

STUDY

Requested by the AFET and DEVE committees



EP democracy support activities and their follow-up, and prospects for the future



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STUDY

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ABSTRACT

The Democracy Support and Election Coordination Group (DEG) is responsible for coordinating the democracy support activities of the European Parliament (EP). Over the course of the eighth legislature, the DEG has aimed to bring strategic focus to its democracy support activities through the introduction of a Comprehensive Democracy Support Approach (CDSA). While the introduction of the CDSA has outlined a vision for more focused and strategic interventions around the electoral cycle, the implementation remains a 'work in progress'. There have been some innovative and long-term activities that bring coherence with EU policies, notably in Ukraine, but also there continue to be some cases of one-off actions without clear objectives. The comparative advantage of the EP in democracy support is its political perspective and ability to work 'peer to peer' with other parliamentarians, which has been demonstrated in its capacity building and mediation and dialogue activities. Overall the EP should continue to strive to be innovative and strategic in its democracy support, working where it has influence and bringing policy coherence with broader EU priorities. Election observation remains relevant, and follow-up to observer recommendations could be enhanced. The Sakharov Prize and the activities around it, which are also coordinated by the DEG, are consistent with EU values, including through support for human rights defenders and civil society.

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Authors: Holly RUTHRAUFF, Ruthrauff Consulting sprl, Belgium, Sarah CROZIER, independent consultant, Spain and Hannah ROBERTS, independent consultant, United Kingdom

Official Responsible: Marika LERCH

Editorial Assistant: Daniela ADORNA DIAZ

Feedback of all kind is welcome. Please write to: marika.lerch@europarl.europa.eu.

To obtain copies, please send a request to: poldep-expo@europarl.europa.eu

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Abbreviations

AFET	Foreign Affairs Committee
CDSA	Comprehensive Democracy Support Approach
CMI	Crisis Management Initiative
CO	Chief Observer
DEG	Democracy Support and Election Coordination Group
DEAC	Democracy and Elections Action Unit
DEVE	Development Committee
DG COMM	Directorate General Communications (of the European Parliament)
DG DEVCO	Directorate General on International Cooperation and Development
DG EXPO	Directorate General External Policies (of the European Parliament)
DG NEAR	Directorate General on European Neighbourhood Policy and Enlargement Negotiations
DoP	Declaration of Principles for International Election Observation
DROI	Human Rights Committee
EEAS	European External Action Service
EFM	Election Follow-up Mission
EOM	Election Observation Mission
EP	European Parliament
EPMS	European Parliament Mediation Support Unit
IDEA	International Institute for Democracy and Electoral Assistance
JMD	Jean Monnet Dialogues for Peace and Democracy
JPC	Joint Parliamentary Committee
HRAC	Human Rights Actions Unit
HR/VP	High Representative for Foreign Affairs and Security Policy and Vice President of the Commission
MoU	Memorandum of Understanding
NAM	Needs Assessment Mission
NDI	National Democratic Institute
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Cooperation and Development
OPPD	European Parliament Office for the Promotion of Parliamentary Democracy
OSCE	Organization for Security and Co-operation in Europe
PAP	Pan African Parliament
PED	Parliamentary electoral dialogue
PAAC	Pre-Accession Actions Unit

SAA	Stabilization and Association Agreement
SAPC	Stabilisation Agreement Parliamentary Committees
SEF	Strategic Execution Framework
SGUA	Support Group for Ukraine
WFD	Westminster Foundation for Democracy
YPL	Young Political Leaders programme

Executive Summary

This study has been commissioned by the Foreign Affairs Committee (AFET) and the Development Committee (DEVE) following a request from the Democracy Support and Election Coordination Group (DEG) to review the European Parliament's (EP) democracy support activities, coordinated by the DEG and implemented by the Directorate for Democracy Support, over the course of the eighth legislature and make recommendations for future improvements. Using the three stipulated criteria of relevance, coherence and coordination, and consistency, it examines in particular the implementation of the Comprehensive Democracy Support Approach (CDSA), which was introduced at the beginning of the legislature in an effort to improve the coherence of the EP's democracy support work. The CDSA provides a conceptual framework for a more strategic approach to the EP's democracy support activities, by prioritising a number of countries and encouraging long-term engagement around the electoral cycle, in coordination with other EP bodies, EU institutions and external partners.

The CDSA encompasses the DEG's four work streams of election observation, parliamentary support, human rights actions, and mediation and dialogue, all of which are assessed in the study. The main activities include: deploying election observation delegations and corresponding pre-election and post-election actions; organising parliamentary capacity-building activities in the CDSA priority countries, including the EU enlargement countries; managing the Sakharov Prize, the Sakharov Prize Network and the Sakharov fellowship, as well as other human rights actions; and conducting mediation and dialogue, including parliamentary mediation missions, the Jean Monnet Dialogues and the Young Political Leaders programme.

The study concludes that overall the CDSA has brought a more focused and strategic approach to EP democracy support activities. It has provided a vision for developing more long-term engagement in priority countries based on assessment of needs, linking activities around the electoral cycle and close coordination with others both inside and outside of the Parliament.

The CDSA has been most fully tested in Ukraine, which is presented as one of two case studies in the study. Following various political crises, the EP has engaged with Ukraine to an unprecedented level and with its most strategic approach to date, demonstrating its relevance in a country with significant European aspirations. In particular, the introduction of the first Jean Monnet Dialogues have contributed to building trust and changing political culture, although the implementation of parliamentary reforms has been relatively limited. The study points out that while the case of Ukraine is in some way unique because of the political context, a number of good practices can be drawn from this example in terms of the cumulative effect of coordinated and complementary EP democracy support activities.

The EP's democracy support in other countries has been more of a mixed picture, with the implementation of the CDSA remaining a work in progress. There have been other examples of innovative democracy support activities developed to address specific identified needs, leading to long-term engagement with partner parliaments. But there have also been less impactful actions, with no clear outcome or follow-on activities, which do not reflect fully the intentions of the CDSA. The Western Balkans region case study demonstrates both of these tendencies. Some EP activities have brought significant policy coherence by addressing issues highlighted by European Commission and EP reporting on pre-accession countries, such as the need to promote young parliamentarians, improve political culture within parliaments and facilitate the enlargement process. However, other actions, although demand driven, appear to be less impactful.

The relevance of the EP in the field of democracy support providers is closely linked to its political perspective and approach, which is identified by the study as its distinct comparative advantage. The ability of MEPs to work 'peer to peer' with their colleagues in other parliaments to address issues related to political culture and parliamentary functioning in particular sets the EP apart from other democracy

support actors. In addition the EP brings political leverage to its activities, including through the involvement of political parties and their networks.

While the priority countries concept has brought a degree of focus to the work, the activities that appear to have had the most traction have been in those countries where the EP has the most influence, in particular those countries with European aspirations in the Western Balkans and associated countries of the Eastern neighbourhood. These countries are strategic priorities for the EU as a whole, and will remain 'priority countries' for the EP regardless of whether there is a priority country list. Indeed, by focusing on these countries, the EP demonstrates the coherence of its work with broader EU priorities. The relevance of the EP for other transnational parliaments such as the Pan-African Parliament has also been recognised.

During this legislature the EP has demonstrated the value of good coordination, especially with other EU institutions, where EP action can reinforce overall EU strategic objectives. The EP has also continued to work closely with the Organisation for Security and Cooperation in Europe Office of Democratic Institutions and Human Rights (OSCE/ODIHR) on election observation, and has developed new partnerships with international development partners over the course of this legislature, which allow it to bring its added value to situations where the lack of a permanent on the ground presence might otherwise make it difficult to be effective. This is a positive development and avoids duplication of efforts.

The study further concludes that the DEG's democracy support actions are consistent and help to further the EU values and principles recognised and promoted overall by the EP. DEG efforts to support human rights defenders, including through the activities around the Sakharov Prize and its engagement with civil society at a time of increased closing space demonstrate this. Activities that promote a culture of consensus building and compromise in partner parliaments are also consistent with the vision and values of the EP. Actions conducted by the DEG can bring increased leverage for the EP's overall policy priorities, as political messages can be followed up with concrete actions. Follow-up on the implementation of election observation mission (EOM) recommendations is an area where this could be further pursued, through political actions and parliamentary electoral dialogues.

