

European Instrument for Democracy and Human Rights

In a nutshell

The European Instrument for Democracy and Human Rights (EIDHR) was established in 2006 to support projects in the area of human rights and fundamental freedoms, and to strengthen the rule of law and democratic reform in countries outside the EU. It provides assistance mainly to civil society organisations, and does not require the consent of national authorities.

EU's Multiannual Financial Framework (MFF) heading and policy area

Heading 4 (Global Europe)

International cooperation and development policy

2014-20 financial envelope (in current prices and as % of total MFF)

Commitments: €1 332.75 million (0.12%)

2014 budget (in current prices and as % of total EU budget)

Commitments: €184.24 million (0.13%)

Payments: €123.33 million (0.08%)

2015 budget (in current prices and as % of total EU budget)

Commitments: €181.83 million (0.11%)

Payments: €154.24 million (0.11%)

Methods of implementation

Direct management (European Commission, DG International Cooperation and Development – mostly projects implemented by civil society organisations (90%)) and *indirect management*.



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EU role in the policy area: legal basis

According to Article 2 of the Treaty on European Union (TEU), the founding values of the European Union (EU) include democracy and respect for human rights. According to Article 21 of the TEU, **the Union's external actions should be guided by the same principles**. Based on these two Articles, in March 2014, the European Parliament (EP) and the Council adopted [Regulation \(EU\) No 235/2014](#) establishing a financing instrument for democracy and human rights worldwide – the European Instrument for Democracy and Human Rights (EIDHR) – for the period 2014-20. According to the Regulation, the Union is to assist the development and consolidation of democracy, the rule of law, and respect for all human rights and fundamental freedoms.

The EIDHR builds on the experience and achievements of previous programmes in the field ([European Initiative for Democracy and Human Rights \(2000-06\)](#), followed by the [2007-13 EIDHR](#), with a budget of €1 104 million).

The EP and the Council adopted in March 2014 [Regulation \(EU\) No 236/2014](#) to ensure the integration and consistency of all external action programmes. It establishes common rules and procedures for **implementing the Union's instruments for external action**, including the EIDHR.

External measures related to democracy and human rights promotion are a shared competence of the EU and the Member States. The EIDHR exists within a broader context of programmes operating with three types of funding: programmes under the EU budget heading 'Global Europe', the [European Development Fund](#) (EDF) (funded by direct contributions from the Member States and not part of the EU budget¹), and individual Member States' programmes and funds, which are regulated and funded at national level.

Objectives of the Instrument

The deterioration of democracy and human rights protection in some countries makes implementing programmes such as the EIDHR increasingly challenging, but also timely. The aim of the EIDHR is to provide support for the **promotion of democracy and human rights in non-EU countries**. The EIDHR is meant to address **sensitive political issues** and provide **flexible assistance**, responding to dynamic and complex challenges to democracy and human rights, which often extend beyond national borders. In order to meet these objectives efficiently and to provide a valuable contribution to overall EU external action policy, the EIDHR is used to cooperate directly with local **civil society organisations** without the need for approval of, or collaboration with, national authorities, or for sometimes lengthy negotiation of cooperation agreements. This distinctive feature of the EIDHR makes it an important tool for EU action under heading 4 of the EU budget, 'Global Europe'.

The EIDHR is intended as a way of integrating human rights work and development aid, as underlined in the [Regulation \(EU\) No 235/2014](#), an increasingly important trend in international assistance programmes around the world.² According to the European Commission ([Directorate-General for International Cooperation and Development](#)), democracy and human rights are seen as a prerequisite for poverty alleviation as well as conflict prevention and resolution, and as bulwarks against terrorism. The EIDHR thus has a key role to play in the overall international assistance policy of the EU.

