of that policy, most of which

95. Communication from the Commission on EU Election Assistance and Observation, COM(2000) 191 final, 11.4.2000; Commission Staff Working Paper Implementation of the Communication on Election Assistance and Observation, SEC(2003) 1472, 19.12.2003.
96. 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, OJ 2000 L 12/1.
97. Council Regulation (EC) No 2698/2000 of 27 November 2000 amending Regulation (EC) No 1488/96 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership, OJ 2000 L 311/1.
98. Common Strategy of the European Union of 4 June 1999 on Russia (1999/414/CFSP), OJ 1999 L157/1; European Council Common Strategy of 11 December 1999 on Ukraine, OJ 1999 L 331/1; Common Strategy of the European Council of 19 June 2000 on the Mediterranean Region (2000/458/CFSP), OJ 2000 L183/5.
99. Partnership Agreement between the members of the African, Caribbean and Pacific Group of States on the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, OJ 2000 L 317/3.
100. Council of the European Union, The European Community's Development Policy. Statement by the Council and the Commission, 10.11.2000, 2304th Council Meeting 12929/00.
101. 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 final, 8.5.2001.
102. Council of the European Union, Council conclusions on the European Union's role in promoting Human rights & Democratisation in third countries, Luxembourg, 25.6.2001, 9647/01; European Parliament, Report on the European Union's role in promoting human rights and democratisation in third countries, 21.3.2002, A5-0084/2002.

were endorsed by Council and Parliament.[102] The document called for the 'mainstreaming' of human rights and democracy in all EU policies and activities, which implied an increased use of dialogue on the topics with third state governments, a greater use of incentive conditionality, the systematic inclusion of human rights and democracy in strategic documents on EU assistance, and the provision of more democracy assistance through general development programmes. The document also provided some suggestions for improving coherence and consistency between the first pillar, second pillar (CFSP) and Member State activities.

COM(2001) 252 final focused extensively on the EIDHR. Firstly it expressly identified specific features of the EIDHR that distinguished it from democracy components in mainstream development programmes.[103] This was essential because in 2000 the Court of Auditors, unable to identify such specific characteristics, had even suggested integrating the EIDHR into the mainstream programmes. On the one hand the Commission argued, as it had already done in COM(95) 567 final, that the EIDHR could be used for pilot or experimental projects that could later be continued, on a larger scale, within mainstream programmes. On the other hand, it stressed one specific, procedural feature of the EIDHR which distinguished it from general development programmes, namely that it did not require a formal agreement with the third state's government. This feature predetermined the EIDHR to work with non-traditional partners in mainstream programmes, namely NGOs and international organisations. It allowed the EIDHR to fund projects in countries in which the government opposed democracy assistance and would not accept it as part of development aid. It allowed the EIDHR to implement projects where no general development programmes were implemented, for example where they had been suspended or where, due to crisis situations, no agreement could yet be made with a representative government. Additionally, it was the best possible source for the funding of certain activities, such as EU EOMs.

Secondly, in line with more general efforts to improve programming processes in the implementation of EU aid and, in order to enhance the impact of aid, COM(2001) 252 final suggested a more strategic approach for the EIDHR. It foresaw the adoption of programming documents that identified a limited number of thematic priorities and focus countries. As already mentioned, from 2001 onwards, EIDHR programming documents were adopted covering the following periods: 2001, 2002-2004, 2005-2006, and 2007-2010.

2004-2006: New External Assistance Programmes
In the late 1990s and in 2000, numerous independent evaluations and reports by the Court of Auditors highlighted weaknesses in the implementation of EU external assistance.[104] This criticism led to numerous reforms in EU aid administration during the early 2000s, for instance the introduction of a common framework for Country Strategy Papers (CSPs), and a major overhaul of the structure of EU assistance programmes, which entered into force on 1 January 2007.

In the new, considerably simplified structure, seven major assistance regulations were adopted. Four new geographical programmes replaced the older development programmes, such as Tacis and MEDA, and together covered all third countries:

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103. Court of Auditors, Special Report No 12/2000, on the management by the Commission of European Union support for the development of human rights and democracy in third countries, together with the Commission's replies, OJ 2000 C 230/1.
104. Court of Auditors, Special Report No 21/2000 on the management of the Commission's external aid programmes, OJ 2001 C 57/1.
105. Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), OJ 2006 L 210/82.
106. 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, OJ 2006 L 310/1.

- Instrument for Pre-Accession (IPA),[105]
- European Neighbourhood and Partnership Instrument (ENPI),[106]
- Development Cooperation Instrument (DCI),[107] and
- Instrument for Cooperation with Industrialised and Other High-income Countries and Territories (ICI).[108]

Additionally, the Council and Commission adopted a new thematic programme:

- Instrument for Stability (IfS).[109]

Existing programmes for macro-economic and humanitarian assistance remained in force. Assistance to ACP countries continues to be covered by the Cotonou Agreement and financed by the EDF.

The regulations establishing the IPA, ENPI, DCI and IfS, albeit in different ways and detail, stipulate democracy promotion as an objective of EU engagement in the particular region covered by the programme. The text of the DCI regulation is particularly forthright on the topic and states that, besides the eradication of poverty, democracy promotion must be a primary objective of development cooperation. Additionally, all regulations expressly envisage the provision of democracy assistance and, in varying detail, mention sub-fields on which assistance should concentrate. The ICI, applicable to, amongst others, Singapore and Saudi Arabia, is less clear on the topic and, while not excluding democracy assistance, does not expressly anticipate it either.

Reference should at this point be made briefly to the 'European Consensus on Development',[110] a joint statement by the Council, the Member States meeting within the Council, the Parliament and the Commission of early 2006 on the EU's common objectives and principles for development cooperation and, more concretely, on the future of EC development cooperation. The document confirms the importance of democracy, good governance, human rights and the rule of law for sustainable development and declares it as a primary objective of EC development cooperation.

Over the same period, democracy assistance once again began to be provided within the CFSP pillar, in particular in the form of 'rule of law missions' in Civilian Crisis Management (CCM) operations. These missions provide assistance very similar to first-pillar assistance, especially reform of the (criminal) justice sector and raise questions on delimiting first and second-pillar competences. By 2006 two rule of law missions were being implemented: EUJUST THEMIS, benefitting Georgia, and EUJUST LEX, focusing on Iraq. In 2008 the Council decided to finance EULEX KOSOVO.

2006: The European Instrument for Democracy and Human Rights (EIDHR)
The reform process in external assistance also led to the adoption of a new legal basis for the EIDHR, which was renamed European *Instrument* for Democracy and Human Rights, while retaining the same acronym. The Commission had initially envisaged the new EIDHR to be one of the so-called thematic programmes under the DCI (although with international geographical scope) without separate legal basis in secondary law. The Parliament strongly disapproved of this as, in its opinion, it would herald a 'dismantling and dilution' of the

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107. Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation, OJ 2006 L 378/41.
108. Council Regulation (EC) No 1934/2006 of 21 December 2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories, OJ 2006 L 405/41.
109. Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability, OJ 2006 L 327/1.
110. European Parliament, Council, Commission, 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', OJ 2006 C46/1.

programme and it feared that the EIDHR would no longer be able to operate 'independently' from target state governments. Eventually the Commission changed its mind and submitted a proposal for a self-standing regulation which was adopted in December 2006.[111]

Overall, the new regulation did not lead to a shift in EIDHR policy. To a large extent it wrote into secondary law what had been pursued under the EIDHR during the years preceding its adoption, in particular what had been envisaged in COM(2001) 252 final. For example, it clearly addressed the specific nature of the EIDHR as a complementary instrument to the mainstream development programmes, stressing its independence from target state governments and its focus on civil society as target and partners in implementation. In line with this civil society focus, it no longer mentions public authorities as eligible applicants and neither does it mention institutional reform as a potential area of support. Parliaments can, however, be beneficiaries if they are unable to receive assistance through mainstream programmes, for example, if the mainstream programme is suspended or a government does not support parliamentary-focused action. Additionally, the new regulation first expressly mentions political foundations as being eligible applicants for EIDHR funds and that EU EOMs are funded from the EIDHR. Projects as regards human rights defenders, the promotion of core labour standards, and Corporate Social Responsibility (CSR) are explicitly foreseen. Finally, the new EIDHR regulation reduces the number of programmes focused on conflict-related assistance which, under the new structure of EU assistance, should be covered by the IfS.

Finally, in conformity with overall EC external assistance policy, the new EIDHR regulation foresees the adoption of multiannual Strategy Papers and annual Action Programmes. Currently, the 2007-2010 Strategy Paper outlines the implementation of the EIDHR for that period.

2006-2009: New Initiatives
In February 2006 the 'Democracy Caucus of the European Parliament' - an informal, all-party group of Members of the European Parliament that was founded in 2005 and which is interested in and committed to the promotion of democracy worldwide -, initiated actions to explore the establishment of a 'European Foundation for Democracy through Partnership'. This would draw on existing models in Europe and the US, but be adjusted to the particular circumstances of the EU.[112] Similar to the NED, it was envisaged to serve as a knowledge hub for activities related to European democracy assistance and as an additional grant-making institution. In particular, complementary measures not covered by existing EU programmes were planned, such as more 'political assistance', through for instance work with political parties. However, the Caucus proposal did not generate sufficient formal political support and European civil society actors who were asked to develop a proposal for the new Partnership, also preferred a more independent body. Consequently, in April 2008 private individuals active in political foundations or civil society organisations in EU Member States founded the 'European Partnership for Democracy (EPD)' as an independent foundation under Dutch law.

In 2007 the European Parliament decided to add a further component to its portfolio of activities: direct engagement in parliamentary support to countries outside the EU. It established the Office for Promotion of Parliamentary Democracy (OPPD)[113] which, since 2008, has assisted in the establishment and

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111. 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, OJ 2006 L 386/1.
112. A European Foundation for Democracy through Partnership. A proposal for a new initiative in EU democracy assistance world-wide, December 2006; http://www.democracycaucus.org/42904.html
113. http://www.europarl.europa.eu/parliament/public/staticDisplay.do?language=EN&id=198.

development of parliaments in new and emerging democracies as well as regional trans-border parliaments, in particular through capacity development measures.[114] Support is provided upon demand, following a needs assessment mission and dialogue with the target parliament. Support can consist of strategic advice and technical assistance, tailored training, exchanges of experience, seminars, study visits and long-term fellowships. The main target groups are parliamentary officials and, albeit to a lesser extent, parliamentarians.

2009-2010: Developing Consensus on EU Democracy Support
The growing number of references to democracy promotion and the appearance of new and further development of existing support instruments in the first and second pillars have made it increasingly difficult to grasp the whole picture of EU democracy promotion policies, especially if the activities of Member States are also taken into account. Problems such as a lack of coherence, inconsistency of actions and ineffectiveness have not been entirely rectified, because ongoing developments have given rise to new challenges. Inspired by the idea of the 'European Consensus on Development', the French EU Presidency in late 2008 first proposed the adoption of a comprehensive document on European democracy support, which would outline an overarching policy framework and help address any remaining problems. The subsequent Czech and Swedish Presidencies developed the idea further during a conference on 'building consensus about EU policies on democracy support' organised by the Czech Presidency in March 2009.[115] The European Parliament, the European Commission, as well as the EPD and other civil society organisations actively supported the process.[116]

In July 2009, the Commission and Council secretariats presented a joint paper on 'democracy building in EU external relations', which provided a comprehensive overview of all current EU democracy promotion activities and made some general, policy recommendations, such as better country analysis and greater contact between participating institutions and bodies in Brussels and those in the field.[117]

On 22 October 2009 the European Parliament adopted its resolution on 'democracy building in the EU's external relations', welcoming the ongoing initiatives and calling for concrete and practical suggestions on reforms.[118] It also made several specific suggestions to that end, including:

• to endorse the UN General Assembly's definition of democracy suggested in Resolution 59/201 of 20 December 2004 as reference point for EU action;
• to draft a 'Country Strategy on Human Rights and Democracy' for each assistance recipient, which could serve as a reference document for all EU action;
• to involve target state parliaments and local and regional authorities more closely in the preparation and implementation of instruments, for example in drafting CSPs;
• to consider the creation of a European Peace Corps;
• to follow-up on EU EOM with post-election support, in particular to newly-elected parliaments;
• to support more systematically civil society

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114. Office for Promotion of Parliamentary Democracy, Strengthening Parliaments Worldwide. The European Parliament and the Promotion of Democracy (2009). http://www.europarl.europa.eu/oppd.
115. Democracy Building in EU's External Relations, Joint Swedish/Czech Issues Paper, Informal Meeting of EU Development Ministers (Prague, 29 January 2009), at http://www.concord.se/upload//democracy_building_final.pdf; Conference "Building Consensus about EU Policies on Democracy Support", at http://www.mzv.cz/jnp/en/foreign_relations/human_rights/conference_building_consensus_about_eu.html Report from the Conference "Building Consensus about EU Policies on Democracy Support", March 9 and 10 2009, Prague, Czech Republic, at http://www.eupd.eu/uploads/68f92bc22fcba0184b90bbb2e6e73b62.pdf
116. http://www.eupd.eu/uploads/7b85f3ff60d6107cf118258ea1460582.pdf
117. European Commission, Joint Paper Commission/Council General Secretariat on Democracy Building in EU External Relations, SEC(2009) 1095 final, 27.7.2009.
118. European Parliament resolution of 22 October 2009 on democracy building in the EU's external relations, P7_TA(2009)0056.

organisations, political foundations and parties, academic institutions, the media, the independent judiciary and notably parliaments.
• to carry out detailed analysis of all forms of EU support in a sample of partner countries.

On 17 November 2009 the Council adopted its conclusions on 'Democracy Support in the EU's External Relations' together with an 'Agenda for action'.[119] Despite highlighting democracy support as a core policy objective of the EU, the conclusions remain silent on how to deal with recalcitrant governments which oppose democracy support and dialogue. There is a similar silence on the relationship between the EIDHR and general programmes, the balance of aid expenditure between democracy/ governance and economic assistance, and important sectors of assistance, such as justice , although they nevertheless represent an important step forward. The Agenda for action and the requirement, in particular by the Commission, to report on its implementation, will ensure that the issue remains on the EU agenda.

The Council conclusions confirm the EU's commitment to improving the coherence and effectiveness of EU democracy support without creating new instruments. The attached 'Agenda for Action on Democracy Support in EU External Relations' consists of two main sections. The first section is entitled 'common values, norms and central principles' and, among other things:

• stresses the interconnectedness and interdependence of democracy and human rights, good governance and development, in particular poverty reduction;
• stresses that there is no single model of democracy, but that democracies share certain common features, for example the respect for human rights;

• confirms the principle of ownership of development strategies by partner countries and stresses the role of partnerships and dialogues;
• confirms the mainstreaming of human rights and democracy to all policy sectors;
• and calls for a special focus on elected representatives, political parties, the media, civil society organisations and the fight against corruption.

The second section of the Agenda outlines six 'areas for further action':
(1) 'A country-specific approach': increased country analysis using existing analytical tools and CSPs should include a country specific analysis;
(2) 'Dialogue and partnership': a more coherent, consistent and coordinated use of dialogue;
(3) 'EU coherence and coordination': a general call for more coherence between different actors and instruments during all stages from country analysis to implementation and evaluation, in particular as regards programming documents for thematic, country and regional strategies;
(4) 'Mainstreaming': continue to improve mainstreaming of human rights and democracy;
(5) 'International cooperation': increased cooperation with the UN, Council of Europe and OSCE, as well as the Community of Democracies;
(6) 'Visibility': more visibility for democracy support in EU reports on development cooperation.

Over the last twenty years, the EU's democracy support has clearly evolved in a piecemeal fashion. However, the Council Conclusions do raise the prospect of an end to this situation as the text seeks to improve the definitions of the normative and operational grounds of EU involvement in democracy support. They establish for the first time a framework for the development of democracy support as a core part of the EU's external action efforts.[120]

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119. Council of the European Union, Council conclusions on Democracy Support in the EU's External Relations, 2974the External Relations Council meeting, Brussels, 17 November 2009.
120. PASOS, A New Beginning? Democracy support in EU External Relations under the Lisbon Treaty, 15 February 2010.

European Parliament decides on a Resolution on a European Democracy Initiative	
1950s, 60s, 70s, 80s	EC's and the European states' development policies are strictly socio-economic in nature, without a political component or instrument such as aid conditionality or democracy assistance until the 1990s.
1978	European Parliament inserts a budget line for human rights assistance projects into the EC budget.
1986	European Parliament includes the first, at least partial, EEC democracy assistance budget line in the EC budget: "Assistance to NGOs in Chile".
1986	EC Member States declare their and the EC's commitment "to promote and protect human rights and fundamental freedoms" and emphasize "the principles of parliamentary democracy and the rule of law" ('Statement on Human Rights' July 1986).
1989	Inclusion of a first, albeit soft form of human rights clause (without suspension mechanism) in the Lomé IV Convention.
1990	European Parliament inserts an additional line to the EC budget, 'Democracy in Chile and Central America' that soon covers the whole of Latin America.
Early 1990s	Essentially all European states set up their own governmental democracy assistance programme.
December 1990	Council adopts the new 'Statement on Human Rights' that stresses the "interrelationship between democracy, human rights and sustainable development" as the new, central idea of the Member States' and the EEC's development policies.
March 1991	Commission publishes SEC (91) 61 final, a policy document that raises the need for consistency among EC and Member State action in the field of development policies.
June 1991	Luxembourg European Council adopts 'Declaration on Human Rights'.
November 1991	European Parliament adopts resolution on 'Human Rights, Democracy and Development' which endorses SEC (91) 61 final. The Council and the Member States adopt the resolution which remains a key guiding policy document today.
February 1992	The Asia and Latin America Regulation expressly mentions the objective of democracy promotion and assistance.
1992	European Parliament decides on a Resolution on a European Democracy Initiative.
	The budget includes two additional democracy assistance budget lines: 'Phare Democracy' and 'Human Rights and Democracy in Developing Countries'.

	The Treaty of Maastricht gives the policy objective of democracy and human rights promotion a basis in primary EU law and mentions it as an objective of the EU's new common foreign and security policy (CFSP) and in the new EC-Treaty title on development cooperation.
1993	European Parliament includes the budget heading **'European Democracy Initiative'**, albeit without appropriations.
December 1993	Election Observation and provision of assistance during the first multi-party elections in Russia.
1994	The programmes 'Tacis Democracy', focusing on the newly independent states of the former Soviet Union and 'Peace-building and Democracy in former Yugoslavia' start.
	In the 1994 budget, on the initiative of the European Parliament, the various existing democracy and human rights budget lines are brought together in a single budget Chapter, Chapter B7-52: **'European Initiative for Democracy and Human Rights'** (EIDHR).
	European Commission, in particular through its 'Standing Inter-departmental Group on Human Rights', begins to harmonise procedures used in the implementation of the various budget lines. Application forms, evaluation grids and some other features are harmonised and these efforts constitute an important step towards the further creation of the EIDHR as a single programme.
April 1994	Election observation and provision of assistance during the first multi-racial elections in South Africa.
1995	Commission publishes COM(95) 567 final, a communication that specifically and exclusively focuses on the EU's external human rights and its external democratisation policy and attempts to set out a strategy for achieving the goals of this policy. As a consequence, conditionality clauses in the form of 'essential element clauses' are systematically included in most external agreements and unilateral assistance measures from 1995 onwards.
	The revision of the Lomé IV Convention strengthens the political conditionality clause and includes incentive financing for institutional and administrative reforms with a view to democratisation and the rule of law.
1996	The new MEDA and Tacis are more explicit on democracy promotion and the newly concluded cooperation agreements - Partnership and Cooperation Agreements (PCAs) - declare democracy promotion as an objective of the partnerships and in part also include provisions on 'cooperation on democracy'.