The study concludes by respectfully making a number of recommendations for the consideration of the DEG. In addition to the recommendations for each specific work stream, the overall recommendations include:

- Overall, the EP should continue to implement the CDSA, developing instruments throughout the electoral cycle that allow it to be innovative and strategic in its approach to democracy support and by using its comparative advantage and expertise to address issues of a political nature.
- The EP should focus its work in those countries where it can have the most influence and strategic interests – especially the neighbouring countries with European aspirations, including those countries of the Eastern Partnership that have concluded Association Agreements and the pre-accession countries of the Western Balkans. Other countries where the EP is engaged through election observation can be the focus of post-election activities, as is already the case.
- The practice of assigning a lead Member should be continued. However the lead Member's role could be better defined vis-à-vis other EP bodies (e.g. standing delegations, Committee rapporteurs, etc) to set out the scope and specific responsibilities of the role, including possibly through the development of guidelines.
- The EP would enhance the transparency and accountability of its work by making more information publically available on its democracy support actions and by further developing mechanisms for defining the aims and tracking the results and outcomes of its actions. The existing EU literature on monitoring and evaluation approaches could provide useful guidance.

- The EP should continue to prioritise working with youth and women, and encourage potential 'change-makers' wherever possible.
- The DEG should continue and enhance coordination with other implementers of parliamentary strengthening programming so as to identify niches where the EP's added value can be most useful and avoid duplication of efforts. For example, fact-finding missions can meet with other implementers on the ground as a standard practice.
- The DEG should consider developing an overall external communications strategy to reinforce the joined-up nature of CDSA activities, as well as communication plans for each work stream.

Introduction

The European Parliament (EP) brings a unique perspective to support for democracy abroad. While the European Union (EU) is one of the leading providers of international democracy support, no other EU institution has the political perspective and expertise of the EP.

The Democracy Support and Election Coordination Group (DEG), co-chaired by the chairpersons of the Foreign Affairs (AFET) and Development (DEVE) Committees, is the body charged with providing guidance to the EP's activities in the area of democracy support. Its mandate and composition was defined in the 2012 Decision of the Conference of Presidents¹.

Over the course of the eighth legislature, the DEG has made concerted efforts to further develop and increase the coherence of its democracy support activities through the development of a Comprehensive Democracy Support Approach (CDSA). The CDSA was recommended in the seventh legislature as part of the DEG's end-of-legislature report, which contained a number of recommendations on how the CDSA could be implemented so as to enhance the effectiveness of the EP's democracy support activities, in line with the electoral cycle².

This study has been commissioned by the DEG as part of this ongoing process to further develop the tools it uses to provide democracy support, including in the areas of election observation, parliamentary capacity building, human rights actions and mediation and dialogue activities.

As the eighth legislature comes to a close, it is a timely moment for the DEG to take stock of progress made over the course of this legislature, as well as to look ahead and make recommendations for the incoming legislature. The broader political context also signals the importance of this kind of reflection. As democratic institutions and human rights frameworks are under increased pressure both inside and outside of the EU, it is crucial for democratic institutions such as the EP to ensure that the support it is providing in this area maximises the comparative advantages that it has to offer.

Scope

This study reviews the democracy support activities provided by the DEG during the tenure of the eighth EP (2014 – 2018). It covers the following EP democracy support work streams:

- Overall EP approach to democracy support activities
- The EP's approach to elections (observation, pre- and post-election) and follow-up
- The EP's parliamentary capacity building activities
- The EP's activities on mediation and dialogue, including the Jean Monnet Dialogue (JMD) and the Young Political Leader's Programme (YPL)
- The EP's activities on human rights, including the Sakharov Prize and Sakharov Prize Network

In addition, the study includes two cases studies, on EP democracy support in Ukraine and in the Western Balkans region, which examine how the various work streams can be applied in a complementary way, consistent with the overall CDSA approach.

¹ The Democracy Support and Elections Coordination Group (DEG) and the Implementing Provisions Governing the Election Observation Delegation, Decision of the Council of Presidents, 13 September, 2012.

² 'End of Legislature report' of the Democracy Support and Election Coordination Group (DEG), 1 April 2014.

Objectives

This study has the following aims:

- Review the EP's democracy support activities implemented during the eighth legislature, to identify strengths and weaknesses as well as main achievements and challenges
- For each work stream of activities, assess their relevance, the level of cooperation and coordination with EU institutions and other relevant partners, and the EP's role within the international community in this field
- Provide a solid and objective knowledge basis for the DEG, including the formulation of practical recommendations for its consideration.

Methodology

There are various inherent limitations to conducting such an assessment, in particular when considering the relevance, effectiveness and impact of actions. Firstly there are many variables in democracy processes, the vast majority of which are beyond the control of the EP. There are also difficulties of attribution, as it is not possible to establish causal relationships with certainty in this area of assistance especially given the political nature of the actions. Furthermore the results of political actions can be intangible and therefore difficult to measure.

Information has been collected from a literature review, interviews, and case studies. The team then analysed the data using triangulation of sources. These findings have resulted in both specific and horizontal conclusions and recommendations.

The literature review primarily focused on documents provided by the EP to the team at the inception of the study. These included event agendas, internal notes of DEG meetings, mission reports, DEG annual reports, annual work programmes, internal feedback notes on events, media coverage analyses, diplomatic correspondence and EP publications. The team has also accessed EU policy documents and other publicly available sources for use in the study, including academic literature, guidance documents on parliamentary support, reports of other international organisations, as well as articles in the press. However academic literature on the subject is somewhat limited, particularly in relation to initiatives of the EP undertaken during this legislature.

Fifty-five semi-structured interviews were conducted with a broad range of stakeholders. Interviewees included relevant EP staff, Members of the DEG, former Heads of EP election observation delegations, former Chief Observers of EU election observation missions (EOMs), EU officials, civil society actors, subject experts, senior representatives of other institutions involved in democracy support and international development partners. Interviews have also been held to the extent possible with beneficiaries of the EP's activities. In some instances, the team refrained from contacting beneficiaries at the request of the EP due to the ongoing and sensitive nature of activities. This problem was overcome by identifying other relevant external interlocutors to provide a balanced view.

In addition the team conducted two case studies – for Ukraine and the Western Balkans region. For the Ukraine case study the team visited Kiev to meet with stakeholders. For the Western Balkans case study, interviews were held with key stakeholders in Brussels and remotely with stakeholders in the region. In addition the team attended several EP events, in particular the High-level Conference on the Future of International Election Observation (10-11 October 2018).

The team considered the approach to communications and attempted to analyse media coverage of the various EP activities. However, with the exception of the Sakharov Prize, very little comprehensive press and outreach work was apparent for most DEG activities and public information about joint activities often

seemed to be left to EP partners. The study therefore focuses on areas that a communications and outreach strategy could consider and develop. While an absence of visibility and EP public information was noted across many activities, in a welcome step, the EP launched a new Democracy Support website in December 2018, which addresses many of the information gaps identified throughout most of the eighth legislature.

At the inception of the study, a methodological framework was defined with key questions to be answered by the study, including the assessment criteria (relevance, coherence and coordination, and consistency) and the initial research questions provided by the EP. Based on these key questions, a standard questionnaire was developed as the basis for interviews with both external and internal stakeholders (see annex). For the two case studies, the team has examined the implementation of activities in further depth, including considering an additional criterion on their effectiveness,³ as specified by the EP.

Given the political and developing nature of the EP's democracy support, full intervention logics have not been available, and there are limited documented rationales, objectives, outputs, indicators and means of verification. The team has therefore focused on the overall aims of the actions, as defined in project documentation and through interviews with responsible EP officials. The team has also considered the implementation of recommendations as defined in the DEG end-of-legislature report of April 2014.

The study was undertaken from September – December 2018, with the period of examination covering July 2014 (beginning of the 8th legislature) until 15 November 2018. The team would like to thank all those who gave their time to share their perspectives.

³ The Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) has identified five criteria for evaluation of development assistance: relevance, effectiveness, efficiency, impact and sustainability. The OECD defines 'effectiveness' as 'a measure of the extent to which an aid activity attains its objectives.' See factsheet 'DAC Criteria for Evaluating Development Assistance' at www.oecd.org.

1 Overview of the EP approach to democracy support activities

1.1 Background to the CDSA

Prior to 2012, the European Parliament Office for the Promotion of Parliamentary Democracy (OPPD) was responsible for organising the EP's capacity building activities in partner countries. Activities were primarily demand driven, and could take place with any country from which there was a request. The OPPD focused on building capacity at the administrative level, in addition to study visits from parliamentarians. A significant push for the further development of the EP's democracy support activities resulted from the 2011 report of MEP Véronique De Keyser, 'on EU external policies in favour of democratisation,' which acknowledged democracy support efforts across the EU institutions and made a number of recommendations, including for the EP to expand the mandate of the pre-cursor to the DEG, the Election Coordination Group (ECG), to include 'democracy support policies'⁴. The Report was endorsed by Parliament with the 7 July 2011 EP resolution on 'EU external policies in favour of democratisation'⁵, providing the basis for the establishment of the current DEG and the Directorate for Democracy Support.