The EIDHR is a thematic funding instrument, which means that it does not define strict geographical targets, but rather focuses on thematic objectives within EU international

cooperation and development policy. The EIDHR has a broad remit and responds to the following key objectives set out in Regulation (EU) No 235/2014:

- Objective 1 – **Support to Human Rights and Human Rights Defenders (HRD)** in situations where they are most at risk (contribute to meeting HRDs' urgent needs; provide medium and long-term support);
- Objective 2 – **Support to Other Priorities of the EU in the Field of Human Rights** (actions consistent with the priorities set out in the EU Strategic Framework and Action Plan on Human Rights and Democracy; e.g. supporting human dignity; economic, social and cultural rights; tackling impunity; tackling discrimination in all its forms; women's rights and gender equality; as well as emerging issues in the field of human rights);
- Objective 3 – **Support to Democracy** (all aspects of democratisation, e.g. enhancing participatory and representative democracy, transparency, and accountability; consolidation of political participation and representation, as well as pro-democracy advocacy; the rule of law and the promotion and protection of civil and political rights such as freedom of expression online and offline, and freedom of assembly and association);
- Objective 4 – **EU Election Observation Missions** (election observation and wider promotion of, and support for, democratic processes; encompassing all stages of the electoral cycle, including follow-up activities, this will be further developed with complementary actions between bilateral programmes and EIDHR projects);
- Objective 5 – **Support to Targeted Key Actors and Processes**, including international and regional human rights instruments and mechanisms (supporting local civil society's contribution to EU human rights dialogues; development and implementation of international and regional human rights and international criminal justice instruments and mechanisms, including the International Criminal Court).

Funded measures

The emphasis of the EIDHR on support for civil society organisations is reflected in the profile of beneficiaries: approximately **90%** of EIDHR partners are civil society organisations and **10%** are international organisations. The EIDHR's support for international and civil society organisations is provided for in European Commission implementing decisions – see the budget allocations per action in Table 1.

Table 1 – Budget for EIDHR actions

Action title	2014 EU budget contribution (million euros)	2015 EU budget contribution (million euros) ³
Supporting 101 Calls for Proposals targeting local civil society through Country-Based Support Schemes (CBSS)	82.30	82.75
Supporting Human Rights priorities – EIDHR global call 2015	20.50	26.87
Support to Human Rights and Human Rights Defenders in situations where they are most at risk	NA	3.50
A public procurement to support a media and freedom of expression programme	NA	4.55
Supporting democracy - A citizens' organisations', including domestic observer groups', programme	5	NA
Supporting a global network of universities for human rights and democracy postgraduate education	5.60	5.50

Action title	2014 EU budget contribution (million euros)	2015 EU budget contribution (million euros) ³
Supporting key actors - National Human Rights Institutions	5	NA
Supporting key regional actors - Human Rights bodies of the African Union	1.50	NA
Supporting key actors - UN Office of the High Commissioner for Human Rights	4	4
Supporting selected EU trading partners in implementing fundamental labour conventions – International Labour Organization	NA	1
Building legal expertise and fostering cooperation - International Criminal Court	1	NA
Reserve list of 2013 calls for proposals	4.38	NA
Supporting 'Human Rights Dialogues'	1.50	1
Support measures	2	1

Source: European Commission Implementing Decisions [C\(2014\) 5142](#) on the adoption of a special measure for the financing of the Work Programme 2014 for EIDHR, and [C\(2015\)2025](#) on the Annual Action Programme 2015 for the EIDHR.