1997	The Treaty of Amsterdam inserts several new provisions into primary law, in particular declaring democracy and human rights as core EU principles.
1998	Commission's Communication COM(98) 146 final attempts to clarify the concepts and stresses the need for more assistance in the fields of institutional and administrative reform measures, with a view to democratisation and the rule of law.
April 1999	EIDHR Regulations No. 975/1999 covering developing countries and No. 976/1999 covering all other third countries, broadly interpret the EC human rights and democracy-related competences in EC external relations.
1999	The first geographically quite comprehensive EIDHR call for proposals for macro projects is held, incorporating all world regions, except Latin America and the Mediterranean.
2000	COM (2000) 191 final/ SEC (2003) 1472 decides that all relevant decisions on and the financing of EU Election Observation Missions will be under the purview of the EIDHR (first pillar of EU). Council and Parliament will be closely involved at all stages.
	The Cotonou Agreement strengthens the position of human rights, democracy and good governance by introducing good governance as 'fundamental element' of the agreement and by enhancing political dialogue.
November 2000	Council and Commission confirm the relevance of democratisation in their statement on **'The European Community's Development Policy'**. It identifies six priority areas of EC assistance, one of which is 'institutional capacity building' which envisages the promotion of working democratic institutions, good governance, including the fight against corruption and the rule of law.
2001	- The first truly global call for macro projects under EIDHR is held. - The micro project facility, first used in Phare countries in 1994, starts to be extended to countries beyond the Phare/Tacis region. - The EU budget no longer allocates funds for democracy and human rights to regions, but primarily to broadly defined thematic fields.
May 2001	Commission presents its first, single, comprehensive EIDHR programming document that lays down a global strategy for EIDHR assistance and establishes the basis for periodical EIDHR programming documents from 2001 onwards: COM (2001) 252 final. The document calls for the 'mainstreaming' of human rights and democracy in all EU policies and activities and provides suggestions on improving coherence and consistency between first pillar, second pillar (CFSP) and Member States' activities. Besides, the document focuses extensively on the EIDHR and clearly identifies specific features of the EIDHR programme that

	distinguishes it from the democracy components in mainstream development programmes, namely that it does not require a formal agreement with the third state's government.
2006	Council, Parliament and Commission release the joint statement **'European Consensus on Development'** on the future EC development cooperation which confirms the importance of democracy, good governance, human rights and the rule of law for sustainable development and declares them primary objectives of EC development cooperation.
	Democracy assistance again begins to be provided within the CFSP pillar, in particular in the form of 'rule of law mission' in Civilian Crisis Management (CCM) operations.
December 2006	The **'European Initiative for Democracy and Human Rights'** is renamed 'European Instrument for Democracy and Human Rights' and is regulated and self-standing, instead of being included in the planned DCI (Regulation (EC) No 1889/2006). The regulation explicitly addresses the specific nature of EIDHR as a complementary instrument to the mainstream development programmes, stressing its independence from target states' governments and its focus on civil society as partners in its implementation. In addition, states clearly that political foundations are eligible applicants for EIDHR funds and that EU EOMs are funded from the EIDHR. Projects as regards human rights defenders, the promotion of core labour standards, and Corporate Social Responsibility are explicitly foreseen. Finally, the new EIDHR regulation reduces the programmes focused on conflict related assistance, which should under the new structure of EU assistance be covered by the IfS.
January 2007	Entering into force of the new assistance regulations. Four new geographical programmes replace the older development programmes such as Tacis etc.: 1. The Instrument of Pre-Accession (IPA) 2. The European Neighbourhood and Partnership Instrument (ENPI) 3. The Development Cooperation Instrument (DCI) 4. The Instrument for Cooperation with Industrialised and other High-income Countries and Territories (ICI).
	Additionally, the new thematic programme, the Instrument for Stability (IfS), is adopted.
2008	The European Parliament establishes the **Office for Promotion of Parliamentary Democracy** (OPPD) which assists and supports parliaments in new and emerging democracies as well as regional parliaments, in particular through capacity development measures.

July 2009	Commission and Council present the joint paper 'Democracy building in EU External Relations' which provides a comprehensive overview of all current EU democracy promotion activities and makes some general policy recommendations, like better country analysis and increasing contact between concerned institutions in Brussels and in the field.
October 2009	European Parliament adopts the resolution on **'Democracy building in the EU's external Relations'** with practical suggestions on reforms: 1. to endorse the UN General Assembly's definition of democracy as reference point for EU action 2. to draft a 'Country Strategy on Human Rights and Democracy' for each recipient as reference point for all EU action 3. to involve target state parliaments, and local and regional authorities more closely 4. to consider the creation of a European Peace Corps 5. to follow-up on EU-EOM with post-election support 6. to support more systematically civil society, political foundations, academic institutions, the media, independent judiciary, political parties and parliaments to a greater extent 6. to carry out detailed analysis on all forms of support
November 2009	Council adopts conclusions on **'Democracy Support in the EU's External Relations'** as well as an **'Agenda for action'** which confirm the EU's commitment to improve the coherence and effectiveness of EU democracy support without creating new instruments. Six 'areas for further action' are outlined: 1. 'A country-specific approach': increased country analysis using existing analytical tools and CSPs should include a country specific analysis; 2. 'Dialogue and partnership': a more coherent, consistent and coordinated use of dialogues; 3. 'EU coherence and coordination': a general call for more coherence between different actors and instruments during all stages from country analysis to implementation and evaluation, in particular as regards programming documents for thematic, country and regional strategies; 4. 'Mainstreaming': continue improving mainstreaming of human rights and democracy; 5. 'International cooperation': increased cooperation with the UN, Council of Europe and OSCE, as well as the Community of Democracies; 6. 'Visibility': more visibility for democracy support in EU reports on development cooperation.

III. An Analysis of the EIDHR

This section is devoted to the EU's specific democracy and human rights programme, the EIDHR, and its various forerunner programmes. It provides a macro analysis of the implementation of the programme(s) and includes:

a) comprehensive quantitative data on commitments and expenditure under the EIDHR and EIDHR democracy assistance,

b) the geographical distribution of EIDHR expenditure among major world regions and countries;

c) the thematic distribution of EIDHR funds among the major themes covered by the programme;

d) the thematic distribution of EIDHR democracy assistance funds among the major sub-sectors of democracy assistance; and

e) the extent of the use of different EIDHR instruments (macro, micro and targeted projects), project sizes, and partners in implementation.

The study attempts to cover the period from the mid-late 1980s to the present, but absence of data frequently restricts the time frame of analysis to shorter periods. Much of the analysis covers the entire EIDHR, therefore also human rights, conflict-related and international (criminal) justice-related assistance.

Although the macro perspective of the study, addressing the EIDHR as a global programme, is legitimate and able to offer several important insights, it needs to be complemented by studies focusing on the micro level, which analyse the implementation of EIDHR democracy assistance in individual states. Only a series of such micro studies would be able to answer several crucial questions on the EIDHR, in particular, the relevance of projects for the problems of a particular state and the extent to which EIDHR assistance is complementary to democracy assistance provided through mainstream development programmes. Such analysis has so far been extremely limited. EuropeAid has published three studies on the implementation of the EIDHR in Russia, Sri Lanka and Andean states,[121] but these did not have a specific democracy focus. Numerous other EIDHR-funded evaluations have addressed various specific topics covered by the EIDHR (torture (three times), ICC, xenophobia, etc.), but not democratisation.[122] Recently, PASOS analysed the implementation of the EIDHR in Belarus, Georgia, Moldova and Ukraine.[123] The shortage of reliable data broken down into various areas of attention on the effective use of the EIDHR and notably the allocations used for democracy assistance should be a matter of concern as it renders a comprehensive review of the effectiveness and complementarity aspect of the instrument difficult. In 2009-2010, EuropeAid recently commissioned a study[124] on strategies and methodologies for EC action in support to parliaments in ACP countries containing useful data and analyses. It reflects the highlights of an assessment carried out of support provided in the period 2000-2009 and one of its conclusions is that effective parliaments are of fundamental importance to democratic systems. Without strong parliaments democracy is fragile, incomplete and often ineffective.

General Quantitative Data on the EIDHR

This section provides basic quantitative data on the EIDHR, distinguishing between data for commitments, which are legal pledges by the EU to provide a certain amount of funding during a particular

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121. Evaluation of EIDHR Programme (in Russia), June 2008; Evaluations EIDHR, Programa Andino de derechos humanos y democracia, January 2006; Mid-Term Evaluation of EIDHR micro-projects programme in Sri Lanka, December 2008; http://ec.europa.eu/europeaid/what/human-rights/studies_evaluations_en.htm
122. http://ec.europa.eu/europeaid/what/human-rights/studies_evaluations_en.htm
123. PASOS Policy brief 3/2010 "Walking the tightrope of democracy aid," June 2010
124. Reference document no. 8, Tools and Methods Series, EuropeAid, available Nov. 2010

financial year, and data for expenditure, which relate to the amounts actually disbursed for projects. Both sets of data are different but equally important sources of information and together provide an overall quantitative picture of the EIDHR. Some of the tables relate to the entire EIDHR; others – when specific data is available – focus on EIDHR democracy assistance only.

Data collection for the presented tables has been extremely difficult, as hardly any Commission report provides a sufficiently comprehensive, detailed and clear overview of how much money of the available EIDHR budget has indeed been spent in a particular year. The Commission's Annual Reports on the EC's Development Policy and Implementation of External Assistance only provide descriptive information about launched calls for proposals, approximate number of projects, and selective data about disbursed funds in individual sub-sectors, while the annexed financial tables report on commitments rather than disbursements.[125] The EU Annual Report on Human Rights follows a very similar pattern, however, due to its informative purpose, this is more justified. Comprehensive EIDHR project compendia or lists, such as two EIDHR project compendia by theme and by location covering the period 2000-2006 and one for 2007-April 2009,[126] are without summary chapters on individual themes and countries, have a multi-annual focus, and lack an analytical part, which to all intents and purposes renders them useless for European Parliament scrutiny. Moreover, several reports on the same periods or areas are inconsistent.[127]

A further problem of the reports relates to categorising EIDHR themes and sub-themes and to allocating projects to categories, which is a difficult but extremely important task, as it is crucial for a correct representation of how the EIDHR has been implemented. Unfortunately, the Commission has continuously changed the categories it uses in EIDHR reports, which makes it difficult to trace evolutions. In addition, it has largely failed to relate clearly its categories to any guiding policy document, in particular EIDHR Strategy Papers; neither has it ensured the use of clear guidelines for administrators on how to categorize projects, nor explained its approach. Improvements are badly required.

Budgetary Commitments for the EIDHR
Table 1 provides data on the EU budget's 'commitment appropriations' for the entire EIDHR and its forerunner programmes, covering the period 1978-2010. Given the form of allocations in the budget, it is not possible to identify data for EU democracy assistance only. The relevant appropriations for the EIDHR are in the budget section on Commission 'Expenditure', however, their exact position has changed several times over the last decades. Most importantly, between 1996 and 2003, the EIDHR had its own, separate Title B7-7. Since 2004 EIDHR appropriations can be found in Chapter 19 04 of the Commission's budget.

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125. Article 18(1) of the current EIDHR Regulation foresees that annual reports on the EIDHR shall be part of the general report on the implementation of external assistance.
126. EIDHR Project compendium 2000-2006 by theme, entitled EIDHR European Initiative for Democracy and Human Rights 2000-2006, Ambitious in scope… Global in reach; EIDHR Project compendium 2000-2006 by location; The European Initiative for Democracy and Human Rights (EIDHR) Compendium January 2007 – April 2009: Promoting Democracy & Human Rights Worldwide; all published at http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm
127. E.g. the EIDHR Project compendia 2000-2006 by theme and by location do not cover the same number of projects. The EIDHR Project compendium January 2007-April 2009 provides conflicting information in its introduction and the project list.

Table 1: EIDHR Commitments 1978-2010 in million Euro[128]
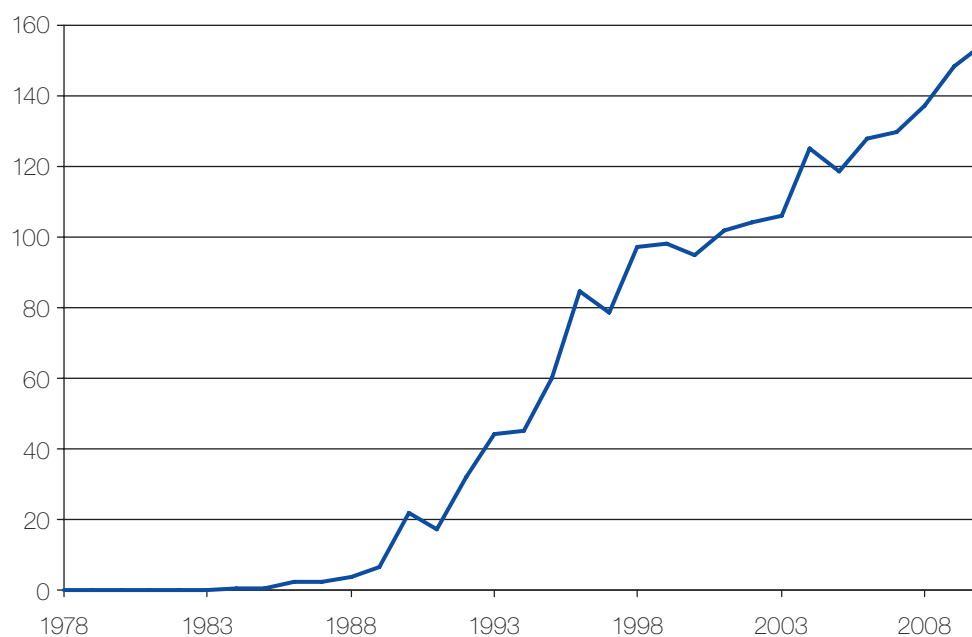
Year	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
Million Euro	0.2	0.2	0.2	0.2	0.2	0.2	0.35	0.35	2.35	2.37	3.9	6.3	21.8

Year				1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Million Euro				17	32.2	44.4	45.1	60	84.8	78.6	97	98	95

Year				2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Million Euro				102	104	106	125	119	128	130	138	148	154

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128. Source: EU Budgets 1978 to 2010 as published in the Official Journal (OJ). ECUs are referred to as Euro.

Table 1 shows the significant and relatively constant increase of EU commitments for specific human rights and democracy programmes between 1978 and 2010. The commitments increased from 200 000 Euro for the EC's first human rights-related projects in 1978 to 154.2 million Euro for the EIDHR in 2010. They have more than tripled between 1994, when the 'European Initiative for Democracy and Human Rights' first appeared and today. According to the financial reference amounts mentioned in the current EIDHR regulation, they can be expected to increase even further until at least 2013.[129] In total about 1 943.67 million Euro were committed between 1978 and 2010.

At the same time, the numbers appear small if compared to commitments for other external assistance. During the period 2000-2007 the amounts committed for the EIDHR constituted only about 1.7% of the amounts committed for all external assistance under the EU budget and less than 1.3% if the funds for the EDF are also taken into account. For example, in 2006 the Commission's general budget for external assistance amounted to 8 716 million Euro and commitments under the EDF to 3 408 million Euro, while the commitment allocations for the EIDHR were 127.7 million Euro. By comparison, in the same year about 527.58 million Euro were committed for cooperation with the NIS, 428.71 million Euro for food aid, and 211.88 million Euro for co-financing with NGOs. Overall, despite the importance accorded to democracy and human rights in EU external relations, the EU spends relatively little on their promotion and protection through its specific assistance programme.

Expenditure under the EIDHR
Table 2 provides data on EIDHR expenditure or on the amounts that were disbursed annually for the entire EIDHR or its forerunner projects. As indicated, weaknesses in reporting have rendered the collection of data for the table very difficult and limited its time frame to the period 1992-2006, excluding 1995, for which no data was available.[130] About 1% of all EIDHR projects are undisclosed to protect recipients' identities.

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129. The current EIDHR regulation mentions an overall financial reference amount of 1 104 million Euro for the 2007-1013 period, which is about 158 million Euro annually. In order to meet this legally non-binding goal, the EU needs considerably to increase the annual allocations over the next few years.
130. A Commission report for 1995 only provides a general, descriptive account but no statistical data: Commission of the European Communities, Report from the Commission on the implementation of measures intended to promote observance of human rights and democratic principles (for 1995), COM(96) 672 final, Brussels, 17.1.1997.

Table 2: EIDHR Expenditure 1992-2006 in million Euro[131]
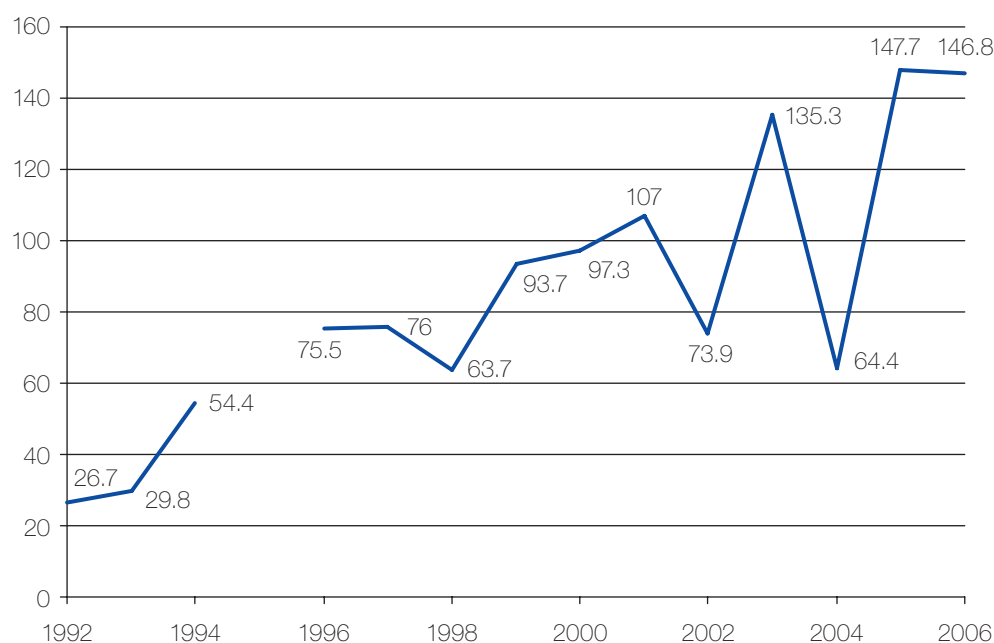
Year	Million Euro		Year	Million Euro		Year	Million Euro		Year	Million Euro
			1996	75.5		2001	107		2006	146.8
1992	26.7		1997	76		2002	73.9			
1993	29.8		1998	63.7		2003	135.3			
1994	54.4		1999	93.7		2004	64.4			
1995			2000	97.3		2005	147.7			

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131. Data extracted from the following sources: Commission des Communautés Européennes, Rapport sur l'utilisation des ressources financières pour la défense des droits de l'homme et la promotion de la democratisation (pour les années 1992-1993), Bruxelles, le 26/11/1993; Commission of the European Communities, Report on the implementation of measures intended to promote observance of human rights and democratic principles (for 1994), COM(95) 191 final, Brussels, 12.7.1995; Commission of the European Communities, Report on the implementation of measures intended to promote observance of human rights and democratic principles in external relations for 1996-1999, COM(2000) 726 final, Brussels, 14.11.2000; European Commission, Commission Staff Working Document, Report on the implementation of the European Initiative for Democracy and Human Rights in 2000, SEC(2001) 801, Brussels, 22 May 2001; European Commission, Annual Report 2001 on the European Community's development policy and the implementation of external assistance, Brussels, 2002, page 38-9; European Commission, Annual Report 2003 on the European Community's development policy and the implementation of external assistance in 2002, Brussels, 2003, Financial Tables, page 183f; European Commission, Microsoft Excel-Eidhr-contracts-signed-2003-2006; EIDHR Project Compendium 2000-2006 by theme; EIDHR Project Compendium 2000-2006 by location.