The creation of the DEG in 2012⁶ provided political leadership for the EP's democracy support activities. The DEG then took on a decision-making role and EP democracy support activities became more focused on engaging at a political level, including by working with MPs as well as with staff, and by involving MEPs more directly in the conduct of democracy support activities.

In 2014, the OPPD was merged with the administrative unit responsible for coordinating election observation to create the Democracy and Elections Action Unit (DEAC). The DEAC was then brought together with two other administrative units, Pre-Accession Action Unit (PAAC) and the Human Rights Actions Unit (HRAC) to form the Directorate for Democracy Support.

The 'Comprehensive Democracy Support Approach' (CDSA) is a concept recommended by the DEG at the end of seventh legislature⁷ and endorsed by the reconstituted DEG in late 2014 to bring focus and coherence to the EP's democracy support work. By taking a more strategic approach, improving the coordination and complementarity of activities in specific countries, the DEG aimed to deliver more effective results of the EP's democracy support activities. In particular, the CDSA emphasised the need to develop democracy support activities around the electoral cycle, so as to link the EP's established practice of election observation to its other activities. The CDSA also aimed to bring coherence to the three (eventually four) work streams, which were brought together administratively at the beginning of the eighth legislature in the Directorate for Democracy Support.

The stated objective of the CDSA is to 'ensure that all EP parliamentary support activities are carried out in a coherent and complementary manner. This is achieved by focusing as much as possible on providing EP assistance and resources to a limited number of countries'⁸. In its end-of-legislature report in 2014, the DEG made a number of recommendations for the eighth legislature, including a general recommendation that 'the Comprehensive Democracy Support Approach should become a leading principle for defining a more structured, coherent and sustainable framework for EP democracy support activities throughout the electoral cycle in priority third countries'.

The CDSA encompasses the following work streams (thematic areas) of the DEG, which are supported by the four units within the Democracy Support Directorate:

⁴ 'Report on EU external policies in favour of democratisation', European Parliament, AFET committee, 2011/2032(INI), 16.6.2011.

⁵ EP Resolution, 'EU external policies in favour of democratisation,' P7_TA(2011)0334, 7.7.2011.

⁶ See The Democracy Support and Elections Coordination Group (DEG) and the Implementing Provisions Governing the Election Observation Delegation, Decision of the Council of Presidents, 13.9.2012.

⁷ See the DEG 'End of legislature report', 1.4.2014.

⁸ 'Democracy support work programme in 2018', Democracy Support and Election Coordination Group, p.3.

- Election observation, including the EP's Election Delegations and other election-related actions, is supported by the DEAC.
- Capacity building actions are mainly organised by the DEAC in CDSA priority and other countries, and by the PAAC in the enlargement countries of Western Balkans and Turkey.
- Human rights actions, including human rights related capacity building, the Sakharov Prize and the Sakharov Prize Network as well as other actions, are supported by the HRAC.
- Mediation and Dialogue, including the Jean Monnet Dialogues and the Young Political Leaders Programme, are carried out by the Mediation and Dialogue Support Unit (EPMS), which was upgraded from a service to a full unit in 2017.

These work streams include a number of specific instruments that can be applied around the electoral cycle, which are explained in the relevant chapters.

1.2 Key elements of the CDSA

The CDSA concept, as first articulated in the 2014 DEG end-of-legislature report and subsequently further developed by the DEG of the eighth legislature, includes the following key elements:

Priority countries

Central to the CDSA has been the idea of 'priority countries', which were to be the focus for EP democracy support activities. At the beginning of the eighth legislature, the DEG was to identify 6 – 10 priority countries where the CDSA approach could be applied. Criteria for selection included: consideration of the EU pilot countries for democracy support under the EU Agenda for Action⁹, countries considered for conflict prevention by the EU Early Warning System, and a certain geographical balance and taking into account the EP emphasis on the Eastern and Southern Neighbourhood¹⁰. Priority countries were to be selected on an annual basis and reconfirmed, where necessary, in the following years.

At the end of 2014, the DEG selected six priority countries (Ukraine, Moldova, Tunisia, Morocco, Myanmar and Tanzania), and confirmed the pre-accession countries in the Western Balkans and Turkey as a priority region. In November 2015, the Pan-African Parliament was designated as a 'priority regional parliament'. Then in December 2016 as part of its mid-term review, the DEG reconfirmed four countries (Ukraine, Moldova, Tunisia, Myanmar) as well as the priority region and priority regional parliament, added three countries (Georgia, Peru and Nigeria) and put two countries 'on hold', with only limited activities implemented (Tanzania and Morocco). Several additional countries were identified for pre- and post-electoral activities (including Sri Lanka, Jordan, Kenya, The Gambia and Lebanon). In 2017, the DEG determined that the EP democracy support programme to Myanmar would be put on hold 'In the light of the state of human rights in Rakhine State'.¹¹ This status was re-confirmed in 2018.

In addition, democracy support activities took place with a number of additional countries (e.g. Niger, Côte d'Ivoire and The Gambia) following requests by the highest EP authorities and after approval of the DEG. Such flexibility to respond to dynamic political priorities had been originally foreseen in the CDSA concept.

Selection of priority countries allows the DEG to engage long-term in specific countries. Such a long-term approach has been implemented in certain priority countries over the course of this legislature, although

⁹ The 'EU Agenda for Action on Democracy Support in EU External Relations' in the Council Conclusions from November 2009 sets out a policy framework for EU democracy support activities. A list of proposed countries for the pilot implementation of the Agenda for Action was agreed by the Council in its December 2010 Conclusions.

¹⁰ See Selection of priority DEG countries, Annex 1 to 'Democracy Support and Election Coordination Group: Developing a Comprehensive Democracy Support Approach (CDSA)', 10. 2014.

¹¹ DEG Annual Report 2017, p.15.

a clear country-specific strategy for such engagement has not always been apparent. At the same time, the EP has also retained a certain degree of flexibility to respond to political developments in other countries, as recommended, although there have also been cases where this has not been possible due to a lack of resources or agreement from the DEG to engage in a country outside of the priority country list.

Lead Members

Another important aspect of the CDSA has been to appoint a 'lead Member' for each priority country. This aims to increase the political ownership of democracy support activities by MEPs, who give their political backing to the activities and closely follow developments in their assigned country. Having one lead Member also aims to enhance the visibility of democracy support activities in CDSA priority countries. Lead Members are expected to coordinate closely with other EP structures working on a particular country, including the rapporteurs and standing delegations, as specified in the end-of-legislature report. At the same time, the role of the lead Member is not defined in a set of guidelines, and in some cases there could be overlap with the roles of other EP bodies.

Expanded scope of activities

The CDSA also called for the scope of the EP's democracy support activities to be expanded, to strengthen parliaments throughout the electoral cycle. The inclusion of mediation and dialogue in the DEG's mandate and the subsequent development of these activities during the eighth legislature have brought a new dimension to the EP's democracy support as well as the opportunity to develop innovative activities. Similarly the inclusion of human rights actions as part of the Directorate for Democracy Support underlines the connection between human rights and democracy that was highlighted in De Keyser's 2011 report, and also provides the opportunity for synergies.

With the introduction of the CDSA, democracy support activities were to be less technical, and closer to the MEPs' political expertise. As a consequence, the trend has been for more political interventions, and MEPs have been involved in most of the activities during the course of this legislature.

At the same time, democracy support activities conducted in a country were to be linked wherever possible. The activities that have taken place in Ukraine (see case study in chapter 7) demonstrate how different work streams of EP democracy support activities can constructively reinforce each other throughout the electoral cycle.

Increased coordination

Finally, the CDSA emphasised the need for better coordination on democracy support, both within the European Parliament in support of the CDSA and through inter-institutional cooperation on democracy support within the EU. Coordination within the EP is especially relevant for follow-up to EU election observation recommendations, which requires cooperation with other committees, such as AFET, DEVE and the Human Rights Subcommittee (DROI), and with the delegations. The EP is also coordinating with non-EU bodies involved in parliamentary development, such as UNDP and International IDEA.