The largest EIDHR action by far, **Supporting 101 Calls for Proposals targeting local civil society through Country-Based Support Schemes (CBSS)**, is aimed at local civil society and is meant to promote human rights, gender equality, democracy, good governance, children's and indigenous peoples' rights, environmental sustainability, the fight against HIV/AIDS, non-discrimination, and the rights of persons belonging to minorities, of persons with disabilities, and of other vulnerable groups. It is managed directly using a project-based approach (calls for proposals and procurement of services) and the EU Delegations as donor coordinators. The implementation of the action is led by the common aims, but in order to ensure flexible working methods, including the need to work without the consent of the local government,⁴ the specific fields of intervention for each country are selected in discussion with the Delegations, Heads of Missions, and local civil society. The calls are launched in a wide variety of countries across the world, from pre-accession countries with long-term established collaboration with the EU, to newly formed states. For example, the [CBSS call for Turkey for 2014](#) was issued in the context of an adopted [EU Local Strategy to Support and Defend Human Rights Defenders in Turkey](#). It follows more than 100 projects since 2002 addressing issues such as freedom of expression, access to justice, torture and impunity, women's rights, and protection of, and respect for, cultural diversity. The most recent call is focused on strengthening civil society's involvement in making, implementing and monitoring human rights policies and on supporting human rights defenders. Another example, the [CBSS call for South Sudan from 2015](#), supports projects in the areas of women's rights, children's rights, environmental rights, democratisation and peace building, and there is a strong emphasis on a conflict-sensitive approach.

The second largest action funded under the EIDHR is **Supporting Human Rights Priorities**. In 2014, this action focused on supporting human rights defenders in situations where they are most at risk. Following a revision of the EIDHR, since 2015, this action has launched a call for projects in several areas, instead of devoting the funding to a single annual focus. The funded areas are: economic, social and cultural rights; human dignity; discrimination; and other priorities. The support for human rights defenders is included as a separate action in the 2015 Work Programme. The

Supporting Human Rights priorities action is managed directly using a project-based approach (procurement of services). This action also allows for allocation of small grants on an ad hoc basis responding to urgent protection needs, when the implementation of projects under the CBSS is not feasible. In [2014](#), projects funded included Supporting Actors for Sustainable Protection of Human Rights in Afghanistan (SAHRA); Media Freedom Support in Russia, Ukraine and Azerbaijan; and Green Voices Cambodia: Enhancing free speech for Cambodia's environmental HRDs.

Other actions with smaller budget allocations are focused mostly on multilateral initiatives, and target support to particular international bodies working in the field of democracy and human rights. For example, the work programme for 2014 included the human rights bodies of the African Union and the International Criminal Court, while the [work programme for 2015](#) includes a new action to support selected EU trading partners in implementing fundamental labour conventions, in this case those of the International Labour Organization.

Other new actions in the 2015 work programme include Supporting Democracy – Media and freedom of expression in the framework of the pilot exercise for democracy. This is focused on furthering pro-democracy activities, the role of the media, and the right to access to public information.

Assessment of the Instrument

In the academic literature, the EIDHR is referred to as the 'jewel in the crown' of EU instruments for external assistance,⁵ because of its focus on fundamental democratic principles, and as 'unique' because of its global scope.⁶ The EIDHR is also praised for the shift in focus from institutional support to support for civil society initiatives, which allows for more flexibility and responsiveness to changes in countries in need of democratic support,⁷ and makes it possible to bypass local governments that may be corrupt. A perceived lack of flexibility and ability to react quickly has been a major concern in the past.⁸

Over the years the EIDHR has become a 'high visibility instrument of EU foreign policy'⁹ with a key role in the EU's external policy of promoting human rights and democracy. Building on experience implementing previous external financial instruments, including the EIDHR, the EP's priorities in the negotiations for the period 2014-20 were to enhance effectiveness, improve transparency and accountability through closer scrutiny by the EP, increase flexibility, underline the importance of consulting with civil society, and mainstream human rights and democracy across all funding instruments.¹⁰ A major step towards achieving some of these goals is the introduction of the Common Implementing Regulation (Regulation (EU) No 236/2014).

An on-going concern related to the EU's instruments for external action is their level of consistency and complementarity. Some see this as part of a broader issue of lack of coherence in the EU's external policy, and of ambiguity in its definition of democracy.¹¹ The introduction of the Common Implementing Regulation has helped generate synergies, but there is still room for improvement. The Action Plan on Human Rights and Democracy (2015-19), '[Keeping human rights at the heart of the EU agenda](#)', replaces the expired Action Plan for 2012-14.¹² Apart from the established tools for consistent EU policy in the field, other major achievements of the 2012-14 Action Plan include the increased mainstreaming of human rights considerations, increased effectiveness of multilateral actions with other organisations such as the United Nations (UN), strengthened cooperation with civil society, and increased visibility and

accountability of activities.¹³ The Action Plan for 2015-19 puts further emphasis on the following guiding principles for implementation: support for endogenous forces (such as civil society and regional organisations), leading by example, focusing on the most pressing human rights challenges, a smart and strategic way of using available policies, more effective communication, and measuring impact.