Table 2 shows that, as with budgetary commitments for the EIDHR, expenditure also grew from the early 1990s on. While 26.7 million Euro were disbursed in 1992, 146.8 million Euro were disbursed in 2006. In total about 1 113.7 million Euro were spent during the 1992-2006 period, excluding 1995. The pattern of annual expenditure is much more uneven than that of the budgetary commitments however which results from the fact that calls for proposals had not been launched and decisions on grants and contributions had not been taken on a regular, in particular annual, basis.

The EIDHR Project compendium for January 2007-April 2009 provides incomprehensive and conflicting data for that period.[132] The introduction to the report states that, during the period in question, 502 projects with a total amount of 194.2 million Euro were funded. However, the main part of the compendium, claiming to report on those 502 projects, only mentions 400 or so projects with a total expenditure of about 122 million Euro. Additionally, it does not provide data on expenditure for EU election observation (EU EOMs and related activities) during that period, nor does any other Commission source.[133] It is therefore unclear how much the EU has spent on EIDHR projects since 2007.

A comparison of commitment and expenditure would give important insights into whether, or the extent to which, one budget was spent: for example, how much was de-committed, either due to administrative reasons (unlikelihood of being spent due to long delays) or due to impossibility of implementation (changed political situation in target state), and how much time required for the implementation of one budget. Unfortunately the Commission has not published data on any of these questions, except in the years 1999, 2000, 2001, 2002 when it took on average 3.85, 4.09, 4.52, and 2.54 years respectively[134] to disburse committed EIDHR funds, which indicated significant problems in aid administration that in turn led to a major reform.[135] Tables 1 and 2 prevent conclusions being drawn except to note that expenditure in some years lagged behind commitments. In other years expenditure was higher than the new commitments and, taking delays of 2-3 years into account, overall committed funds were spent. More detailed analysis and reporting by the Commission would considerably enhance transparency and scrutiny, and provide input into further improvements in aid management.

Expenditure for Democracy Assistance under the EIDHR

This section provides some data for EIDHR expenditure for democracy assistance, in other words amounts from the entire EIDHR that were used mainly to assist democratisation rather than other themes covered by the programme. The selection of projects which constitute democracy assistance principally follow the Commission's categorisation ; however, where their reports are unclear or imprecise, support for the following fields was considered as democracy assistance: activities that relate to elections, free media and freedom of expression, the freedom of association, civil society (in particular NGO) development, civic and political participation and pluralism, public institutions such as local councils, parliaments, political society, the rule of law, in particular, the judicial sector and public administration reform. The data also includes, where available, expenditure for election observation, which is funded by the EIDHR.

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132. The European Initiative for Democracy and Human Rights (EIDHR) Compendium January 2007 – April 2009: Promoting Democracy & Human Rights Worldwide.
133. The Commission has detailed websites on each EU EOM, without, however, providing data on expenditure.
134. Annual Report 2003 on the EC's development policy and external assistance in 2002, page 218f.
135. Court of Auditors Special Report No 21/2000 on the management of the Commission's external aid programmes (in particular on country programming, project preparation and the role of Delegations), OJ 2001 C 57/1.

Table 3: EIDHR Expenditure for Democracy Assistance 1996-2000 in million Euro[136]
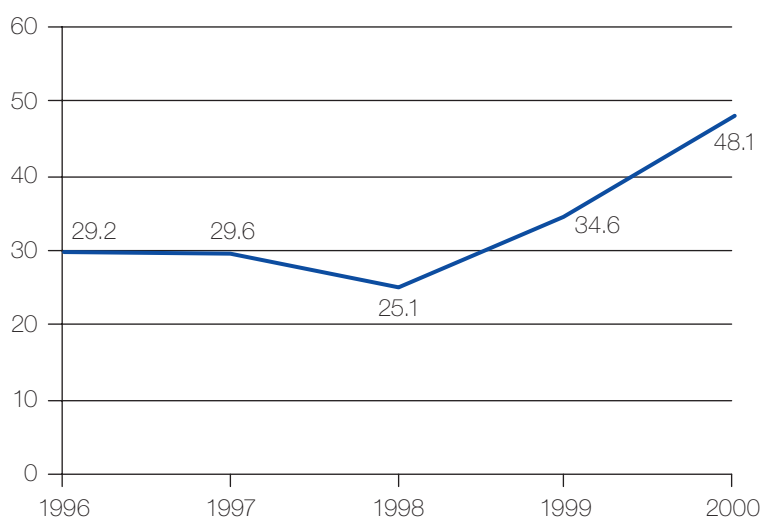

Table 3 provides the development of EIDHR expenditure for democracy assistance between 1996 and 2000. Unfortunately, due to the lack of specific data for the post-2000 period, it is only possible to give a total amount for EIDHR expenditure for democracy assistance for the time-frame 2000-2006 rather than for individual years. Besides, as mentioned above, data for the period January 2007 – April 2009 is imprecise.

Table 3 shows the slow but overall relatively constant growth of EIDHR democracy assistance expenditure from 29.2 million Euro in 1996 to 48.1 million Euro in 2000, with a minor decrease in 1998. In total about 166.6 million Euro were spent during the entire period. The development corresponded largely to the overall evolution of EIDHR expenditure between 1996 and 2000, that

is, the share of EIDHR democracy assistance of all EIDHR assistance remained, at about 45%, relatively constant each year.

During the subsequent period 2000-2006, about 286 million Euro were spent on democracy assistance, which was about 40% of all EIDHR assistance.[137] As indicated, data for the more recent period is inexact. According to the EIDHR compendium for January 2007-April 2009, about 23.3 million Euro out of a total of 121.7 million were spent on democracy assistance projects, about 19%. This does not include expenditure on election observation however, for which no data is available, but which has without doubt retained a major share in EIDHR expenditure.

The EU, according to recently released figures by the Commission, has on average provided nearly 100

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136. Source: COM(2000)726 final and SEC(2001)801.
137. The table of EIDHR contracts 2003-2006 does not allocate projects to individual sub-sectors and the 2000-2006 EIDHR project compendium by theme, which does allocate projects to sub-sectors, does not provide explicit, aggregate data for individual years.

million Euro a year on electoral assistance/observation over the last six years whereas an amount of about 100 million Euro was spent in total, over a period of ten years (!), on parliamentary development.

Compared to overall EU expenditure for external assistance, between 1996 and 2006 in total only about 0.7% of all external assistance (and even less if the EDF budget is taken into account) was spent on democracy assistance through the EIDHR. As mentioned above, given the importance accorded to the value of democracy, the share appears extremely modest.

The Thematic Focus of EIDHR Assistance

This section provides data on how EIDHR funds were distributed among the main thematic areas covered by the EIDHR programme and, in greater detail, how EIDHR democracy assistance was spent. Tables for the periods 1996-2000 and 2000-2006 give an insight into the evolution of the distribution. Again, only incomplete data can be provided for the January 2007-April 2009 timeframe. As above, the categorisation mainly follows reports by the European Commission, except where these were unclear or imprecise. It should be stressed that the differentiation between human rights and democracy does not intend to present them as rival concepts or contenders for funding. The concepts are overlapping and interlinked and many projects in one field also help the other; however, not all necessarily (directly) promote both and the differentiation is useful in order to provide a clearer picture of EIDHR distribution.

The Determination of the Thematic Distribution of Funds

The thematic distribution of funds has always been, to a certain degree, conditioned and determined by the proposals of grant applicants ('demand-led' approach). Following criticism of their lack of strategy, the degree of predetermination by the EU has increased since the early 2000s – but there still remains room for the demand side because calls for proposals simply do not allow the predetermination of sectors in which funds should be spent. Indeed, an attempt by the Commission in 2002 to do so failed due to an insufficient number of adequate proposals.

The exact degree of predetermination and influence due to demand is difficult to ascertain. However, it appears that the thematic distribution of EIDHR funds as presented below, in particular post-2000, is to a large degree the result of planning and therefore reflects what the EU really wanted to focus on.

Predetermination is to a certain extent done in the EU budget; for example, the current 2010 EU budget allocates 37 million Euro to the sector dealing with election observation. But mainly the EIDHR programming documents, as in the current 2007-2010 EIDHR Strategy Paper and its Annual Action plans predetermine the thematic distribution of funds. Conversely, the EIDHR regulation itself does not offer any rule or guidance on how the available funds should be spent. No order of preference exists among the various topics. There is, however, a reference in the preamble stating that EU EOM should not receive a disproportionate share. However, it does devote considerable space to determining the overall thematic scope of the programme and therefore to providing the limits and content of action authorised under the EIDHR.

The Distribution of EIDHR Funds among Major Themes

Tables 4 and 5 show that during the period 1996-2006 the human rights assistance sector e always received a slightly bigger share than the second major theme, democratisation. It received 47% of all EIDHR funds during 1996-2000 and 53% during 2000-2006. The largest part of this expenditure was

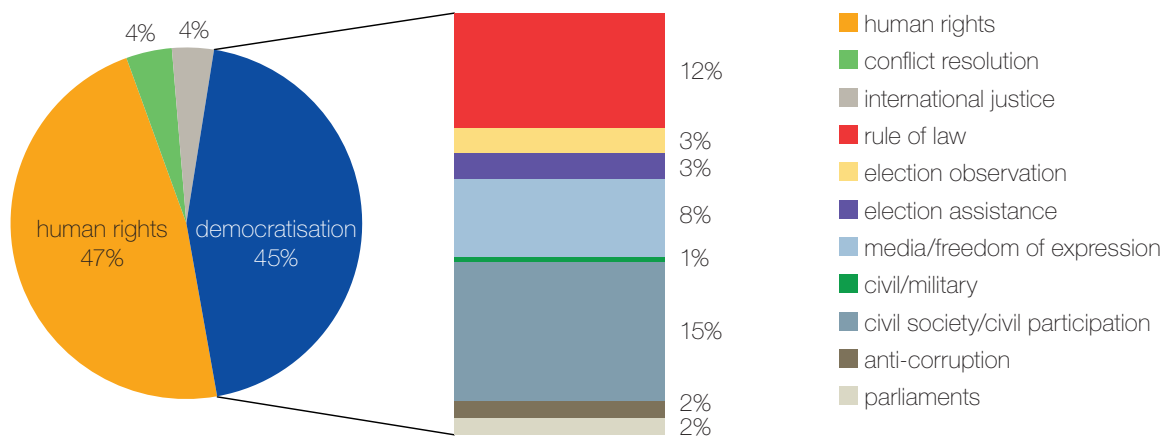**Table 4: EIDHR Thematic Distribution of Expenditure 1996-2000 in %[138]**

- human rights
- conflict resolution
- international justice
- rule of law
- election observation
- election assistance
- media/freedom of expression
- civil/military
- civil society/civil participation
- anti-corruption
- parliaments

Table 5: EIDHR Thematic Distribution of Expenditure 2000-2006 in %[139]

- human rights
- conflict resolution
- international justice
- election observation
- election assistance
- civil society/civil participation
- public institutions
- rule of law
- media/freedom of expression
- anti-corruption
- parliaments

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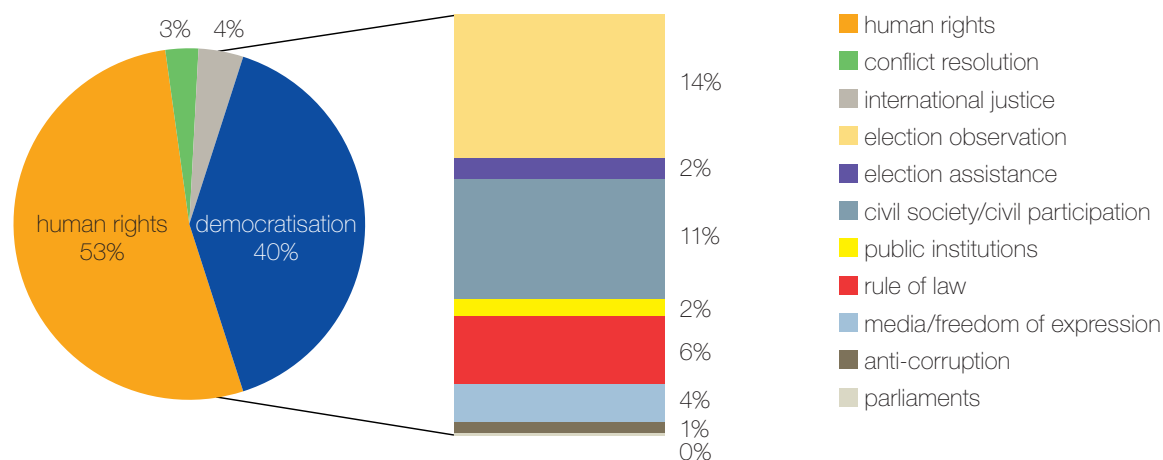
138. Data extracted from COM(2000)726 final and SEC(2001)801.
139. European Commission Statistics 2000-2006, http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

used for projects in the field of human rights education and awareness raising and the fight against torture. Other major fields of support were (1) women's rights; (2) combating racism, xenophobia and discrimination; (3) the rights of indigenous people; (4) the rights of the child; and (5) to a lesser extent human rights monitoring. From 2004, the EU also increasingly financed measures that supported EU human rights dialogue, in particular EU-China dialogue, and from 2005 onwards increasingly more projects for human rights defenders.

In the same time span, 1996-2000 and 2000-2006, about 45% and 40% respectively of all EIDHR funds were used for projects that were mainly aimed at democratisation. The reduction in its share during 2000-2006 (40% for democracy as compared to 53% for human rights) affected nearly all sub-fields of democracy assistance, except election observation, whose share more than quadrupled during that time. This did not necessarily mean a reduction of funds for individual sub-sectors in absolute amounts though, which remained equal or even increased for most sub-sectors as overall commitments and expenditure grew. But it meant that the increasing share of EU EOMs happened at the expense of other democracy assistance sectors.

The absence of precise data prevents the provision of a table on the thematic distribution of the EIDHR for the post-2006 period. Only some vague insights can be made on the basis of the January 2007-April 2009 EIDHR compendium. Of the approximately 400 EIDHR projects funded between January 2007 and April 2009 the large majority – about 85% – pertained to the human rights sector, while roughly 19% were used for democracy assistance, 4% for international penal justice, and 3% for conflict and reconciliation-related measures. This is not a complete picture of the entire EIDHR, as the major sector of election observation is missing. Its inclusion would considerably increase the share of democratisation-focused projects.

The Distribution of Funds for EIDHR Democracy Assistance

The bars of Tables 4 and 5 show how EIDHR democracy assistance was distributed among its major fields or categories (in % of all EIDHR assistance). Tables 6 and 7 provide the expenditure for the different categories and sub-categories of democracy assistance for the periods 1996-2000 and 2000-2006 (in million Euro and in % of total EIDHR democracy assistance) in some more detail.

Table 6: Breakdown of EIDHR Expenditure for Democracy Assistance 1996-2000 (in million Euro and % of total democracy assistance)[140]

Categories and sub-categories of democracy assistance	Amount per sub-category	Total amount per category	% of total democracy assistance
Civil society and civic participation (in particular NGOs)[141]		54.4	33%
Rule of law		45.7	
• Legal reform, independent judiciary	30.6		18%
• Access to justice (legal assistance)	6.3		4%
• Magistrates, lawyers, court, prison staff	3.2		2%
• Humane prison system	2.9		2%
• Military, police, security forces	2.7		2%
Media/freedom of expression/journalists		30.4	18%
Election support		20.6	
• Election assistance	10.3[142]		6%
• Election observation	10.3[143]		6%
Parliaments		6.7	4%
Transparency/anti-corruption		6.6	4%
Civil-military relations (subordination of armed forces to civil authorities)		2.2	1%

140. Data extracted from COM(2000)726 final and SEC(2001)801.
141. No sub-categories are provided in Commission reports.
142. Due to lack of explicit Commission data, this amount is a suggested approximation on the basis of COM(2000) 726 final and the allocations in the EU budget.
143. Ibid.

**Table 7: Breakdown of EIDHR Expenditure for Democracy Assistance 2000-2006
(in million Euro and % of total democracy assistance)[144]**

Categories and sub-categories of democracy assistance	Amount per sub-category	Total amount per category	% of total democracy assistance
Election Support		115.2	
• Election observation	101.2		34%
• Election assistance	14		5%
Civil society and civic participation (in particular NGOs)		85.6	
• Strengthening civil society (in particular NGOs)	56		19%
• Civic participation/political participation	23.2		8%
• Equal participation in civil and political life	6.4		2%
Rule of Law		46.3	
• Access to justice	20.3		7%
• Constitutional and legislative reform	8.5		3%
• Humane prison system	4.5		2%
• Independence of the judiciary	0.6		0.2%
• Not specified	12.4		4%
Media/Freedom of Expression		27	
• Media	14		5%
• Freedom of Expression	13		4%
Public institutions other than parliaments (local councils, trade unions, etc.)		11.8	4%
Transparency/Anti-corruption		8.2	3%
Parliaments		0.7	0.2%

144. Data extracted from European Commission Statistics 2000-2006 and EIDHR Project Compendium by theme 2000-2006.

Table 8: Breakdown of the approximately 105 EIDHR Democracy Assistance Projects financed during January 2007-April 2009, excluding Election Observation (in million Euro and % of total democracy assistance for these projects)[145]

Categories and sub-categories of democracy assistance	Amount per sub-category	Total amount per category	% of total democracy assistance
Civil society and civic participation (in particular NGOs)		11.1	
• Strengthening civil society (in particular NGOs)	7.2		31%
• Civic participation/political participation	2.4		10%
• Equal participation in civil and political life	1.5		7%
Media/Freedom of Expression		4.7	
• Media	1.1		5%
• Freedom of Expression	3.6		15%
Rule of Law		4.5	
• Access to justice	3.3		14%
• Constitutional and legislative reform	0.7		3%
• Humane prison system	0.3		1%
• Independence of the judiciary	0.2		1%
Election assistance		1.6	7%
Transparency/Anti-corruption		0.9	4%
Parliaments		0.3	1%
Public institutions other than parliaments (local councils, trade unions, etc.)		0.2	1%

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145. Data extracted from EIDHR Compendium January 2007-April 2009. Of approximately 400 EIDHR projects mentioned in the compendium, about 105 were primarily focusing on democracy assistance.