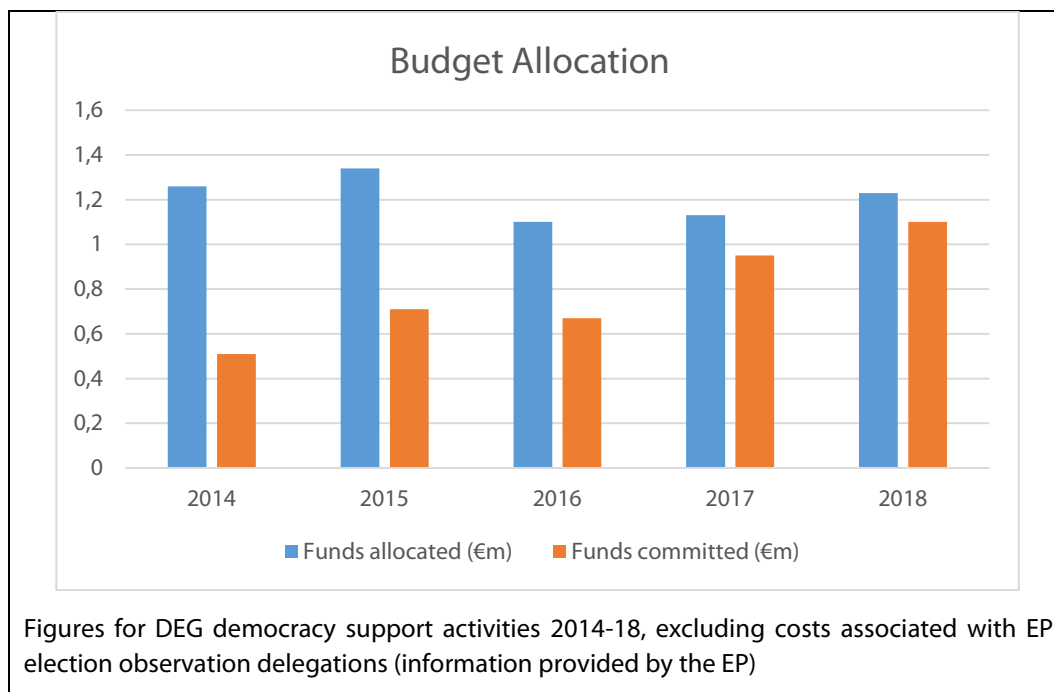
1.3 Resources for EP democracy support

While the EP has carried out numerous democracy support activities during the eighth legislature, it is useful to note that the budget allocated for democracy support activities is relatively modest. According to the budget information available (see figures below), the budget allocated to the DEG's democracy support activities during this legislature has been sufficient for the activities it has carried out. During the

legislature, there was an annual increase of the amounts committed with 2018 at the highest level¹² (see chart below).

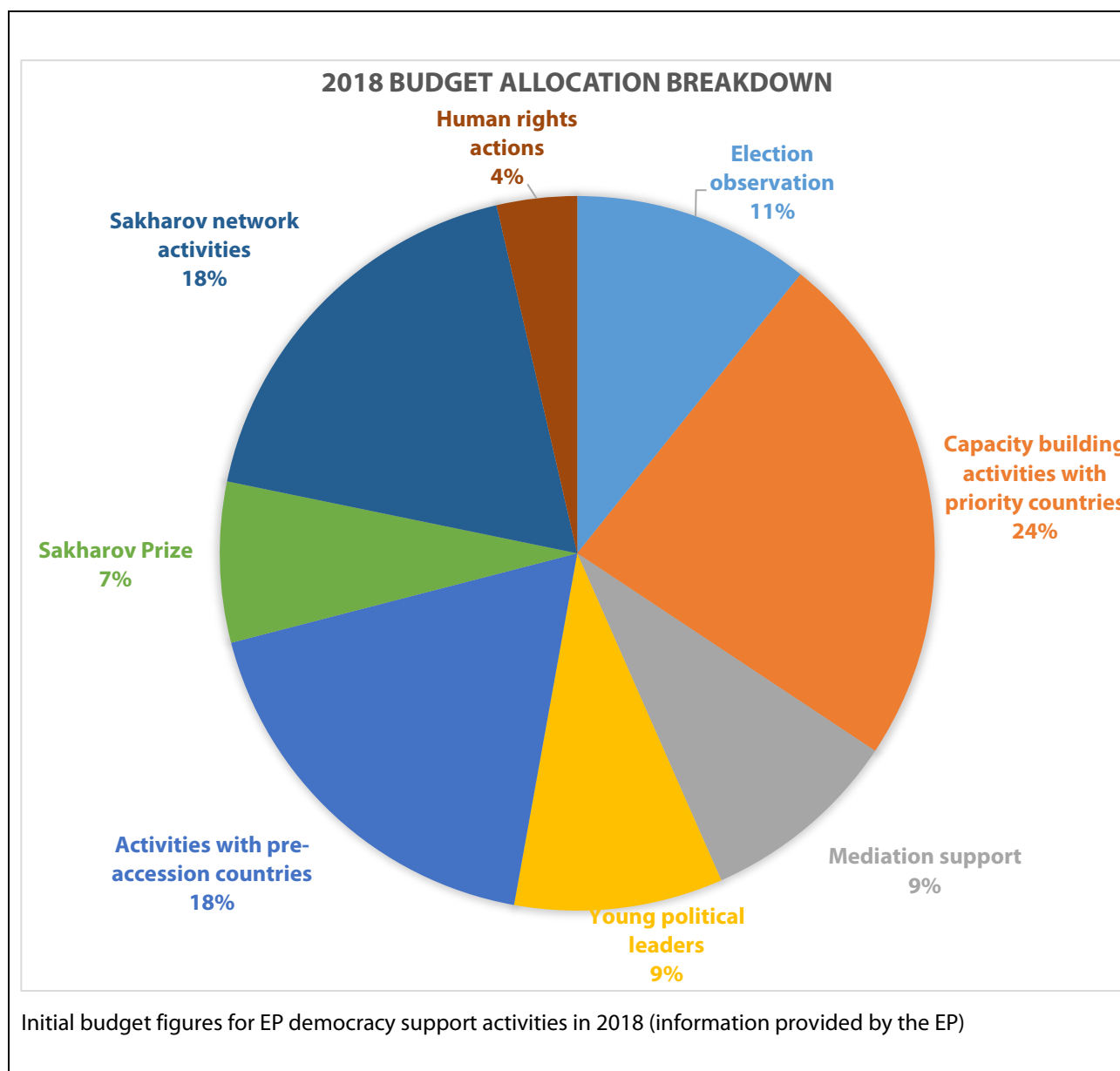
As the EP's democracy support activities are political in nature and, to a certain extent, respond to political developments in priority countries and elsewhere, there is a margin of uncertainty that is taken into consideration for the budgeting process. The budget itself is planned as part of the overall EU budget, several years prior to the activities taking place. It is also important to note that some associated costs of the activities (e.g. salaries and travel costs for Members and staff) are covered by other budget lines.

At the time of writing, there are 16 administrators in the Directorate for Democracy Support, plus Director and assistants, supporting a broad range of activities conducted by DEG.



The breakdown of the initial budget allocations in 2018 (total of EUR 1.378 million) for different CDSA tools coordinated by DEG, including election observation, is illustrated by the following diagram.

¹² It can be noted that 2014 marked the beginning of the CDSA approach and was an EP election year, accounting in part for the lower level of activity.



1.4 Procedural framework and decision-making processes

The conduct of the EP's democracy support activities, including election observation, is guided by the Implementing provisions governing the DEG, based on the 2012 decision of the Conference of Presidents¹³. In addition, the Conference of Presidents, at its meeting on 16 May 2007, has endorsed the Declaration of Principles for International Election Observation and the accompanying Code of Conduct (DoP)¹⁴. The DoP is recognised globally as the key instrument providing guidance on principles of international election observation. It is binding for the EP as a whole.

One of the DEG's 2014 end-of-legislature report recommendations was to 'amend the implementing provisions to include the EP's commitment to develop mediation, facilitation and dialogue activities'. New

¹³ 'Democracy Support and Election Coordination Group and Implementing Provisions Governing Election Observation Delegations', Decision of the Conference of Presidents, 13.9.2012.

¹⁴ 'Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers', endorsed at the United Nations in New York on 27.10.2005.

implementing provisions have been developed at the end of the 8th legislature, including detailed language on mediation and dialogue activities, as well as updating the text to include the key CDSA principles¹⁵. This would appear to be important for providing a basis for the EP's activities in this area. Implementing provisions are also being prepared on the EP Democracy and Human Rights fellowships organised by the Directorate.

The decision-making process for democracy support activities includes the DEG's adoption of election observation priorities on a six-month basis, as well as the adoption on an annual basis of the Democracy Support Work Programme, which provide summaries of prospective activities for each priority country and thematic area. For all visits and missions involving MEPs, a further authorisation decision by the Conference of Presidents is required. DEG meetings generally take place on a monthly basis, during the plenary week, and are not public.