According to a [European Court of Auditors' report from 2000](#), the main weaknesses of EU support for the development of human rights and democracy were the insufficient measurement of support, its effectiveness and impact; a lack of systematic and clearly defined selection criteria; insufficient attention paid to the capacity of the implementing body; and shortcomings in programme administration due to insufficient staff resources.¹⁴ All these lessons of previous programmes related to promotion of democracy and human rights have since been addressed (to varying degrees) in the regulations related to the subsequent implementation of the EIDHR. An evaluation by the European Court of Auditors of the current situation is expected later this year.¹⁵

Other EU programmes and action in the same field

The EU has a long-standing and significant role in the field of foreign assistance. Over the years, many programmes have been created to provide assistance on both a geographical basis (targeting particular countries and regions) and a thematic basis (focusing on particular issues regardless of the region and countries involved). Under the 2014-20 MFF, the instruments for financing external action are concentrated under Heading 4, 'Global Europe', with about **6% of the total EU budget**. To ensure the consistency of the various instruments, the EP and the Council adopted [Regulation \(EU\) No 236/2014](#) laying down common rules and procedures for the implementation of the Union's instruments for financing external action. This regulation forms part of the [External Financial Instruments Package](#), which includes several instruments alongside the EIDHR, namely:

- **The Instrument contributing to Stability and Peace:** provides direct support in the areas of crisis response, conflict prevention, peace-building and crisis preparedness;
- **The Partnership Instrument (PI):** supports measures that respond to objectives arising from the EU's bilateral, regional and multilateral relationships with third countries;
- **The European Neighbourhood Instrument (ENI):** promotes shared prosperity and good neighbourliness;
- **The Instrument for Pre-accession Assistance II (IPA II):** provides support to countries preparing for EU accession;
- **The Instrument for Development Cooperation (DCI):** is aimed at reducing, and ultimately eradicating, poverty.

The Common Regulation also emphasises simplified and efficient rules and procedures, increased flexibility, and a greater overall focus on human rights, democracy and good governance¹⁶. As a thematic instrument, the EIDHR is complementary to other thematic instruments, such as the Instrument contributing to Stability and Peace. All thematic programmes are also complementary to the regional and country-based programmes with a specific regional focus, such as the ENI and the PI. Examples of the largest European programmes in the area of democratic support that are not part of the EU budget include the European Endowment for Democracy and the European Development Fund.

European Endowment for Democracy

One notable example of the EU's long-term involvement in democratic assistance beyond its borders is Poland – a current EU Member State and a former beneficiary of EU external assistance during its transition to democracy – which initiated the creation of the [European Endowment for Democracy](#) (EED) in 2011.

The aim of the EED is to foster sustainable democratisation in transition countries¹⁷ and to provide support with maximum flexibility. Since its general goals are rather similar to those of some EU programmes, in particular the EIDHR, the EED commits to regularly consulting the EU institutions in order to avoid duplication and foster complementarity and synergy with other programmes in this field.

The EED is not an EU programme, but is co-funded by the Commission and voluntary contributions from Member States. The funding members so far include 16 EU Member States and Switzerland. After a [positive evaluation of the EED's work](#), the European Commission granted it €12 million for the period 2016-18, doubling its current budget. An [EP resolution](#) of 9 July 2015 (2014/2231(INI)) confirms the positive evaluation of the programme, calls on the EED founding parties to contribute, or increase their contributions, to the EED in line with their commitments, and encourages other Member States and EU partners to join the programme. It also emphasises the need for long-term, sufficient, stable, transparent and predictable funding.