Tables 4 to 7 show that election observation – as indicated, a different form of democracy promotion than assistance but since the early 2000s exclusively financed through the EIDHR – received an increasingly large share of the available EIDHR funds. While during 1996-2000 only about 3% of all EIDHR funds were used for election monitoring, as many missions were then also financed under the CFSP budget. During 2000-2006 its share of EIDHR funds increased – with a total expenditure of at least 101.2 million Euro during 2000-2006 – to approximately 14%. While most funds were spent on EU EOMs, some smaller part financed the training of EU observers and the production of the 'Handbook for European Union Election Observation Missions'. As indicated earlier, no data on expenditure is available for the post-2006 period. It appears though that the share of election observation funding has been increasing further since early 2007. The EIDHR Strategy Paper 2007-2010 foresees an indicative amount of 131.1 million Euro for election observation during 2007-2010, which is about 23.7% of all envisaged funds for that period. The Commission also states in the same document that it would ensure expenditure for EU EOMs will not exceed 25%, or in duly justified cases 30%, of all expenditure.[146] This also means however – considering that about 45% of EIDHR funds are used for democracy assistance – that only approximately 20% of all EIDHR funds remain for all other forms of democracy assistance, which seems unacceptable given the importance of the themes to be covered.

The second type of election support, election assistance, only received in the region of 2-3% of all EIDHR funds during 1996-2006 and rather modest funding (1.6 million) in the period January 2007-April 2009. Projects focused mainly on public awareness-raising campaigns about elections and electoral participation, on targeted civic and voter education for groups such as women and young people, and on the strengthening of local monitoring capacities. The Commission's indication to invest more in election assistance from 2000 onwards therefore led largely to an increase in election-focused activities under general cooperation programmes rather than under the EIDHR.

A major share of EIDHR funds had always been provided for civil society and civic and political participation. These sectors received about 15% of all EIDHR funds during 1996-2000 and 12% over 2000-2006. Of the 105 or so EIDHR democracy assistance projects mentioned in the 2007-April 2009 report, nearly half belonged to these sectors. Most projects (approximately 70%) were aimed at strengthening civil society organisations through capacity development, such as increasing their professionalism in advocacy and in project management. The focus was particularly on NGOs, frequently human rights and political rights-focused NGOs, but also on interest groups and community-based voluntary organisations engaged in service delivery and community development. A second group of projects concentrated on the promotion of civic and political participation, especially at local level. It comprised projects to increase awareness of civic and political participation among specific groups, for instance women and young people; increasing the participation of NGOs in local governance; training community leaders, including for public functions, and the possibility of involving civil society and citizens in local governance. Finally, since the mid -1990s, there are specific projects promoting equal participation of men and women in civil and political life.

The sector concerning 'rule of law' received 12% of all EIDHR assistance during 1996 and 2000. Its share dropped considerably in the subsequent period (to 6%), as did its average annual expenditures in absolute amounts. Rule of law projects focused mainly on 'access to justice', which included

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146. In recital 22 of the current EIDHR regulation, Council and Parliament state that EU EOMs should not receive a disproportionate amount of funding from the EIDHR.

training of judges and lawyers, support to providers of legal assistance, information and education campaigns, and advocacy groups. A second major 'rule of law' sector was support for 'constitutional and legislative reform', frequently in the penal law area. For example, EIDHR supported the Constitutional Committee of Iraq in its writing of a new constitution. Other projects were aimed at establishing a humane prison system. A few projects were directly concerned with the independence of the judiciary, for example, through the promotion of judicial transparency.

The sector related to media/freedom of expression received about 8% of all available EIDHR funds during 1996-2000. Its share and average annual expenditure in total amounts decreased quite considerably in the subsequent period, 2000-2006, when it only received about 27 million Euro or 4% of all funds. In more recent years, the share appears to have increased again. Projects focused largely on making the media more professional, improving media relations with state and regional authorities, and support for and the capacity development of NGOs working in the area of freedom of expression.

In addition, the Commission reports also on several other smaller categories of support to local councils, local administrations and trade unions which generally received a very minor share of funds (2% of all EIDHR funds during 2000-2006). Until 2000, there was also the sector of civil-military relations, which encompassed projects subordinating armed forces to civilian control, together with projects promoting human rights within the military which received a share of less than 1% of all EIDHR expenditure. Projects on transparency and anti-corruption also received a minor share of 1-2% of all EIDHR funding. Projects mainly targeted the local level and concentrated on reforming communal self-administration through the training of local officials, the introduction of more transparent procedures, and greater openness towards civil society organisations and citizens.

From 1996-2000 there were several EIDHR-funded projects providing training to parliamentarians and parliamentary staff on basic issues of parliamentary democracy, law-making procedures, the role of international human rights law in national law, forms of cooperation with civil society, and the management of information with the help of IT. About 6.7 million Euro or 2% of all funds were spent on these. The number of projects on parliaments considerably decreased during 2000 and 2006. The Commission's EIDHR 2000-2006 compendium only cites one macro and two micro projects (with a total funding of 0.7 million Euro) in the section on 'strengthening parliamentary activity', centred on national and local legislators in Ethiopia and Indonesia. About two further macro projects and one micro project mentioned in other sections of the report also had a parliamentary focus, benefitting women parliamentarians in Southern Africa and parliamentarians in the Balkans. However, overall parliaments remained largely neglected. During the more recent period, January 2007-April 2009, there were only two EIDHR projects on parliaments, benefitting parliamentarians in Jordan and Morocco.

In conclusion, the EU has, since the mid-1990s, attempted to allocate more or less equal funding to the two major areas of EIDHR support, human rights and democracy, usually granting a slightly larger amount to human rights. This is in principle an acceptable approach; however, the analysis has shown that the sub-sector of election observation, which mainly finances EU EOMs, has over the last decade received an increasing share of the EIDHR, while democracy assistance has received a decreasing share. With growing commitments for the EIDHR programme, as foreseen in the current EIDHR regulation, it would seem appropriate for the Commission to ensure an adequate share of democracy assistance, which indeed is a different form of democracy promotion than election observation. In order to put the "D" back in the EIDHR it seems fair that an equal division of funds between human rights, democracy assistance, and election

observation should be aspired to, alongside smaller allocations for areas such as international justice.

The distribution of EIDHR funds for democracy assistance is quite unbalanced, with civil society development, in particular NGO building, and the rule of law, receiving a considerably larger share than all other fields. The media sector, a crucial component of a functioning democracy, needs to receive more attention and stable funding. Similarly, although election assistance is and should also be provided through mainstream programmes, it should not be neglected in the EIDHR, especially if CSPs do not foresee it.

Additionally, parliaments have been severely neglected in the EIDHR. In this sector much support can and should be given through general development programmes, however, frequently governments do not support parliamentary-focused projects and CSPs therefore neglect it, mainly because target state parliaments are not involved in the drafting of CSPs. The European Parliament called for greater involvement on their part in its October 2009 resolution on democracy building in EU external relations. Principally, in new and emerging democracies, the support for parliamentary institutions can be a decisive factor in the democratisation process.

It is highly surprising that the EIDHR has so far almost totally neglected political parties considering they are centrally important actors in any democracy and democratisation processes. In 2000 and 2009 the EIDHR apparently only financed two small projects (with a total funding of 0.18 million Euro) that concerned political parties: one concerning party financing and another building party capacities to generate junior candidates in Indonesia. In comparison, USAID was already devoting more than 10 million US$ to political party assistance in the mid 1990s.[147] Due to its ability to provide assistance without agreement of the recipient's government, the EIDHR is well placed to offer such assistance.

147. Carothers (1999), page 141.

Geographical Distribution of EIDHR Assistance

This section provides data on how EIDHR expenditure was distributed among major world regions and individual countries in these regions. The main focus is on the time-period 1996-2006. Unfortunately, as no detailed data on the post-2006 period have been published and only some general trends can be deduced from the EIDHR programming documents for the period 2007-2010.

The Regional Distribution of EIDHR Funds
The Determination of the Regional Distribution of Funds
The distribution of EIDHR funds among the major world regions has, except for the budget years 2005 and 2006, always been entirely predetermined by the EU. Before 2002 it was mainly carried out in the EU budget. Since 2002 it has in principle been executed in EIDHR programming documents that reserve specific amounts or percentages for five to seven major world regions. Exceptionally, the EIDHR Programming Exercise 2005-2006 only determined that a minimum number of regions should benefit under each of the then foreseen EIDHR campaigns and the final share of each region therefore depended on the proposed and agreed projects. The EIDHR regulation does not provide any rules or guidance on how funds should be distributed.

The Regional Distribution of EIDHR Funds
Table 9 presents the regional distribution of EIDHR funds among the major world regions from 1996 to 2006. Table 10 illustrates the average share of EIDHR funds of each state of a certain region during the same period. It shows, for example, that each ACP state, on average, received about 0.3% of the disbursed funds. While this percentage does not accurately reflect the actual expenditure in a certain state, it nevertheless shows to what extent the number of countries covered by a region has been taken into account in the allocation/disbursement of funds.

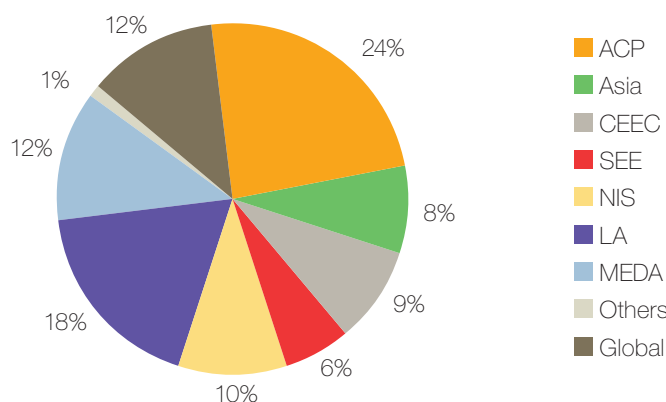**Table 9: Regional Distribution of EIDHR Expenditure 1996-2006 in %**

Table 10: Average Share of total EIDHR funds of each State of major Regions 1996-2006

ACP	Latin America	MEDA	NIS	CEEC	SEE	Asia
0.30%	1%	1.36%	0.80%	0.93%	1.12%	0.40%

While individual shares per region and average shares by country can be directly consulted in the Tables, only the most significant data shall be mentioned briefly here. The group of ACP states received the highest share (24%) of EIDHR funds during 1996-2006, most of which was used in Sub-Saharan Africa, but it represents the smallest share if one takes the number of countries involved into account. The MEDA states appear as major recipients of EIDHR assistance if one considers the average share of each country, followed by states in Southern and Eastern Europe (SEE). Latin America was the first region where the EU provided democracy assistance in the mid/late 1980s and remains a major recipient both in terms of total amounts and per country. The CEECs

received about 9% of all EIDHR funds during 1996-2006. However, this data has to take into account that assistance to the CEECs drastically decreased in the early years of the 2000s and especially in 2004, when eight of the CEECs joined the EU and no longer received EIDHR assistance. The CEEC's share before the early 2000s was therefore considerably larger than 9%. Given that EIDHR democracy and human rights assistance to Asia only began in 1998, Asia's share of 8% of all funds is remarkable; however, its share is small if the number of countries is taken into account. The sector 'Others' includes EU projects which benefitted third states or their populations, especially in the area of torture, as well as projects on the death penalty carried out in the US.

The EIDHR Strategy Paper 2007-2010 envisages, for about half of the allocated EIDHR funds, a fairly equal distribution of funds among the ENPI, ACP, and Asian (including Central Asian) regions, each of which receives about 22% of all EIDHR funds. Latin America's share is slightly smaller at 17%, and that of the Western Balkans/Candidate Countries (or SEE) is lowest at 12%. If the number of countries covered by one region is taken into account, SEE and ENPI states are the main recipients of funds, followed by Latin American and Asian states, while ACP states continue to receive a very minor share.[148] However, only detailed statistics on how the EIDHR was indeed implemented can offer a precise picture.

All in all, taking into account the number of countries per region, during 1996-2006 the EU preferred to concentrate assistance in countries situated at its land and sea borders and in (potential) future member states, notably the MEDA and SEE regions. The EU apparently also retained this preference in the post-2006 period, with the ENPI and SEE states receiving major shares per region and/or per country. Regions farther away, in particular Asia but similarly the ACP states received much smaller allocations by number of countries and/or by absolute amounts during 1996-2006. It seems that, during the post-2006 period, this has remained true for ACP states, which continue to receive a minor share per country, while the share of Asia (per region and per country) has increased. Latin America has, despite its geographical position, always received an exceptionally high portion of EIDHR funds, which can only be explained by the long history of democracy and human rights assistance to that region. The distribution shows that there was some interest in having a considerable presence in all regions. Additionally, the larger ACP tranche demonstrates that the size of a region is to some extent taken into account, which, to a very limited extent, increased the average share of each ACP state. Furthermore, the average level of democratisation and the protection of human rights in a given region were apparently not decisive factors in the allocation of EIDHR funds, because some major recipient regions had lower levels (MEDA) and others higher average levels (Latin America).

The EU's decision to concentrate on countries in its geographical vicinity is justified by the political, economic and security-related importance of these states. However, given the level of political development and closer relations with the EU, it seems fair to consider a gradual reduction in the share to SEE states, in particular official candidate countries which already receive support through pre-accession instruments. This would release funds for regions in which it is more difficult to provide democracy assistance through general programmes requiring government acceptance. Furthermore, rather than allocating approximately equal shares to all major world regions, there is certainly a need to take into account the number and population size of countries covered by one region.

The Distribution of EIDHR Funds among Countries
The Determination of the Distribution of Funds among Countries
It is difficult to ascertain the degree to which the EU predetermined the distribution of funds among individual countries or to what degree this was influenced and/or established by the demand of grant applicants, as it depended on the changing use of different project types (macro, micro, or targeted projects) as well as on varying approaches by the Commission in programming documents. Overall, it appears that the actual distribution of EIDHR funds among countries shown here has been predetermined by the Commission in about two thirds of cases, in particular in programming documents, and about one third have been determined by recipient organisations.

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148. Based on EIDHR Financial Allocations 2007-2010, EIDHR Strategy Paper 2007-2010, Annex I.

The Distribution of EIDHR Funds among Countries
An analysis of EIDHR funds distribution used for country-specific (excluding regional) macro, micro, and targeted projects in four regions during 2000 and 2006 – the NIS, Latin America, Asia, and MEDA & Middle East – reveals a disproportionate distribution of funds among individual countries within these regions.

In three regions – NIS, Latin America, Asia – roughly one quarter of the states received around three quarters of all EIDHR funds. For example, the NIS region Russia, Georgia, and Ukraine combined received about 76% of the funding. In Asia, five states, China, Cambodia, Indonesia, Nepal and Pakistan received approximately 73% of all EIDHR funds, and in Latin America about 77.4% of all EIDHR funds were spent in Colombia, Guatemala, Mexico, Peru, and Ecuador. Additionally, the share of certain individual states was extremely high. For example, Russia and Georgia each received about 30% of all EIDHR funds spent in the NIS and Colombia received around 40% of all EIDHR funds disbursed in Latin America. The distribution of funds is similarly imbalanced if one takes the population size of the recipient states into account. For example, each Georgian citizen received about 2.81 Euro and each Chinese only 0.0063 Euro in EIDHR funds.

About half of the states of the three regions received insignificant shares and about one quarter of nations received no country-specific EIDHR assistance at all during 2000-2006. The latter group includes Belarus, Turkmenistan, North Korea, Mongolia, Saudi Arabia, Paraguay and Cuba. It remains to be seen if the indicative allocation of about 10% of all EIDHR funds to regions where human rights are 'most at risk' in the 2007-2010 EIDHR Strategy Paper, has led to more projects in these states. Belarus has benefitted from the Country Based Support Scheme (CBSS) since 2007.

The major exception to this imbalanced picture is the MEDA region, where the EU not only attempted to engage in all countries, but also to engage in all countries to a similar extent, reflecting a greater interest in geographically closer nations. Only the Palestinians appear to have received a higher share of funds, in particular if assistance to Israel is taken into account because it is usually focused on Israeli-Palestinian relations.

The Distribution of EIDHR Democracy Assistance among Countries
The distribution of EIDHR funds for democracy is even more imbalanced than that of all EIDHR assistance. In all four regions analysed, one quarter of the states received between 74% and 85% of EIDHR democracy assistance and in most regions one or two states received a much higher amount than all the others. For example, in the NIS 40% of all funds used for democracy assistance were used in Georgia, in Asia 26% of all democracy assistance went to Indonesia and 20% to Pakistan, while in MEDA & Middle East about 36% of democracy assistance were provided to Iraq and 30% to Egypt. Extreme disparities are also visible in the distribution of funds per capita, with each Georgian receiving about 1.65 Euro of democracy assistance and each Chinese in receipt of 0.0004 Euro.

Meanwhile, in the four analysed regions, between one quarter to one half of the states received minor shares of democracy assistance and between one quarter to one half received none at all. For example, in Asia about 50% of all covered states did not receive any democracy assistance during 2000-2006, despite a clear absence of democracy.

As mentioned above, the distribution of funds among countries – and therefore the highly uneven distribution – seems to be to a large extent the result of a conscious choice by the Commission. It explicitly mentioned in 2002,[149] that the major

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149. EIDHR Programming document 2002-2004, page 16 and 23.

criterion for the distribution of funds was the political relevance of a particular country. This could include its proximity to the EU and related security questions, as in the case of the MEDA states, the geopolitical importance of a country, such as in the case of Russia and China, particular problems of interest to the EU, for instance the case of (narcotics in) Colombia, ongoing conflicts of international relevance, for example the Palestinians, and extraordinary situations, like that in Iraq. Levels of democracy or trends in democratisation have not been an overall concern in the distribution of funds, as major and minor recipients included both well- and badly-performing states. The earmarking of funds for 'high risk' states in the 2007-2010 EIDHR Strategy Paper might have indicated a small shift.

Limited funds may require the EU in certain years to focus assistance on some states rather than others; however, this should not lead to systematic negligence of politically less important states. Rather, attempts should be made to implement projects, even if only a small CBSS programme in a large number of countries.

Instruments in EIDHR Implementation

This section addresses three more questions on EIDHR implementation that appear particularly relevant for EU policy: the use of EIDHR instruments, EIDHR project sizes, and EIDHR partners in implementation.

The Use of EIDHR Instruments

Until 2007 the EIDHR was implemented through three main EIDHR instruments: micro projects, macro projects, and targeted projects, which differ in size and the way in which they are selected. While micro and macro projects are selected through calls for proposals, targeted projects are planned by the

Commission or consist of contributions to projects devised by 'targeted' partners, such as UN agencies. Increasingly, election observation has been treated as a separate category. In 2007 the Commission partly changed the categories and introduced new terminology. Now there are projects selected through 'centralised calls for proposals', which largely correspond to macro projects; 'country based support schemes' (CBSS), similar to micro projects but with larger grants; targeted projects; cooperation with international organisations; election observation; and other measures, including urgent projects.