At the end of each year, the DEG submits an annual report detailing the activities conducted. The DEG work programme and annual reports provide a certain amount of information on the overall rationale underpinning the EP's democracy support as a whole. However, there is limited information available on the strategic approach for each priority country, as well as the objectives, rationale and outcomes of most specific activities, beyond brief 1-2 page internal notes usually drafted by staff following actions. Currently there is no other overall monitoring and evaluation mechanism in place for the democracy support activities¹⁶. It is to be acknowledged that impact assessment of democracy support projects is difficult in general for a number of reasons¹⁷, and that the political nature of the Parliament makes this more challenging. A framework for setting objectives for specific types of activities, providing the rationale for that activity and assessing the outcome¹⁸ could provide the DEG with useful information for developing future activities, both in a specific country and more generally.

At the same time, at the administrative level within the Directorate for Democracy Support, a pilot process is underway to consider how to implement the EP General Secretariat's broader Strategic Execution Framework (SEF - see diagram and further explanation below) specifically within the Directorate¹⁹. The SEF is an administrative tool for the entire EP Secretariat to enhance strategic thinking and improve ways of working for the benefit of the organisation²⁰. The implementation of the SEF developed at the level of the Directorate could provide a useful basis for a more elaborated monitoring and evaluation system.

¹⁵ The new provisions were supposed to be submitted for adoption by the Conference of Presidents on 7 February, thus after the finalisation of the present study.

¹⁶ Some individual activities have monitoring and evaluation procedures in place. For example, the Pre-Accession Fellowship Programme has a more developed evaluation mechanism, as it collects feedback on a regular basis from its fellows and mentors, and has made adjustments to the programme over time based on the recommendations received. Also for the Sakharov fellowship, feedback forms are collected and in-person debriefing sessions are carried out to enable evaluation and refinement of the programme, and there are debriefing sessions and evaluation forms for Democracy Fellows in DEAC.

¹⁷ Macchiaverna, M, et al, *Strengthening democracy support to EU Delegations: from performance indicators, knowledge sharing to expert services: Study on Performance Indicators for EU parliamentary support*, EC/AETS, Brussels 2012, p.2.

¹⁸ Measurement of 'outcome' provides information on the actual impact of the actions, while monitoring 'output' tracks whether the activity was carried out as planned (e.g. budget, timing, number of participants). Such monitoring of outputs is also important for accountability, but it cannot measure institutional change. (see *Strengthening democracy support to EU Delegations*, pp. 2-3).

¹⁹ The Directorate has developed a SEF during a reflection exercise covering its area of work, including *inter alia* four goals, three indicators to assess the added value of its activities (impact, geographical relevance, and resources), a strategy and a series of concrete projects. An Activity Ranking Sheet (ARS) has been developed for administrators to track information on these indicators for each activity upon return. It is foreseen that the results of the reflection exercise will be fed into the development of a new SEF for the 9th legislature and into proposals for the DEG's political priorities, including its Annual Work Programme.

²⁰ Information provided by the EP.

1.5 External communications

There is currently no overall external communications and outreach strategy for the EP's democracy support activities. Instead, each work stream has its own approach to public information and level of outreach to media and other actors. The HRAC has a comprehensive media plan for the Sakharov Prize, implemented in coordination with EP's Directorate General Communications (DG COMM). For election observation, the EP election observation delegation produces a statement, which is presented during the press conference of the EOM, and the EU or ODIHR EOM press officer generally handles any press matters. At the same time, DG COMM does press work before and after EP election observation delegations to promote its visibility, including a press release on the day of the press conference. For other democracy activities, there have been varying levels of visibility. The Young Political Leaders Programme has had its own dedicated website, whereas comprehensive information on the newer Jean Monnet Dialogues was hard to find. While in some cases low visibility may be desirable – for example in some mediation and dialogue efforts – in general the EP should endeavour to be as transparent about its activities as possible, and public information is key to this. A welcome step in this direction has been the development of the EP's global democracy support website²¹, which went live in December 2018 and provides a single entry point to what was previously dispersed or absent information about the various democracy support activities.

Improved external communication could also reinforce the awareness of the CDSA concept and emphasise the joined-up nature of EP activities as part of a more coherent strategy, as well as giving more prominence to emerging areas of EP expertise, such as mediation.

1.6 Implementation of CDSA

The following chapters will examine how the CDSA approach is operating in practice, and to what extent the approach could be further refined. Particular attention will be paid to the priority country selection, the new types of activities introduced during this legislature and the more traditional democracy support tools of the Parliament, evaluating to what extent they are maximising the delivering on the overall objectives of the EP's democracy support work.

The following diagram, developed within the Directorate for Democracy Support, sets out existing and planned instruments for the implementation of the CDSA with an indicative positioning around the electoral cycle.

Each instrument is, at the same time, considered a 'project' under the EP General Secretariat's SEF²². For each project, the colour code indicates the advancement in view of project objectives and progress is assessed on a regular basis. The diagram thus provides an illustration of the current scope of the CDSA approach (as of 2018) and its potential and ambition, and most of the tools feature in the following analysis. Of course, other projects developed in the DG External Policies (DG EXPO) can feed into the further development and the effective implementation of the CDSA, such as a system for systematic scrutiny and reporting back of standing delegations on democracy and human rights in partner countries.

²¹ <http://www.europarl.europa.eu/globaldemocracysupport>.

²² Diagram and information on SEF provided by the EP.

Diagram of CDSA tools developed by the DEG ²³

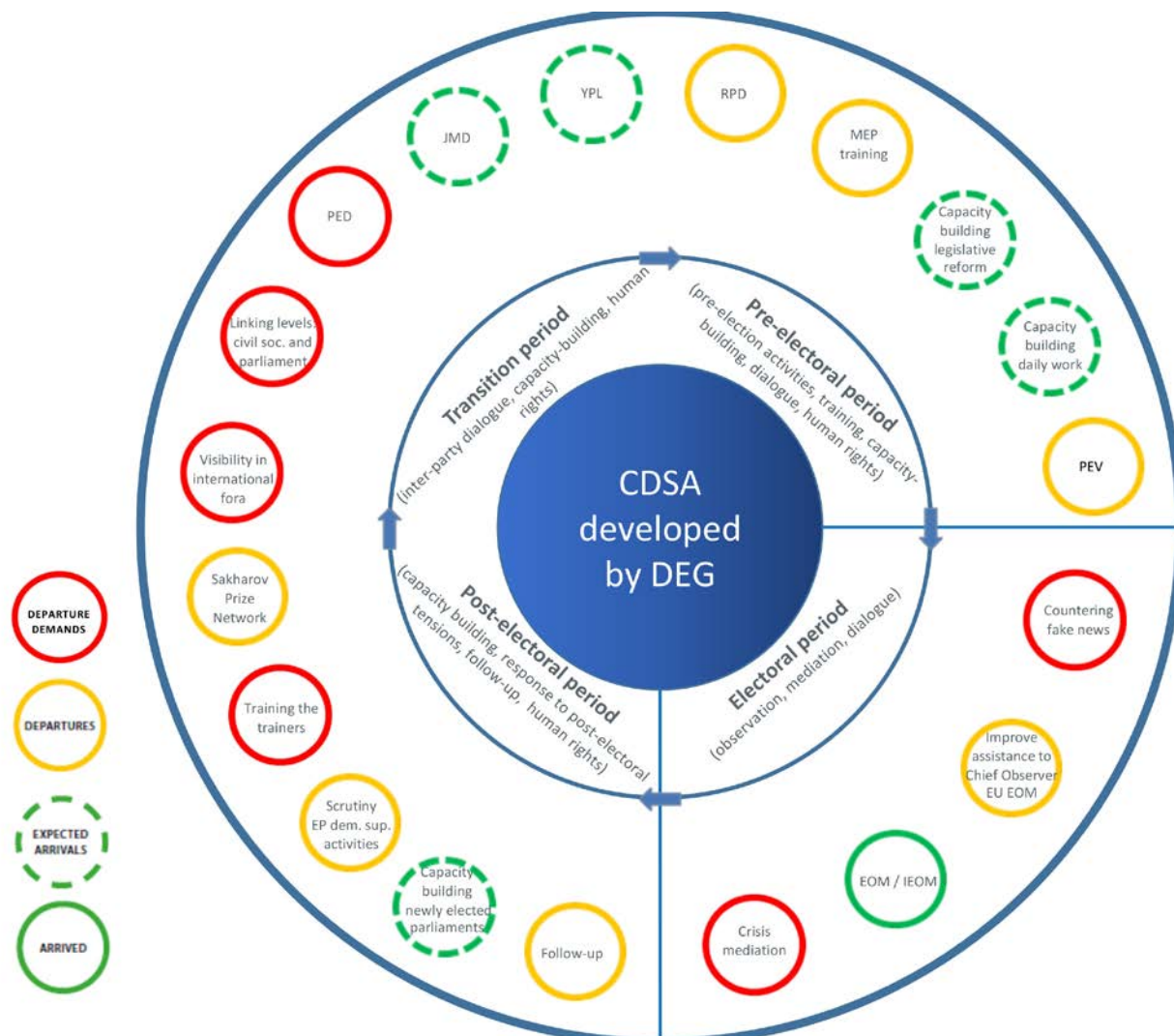


Diagram provided by the EP

²³ The following abbreviations are used: JMD: Jean Monnet Dialogues; YPL: Young Political Leaders Programme; RPD: Regional Parliamentary Dialogues; PEV: Preventing Electoral Violence; EOM/IEOM: Election Observation Mission/International Election Observation Mission; PED: Parliamentary Electoral Dialogue.