European Development Fund

The [European Development Fund](#) (EDF) is already in its 11th round of implementation since its launch in 1959. It is the EU's main instrument for providing development aid to African, Caribbean and Pacific countries and to overseas countries and territories. It is focused on support for economic development, social and human development, regional cooperation, and integration, but it also retains the flexibility to respond to unexpected events and unforeseen needs with a regional dimension.

The EDF is not part of the EU budget, despite the EP's recurring calls for it to be integrated.¹⁸ It is financed by direct voluntary contributions from the EU's Member States. Its total financial resources for the 2014-20 MFF amount to €30.5 billion. To ensure consistency between the EDF and the external instruments financed under the EU budget, the negotiations between Member States participating in the EDF took place in parallel with the overall negotiations on the 2014-20 MFF.

Endnotes

- ¹ See: the European Commission web page on the [Multiannual Financial Framework](#).
- ² See: S. Kindornay, J. Ron and C. Carpenter, [Rights-Based Approaches to Development: Implications for NGOs](#), Human Rights Quarterly 34 (2012) 472-506 O, 2012.
- ³ Indicative amounts.
- ⁴ See: European [Commission Implementing Decision C\(2014\) 5142 final of 24.7.2014 on the adoption of a special measure for the financing of the Work Programme 2014 for the European Instrument for Democracy and Human Rights](#), 2014.
- ⁵ See: M. Kurki, [Governmentality and EU Democracy Promotion: The European Instrument for Democracy and Human Rights and the Construction of Democratic Civil Societies](#). International Political Sociology, 5: 349–366, 2011.
- ⁶ See: A. Egan and L. Pech, [Respect for Human Rights as a General Objective of the EU'S External Action](#), Working Paper No. 161, University of Leuven, 2015.
- ⁷ See: N. Babayan and A. Viviani, ["Shocking" Adjustments? EU Human Rights and Democracy Promotion](#), Transworld, Working paper 18/April, 2013.
- ⁸ See: H. Kostanyan and M. Nasieniak, [Moving the EU from a Laggard to a Leader in Democracy Assistance: The Potential Role of the European Endowment for Democracy](#), 2012; N. Babayan and A. Viviani, ["Shocking" Adjustments? EU Human Rights and Democracy Promotion](#), Transworld, Working paper 18/April, 2013.

- ⁹ See European [Commission Implementing Decision C\(2014\) 5142 final of 24.7.2014 on the adoption of a special measure for the financing of the Work Programme 2014 for the European Instrument for Democracy and Human Rights \(EIDHR\)](#) 2014.
- ¹⁰ See: [The EU's 2014-2020 external financial instruments: An opportunity for the European Parliament to play a greater role](#), Policy briefing, Directorate-General for External Policies, European Parliament, 2014.
- ¹¹ See: N. Babayan and A. Viviani, ["Shocking" Adjustments? EU Human Rights and Democracy Promotion](#), Transworld, Working paper 18/April, 2013.
- ¹² See: Council of the European Union, [EU Strategic Framework and Action Plan on Human Rights and Democracy, ST 11855/12](#), 2012.
- ¹³ See: Joint Communication by the European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament and the Council, [Action Plan on Human Rights and Democracy \(2015-2019\), 'Keeping human rights at the heart of the EU agenda'](#), 2015.
- ¹⁴ See: European 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 \(2000/C 230/01\)](#), 2000.
- ¹⁵ See: European Court of Auditors, [2015 Work Programme](#), 2015.
- ¹⁶ See: [EU financial instruments for external action](#), C. Cîrlig, Briefing, EPRS, European Parliament, 2013.
- ¹⁷ See: [European Endowment for Democracy: hopes and expectations](#), Briefing, European Parliament, 2013.
- ¹⁸ See: [European Development Fund. Joint development cooperation and the EU budget: out or in?](#), A. D'Alfonso, In-depth analysis, EPRS, European Parliament, 2014

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