Frequent changes in the use of instruments render it difficult to determine precisely the extent to which each instrument was used. Table 11 provides an approximation of the distribution 2000-2006.

Table 11: Distribution of EIDHR Expenditure per Project Type 2000-2006[150]

- macro projects
- micro projects
- targered projects
- election observations
- other

(50%, 25%, 10%, 14%, 1%)

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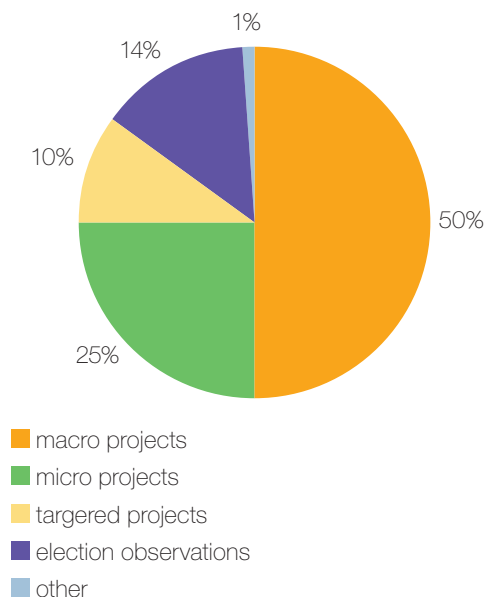
150. Based on EIDHR Statistics 2000-2006 and the various EIDHR programming documents adopted between 2001 and 2006.

Targeted projects, whose main advantage is to provide assistance exactly where the EU identifies a need, were used extensively in the late 1990s. Subsequently, due chiefly to questions of transparency in the selection of beneficiaries, they legally rendered an exceptional tool in the Financial Regulation of 2002.[151] Micro projects increased from 2000 onwards. While in 2001 the micro-project facility was operating in some 21 states, the number rose to 53 in 2006. During the entire period between 2000 and 2006, 67 states in all main world regions benefitted at different times from micro projects. During 2007-2008, CBSSs were launched in about 63 countries of all major world regions and their share of all EIDHR funds was expected to increase to nearly 30% (EIDHR Strategy Paper 2007-2010). Most projects however were macro projects.

EIDHR Project Sizes
The choice of grant sizes has given rise to much discussion within the Commission, as it has implications for potential partners and fundamentally depends on and affects the Commission's administrative capacities.

Minimum or maximum grant sizes for macro projects have changed several times since the early 1990s, but for most of the 2001-2006 period was between 300,000 and 1.5 million Euro. In some years, for example between 2004 and 2006, there was a smaller minimum grant for local applicants (150,000 Euro), however, only 20% of the funds could be used for such smaller projects. Since 2007 the Commission has adjusted minimum and maximum grants to the topic of the call for proposals. Overall, the limits continue to be in the range of between 150,000 and 1.5 million Euro. An analysis of macro projects in the MEDA and NIS regions shows that there were smaller and larger projects and that average grants were about 620.000 Euro, without major differences between Western and local implementing partners.

It is an indication that the EU's thresholds for macro projects overall were adequate for local applicants of the two regions, implementing about 37% of all macro fund projects. The contribution by applicants has usually been 20% of the costs, except in the case of local applicants and where EU funding above 80% was necessary for the realisation of the project.[152] Since 2002 the EU's contribution must be no less than 50%.

Grant sizes of micro projects have changed several times since their introduction in 1994. While the thresholds initially were in general between 3,000 and 50,000 Euro, they were increased to 10,000 and 100,000 Euro in 2005. Micro project grants implemented in the MEDA and NIS regions and all EIDHR democracy assistance projects implemented in any country were, on average, around 65,000 Euro. Since 2007, the Commission Delegations can determine minimum and maximum grants for CBSS projects and therefore have the possibility to adjust these to local circumstances. Various calls have shown considerable variation: for example, a CBSS call in Ukraine envisaged grants between 100,000 and 200,000 Euro, in Kyrgyzstan between 50,000 and 300,000, in Kazakhstan, in a first track, between 30,000 and 100,000 and, in a second track, between 100,000 and 300,000 Euro. This indicates that CBSS projects have on the whole become larger than the previous micro project facility, making it more difficult for smaller, newer and inexperienced organisations to apply. The EU funded at most 90% of the costs of micro projects and, from 2001 onwards, exceptionally 100%.

Due to their very nature, targeted projects do not have minimum or maximum sizes and grants varied considerably, in particular depending on the beneficiary or partner organisation. During 2000-2006 each targeted project on average expended some 1.2 million Euro.

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151. Council Regulation No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ 2002 L248/1, Art. 110(1).
152. Art. 169 of the 2002 Financial Regulation.

Partners in Implementation

EIDHR regulations stipulate the applicants eligible for EIDHR grants. The 1999 EIDHR regulations were rather general and vague allowing the inclusion of a broad range of actors. The currently applicable 2006 regulations are more specific, but at the same time non-exclusive, allowing any non-enumerated body to apply in order to achieve the programme's objectives. Most notable, public authorities are no longer explicitly mentioned as eligible applicants in the 2006 EIDHR regulation and parliaments may only apply if the measure cannot be funded under a general programme. However, all in all the Commission has always enjoyed considerable freedom in determining the scope of eligible applicants in the implementation of the EIDHR. Since 2007, non-registered organisations can also receive grants.[153]

An analysis of the practice of EIDHR implementation in the MEDA and NIS regions and of EIDHR democracy assistance projects between 2000 and 2006 reveals the following pattern of project partners. Up to 80% of macro projects were implemented by Western or local civil society organisations, in particular NGOs, charities and foundations trade union featured as a recipient. Approximately 13% of all macro projects were implemented by Western or local universities or academic/scientific institutes. Some 6% of the macro projects were carried out by political foundations, in particular the German Stiftungen. In the MEDA area and its democracy assistance projects, the political foundations played an even larger role. Of all the projects analysed, only one was implemented by a local public authority. None was implemented by a local or national legislature.

Furthermore, about 37% of all macro funds in the same region and thematic sector (MEDA, NIS, EIDHR democracy assistance) were allocated to local applicants, while 63% were channelled through Western partners. In terms of numbers, Western partners implemented slightly more projects than local partners, in particular because they completed

Table 12: Disbursement of EIDHR democracy assistance project funds to partners in implementation (MEDA and NIS, 2000-2006)
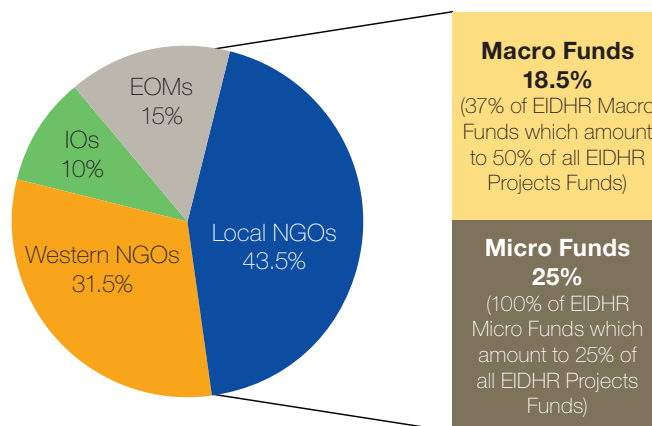
153. Council Regulation No 1995/2006 of 13 December 2006 amending Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ 2006 L390/1, Article 114(2)(a).

more regional projects. All in all this means that, in the analysed region, Western organisations were more heavily involved in the implementation of macro projects than local organisations. However, this does not mean that Western organisations were even more concerned in the overall implementation of the EIDHR. Taking into account that 25% of all EIDHR funds were disbursed through micro projects and therefore local NGOs, and that local NGOs received about 37% of all macro funds, in total more funds were disbursed through local than Western organisations: about 43.5% of all EIDHR funds were disbursed through local NGOs and 31.5% through Western NGOs. Additionally, 10% were disbursed through international organisations and 15% used for EOMs and some other administrative expenditure.

Micro projects were in principle only available to local partners. In the analysed regions MEDA and NIS and in the sector of democracy assistance, micro projects were over 90% implemented by NGOs. Research institutes, educational centres and universities carried out approximately 4% of the projects. Some grants went to newspapers and TV channels, with very few to trade unions. In the NIS, many recipient NGOs had an explicit 'political' focus, working in the area of democratisation and human rights, or focusing on the rights of individual groups, in particular women, soldiers and minorities. Other NGOs mixed advocacy and social service functions. In the MEDA, community-based and social service delivery NGOs were better represented among recipients, while political advocacy groups to a lesser extent. As regards the location of recipient NGOs, there are major differences among countries. In many states most or even all projects were realised by NGOs based in capital cities or major centres, such as was the case in Armenia, Kazakhstan, Jordan or Lebanon, while in other countries most or even all projects were carried out by NGOs located in smaller cities or towns, for instance in Russia and Morocco. Targeted projects, concerning NIS and MEDA states, were mainly implemented by UN agencies, especially UNDP, UNICEF, UNESCO, and UNODC. In the NIS states, the EU cooperated fully with the OSCE (UNICEF) and the Council of Europe.

IV. An Analysis of the Geographical and Thematic Programmes

Section IV concentrates on democracy assistance provided through the EU's mainstream development assistance programmes and various other smaller programmes focusing on specific topics. Similar to the previous section on the EIDHR, it provides a general quantitative account of commitments and expenditure provided under the numerous programmes, analyses the thematic distribution of funds among major sub-sectors of democracy assistance, and discusses the geographical distribution among the major world regions and countries. Unlike the previous Section, lack of data on individual democracy assistance projects financed under the various programmes precludes an analysis of project types, sizes, and partners within the framework of this study.[154] Consequently, the overview is largely restricted to the period 2001-2008.

As in Section III, the study adopts a macro focus, addressing democracy assistance provided collectively through the numerous EU programmes and analysing the thematic distribution of funds at global level. It provides some important insights, but cannot, however, replace individual, specific micro studies that either focus on the democracy components of individual development programmes or on democracy assistance provided through mainstream development programmes to individual regions and countries. Here again, very few evaluations commissioned by EuropeAid address EU democracy assistance provided through mainstream programmes and offer limited in-depth analysis of completed projects.[155] Evaluations of mainstream or thematic programmes touch on the topic of democratisation, but ultimately fail to provide a detailed study of democracy assistance.

Two basic differences between the EIDHR and mainstream or thematic development programmes should be pointed out from the beginning. Distinct from the EIDHR, democracy promotion and assistance do not feature frequently among the primary aims of the EU's mainstream development programmes. Certainly, since the late 1990s the texts of regulations establishing various assistance programmes have increasingly mentioned the objectives of democracy promotion and referred to the provision of democracy assistance. However, on the whole, the programmes focused primarily on actions in several other sectors, especially those fields concerning economic development.

EIDHR programming can take place without the involvement of target state governments and allows the EU in principle, but with difficulty, to carry out projects against the wishes of the target state's government. The programming process for Country Strategy Papers (CSPs) and multi-annual indicative programmes for mainstream assistance programmes anticipate the involvement of target state governments. This participation is highly desirable from the viewpoint of 'ownership' and 'alignment' and should enhance aid effectiveness as envisaged in the 2005 Paris Declaration on Aid Effectiveness.[156] However, it may be difficult to include democratisation as a focus area in CSPs, if the target state's government is authoritarian and opposes initiatives to this end. Greater involvement of local civil society, already foreseen in some assistance regulations and EU programming guidelines and a stronger involvement of national parliaments in the programming process, as called for by the European Parliament in

154. Currently the only available public data source on projects, the CSR-Search Tool for grants and contracts, which contains data for the years 2007 and 2008, does not specify the budget source and therefore leaves open whether it has been funded from the EIDHR, a geographical, or thematic programme. http://ec.europa.eu/europeaid/work/funding/beneficiaries

155. Moreover, a large part of mainstream funds are implemented in a decentralised way, that is, by target state administrations, which are responsible for publishing information on beneficiaries.

156. External Evaluation of Community Aid concerning positive actions in the field of human rights and democracy in the ACP countries 1995-1999, 28 August 2000; Synthesis Report on EC activities in the field of human rights, democracy and good governance, 10 August 2001; Thematic Evaluation of the EC Support to Good Governance, June 2006. All available at http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/reports_by_theme_sector_en.htm

its October 2009 resolution on democracy building, may help to address this problem. It cannot solve it entirely because civil society and parliaments are often undeveloped and/or government controlled.

EU Mainstream Development Assistance and Thematic Programmes

The following list provides the major EU external assistance programmes that, while not entirely or primarily focusing on democracy and human rights assistance, foresaw the provision of democracy assistance in the legal instruments establishing the programmes and also, in practice, funded some projects. The list distinguishes between geographically-focused socio-economic assistance programmes and thematically-focused programmes both before and after 1 January 2007 when, as part of a broader reform of the sector of EU external assistance, a whole range of assistance regulations entered into force.

   The list excludes assistance programmes to former, current and potential candidate countries, in particular the CEECs and the Balkan states, which received considerable democracy assistance but remain outside the focus of this study. Moreover, the list does not contain programmes which had a very minor democracy focus or which funded few or no projects, such as 'Aid to up-rooted people in Asia and Latin America', 'Gender equality in development cooperation', 'Conservation and sustainable management of tropical forests', 'Assistance in the areas of migration and asylum' and 'Rehabilitation and reconstruction in developing countries'.[157]

Major mainstream EU assistance programmes pre-2007:

1) Between 1992 and 2007, the *ALA Regulation* provided the basis for development assistance to 17 Latin American, 18 Asian, and some Middle Eastern States not covered by the EU's Mediterranean policy.[158]
2) Between 1993 and 2007, the *Tacis Programme* was the major assistance programme for 12 countries of the former Soviet Union and for Mongolia until 2004. It was based on three successive Tacis regulations, adopted in 1993, 1996 and 1999 respectively.[159] It gave rise to some sub-programmes with democracy components, such as Link-inter European NGOs (LIEN), Tacis City-Twinning (CTP), Institution Building and Partnership Programme (IBPP), and the Civil Society Development Programme for Belarus.
3) Between 1995 and 2007, the *MEDA Programme* was the basis for assistance to about nine Mediterranean states and territories. It also encompassed Turkey, Malta and Cyprus, until these were targeted with specific pre-accession instruments.[160]
4) The *Lomé Convention*, in particular Lomé IV (1989, amended 1995) and its successor, the *Cotonou Agreement* (2000, valid until 2020 with revisions at five-year intervals) regulated relations with and assistance to 78 African, Caribbean and Pacific states.[161] Assistance is provided under the *EDF* and not the EU budget.
5) Some states and territories were either, or additionally, addressed by specific programmes, in particular South Africa and Palestine.[162]

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157. Regulation (EC) No 2130/2001 of the European Parliament and of the Council of 29 October 2001 on operations to aid uprooted peopled in Asian and Latin American developing countries, OJ 2001 L 237/3; Regulation (EC) No 806/2004 of the European Parliament and of the Council of 21 April 2004 on promoting gender equality in development cooperation, OJ 2004 L 143/40; Regulation (EC) No 2494/2000
158. Supra, note.
159. Supra, note.
160. Supra, note.
161. Supra, note.
162. Among others, Council Regulation (EC) No 1734/94 of 11 July 1994 on financial and technical cooperation with the Occupied Territories, OJ 1994 L 182/4; Regulation (EC) No 1726/2000 of the European Parliament and of the Council of 29 June 2000 on development cooperation with South Africa OJ 2000 L 198/1.

Major thematic or actor-specific programmes pre-2007:

1) *Co-financing with European NGOs* (or B7-6000), based on a 1998 regulation but implemented since the 1970s, provided grants to European NGOs implementing own-initiative projects in the field of development.[163]
2) *Decentralised Cooperation* (B7-6002) was a very small programme that provided funds to various 'decentralised cooperation actors', for instance local authorities, NGOs and other civil society groups, media institutions and universities, in order to increase their participation in local governance and policy making.[164]
3) Operating between February 2001 and December 2006, the *Rapid Reaction Mechanism (RRM),* allowed for the swift provision of any type of assistance possible under the mainstream and thematic programmes, in situations of urgency, emerging crisis, or crisis.[165]

Current major mainstream EU assistance programmes (valid from 1.1.2007 - 31.12.2013):

1) The *European Neighbourhood and Partnership Instrument (ENPI)* supports achieving the objectives of the ENP and the 'strategic partnership' with Russia. It covers seven states of the former Soviet Union and ten Mediterranean countries.[166]
2) The *Development Cooperation Instrument (DCI)* regulates development assistance for states that are, according to the Organisation for Economic Co-operation and Development (OECD), official development assistance (ODA) recipients which are not covered by either the ENPI or EDF. There are currently about 47 such states: 18 in Latin America, 19 in Asia, 5 in Central Asia, 4 in the Middle East and South Africa.[167]
3) The *Instrument for cooperation with industrialised and other high-income countries and territories (ICI)* concerns various types of cooperation with roughly 17 Western democratic states, for example the USA, as well as industrialised and high-income states in Asia and the Middle East, such as Saudi Arabia, Singapore, Qatar and Brunei.[168]
4) The *Cotonou Agreement* and the *EDF* will continue to regulate and finance assistance to 78 ACP states until 2020.

Current major thematic or actor-specific programmes (valid from 1.1.2007 – 31.12.2013):

1) Launched in 2007 and similar to the RRM, the *Instrument for Stability (IfS)* finances actions in crisis and urgency situations.
2) *Non-state Actors and Local Authorities in Development* is a thematic programme established by the DCI regulation that covers DCI states and states receiving development assistance through the ENPI and the EDF. It co-finances operations proposed by European and target states' non-state actors and local authorities in the area of development with a view to strengthening their policy-making capacity.[170]

These programmes and their respective regulations foresee and authorise the provision of democracy assistance, but address democracy promotion and assistance quite differently. The variations result, in part, from:

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163. Council Regulation (EC) No 1658/98 'on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries' was only adopted on 17 July 1998, OJ 1998 L 213/1.
164. Council Regulation (EC) No 1659/98 of 17 July 1998 on decentralised cooperation, OJ 1998 L 213/6; Regulation (EC) No 625/2004 of the European Parliament and of the Council of 31 March 2004 extending and amending Regulation (EC) No 1659/98 on decentralised cooperation, OJ 2004 L 99/1.
165. Supra, note.
166. Supra, note.
167. Supra, note.
168. Supra, note.
169. Supra, note.
170. Article 14 of the DCI regulation.

1. the time of adoption of the legal act or the start of the programme;
2. the region in question and the unequivocal inclusion of democracy promotion as a policy objective in a certain region;
3. the type of programme, whether mainstream/ geographical or thematic; and
4. wording preferences by the various EU institutions involved in law-making.

There has been a noticeable trend to include explicitly democracy promotion as one of the aims of a particular programme while at the same time making a clear reference to democracy assistance as one form of democracy promotion, alongside political dialogue and conditionality.

Moreover, there is an increasingly common pattern in most mainstream regulations in that they:
1) refer to the principles of human rights and democracy and the EU's aim of supporting democratisation in the preamble;
2) include democracy promotion among the objectives in one of the first articles of the regulation; and
3) enlist democracy assistance and various forms thereof among the numerous areas of cooperation.