2 Assessment of the EP's Election-related Activities

2.1 Background and context

Election observation is a high-profile activity to which the EU has made a substantial contribution through the deployment of missions and the development of methodology. The aims and methodology for EU election observation activities were formalised in the Communication on EU Election Assistance and Observation 2000²⁴. An EU EOM is an inter-institutional exercise, and the Communication advocated coherence in the respective roles of the relevant EU institutions and services involved²⁵. The Communication also establishes the integral role of the Parliament, including that 'a special role should be defined for MEPs to maximise their electoral and parliamentary experience and their capacity to link with civic groups, political parties.'

The European Parliament plays a significant role in election observation. It is consulted by the High Representative for Foreign Affairs and Security Policy and Vice President of the Commission (HR/VP) on the identification and planning of EU EOMs, their follow-up and on the appointment of EU Chief Observers (COs), who are MEPs.²⁶ The EP also deploys election observation delegations over the election day period that are fully integrated in the framework of the EU's long-term EOMs. Similarly, EP election observation delegations join the long-term EOMs conducted by the OSCE/ODIHR within its participating States. The EP and European Commission have endorsed the Declaration of Principles for International Election Observation and accompanying code of conduct that establish professional standards for observation activities.²⁷ In addition, and complementary to this, the EP has its own Code of Conduct, annexed to the DEG Implementing Provisions.

The EP's involvement in election observation activities helps to set the framework for the CDSA concept, which is structured around the electoral cycle. Election observation is a foreign policy tool of the European Union, used in the context of the EU's wider policy of support for democracy, rule of law and human rights. Deploying an EOM and accompanying EP election observation delegation signals the EU's support for democratic elections as part of this wider policy, and can also act as an entry point for the EP's further democracy support activities in line with the CDSA.

The EP's development of the CDSA is consistent with the recognition by the broader international election support community of the need to work throughout the electoral cycle to promote democratic reform. In particular, the EU and other credible observing organisations have now extended their focus to the promotion of 'follow-up', i.e. promoting the implementation of recommendations made by observation missions for electoral reform. The EP has strongly promoted European External Action Service (EEAS) and Commission activities in this regard, through scrutiny and also encouraging EU EOM prioritisation to include consideration of the implementation of previous recommendations. In 2017, a report by the European Court of Auditors also looked at efforts made to follow-up on recommendations, and was presented to the DEG at its request²⁸. The EU's approach to follow-up is outlined in its 2017 publication *Beyond Election Day – Best Practices for Follow-up to EU EOMs*²⁹.

²⁴ Communication from the Commission on EU Election Assistance and Observation 2000, endorsed by the EP in its Resolution of 15.3.2001.

²⁵ *Handbook for European Union Election Observation* (third edition), European Union/Election Observation Democracy Support, Brussels, 2016, p.19.

²⁶ *Handbook for European Union Election Observation*, p.20.

²⁷ The Declaration was established under the auspices of the United Nations in 2005. At the time of writing the Declaration has 55 endorsing organisations.

²⁸ European Court of Auditors, *Election Observation Missions - efforts made to follow-up recommendations but better monitoring needed*, Brussels, 2017.

²⁹ EU, *Beyond Election Day – Best Practices for Follow-up to EU EOMs*, Brussels, 2017.

In recent years the EU and others in the election support community have also recognised the need to develop instruments to prevent and mitigate electoral violence throughout the electoral cycle.

2.2 Overview of activities

During the eighth legislature, the DEG's election actions have primarily involved election observation activities, including EP election observation delegations to EU and OSCE/ODIHR EOMs, and consultation on MEPs serving as COs on EOMs and on Election Follow-up Missions (EFMs) organised by EEAS/the Commission (see table below).

Pre-election MEP delegations have also been deployed ahead of election processes in Kenya, Tanzania and Ukraine, and efforts have been made to develop tools to prevent electoral violence.

In terms of post-election activities, in addition to COs participating in EFMs, the EP has introduced the concept of parliamentary electoral dialogues (PEDs) as a specific EP contribution to follow-up. Other political action taken on the initiative of the EP includes parliamentary debates and resolutions, often focused on human rights issues such as post-election violence³⁰.

In addition, the EP has commissioned thematic papers and held various events to further develop the practice of election observation. The EP and EEAS recently co-organised a high-level conference on the future of international election observation (10-11 October 2018). This brought together a wider group of election observation actors as well as external stakeholders, such as national parliamentarians from the EU and beyond as well as civil society representatives.

Election observation activities during eighth legislature

Year	EP election observation delegations		
	Total number	In the framework of the EU	In the framework of the OSCE/ODIHR
2018	12	8 (out of 10 EU EOMs)	4
2017	11	7 (out of 8 EU EOMs)	4
2016	9	7 (out of 7 EU EOMs)	2
2015	9	6 (out of 8 EU EOMs)	3
2014 (second half)	3	1 (out of 2 EU EOMs)	2

Source: EP Global democracy support website

2.3 Key Findings

Pre-election activities

The DEG has taken several initiatives to incorporate pre-election activities into its work, including mediation and dialogue activities (see Chapter 4). Pre-election activities are a relatively new area both for the Parliament and demonstrate the DEG's commitment to engaging throughout the electoral cycle, consistent with the CDSA approach.

Particular efforts have been made in the area of preventing election-related violence. A study on preventing electoral violence was commissioned,³¹ followed by two public events in the EP on electoral

³⁰ For example, *Situation in Kenya*, EP debate, [Strasbourg, 16.1.2018](#).

³¹ Developing operational tools within the EU for a Comprehensive Approach to Prevent Electoral Violence, 1.4.2015.

violence, which highlighted the need for a coordinated EU approach to the prevention and mitigation of electoral violence. Since then, in 2017, pre-election EP delegations went to Tanzania and Kenya to engage with political parties to demonstrate support for peaceful election processes. During these visits, the importance of the participation of women and youth and their potential role in preventing violence were highlighted, which is consistent with the attention paid by the EP to women and youth as agents for democratic change observed in other DEG work streams.

More recently, the EP conducted a joint pre-election mission to Ukraine with the National Democratic Institute (NDI) in November 2018, ahead of presidential and legislative elections scheduled for 2019. This activity builds on the EP's previous cooperation developed with NDI on the Jean Monnet Dialogue process in Ukraine (see for further context the case study in chapter 4). A joint press release and statement were issued by NDI and the EP following the pre-election mission³². This represents a new development for the EP in elections, given that it has traditionally cooperated on election missions in the OSCE area with the OSCE/ODIHR, and in other regions with the EEAS.

Such pre-election activities can be a useful addition to EP work in line with the CDSA to follow the entire election cycle, especially in coordination with other EU initiatives.

Role of MEPs in EU election observation missions

MEPs serving as COs bring clear value to EU election observation. MEP leadership provides political weight to missions, promotes organisational cohesion, and provides for the independence of observation missions (separate from other EU structures and Member States' interests). Where COs serve as lead Members, their involvement in EOMs also provides a strong link to further DEG activities in the country around the electoral cycle, consistent with the CDSA. A positive development over the last legislature has been increased orientation/training for COs³³. This could be further built on, with additional training/briefing ideally jointly managed by the EP and EEAS, with the support of the EU's Election Observation and Democracy Support project, and which could be open to all Members and staff of political groups to raise awareness about election observation activities, increase preparedness, and to promote more diverse participation in observation activities.

EP election observation delegations, consisting of a number of MEPs and accompanied by EP staff, integrate into long-term EOMs conducted by the EU. In so doing they can strengthen the political weight of missions, increase their visibility, and demonstrate inter-institutional collaboration. Importantly, they provide a streamlined mechanism for Members to observe and comment on an election and for the EU to speak with one voice. EP election observation delegations show cross-grouping support to the conclusions of an observation mission and secure cross-party political backing of EOM recommendations, which can be important for follow-up actions and also in case of particularly sensitive disputed elections. EP election observation delegations facilitate Members' knowledge of and support to election observation activities in general. They also provide a basis for further DEG activities in a country based on the electoral cycle, consistent with CDSA.

In addition to pointing out these benefits, a number of issues were also raised about EP election observation delegations, particularly in regards to EU EOMs. Various interviewees³⁴, including some Members themselves, questioned the extra value of additional MEPs joining an EU EOM, especially given

³² See press release 'Upcoming elections will test Ukraine's democratic resilience', 17.11.2018 and 'Statement of the National Democratic Institute and European Parliament Pre-Election Delegation to Ukraine', both available on NDI's website: <https://www.ndi.org/publications/statement-national-democratic-institute-and-european-parliament-pre-election-delegation>

³³ For example, a seminar for Chief Observers was held in January 2017 and another is planned for 2019 and an Information Session on Election Observation was held in 2014 for incoming Members and political group staff.

³⁴ Including both internal EP and external interviewees.

that the CO is already an MEP. It is therefore critical that the potential benefits of EP election observation delegations, including their role in post-election actions contributing to follow-up, are more clearly understood and communicated both internally and externally, and that those long-term benefits are leveraged, in particular through CDSA activities.

Broader information on the role of EP election observation delegations is contained in the Communication on EU Election Assistance and Observation 2000, as well as in the EU Handbook on Election Observation³⁵, and EP operational information is contained in the Implementing Provisions³⁶. However, a comprehensive 'guidelines' document outlining the purpose and benefits of EP election observation delegations, the relationship with EOMs, the *modus operandi* during missions and their public reporting could be of benefit to EP election observation delegations. Such a document could build on existing rules and practices, such as the EP Code of Conduct, Implementing Provisions, and selection criteria of countries to be observed, and fill existing gaps. It could both clarify issues for those participating in and working with EP election observation delegations and raise awareness more broadly about their purpose. It would also further the EP being seen as a standard bearer amongst parliamentary assemblies observing elections.

The link between EP election observation delegations and the CDSA could be strengthened through increased involvement in follow-up actions by delegation members (see further below). This would also be consistent with the overall approach of the EU and other leading organisations involved in election observation. Such actions could also take place in countries that are not designated as CDSA priorities, but where election observation has taken place, establishing a second tier of engagement. Follow-up actions by EP election observation delegation heads and members could include: supporting the CO in the post-election period, promoting EP actions in relation to EOM recommendations, and helping facilitate PEDs with host countries. In case of need, the head of an EP election observation delegation could also serve as a substitute to the CO on EFMs and for other follow-up activities. Such a long-term engagement would add further value to EP election observation delegations joining observation missions.

The criteria for authorisation of EP election observation delegations by the Conference of Presidents contained in the Implementing Provisions are broad, referring to national level elections/referendums with a view to establishing democracy, being invited, compliance with minimum democratic standards and adequate security conditions. When selecting countries for EP election observation delegations, the DEG could also consider potential for subsequent parliamentary engagement on electoral reform and place more emphasis on the strategic relevance of the country to the EU.

Following an election, the EP election observation delegation and the CO report back to AFET or DEVE meetings and/or to the relevant EP standing delegations. In addition, EP election observation delegations write reports that are later available online³⁷. These include conclusions on election day consistent with missions' findings at that stage of the process (with final mission conclusions subject to change due to subsequent electoral events) and some have included suggestions for further EP democracy support, such as capacity building activities.

EP election observation delegations to OSCE/ODIHR EOMs

EP election observation delegations to OSCE/ODIHR EOMs bring enhanced added value in demonstrating the EU's interest and in showing inter-organisational collaboration and coherence. The critical importance of multilateral observation by the OSCE/ODIHR within the EU Member States and neighbourhood countries was frequently cited by interviewees. Some emphasised the particular importance of this at the current time given potential enlargement and also with changing political and democratic cultures.

³⁵ Handbook for European Union Election Observation pp.20-21.

³⁶ Implementing Provisions Governing Election Observation Delegations, Decision of the Conference of Presidents, 2012.

³⁷ Available at: <http://www.europarl.europa.eu/globaldemocracysupport/en/elections/election-observation.html>.

Positive commentary was also given on EP election observation delegations' constructive role interacting with other parliamentary delegations on OSCE/ODIHR EOMs, including its contribution to the development of a Joint Code of Conduct with the four parliamentary assemblies observing in the OSCE area. The Joint Code of Conduct was modelled on the Code of Conduct applicable to MEPs.

The EU's stated commitment to follow-up on OSCE/ODIHR EOM recommendations (established in the 2012 EU Action Plan on Human Rights and Democracy and further elaborated in the 2015-19 Action Plan on Human Rights and Democracy) is positive for election reform and for inter-institutional coherence and coordination. This is particularly valuable for enlargement countries and those with association agreements where the EU has significant potential leverage. This puts the EU in a strategic position for promoting electoral reform and provides a natural entry point for the EP, consistent with the CDSA.

Currently EP election observation delegations go to nearly all EU EOMs and two to four OSCE/ODIHR EOMs a year. Within the framework of OSCE/ODIHR EOMs, candidate and neighbourhood countries are now prioritised. Such prioritisation is logical given the EU's strategic interests, its potential for influence and effective follow-up in enlargement and neighbourhood countries, and also is more in line with the CDSA priorities.³⁸

Follow up on the implementation of EOM recommendations

It is important to distinguish between the wider set of post-election activities, and 'follow-up', which is generally understood in the elections context to relate specifically to the follow up to EOM recommendations typically contained in an EOM final report. During the 8th legislature there has been increased focus by the EP on follow-up to EOM recommendations. This has included discussions in the January 2017 COs' forum and the June 2018 DEG/DROI hearing on human rights enhancement via democracy support³⁹. At this latter event, the new instrument of PEDs was publicly introduced, showing the EP's commitment to undertaking follow-up activities. Specific measures were also introduced during this legislature for EP standing delegations to enhance their reporting on implementation of EOM recommendations⁴⁰. The new reporting sheets, although still a work in progress, aim to operationalise and systematise the obligation enshrined in the Implementing Provisions from 2014 for the work of delegations and missions that EP standing delegations have a responsibility to provide material for discussion in committees and other EP bodies *inter alia* on the implementation of EOM recommendations, and make their expertise available to observation missions⁴¹.

These developments are consistent with the 2014 end-of-legislature report which made several recommendations related to COs' role in follow-up. One referred to a more formal role of the CO in the aftermath of elections, including by participating in EFMs (led by EEAS), which is now standard practice. Another stated that COs 'could be mandated to ensure the follow-up of EU EOM's recommendations, including – as a regular practice – a monitoring/guiding role in the EP's broader democracy support and capacity building activities in the relevant country.' COs serve as lead Members on a number of CDSA priority countries for capacity building, and have in some cases promoted the implementation of EOM recommendations, including during fact-finding missions and other visits.

³⁸ This is consistent with recommendations made in the EP study Chambers, R., *Election Observation by the European Parliament in the OSCE Area*, 2010.

³⁹ More information on these events is available at: <http://www.europarl.europa.eu/globaldemocracysupport/en/elections/after-elections.html>

⁴⁰ This concept was elaborated in the 'Guidelines on the use of "reporting sheets"' (2016), issued by DG EXPO Directorate B – Regions.

⁴¹ Implementing Provisions Governing the Work of Delegations and Missions Outside the European Union, Conference of Presidents Decision, European Parliament, 2014, article 4.

The EP is well-positioned to be effective in promoting the implementation of EOM recommendations, complementary to EEAS activities, given the political weight of the institution and its Members, its experience of legislative development, its ability to speak out, the links between parties through their party families, and that it has resources available for democracy support activities. This is especially the case when Members have participated in EU EOMs. The EP has a strong comparative advantage in working with parliaments on the implementation of EOM recommendations that involve legal reform. A 2012 EP study noted that ‘Overall, 90% of [EU EOM] recommendations call for constitutional, legal or regulatory framework amendments, making host-country Parliaments an entry point for follow-up’⁴². The EP also has the added advantage that it is able to operate swiftly, without being tied to multi-annual funding and project cycles.