However, none of the regulations specifically foresees that a certain amount or percentage of available funds should be spent in the area of democracy assistance, nor how available funds should be spent among the numerous sub-sectors of assistance.

The most recent and currently applicable regulations are without question the most explicit and detailed as regards democratisation. Both new major cooperation instruments, ENPI and DCI, follow the abovementioned three-level pattern, but nevertheless differ considerably in exact wording. While the ENPI regulation refers more generally to the EU's core values and its commitment to these values in partner countries (Article 1(3) ENPI regulation), the DCI regulation expressly declares

democracy promotion, alongside the eradication of poverty, as major aims of the programme (Article 2(1) DCI regulation). Both include more concrete sections on types of democracy assistance and enlist support for electoral processes, institutional and legal reform, public administration reform, the judiciary, in addition to civil society organisations, in particular NGOs, and the media (Article 5(2) DCI regulation and Article 2(2) ENPI regulation).

A major exception to the overall pattern is the ICI regulation, which only very generally – and this only at the European Parliament's suggestion – mentions that democracy is a foundational belief of the EU which it seeks to promote in relations with third states through dialogue and cooperation (Article 3(1) ICI regulation). The regulation therefore authorises, in principle, the provision of democracy assistance, but does not strongly envisage it. This is problematic, given that the regulation covers several non-democracies and is applied to all states graduating from the OECD/DAC list of developing countries, for example, Kazakhstan. It suggests that successful socio-economic development renders democracy assistance less necessary, which is not the case. It is certainly more difficult to convince (authoritarian) governments of high-income states to accept democracy assistance, as the EU is in a less powerful bargaining position. However, assistance, particularly civil and political society assistance, continues to be needed.

General Quantitative Data

It is very difficult to provide exact statistics on amounts committed and paid out for democracy assistance programmes outside the EIDHR. One reason is that EU budgets have not singled out allocations for democracy aspects in general allocations for mainstream development assistance programmes or thematic programmes. Another is that the Commission has published scant data on democratisation expenditure under mainstream programmes,

except for some reports in the early 1990s. One early publication reported on the implementation of the 28 November 1991 resolution and concerned developing countries,[171] while another attempted comprehensively to cover all EC external human rights and democracy-relevant assistance programmes and projects.[172] From the mid-1990s onwards, the Commission only reported on the EIDHR because of difficulties in data collection. This was due to the growing number of programmes implementing democracy assistance projects that were being administered by various Commission DGs.

Around the same time, in 1995, the Commission began to provide statistical data to the Organisation for Economic Cooperation and Development (OECD) on Official Development Assistance (ODA) commitments and payments in the sector government and civil society. Since 2001 it has published some of these statistics in its Annual Reports on EC development policy and the implementation of external assistance. The tables in the following sections draw mainly on these Annual Reports.

However, using the data mentioned above is problematic. Firstly, they relate to the OECD's definition of the sector government and civil society, which encompasses the following nine sub-sectors: 1) economic and development policy and planning; 2) public sector finance management; 3) legal and judicial development; 4) government administration; 5) strengthening civil society; 6) elections; 7) human rights; 8) free flow of information; and 9) women's equality organisations and institutions.

An additional sub-sector 'conflict, peace and security' is included. Most of these sub-sectors are indeed democracy assistance as widely understood by donors and analysts, suggested by the UN General Assembly resolutions on democracy promotion, and implicit in the EIDHR regulation. However, sectors one, two and four go entirely or in part beyond that definition, even though individual projects falling within the sub-sectors could at times be considered democracy assistance. Besides, the sectors on human rights and naturally conflict, peace and security are usually considered separate categories, even if individual projects facilitate democratisation. All in all, aggregate data on the OECD's sector on government and civil society cover a thematically broader field of action than that on the EIDHR.

The available OECD data only concerns Official Development Assistance (ODA), which relates to aid flows to currently 140 or so countries and territories on the OECD/DAC (Development Assistance Committee) list of ODA recipients.[173] It therefore excludes data for aid flows known as Official Assistance or OA to more advanced developing countries and/or countries in transition, in particular Russia which, as a member of G8, was removed from the OECD/DAC list. Additionally, data for Ukraine and Belarus is excluded up to 2005 and the CEECs once they received an official EU accession date.

Unfortunately, EU Annual Reports do not report on OA in the sector of government and civil society. The limitation to ODA data is regrettable as it does not provide a complete picture. However, this as such does not modify the overall conclusions because the total (ODA and OA) EU aid flows in the sector of government and civil society were only slightly higher than ODA aid flows alone.

Thirdly, and inexplicably, data published on the OECD website does not always correspond to data published in the Annual Reports on external assis-

171. Report from the Commission to the Council and the European Parliament on the implementation in 1993 of the Resolution of the Council and of the Member States meeting in the Council on human rights, democracy and development, adopted on 28 November 1991, COM(94) 42 final, Brussels 23.3.1994.
172. Supra, note.
173. For the current list see: http://www.oecd.org/dataoecd/32/40/43540882.pdf

tance, and in some years the two vary considerably. Consequently, the following analysis mainly uses data provided in the Commission's Annual Reports on external assistance and only draws secondarily from the OECD database.

Commitments in the Sector
Government and Civil Society
Table 13 provides information on the financial commitments made by the EU in its budget and by the EDF for programmes and projects in the sector government and civil society between 2001 and 2008. The table includes data concerning the EDF,

as assistance to the ACP states is financed through this separate fund rather than the EU budget. It includes only data for OECD/DAC list ODA recipients, therefore excludes data for CEECs and some NIS states, but includes ODA commitments under the EIDHR.

Table 13 indicates the enormous increase in EU commitments in the sector of government and civil society between 2001 and 2008. While in 2001 only about 428 million Euro were committed to it in the EU budget and the EDF, from 2006 on annual commitments were always above 1 870 million Euro.

Table 13: EU (EU Budget and EDF) ODA commitments in the Sector Government and Civil Society 2001-2008 (in million Euro)[174]


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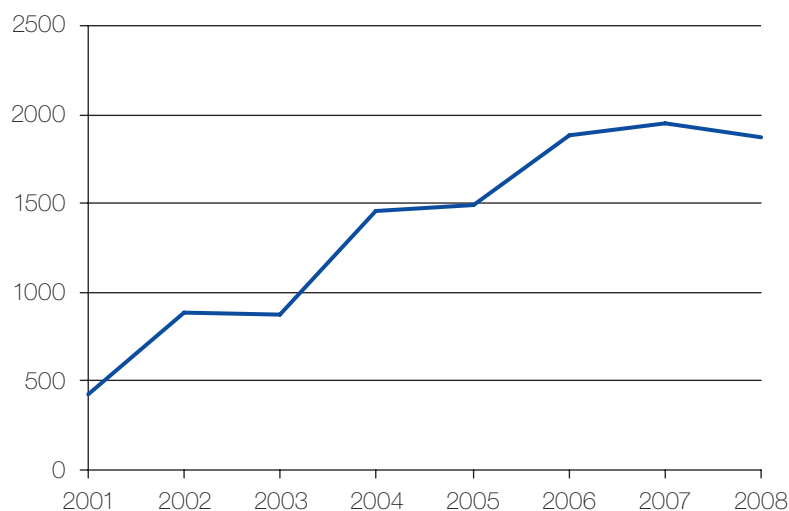
174. Data sources: European Commission: Annual Report 2001 on the EC development policy and the implementation of the external assistance; European Commission: Annual Report 2003 on the European Community's development policy and implementation of external assistance in 2002; Annual Report 2004 on the Community's development policy and external assistance; Commission Staff Working Document, Annual Report 2005 on the implementation of the European Community's development policy and implementation of external assistance in 2004, SEC(2005) 892, Brussels, 15,7,2005; Annual Report 2006 on the implementation of the European Community's development policy and implementation of external assistance in 2005; Annual Report 2007 on the implementation of the European Community's development policy and implementation of external assistance in 2006; Commission Staff Working Document: Annual Report 2008 on the European Community's Development and External Assistance Policies and their Implementation in 2007, SEC (2008) 2062, Brussels, 23.6.2008; Report from the Commission to the Council and European Parliament: Annual Report 2009 on the European Community's Development and External Assistance Policies and their Implementation in 2008, SEC(2009) 831 final, Brussels, 30.6.2009. All reports available at: http://ec.europa.eu/europeaid/multimedia/publications/index_en.htm

Commitments more than quadrupled between 2001 and 2006. It should at this point be recalled that Table 13 only includes data on ODA and that the real amount of EU assistance in the sector government and civil society was therefore even larger, in particular until 2004 which was the last year in which the CEEs received considerable amounts of funding. In total, the EU committed about 10 839.56 million Euro ODA in the sector government and civil society during 2001 and 2008.

Table 14 compares EU ODA commitments in the sector of government and civil society, as presented in Table 13, to total commitments for ODA and to commitments for the EIDHR (ODA and OA) during 2001 and 2008. The Table shows that, for example, in 2005, the EU committed 9 287.11 million Euro for official development assistance from the EU budget and the EDF, of which 1 495.68 million Euro were committed in the sector of government and civil society. Of the latter amount, less than 119 million Euro were committed under the EIDHR and more than 1376.68 million Euro were committed as government and civil society aid under mainstream programmes.

Table 14: EU Commitments for all ODA, ODA in the Sector Government and Civil Society, and for the EIDHR 2001-2008 (in million Euro)[175]

- Total ODA
- ODA Government and Civil Society
- EIDHR total (ODA&OA)

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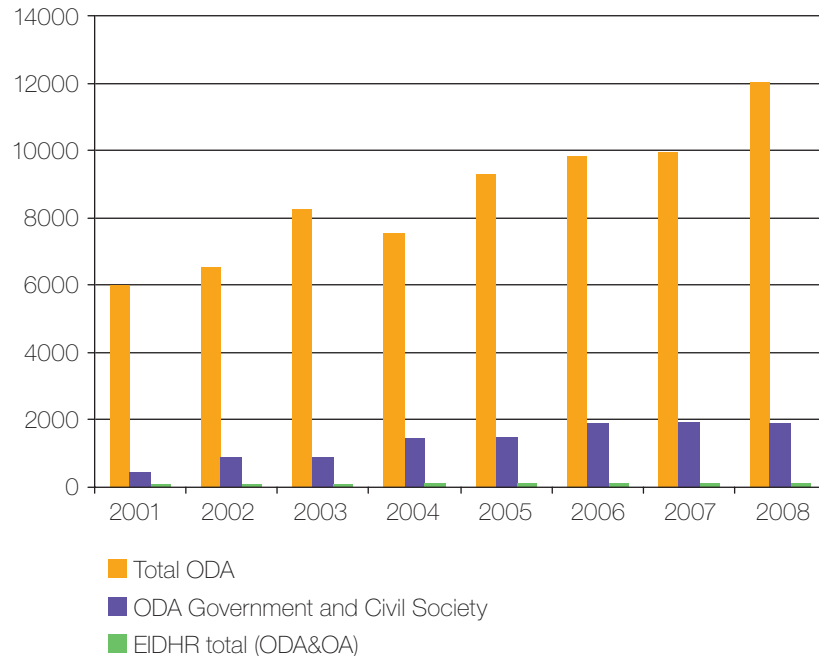
175. Source: Annual Reports on external assistance for 2001-2009 and EU budgets 2001-2008.

Table 14 shows that during 2001 and 2008 EU ODA commitments in the sector government and civil society not only increased in absolute amounts, but also in relative terms as shares of overall ODA commitments. While in 2001 commitments in the sector only constituted 7% of all ODA, from 2004 on the share was always above 15% and in 2004, 2006 and 2007 it was more than 19% of all ODA. However, more recently, in 2008, the share of the sector again decreased to 15.6%. It remains to be seen whether a positive trend returned in 2009.

Table 14 also shows that the strong increase in commitments in the sector government and civil society was due to higher commitments in the mainstream geographical and thematic development programmes rather than in commitments for the EIDHR. The annual budgets of the EIDHR increased during 2001 and 2008 from 102 to 137 million Euro, however, to a lesser degree than assistance from mainstream programmes. Moreover, while in 2004 about 20% of all ODA in the sector government and civil society came from the EIDHR, this percentage dropped to less than 7% in 2008 (data adjusted to take into account that the data for the EIDHR includes ODA and OA).

Finally, the table shows the EIDHR is today, despite its importance and visibility, a relatively small EU democracy and human rights programme and that considerably more funds are disbursed through mainstream programmes.

Payments in the Sector Government and Civil Society

Table 15 provides data on expenditure or payments in the sector government and civil society but only for the period 2003-2008 due to a shortage of data in EU Annual Reports. As before, data is restricted to ODA. Table 15 additionally includes a graph for payments under the EIDHR (including ODA and OA), however, solely for the years 2003 to 2006 due to a dearth of specific annual data for the post-2006 period.

Table 15 shows that with growing commitments expenditure for governance and civil society also increased steadily during the period 2003 and 2008. While about 515.25 million Euro were paid in 2003, nearly three times as much, 1429.97 million Euro, were paid in 2008. In total, ODA payments in the sector government and civil society amounted to 6 324.8 million Euro between 2003 and 2008. The graph on EIDHR payments indicates that the payments in the sector of government and civil society were, in large part, payments under the mainstream programmes rather than the EIDHR. With growing payments in the government and civil society sector this proportioning increased.

The Commission has not published information comparing ODA commitments in the sector of government and civil society to ODA payments in the same sector. In particular, information is lacking on whether or to what extent a budget has been spent, how much has been de-committed, and how long it takes on average to disburse funds (of one budget). In 2002 it took approximately 4.5 years to disburse all budgetary commitments for mainstream development programmes, with some variations among different geographical programmes. However, it is unclear whether this applied equally to projects in the sector government and civil society and how it developed post-2002.[176]

Table 16 illustrates commitment and payment data for the sector government and civil society. It shows that payments increased in a similar pattern to commitments and that, in the period in question, it still took on average more than three years to disburse budgetary commitments.

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176. Annual Report 2003 on external assistance in 2002, page 218.

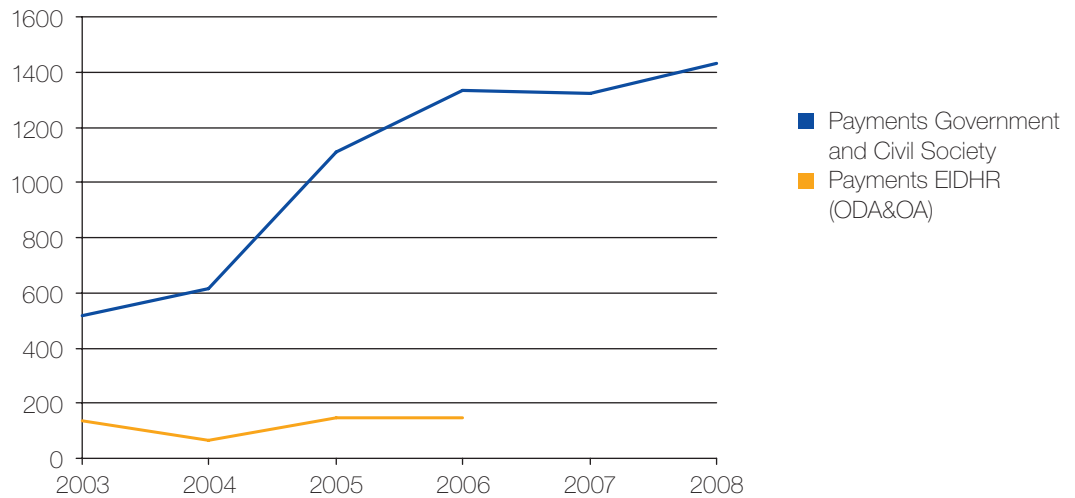**Table 15: EU (EU Budget and EDF) ODA payments in the Sector Government and Civil Society 2003-2008 (in million Euro)[177]**

Legend:
- ■ Payments Government and Civil Society
- ■ Payments EIDHR (ODA&OA)

Table 16: EU ODA Commitments and Payments in the Sector Government and Civil Society 2003-2008 (in million Euro)[178]

Legend:
- ■ Commitments Government and Civil Society
- ■ Payments Government and Civil Society

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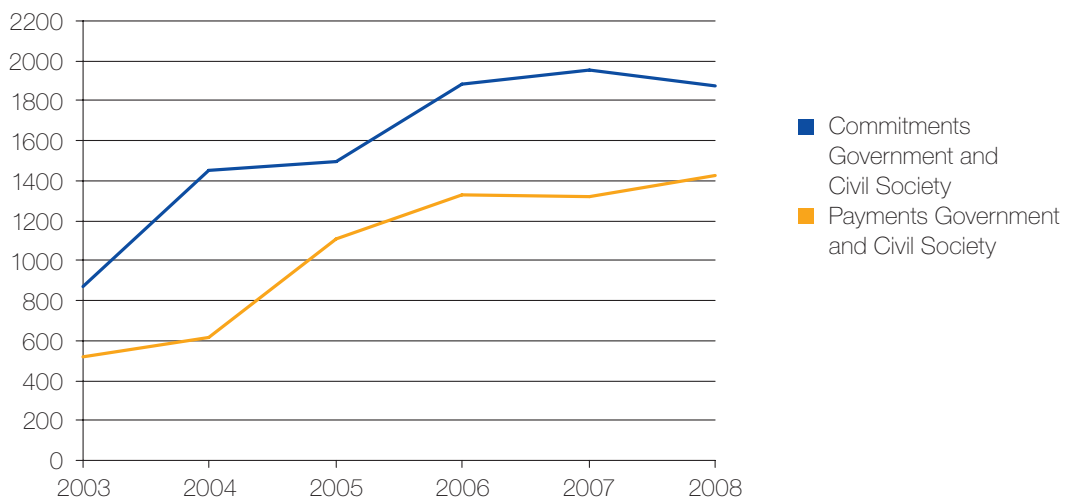
177. Source: Annual Reports on external assistance for 2003-2008 and EIDHR contracts signed 2003-2008.
178. Source: Annual Reports on external assistance for 2001-2009, EU budgets 2001-2008, and EIDHR contracts signed 2003-2006.

The Thematic Distribution of Commitments for Government and Civil Society

This section analyses how EU commitments in the sector government and civil society were distributed among its various sub-sectors. It presents one table, Table 17, that gives detailed data on how much has been spent annually in each sub-sector on all ODA recipients during the period 2001-2008.

The only available data source for the information provided is OECD statistics, which are, of course submitted to the OECD by the Commission. The Commission has not published data on the thematic distribution of government and civil society commitments in any of its own publications. In particular, the EU Annual Reports on external assistance do not go into detail as regards the thematic distribution of funds but simply provide aggregate data for the entire sector.

Given the data source, the differentiation among sub-sectors in Table 17 follows the OECD's distinction between 'nine plus one' sub-categories. As mentioned above, some of these categories are quite extensive and do not allow a sufficiently detailed insight into EU democracy assistance. However, they are currently the only available source. It should be mentioned that the Commission uses a slightly more detailed categorisation in the CSR Search Tool for grants and contracts, which also includes sub-headings for 'legislatures and political parties' and 'decentralisation and support to sub national government' and thereby gives a more differentiated picture. However, this tool so far only provides data for 2007 and 2008 and technically is unable to produce aggregate data for entire sub-sectors.

Three issues need to be kept in mind when consulting Table 17. Firstly, OECD data are provided in US$ (at current prices) rather than Euro, which renders comparisons of Table 17 with other tables in this document slightly more difficult. Secondly,

Table 17 is limited to commitments rather than payments or expenditure. The reason is that OECD statistics appear more complete as regards commitment data than payment data. Thirdly, as with previous tables, the data also includes ODA data for the EIDHR rather than just for EU assistance through mainstream programmes. As specific data on EIDHR commitments (rather than expenditure) in individual sub-sectors is not available, it is not possible to determine the exact share of EIDHR commitments in individual years but only to make some general assumptions. Additionally, it should be mentioned that there are inexplicable inconsistencies within OECD data itself as well as between OECD statistics and EU Annual Reports. Although the disparities are significant in some years, the data provided is still able to give a good insight into the distribution of funds among the various sub-sectors.

Table 17 shows that a greater part of ODA commitments in the sector government and civil society is indeed spent on areas that are beyond the widely understood notion of democracy assistance (focusing on elections, legislatures and political society, civil society, the media, and the rule of law). Firstly, there are the sub-sectors conflict, peace and security and human rights which, in the section on the EIDHR, have also been treated as separate categories, although they undeniably have close links with democracy assistance. As regards the first sector, conflict, peace and security Table 17 shows the significant increase in commitments since 2007. While only about 102 million US$ were committed in 2004, about 750 million US$ were committed in 2008. Only a very minor part of the total amount committed to the sub-sector derives from the EIDHR. Human rights received about 9% of all government and civil society commitments during 2001-2008. Taking into account the relevant data in Tables 17, it seems that about 40-50% of this share comes from the EIDHR budget. This shows that the EU has, to a very limited degree, provided general assistance for the promotion and protection of human rights through its mainstream develop-

Table 17: Distribution of EU ODA Commitments in the Sector Government and Civil Society among nine plus one OECD Sub-sectors 2001-2008 (in million US$, current prices).[179]

Year/OECD sub-sector	2001	2002	2003	2004	2005	2006	2007	2008	Total	% of total
Economic & development policy and planning	68.22	94.46	181.55	509.12	221.09	490.26	479.29	648.89	2692.88	21%
Public sector financial management	6.02	18.44	78.95	85.85	79.36	260.53	218.95	90.81	838.91	6%
Legal and judicial development	14	34.72	162.81	235.24	191.62	201.77	180.64	523.53	1544.33	12%
Government administration	50.64	113.16	334.92	650.58	626.17	728.53	511.64	156.64	3172.28	24%
Strengthening civil society	34.6	74.48	102.51	62.09	200.29	233.55	225.4	183.56	1116.48	9%
Elections	12.53	28.78	38.27	195.64	177.41	174.02	148.33	61.2	836.18	6%
Human rights	81.9	88.04	91.04	177.52	140.87	152.74	226.35	251.94	1210.4	9%
Free flow of information	1.43	3.49	10.37	3.39	-	9.23	3.15	3.95	35.01	>1%
Women's equality organisations	7.08	7.58	2.88	17.27	10.77	24.17	26.82	17.12	114.52	1%
Conflict, peace & security	-	-	-	101.99	183.03	110.69	463.03	746.94	1605.68	12%
Total	276.42	463.15	1003.3	2038.69	1830.61	2385.49	2483.6	2685.41	13166.67	100%

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179. Source: http://stats.oecd.org/qwids/. Where no information is provided, the OECD database did not include any data.

ment programmes. A similar conclusion applies if one considers the assistance provided to other specific sub-sectors such as women's organisations (1% of all funds) and freedom of expression (>1%), which benefit even less.

Secondly, a large part of mainstream assistance is provided to sub-sectors which fall outside democracy assistance and pertain to the sector on governance reform or good governance development. Certainly many projects within these sectors contain elements of democracy assistance or, as a by-product facilitate democratisation but they have another primary objective. These sectors are, principally, economic and development policy and planning (which received 21% of all funds), public sector financial management (6%), and government administration (24%). As indicated above, the latter sector is quite problematic due to its broad scope. It consists chiefly of projects in the sectors of public administration reform, decentralisation and anti-corruption, i.e. the classic governance reform sectors.[180] For example, institutions not only become more effective and efficient, but also more accountable, transparent and responsive. It is these elements that give many public administration reform projects a democracy assistance element.

Several of the sub-sectors of government and civil society constitute democracy assistance, as it is generally understood; however, in most cases categories which are too broad and lacking in project data prevent a detailed insight from being obtained. Most notably, there is the sector 'legal and judicial development' which received a considerably large share of 12% of all government and civil society funds and largely corresponds to the sector 'rule of law' used within the EIDHR programme. It comprises two major types of support: firstly support to legislators either in the form of general capacity

development or for the elaboration of specific laws; and secondly, although less so, to drafting constitutions and to the judicial sector, that is to say the reorganisation of judicial systems, training of judges and access to justice initiatives. A comparison with the latter shows that the greatest funding for the rule of law sector indeed comes from mainstream development programmes rather than the EIDHR.

Furthermore, about 9% of all government and civil society commitments concerned 'strengthening civil society'. This is a significantly bigger share that shows civil society organisations were supported not only through the EIDHR, but also to a much larger degree, by mainstream and specific development programmes, such as 'Co-financing with European NGOs' or 'Decentralised Cooperation'. Unfortunately, the available data does not clarify which of these two programmes types – mainstream or thematic programmes – was the major source and therefore does not give an insight into whether CSPs frequently envisaged civil society support. Additionally, it is unclear which types of civil society organisations were the major recipients of assistance – those focusing on political rights and reform or those dealing with broader social, economic or other topics.

Data for the sub-sector elections shows that electoral processes were supported through the EIDHR, but received substantially more funding from mainstream programmes, in particular after 2003. At the same time, Table 17 shows that the media sector received scarcely any support through mainstream programmes but was almost entirely supported through the EIDHR. As indicated, no detailed information is available about funding for parliaments and political parties.

Employing Carother's idea of developmental and political approaches to democracy assistance, the

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180. Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee: Governance and Development, COM(2003) 615 final, Brussels, 20.10.2003; Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee and the Committee of the Regions: Governance in the European Consensus on Development, Towards a harmonised approach within the European Union, COM(2006) 421 final, Brussels, 30.8.2006.

analysis has demonstrated that both approaches are contained in the EU's policy. Table 17 reveals that the EU spends a considerable amount of money in the sector on good governance reform, which involves elements of democratisation but without directly addressing core questions of democratic reform. At the same time, however, mainstream programs – besides the EIDHR – equally address some of these more central topics, for instance elections, civil society, and the rule of law. It appears though that there is room for strengthening the political approach and to provide more support in sectors such as media reform and support, political parties, and parliaments. Nonetheless, before comprehensive and well-founded conclusions can be drawn and suggestions for policy reform can be made, more detailed reporting by the Commission on how EU funds are distributed among various sub-sectors are needed.

The Geographical Distribution of Funds in the Sector Government and Civil Society

The Regional Distribution of Funds

Tables 18, 19 and 20 provide data on the regional distribution of ODA assistance in the sector government and civil society assistance in five main world regions (ACP, NIS, MEDA, Asia, and Latin America) between 2003 and 2008. Due to data deficiencies, they concentrate on the entire sector rather than only those sub-sectors that focus more specifically on democracy assistance. Still, it should be stressed that the Tables do not provide data on all ODA commitments in the sector government and civil society – neither in all regions worldwide, nor in the five regions listed above – but are restricted to that part of ODA that is managed by Europe-Aid. The reason is that the EU Annual Reports on external assistance provide detailed data only on

EuropeAid-managed funds. More concretely, the Tables report on 6 622.17 million Euro committed to the sector and managed by EuropeAid from 2003-2008. This amount constitutes about 70% of all commitments for government and civil society during that period.[181] The remaining approximately 2411.46 million Euro committed for government and civil society has been managed by other DGs, for which no detailed data on the regional distribution is available. It appears that a large part has been used in the Balkans, however, a smaller, non-identifiable portion has also been used in the five regions dealt with in the Tables. All in all, the actual commitments for government and civil society in the five regions might have been somewhat larger than is reflected in the Tables; even so, the shares to various countries nevertheless give a good insight into the regional distribution of funds.

While the tables provide average shares for the six year period 2003-2008, the overall picture of distribution does not change if the data is broken down into the period before and after 1 January 2007 when the whole range of new assistance instruments entered into force and new CSPs became applicable. The regional distribution of governance and civil society funds among the five regions in question was therefore largely the same under the old and new regimes.

Tables 18 and 19 show that during the period 2003-2008 the majority of all funds committed for government and civil society development, 2810.21 million Euro or about 42%, was used in the ACP region. However, just as in the case of the EIDHR, the share of ACP states appears much smaller if the number of countries is taken into account. Each ACP country received on average only half of each NIS state and only one third of commitments in the MEDA region. Moreover, Table 18 reveals that in ACP states the share of commitments in the sector

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181. The Tables do not report on about 497.77 million Euro committed for government and civil society in the Balkans in 2003 and 2004 and, to a much lesser extent, in 2005 and 2006. From 2004 onwards aid to the Balkans was no longer managed by EuropeAid.

Table 18: EuropeAid-managed ODA Commitments in the Sector Government and Civil Society in five Regions 2003-2008 (in million Euro)[182]

Region/ EuropeAid-managed ODA	NIS/ ENPI East (excl. Russia)	MEDA/ ENPI South	Asia	Latin America	ACP	Multi-regional/ Unspecified	Total
Total ODA	3332.24	6548.17	5013.7	2295.82	23255.28	4575.99	41140.85
Total in Sector Gov.&CS	744.06	1028.32	896.73	447.21	2810.21	695.64	6622.17
Gov.&CS of total ODA	22%	16%	18%	19%	12%	-	-

Table 19: Regional Distribution of EuropeAid-managed ODA in Sector Government and Civil Society in five Regions 2003-2008 (in %)[183]

NIS/ENPI East	11%
MEDA/ENPI South	16%
Asia	14%
Latin America	7%
ACP	42%
Unspecified	10%

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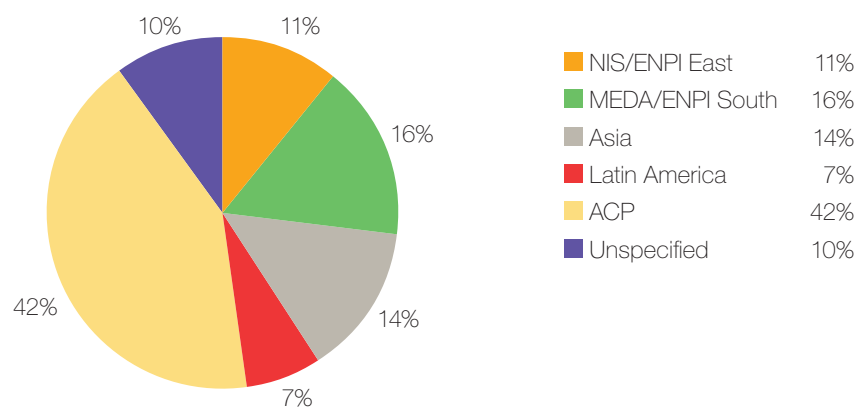
182. Source: Annual Reports on external assistance for 2003-2008.
183. Source: Annual Reports on external assistance for 2003-2008.

Table 20: Average Share of EuropeAid-managed ODA commitments of each state in five major Regions 2003-2008 (in %)[184]

ACP	Latin America	MEDA/ENPI South	NIS/ENPI East	Asia
0.5%	0.4%	1.7%	1.1%	0.7%

government and civil society of all ODA is comparatively small. Overall, during 2003-2008 only 12% of all ODA funds were spent in this sector.

The MEDA/South ENPI region was with 1028.32 million Euro, or 16% of the funds, the second-largest recipient. It is the largest recipient if the number of states is taken into consideration. Yet, the share of government and civil society assistance of all ODA is smaller than in most other regions (except the ACPs). Despite the high absolute amounts in the region and by country, there is considerable room for devoting a larger share to the sector. The EU spent less in the NIS/ENPI East region than in the MEDA/ENPI South countries. At the same time, the NIS/ENPI East region is the region in which the largest share of all ODA was provided to the sector of government and civil society (22%). Rather little was spent in Latin America, both in absolute and relative terms, even if the share of government and civil society assistance of all ODA was relatively high in Latin America. Similarly, Asia received modest government and civil society support if the number of countries in the region is taken into account. At the same time, however, in Asia about 18% of all ODA funds were used in this sector, which is above the world-wide average.

On the whole, Tables 17-20 show a very diverse picture of the regional distribution, if absolute and relative data is taken into consideration. They reveal hardly any clear or strong pattern. It appears though that, just as in the case of the EIDHR, most efforts are invested in geographically closer and therefore politically more important regions, for instance the ENPI region (South and East). Also, Table 18 shows that on average only roughly 17% of all ODA is used in the sector government and civil society and that there are major differences between the various regions. When developing future CSPs, the EU needs to attempt to ensure that greater shares of available funds are committed in this sector.

The Geographical Distribution among Countries
Although substantial amounts of government and civil society assistance were committed in each of the five main regions, these funds were not necessarily distributed equally among all countries belonging to individual regions.

Strong imbalances are visible in the distribution of funds in Latin America.[185] During the period 2000 to 2007 approximately half of all programmes and projects in the sector took place in three countries, Guatemala, Colombia, and Nicaragua, while the large majority of states had very few or even no project at all. In several cases, CSPs identified a need of reform in the sector, but chose to 'mainstream' democracy, good governance, and human rights issues, rather than to address them directly as a focus

184. Data for the NIS takes into account that several states, in particular Russia, did not receive ODA and that Central Asia shifted to the ENPI as of 1 January 2007.
185. Information from the numerous CSPs adopted during 2002 and 2007. http://ec.europa.eu/external_relations/sp/2002.htm and http://ec.europa.eu/external_relations/sp/index_en.htm

area. Furthermore, many CSPs simply referred to the EIDHR without ensuring that this more specific programme would indeed lead to adequate projects. The situation was similar in Asia, where Afghanistan alone received over 40% of all government and civil society assistance reported for the region, followed by Iraq, Indonesia, China, and Bangladesh. During 2000-2007 there were many countries in Asia that did not devote any mainstream funds to democracy, good governance, and civil society and many with very small-scale projects in the field. Again, many CSPs expressly stipulated that there was 'no need' for projects in the sector, as they would be financed under the EIDHR. More recent CSPs, encompassing the period 2007-2013, indicate a small change and reveal more countries receiving assistance in the sector; however, imbalances remain.

The situation is different in the NIS and the MEDA states, indicating that in geographically closer and politically more relevant regions the EU invested more effort into ensuring that the sector government and civil society would receive some assistance. While there was variation in the extent to which country programmes devoted funds to democracy and good governance issues in the NIS region, most states, except those in Central Asia, have had some projects in the sector of government and civil society since 2000. Attention to this area has undeniably increased with the start of the ENP in 2004. The currently applicable ENPI Indicative Programmes 2007-2010 foresee that in basically all Eastern ENPI states about 30% of all available funds are to be used for 'democratic development and good governance'. Not only are there projects

in all countries, but the share of government and civil society commitments increased considerably compared to the 2003-2008 period (see Table 18).

Similarly, also in the Mediterranean region, in essence all states had some EU-funded government and civil society programmes during the 2000-2006 period, in particular after COM(2003)94 on '(R)einvigorating European actions on human rights and democratisation with Mediterranean partners': strategic guidelines envisaged more intensive efforts. Furthermore, the currently applicable CSPs forecast funds for government and civil society in virtually all Mediterranean states, except for Tunisia. However, unlike in the Eastern ENPI states, there are considerable differences as regards the extent to which individual programming documents envision projects in the sector. While in some states, for example, Egypt and Jordan, only about 6% of the available funds are allocated to government and human rights, in other states, such as Syria and Lebanon, 23% of the overall funds are committed to the sector. Overall, the average share is considerably smaller in the Southern ENPI states, than in the Eastern ENPI states.

Overall, in the development of future CSPs, the EU needs to ensure that the topic of government and civil society is addressed in target states rather than solely in selective countries of a particular region. In addition, the analysis has shown that the EU provides government and civil society assistance in states with questionable democratic pedigrees and that assistance is not restricted to countries that have democratic regimes or are democratising.

List of Acronyms

ACP	African, Caribbean and Pacific States
ALA	Asia and Latin America
CBSS	Country Based Support Scheme
CCM	Civilian Crisis Management
CCP	Common Commercial Policy
CEE	Central and Eastern Europe
CEEC	Central and Eastern European Countries
CFSP	Common Foreign and Security Policy
CSCE	Conference on Security and Cooperation in Europe
CSP	Country Strategy Paper
CTP	City-Twinning Programme
DAC	Development Assistance Committee
DCI	Development Cooperation Instrument
DG	Directorate-General
EC	European Community
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECJ	European Court of Justice
ECR	European Court Reports
ECT	Treaty establishing the European Community
ECU	European Currency Unit
EDF	European Development Fund
EEC	European Economic Community
EIDHR	European Initiative for Democracy and Human Rights/ European Instrument for Democracy and Human Rights
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPC	European Political Cooperation
EPD	European Partnership for Democracy
EU	European Union
EU EOM	European Union Election Observation Mission
EUSR	European Union Special Representative
GSP	General System of Preferences
GTZ	German Gesellschaft für Technische Zusammenarbeit
IBPP	Institution Building and Partnership Programme
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ICI	Instrument for Cooperation with Industrialised and other High-income Countries and Territories
IDEA	International Institute for Democracy and Electoral Assistance

IfS	Instrument for Stability
IGC	Intergovernmental Conference
IPA	Instrument for Pre-Accession
LIEN	Link-inter European NGOs
MEDA	Mesures d'accompagnement financières et techniques (à la réforme des structures économiques et sociales dans le cadre du partenariat euro-méditerranéen)
NED	National Endowment for Democracy
NGOs	Non-governmental organisations
NIMD	Netherlands Institute for Multi-party Democracy
NIS	Newly Independent States (of the former Soviet Union)
OA	Official Assistance
ODA	Official Development Assistance
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Co-operation and Development
OJ	Official Journal of the European Communities/Official Journal of the European Union
OPPD	Office for Promotion of Parliamentary Democracy
OSCE	Organisation for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
RRM	Rapid Reaction Mechanism
SALW	Small Arms and Light Weapons
SEA	Single European Act
SEE	Southern and Eastern Europe
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UN	United Nations
UNICEF	United Nations Children's Fund
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
WFD	Westminster Foundation for Democracy

Bibliography

**Academic and Policy-oriented
Publications and Reports**

A European Foundation for Democracy through Partnership. A Proposal for a new Initiative in EU Democracy Assistance world-wide (December 2006).

Alston, P., with Buselo M., and Heenan, J. (eds.), *The EU and Human Rights* (1999).

Angell, A., 'International Support for the Chilean Opposition 1973-1989: Political Parties and the Role of Exiles', in: Whitehead, L., *The International Dimensions of Democratisation. Europe and the Americas* (1996), page 175-200.

Bartels, L., *Human Rights Conditionality in the EU's International Agreements* (2005).

Beetham, D., 'The Contradictions of Democratisation by Force: The Case of Iraq', *Democratisation*, vol. 16, issue 3 (June 2009), page 443-454.

Bogaards, M., 'How to Classify Hybrid Regimes? Defective Democracy and Electoral Authoritarianism, *Democratisation*, vol. 16, issue 2 (April 2009), page 399-363.

Bratton, M., and van de Walle, N., 'Neopatrimonial Regimes and Political Transition in Africa', *World Politics*, vol. 46, no. 4 (July 1994), page 453-489.

Brown, M. E., Lynn-Jones, S. M., and Miller, S. E. (eds.), *Debating the Democratic Peace* (1996).

Bunce, V., and Wolchik S., 'Getting Real About "Real Causes"', *Journal of Democracy*, vol. 20, no. 1 (January 2009), page 69-73.

Burnell, P. (ed.), *Democracy Assistance. International Co-operation for Democratisation* (2000).

Burnell, P., 'Democracy Assistance: Origins and Organisations', in Burnell, P., *Democracy Assistance. International Co-operation for Democratisation* (2000), page 34-64.

Burnell, P. and Youngs, R. (eds.) *New Challenges to Democratisation* (2010).

Carothers, T., 'The NED at 10', *Foreign Policy*, no. 95 (summer 1994), page 123-138.

Carothers, T. *Aiding Democracy Abroad*. The Learning Curve (1999).

Carothers, T., 'Democracy Assistance: Political vs. Developmental?, *Journal of Democracy*, vol. 20, no. 1 (January 2009), page 5-19.

Crawford, G., *Foreign Aid and Political Reform: A Comparative Analysis of Democracy Assistance and Political Conditionality* (2001).

Craig, P., and de Búrca, G., *EU Law: Text, Cases and Materials* (2003).

De Búrca, G., 'Beyond the Charter: How Enlargement has Enlarged the Human Rights Policy of the EU', *Fordham International Law Journal*, vol. 27 (2004), page 679-714.

De Witte, B., 'The Past and Future Role of the European Court of Justice in the Protection of Human Rights', in Alston, P., (1999), page 859-897.

Diamond, L., 'Economic Development and Democracy Reconsidered', *American Behavioral Scientist*, vol. 35, no. 4/5 (March/June 1992), page 455-499.

Diamond, L., *Developing Democracy. Toward Consolidation* (1999).

Franck, T. M., 'The Emerging Right to Democratic Governance', *American Journal of International Law*, vol. 86, no. 1 (January 1992), page 46-91.

Fierro, E., *The EU's Approach to Human Rights Conditionality in Practice* (2003).

Freedom House, *Freedom in the World 2009*, http://freedomhouse.org/

Gill, G., *Democracy and Post-communism. Political Change in the Post-communist World* (2002).

Huntington, S., *The Third Wave: Democratisation in the Late 20th Century* (1991).

International IDEA, *Democracy and Development. Global Consultations on the EU's Role in Democracy Building* (2009).

Karl, T. L. and Schmitter, P.C, 'Modes of Transition in Southern and Eastern Europe and South and Central America', *International Social Science Journal*, no.128 (1991), page 269-284.

King, T., 'Human Rights in European Foreign Policy: Success or Failure for Post-modern Diplomacy?', *European Journal of International Law*, vol. 10, no. 2 (1999), at 313-337.

Lindberg, S. I. (ed.), *Democratisation by Elections: A New Mode of Transition?* (2009).

Linz, J. J., and Stepan, A., *Problems of Democratic Transition and Consolidation* (1996).

Lipset, M. S., 'Some Social Requisites of Democracy: Economic Development and Political Legitimacy', *American Political Science Review*, vol. 53, no. 1 (March 1959), page 69-105.

Marantis, D. J., 'Human Rights, Democracy, and Development: The European Community Model', *Harvard Human Rights Journal*, vol. 7 (Spring 1994), page 1-32.

Mair, S., 'Germany's Stiftungen and Democracy Assistance: Comparative Advantages, New Challenges', in: Burnell, P. (ed.), *Democracy Assistance. International Co-operation for Democratisation* (2000), page 128-149.

National Endowment for Democracy, *The Backlash Against Democracy Assistance* (June 2006), at http://www.ned.org/publications/reports/backlash06.pdf

Novak, M., 'Human Rights 'Conditionality' in Relation to Entry to and Full Participation in, the EU', in Alston, P., Bustelo M., and Heenan, J. (eds), *The EU and Human Rights* (1999), page 687-698.

O'Donnell, G., Schmitter, P. C., and Whitehead, L. (eds), *Transitions from Authoritarian Rule. Comparative Perspectives* (1986).

O'Donnell, G., and Schmitter, P. C., *Transitions from Authoritarian Rule. Tentative Conclusions about Uncertain Democracies* (1986).

Office for Promotion of Parliamentary Democracy (OPPD), Strengthening Parliaments Worldwide. The European Parliament and the Promotion of Democracy (2009).

Office for Promotion of Parliamentary Democracy (OPPD), Democracy Revisited. Which Notion of Democracy for the EU's External Relations? (2009).

Pinto-Duschinsky, M., 'Foreign Political Aid: The German Party Foundations and their US Counterparts', *International Affairs*, vol. 67, no. 1 (1991), page 33-63.

Pridham, G. (ed.), *Encouraging Democracy: The International Context of Regime Transition in Southern Europe* (1991).

Przeworski, A., Alvarez, M. M., Cheibub, J. A., Limongi Neto, A. P., What makes Democracy Endure?, *Journal of Democracy*, vol. 7, no. (1 January 1996), page 39-55.

Rakner, L, and van de Walle, N., 'Opposition Weakness in Africa', *Journal of Democracy*, vol. 20, no. 3 (July 2009), page 108-121.

Rustow, D., 'Transitions to Democracy: Toward a Dynamic Model', *Comparative Politics* vol. 3, no. 2 (1970), page 337-363.

Schmitter, P. C. and Brouwer, I., *Conceptualizing, Researching and Evaluating Democracy Promotion and Protection*. EUI Working Paper SPS No. 99/9 (1999).

Sikkink, K., 'The Effectiveness of US Human Rights Policy 1973-80', in Whitehead, L., *The International Dimensions of Democratisation: Europe and the Americas* (1996), page 93-124.

Simma, B., Aschenbrenner, J. B., and Schulte, C., 'Human Rights Considerations in the Development Co-operation Activities of the EC', in Alston, P. (ed.), *The EU and Human Rights* (1999), page 571-626.

Smith, T., America's Mission. The United States and the Worldwide Struggle for Democracy in the Twentieth Century (1994).

van Doorn, M., and von Meijenfeldt, R., Democracy: *Europe's Core Value?* (2007).

Weiler, J. H. H. and Fries, S., 'A Human Rights Policy for the European Community and Union: The Question of Competences', in Alston, P. (ed), *The EU and Human Rights* (1999), page 147-165.

Whitehead, L., *The International Dimensions* of *Democratisation: Europe and the Americas* (1996).

Whitehead, L., 'The Imposition of Democracy in the Caribbean', in Whitehead (ed.), *The International Dimensions of Democratisation: Europe and the Americas* (1996), page 59-90.

World Bank, *Sub-Saharan Africa: From Crisis to Sustainable Growth* (1989).

Youngs, R., 'The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?', *Democratisation* vol. 9, no. 1, (2002), page 40-62.

Youngs, R., 'Democracy as Product versus Democracy as Process', in van Doorn, M., and von Meijenfeldt, R., *Democracy: Europe's Core Value?* (2007), page 67-72.

EU Documents

Assistance Regulations

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, OJ 1992 L 52/1.

Council Regulation (EC) No 1734/94 of 11 July 1994 on financial and technical cooperation with the Occupied Territories, OJ 1994 L 182/4.

Council Regulation (Euratom, EC) No 1279/96 of 25 June 1996 concerning the provision of assistance to economic reform and recovery in the New Independent States and Mongolia, OJ 1996 L 165/1.

Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership, OJ 1996 L 189/1.

Council Regulation (EC) No 2258/96 of 22 November 1996 on rehabilitation and reconstruction operations in developing countries, OJ 1996 L 306/1.

Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries, OJ 1998 L 213/1.

Council Regulation (EC) No 1659/98 of 17 July 1998 on decentralised cooperation, OJ 1998 L 213/6.

Council Regulation (EC) No 975/1999 of 29 April 1999 laying down the requirements for the implementation of development co-operation 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, OJ 1999 L 120/1.

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, OJ 1999 L 120/8.

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, OJ 2000 L 12/1.

Regulation (EC) No 1726/2000 of the European Parliament and of the Council of 29 June 2000 on development cooperation with South Africa OJ 2000 L 198/1.

Regulation (EC) No 2494/2000 of the European Parliament and of the Council of 7 November 2000 on measures to promote the conservation and sustainable management of tropical forests and other forests in developing countries, OJ 2000 L 288.

Council Regulation (EC) No 2698/2000 of 27 November 2000 amending Regulation (EC) No 1488/96 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership, OJ 2000 L 311/1.

Council Regulation (EC) No 381/2001 of 26 February 2001 creating a Rapid-reaction Mechanism, OJ 2001 L57/5. Regulation (EC) No 2130/2001 of the European

Parliament and of the Council of 29 October 2001 on operations to aid uprooted peopled in Asian and Latin American developing countries, OJ 2001 L 237/3.

Regulation (EC) No 491/2004 of the European Parliament and of the Council of 10 March 2004 establishing a programme for financial and technical assistance to third countries in the areas of migration and asylum (AENEAS), OJ 2004 L 80/1.

Regulation (EC) No 625/2004 of the European Parliament and of the Council of 31 March 2004 extending and amending Regulation (EC) No 1659/98 on decentralised cooperation, OJ 2004 L 99/1.

Regulation (EC) No 806/2004 of the European Parliament and of the Council of 21 April 2004 on promoting gender equality in development cooperation, OJ 2004 L 143/40.

Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), OJ 2006 L 210/82.

Regulation (EC) No 2240/2004 of the European Parliament and of the Council of 15 December 2004 amending Council Regulation (EC) No 975/1999 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, OJ 2004 L 390/3.

Council Regulation (EC) No 2242/2004 of 22 December 2004 amending Regulation (EC) No 976/1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the frame- work 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, OJ 2004 L 390/21.

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, OJ 2006 L 310/1.

Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability, OJ 2006 L 327/1.

Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing Instrument for Development Cooperation, OJ 2006 L 378/41.

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, OJ 2006 L 386/1.

Council Regulation (EC) No 1934/2006 of 21 December 2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories, OJ 2006 L 405/41.

Commission Communications and Working Papers

Commission Communication to the Council and Parliament on human rights, democracy and development cooperation, SEC(91) 61 final, 25.3.1991.

Communication from the Commission, Towards a new Asia Strategy, COM(1994) 314 final, 13.7.1994.

Commission Communication on the inclusion of respect for democratic principles and human rights in agreements between the community and third states, COM(95) 216 final, 23.5.1995.

Communication from the Commission to the Council and the European Parliament, The European Union and the external dimension of human rights policy: From Rome to Maastricht and beyond, COM(1995) 567 final, 22.11.1995.

Commission Communication to the Council and the Parliament, 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(98) 146 final, 12.3.1998. Communication from the Commission on EU Election Assistance and Observation, COM(2000) 191 final, 11.4.2000.

Communication from the Commission, Europe and Asia: A Strategic Framework for Enhanced Partnerships, COM(2001) 469 final, 4.9.2001.

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 final, 8.5.2001.

Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee: Governance and Development, COM(2003) 615 final, 20.10.2003.

Commission Staff Working Paper Implementation of the Communication on Election Assistance and Observation, SEC(2003) 1472, 19.12.2003.

Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee and the Committee of the Regions: Governance in the European Consensus on Development, Towards a harmonised approach within the European Union, COM(2006) 421 final, 30.8.2006.

Commission Staff Working Paper, Supporting Democratic Governance through the Governance Initiative: A Review and the Way Forward, SEC(2009) 58 final, 19.1.2009.

European Commission, Joint Paper Commission/Council General Secretariat on Democracy Building in EU External Relations, SEC(2009) 1095 final, 27.7.2009.

Commission Reports on the Implementation of the EIDHR and its forerunner programmes

Commission des Communautés Européennes, Rapport sur l'utilisation des ressources financière pour la défense des droits de l'homme et la promotion de la démocratisation (pour les années 1992-1993), le 26/11/1993.

Report from the Commission to the Council and the European Parliament on the implementation in 1993 of the Resolution of the Council and of the Member States meeting in the Council on human rights, democracy and development, adopted on 28 November 1991, COM(94) 42 final, 23.3.1994.

Commission of the European Communities, Report on the implementation of measures intended to promote observance of human rights and democratic principles (for 1994), COM(95) 191 final, 12.7.1995.

Commission of the European Communities, Report from the Commission on the implementation of measures intended to promote observance of human rights and democratic principles (for 1995), COM(96) 672 final, 17.1.1997.

Commission of the European Communities, Report on the implementation of measures intended to promote observance of human rights and democratic principles in external relations for 1996-1999, COM(2000) 726 final, Brussels, 14.11.2000.

European Commission, Commission Staff Working Document, Report on the implementation of the European Initiative for Democracy and Human Rights in 2000, SEC(2001) 801, 22 May 2001.

European Commission, Microsoft Excel-Eidhr-contracts-signed-2003-2006, at http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

European Commission Statistics 2000-2006, http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

EIDHR Compendium (2000-2006) by theme or EIDHR European Initiative for Democracy and Human Rights 2000-2006, Ambitious in scope…Global in reach; at http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

EIDHR Project compendium 2000-2006 by location, at http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

The European Initiative for Democracy and Human Rights (EIDHR) Compendium January 2007 – April 2009: Promoting Democracy & Human Rights Worldwide, at http://ec.europa.eu/europeaid/what/human-rights/projects_en.htm

Court of Auditors

Court of Auditors, Special Report No 12/2000, on the management by the Commission of European Union support for the development of human rights and democracy in third countries, together with the Commission's replies, OJ 2000 C 230/1.

Court of Auditors Special Report No 21/2000 on the management of the Commission's external aid programmes (in particular on country programming, project preparation and the role of Delegations), OJ 2001 C 57/1.

EIDHR Programming Documents

European Instrument for Democracy and Human Rights (EIDHR) Strategy Paper 2007-2010, at http://ec.europa.eu/europeaid/what/human-rights/documents/eidhr_strategy_paper_2007-2010_en.pdf

European Initiative for Democracy and Human Rights Programming Document 2002-2004.

European Commission Implementation Reports on Development Cooperation (all reports available at: http://ec.europa.eu/europeaid/multimedia/publications/index_en.htm)

European Commission: Annual Report 2001 on the EC development policy and the implementation of the external assistance (2002).

European Commission: Annual Report 2003 on the European Community's development policy and implementation of external assistance in 2002 (2003).

European Commission: Annual Report 2004 on the Community's development policy and external assistance (2004).

Commission Staff Working Document, Annual Report 2005 on the implementation of the European Community's development policy and implementation of external assistance in 2004, SEC(2005) 892, 15.7.2005.

Annual Report 2006 on the implementation of the European Community's development policy and implementation of external assistance in 2005 (2006).

Annual Report 2007 on the implementation of the European Community's development policy and implementation of external assistance in 2006 (2007).

Commission Staff Working Document: Annual Report 2008 on the European Community's Development and External Assistance Policies and their Implementation in 2007, SEC (2008) 2062, 23.6.2008.

Report from the Commission to the Council and European Parliament: Annual Report 2009 on the European Community's Development and External Assistance Policies and their Implementation in 2008, SEC(2009) 831 final, 30.6.2009.

European Court of Justice (ECJ) Cases

Case C-106/96 *United Kingdom v. Commission* [1998] ECR I-2729.

Case C-268/94, *Portugal v. Council* [1996] ECR I-6177.

Case C-91/05 *Commission v. Council* (SALW), OJ 2008 C 171/2.

European Parliament Resolutions and Reports

European Parliament, Resolution on a European Democracy Initiative, OJ 1992 C150/281.

European Parliament, Resolution on human rights, democracy and development, OJ 1991 C 326/259.

European Parliament, Report on the European Union's role in promoting human rights and democratisation in third countries, 21.3.2002, A5-0084/2002.

European Parliament resolution of 22 October 2009 on democracy building in the EU's external relations, P7_TA(2009)0056.

Evaluations (published at http://ec.europa.eu/europeaid/what/human-rights/studies_evaluations_en.htm and http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/reports_by_theme_sector_en.htm

Evaluation EIDHR. Programa Andino de Derechos Humanos y Democracia' (January 2006).

Evaluation of the EIDHR Programme [in Russia]' (June 2008).

Mid-Term Evaluation of EIDHR micro-projects programme in Sri Lanka (December 2008).

External Evaluation of Community Aid concerning positive actions in the field of human rights and democracy in the ACP countries 1995-1999 (28 August 2000).

Synthesis Report on EC activities in the field of human rights, democracy and good governance (10 August 2001).

Thematic Evaluation of the EC Support to Good Governance (June 2006).

External Agreements

Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, OJ 1991 L 229/2-280.

Agreement amending the Fourth ACP-EC Convention of Lomé signed in Mauritius on 4 November 1995, OJ 1998 L 156/3.

Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, OJ 2000 L 317/3.

Other Documents

Common Strategy of the European Union of 4 June 1999 on Russia (1999/414/CFSP), OJ 1999 L157/1.

Common Strategy of the European Council of 19 June 2000 on the Mediterranean Region (2000/458/CFSP), OJ 2000 L183/5.

Council of the European Union, The European Community's Development Policy. Statement by the Council and the Commission, 2304th Development Council Meeting, no. 12929/00, 10.11.2000.

Council of the European Union, Council conclusions

on Democracy Support in the EU's External Relations, 2974th External Relations Council meeting, 17.11.2009.

Council Regulation No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ 2002 L248/1.

Council Regulation No 1995/2006 of 13 December 2006 amending Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ 2006 L390/1.

Declaration on Democracy by the European Council (1978), Bull. EC 3-1978, page 5-6.

Democracy Building in EU's External Relations, Joint Swedish/Czech Issues Paper, Informal Meeting of EU Development Ministers (Prague, 29.1.2009), at http://www.concord.se/upload//democracy_building _final.pdf

Democracy Building in EU's External Relations, Joint Swedish/Czech Issues Paper, Informal Meeting of EU Development Ministers (Prague, 29.1.2009), at http://www.concord.se/upload//democracy_building_final.pdf

Document on European Identity by the EEC Member States (1973), Bull. EC 12-1973, page 118-122.

European Council Common Strategy of 11 December 1999 on Ukraine (1999/877/CFSP), OJ 1999 L 331/1.

European Parliament, Council, Commission, 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', OJ 2006 C46/1.

Report from the Conference 'Building Consensus about EU Policies on Democracy Support', March 9 and 10 2009, Prague, Czech Republic, at http://www.eupd.eu/uploads/68f92bc22fcba0184b90bbb2e6e 73b62.pdf

Resolution of the Council and the Member States meeting in the Council on human rights, democracy and development, Bull. EC 11-1991, page 122.

Notes

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