The EP is thus starting to leverage its position to work with partner parliaments on legislative reform related to elections. In particular the DEG has approved the concept of PEDs between the EP and counterpart parliaments. So far there has been one attempt to organise a PED with the Nigerian parliament in June 2018, but this ultimately had to be cancelled due to an insufficient number of MEPs able to commit following a rescheduling by the Nigerian side. Interviewees noted that Members can have less time available and other priorities between elections, and therefore organising follow-up activities like PEDs can be challenging. It was also noted that there has been a lack of up-to-date information for Members on the status of recommendations (i.e. on which have been implemented and which have not)⁴³. Positively EEAS is now requiring EU Delegations to include an update on EOM recommendations in their annual reporting on the implementation of human rights and democracy strategies. The EP in general and the DEG in particular have underlined the need for such information to be shared by EEAS with Members⁴⁴. The lack of access to this type of information presents an obstacle to the DEG’s ability to carry out follow-up work effectively.

Further systematic EP attention to follow-up, including through PEDs and standing delegations, would increase the potential for the EU’s work on elections to be impactful⁴⁵. The CO and Head of an EP election observation delegation could periodically consider and record the most appropriate actions the EP could undertake in regards to a given country. More systematic political actions could include ensuring electoral reform is on the agenda of dialogues, visits and meetings, and also debates and resolutions⁴⁶. This could involve finding ways to build stronger more consistent links with EP standing delegations. EP parties could also be encouraged to discuss election reform with their counterparts through international party families.

PEDs with counterpart parliaments could cover election reform topics such as: good processes for electoral legal reform, international standards for elections, undertaking consultations, etc. Specialised thematic

⁴² Wally, M., Following up on Recommendations of EU Election Observation Missions, EP study, 2012.

⁴³ Internal Feedback Note, Seminar with Chief Observers, 1.2017.

⁴⁴ For example, EP resolution on the ‘Annual Report on human rights and democracy in the world and the European Union’s policy on the matter 2015’ (2016/2219(INI)), EP, 14.12.2016. Point 21 notes that the EP ‘reiterates its demand that the Members of the European Parliament be given access to the HRDCSs [Human Rights and Democracy Country Strategies] and to obtain information on how the EU implements these strategies, and that these are to be presented in a format that enables the Members to fulfil their duty of scrutiny properly’.

⁴⁵ The introduction to the DEG Annual Report 2015 noted that the ‘DEG will further develop a methodology of election observation activities, focusing in particular on increasing the impact of EP observation delegations... and the synergies with EP committees and permanent delegations to ensure better political follow-up to the EU Election Observation Missions recommendations.’

⁴⁶ This is consistent with the previously-mentioned emphasis on implementation of recommendations and was raised by the EP as early as 2008 in its resolution of 8.5.2008 on ‘EU Election Observation Missions: Objectives, Practices and Future Challenges’ (2007/2217(INI)) which ‘Requests all EU institutions, in particular the Council and Member State governments, to incorporate the findings and recommendations of EU EOMs in their political dialogues with the countries concerned, as well as in their demarches, declarations, resolutions, statements and further actions;’ (para. 37) and ‘Recommends the establishment of a political dialogue in cases where the recommendations made by EU EOMs are not implemented’ (para. 35).

issues could also be addressed, according to the issues arising in a particular country. It could be standard practice after all EP election observation delegations to consider whether a PED is appropriate and undertaken with parliaments where there is a strong level of interest and political will. Such actions would best be initiated promptly after an EOM to allow time for any subsequent legal reform, and should also be conducted in consultation with EU Delegations and local long-term technical assistance providers working on electoral reform and/or parliamentary support.

Practice development

The EP has contributed to the development of observation knowledge and practice through research papers and collaborative events. The October 2018 high-level conference on the future of international election observation was well attended and received positive media coverage⁴⁷. The event provided significant visibility to the EP, demonstrated positive coordination with EEAS and provided a forum to highlight issues relevant to the future of election observation, including ICT threats, elections and conflict, best practices for parliamentary observation, and coordination with the African Union and United Nations. The EP also hosts the annual International Day of Democracy event in Brussels, organised jointly with the EEAS, the Commission and other partners (see Chapter 3, Capacity Building).

The EP has also commissioned in-depth research papers, which are publicly available and appear to be generally well regarded⁴⁸. Commissioning papers allows the EP to frame the policy debate on particular election-related issues, and promote coordination with other EU institutions as well as external stakeholders, and could be further pursued.

The 8th legislature DEG has undertaken various initiatives to further develop its practice regarding its observer code of conduct, including - as referred to above - being instrumental in the development of a Joint Code of Conduct for parliamentary assemblies. and in undertaking stronger enforcement of the Code within the EP. This is consistent with the 2014 DEG end-of-legislature report, which made two recommendations regarding better enforcement in the event of non-compliance and Members refraining from giving personal assessments of the election process. The DEG has also clarified that the Code will also apply to the actions of EP Members when they are in a country during an election period even if there is no EOM in place, and has adopted procedures in case of individual unofficial election observation by Members, providing a further step in ensuring compliance⁴⁹. It has also published press releases stating that it is not undertaking observation in certain countries where this appears to be a risk (for example, recently in Azerbaijan, Turkey, and Venezuela)⁵⁰. However, some code of conduct issues still persist, and this is an area where constant vigilance is needed⁵¹.

Strengths of the EP approach

- The MEP leadership for EU EOMs brings political weight, promotes organisational cohesion, and enables independence of observation missions.

⁴⁷ See for example a reference link in a 20.11.2018 opinion piece in the Washington Post: 'Do International Observers Go Easy on African Elections' by Susan Dodsworth. This refers to observers actively looking for ways to improve their work (final paragraph) with a link to the high-level conference.

⁴⁸ See for example The electoral reform in three association countries of the Eastern Neighbourhood – Ukraine, Georgia and Moldova (2017) and Developing operational tools within the EU for a comprehensive approach to prevent electoral violence (2015).

⁴⁹ 'DEG procedure in case of individual unofficial election observation by Members', adopted 13.12.2018, provided by EP.

⁵⁰ See for example EP press release, European Parliament will not observe presidential elections in Russia and Azerbaijan, 7.3.2018.

⁵¹ 'Despite these Codes of Conduct, unfortunately, a variety of problems may still be observed; these affect to a bigger or lesser extent all parliamentary assemblies'. Six forms of such problems are then elaborated. 'Role and best practices of parliamentary observation, including a code of conduct', background paper, EP/EEAS High Level Conference on the Future of Election Observation, Brussels 10-11 October 2018.

- EP election observation delegations can add to visibility and promote inter-institutional collaboration, ensuring the EU speaks with one voice. EP election observation delegations provide a starting point to the CDSA, based on the electoral cycle and a natural basis for follow-up activities
- The EP has promoted a coordinated approach on OSCE/ODIHR missions and has positively contributed to the development of a Joint Code of Conduct with the four parliamentary assemblies involved.
- There have been positive inter-institutional approaches to the work and knowledge transfers. For example the recent high-level conference on the future of electoral observation brought together a wide-range of stakeholders to discuss relevant observation issues.
- EP activities on the prevention of electoral violence bring visibility and encourage coordination with other EU institutions on this important issue.

Weaknesses of the EP approach

- There is room for further explanation of the role and benefits of EP election observation delegations and how they work. Members of EP election observation delegations could be more active in follow-up activities, thereby enhancing the value of delegations and providing greater consistency with the CDSA.
- There is no publicly available document that explains the purpose and functioning of EP election observation delegations, including their relationship with EOMs. The development of written guidelines could both clarify issues for those participating in and working with EP election observation delegations and raise awareness more broadly about their purpose.
- Written criteria for the deployment of EP election observation delegations do not include consideration of where there is most chance for influencing subsequent reform and/or strong strategic relevance for the EU. There is increased potential for leverage and follow-up with neighbouring countries and therefore further prioritisation may be warranted.

3 Assessment of the EP's activities on parliamentary capacity building activities

3.1 Background and context

The 'capacity building' activities of the EP include a range of activities that engage partner parliaments, including thematic conferences, study visits, large-scale events (e.g. 'Ukraine Week' and 'Tunisia Week'), and partnership in technical assistance projects implemented by other organisations.

Capacity building activities conducted by the DEG are implemented primarily with the support of both the DEAC and the PAAC of the Directorate for Democracy Support. The DEG's capacity building activities usually take place in priority CDSA countries and as much as possible link to the electoral cycle, as engagement with a country's parliament begins in a country after an EP Delegation has observed. The DEG's capacity building activities in the Western Balkans region, which has been recognised as a CDSA priority region, are not explicitly linked to the electoral cycle, but are instead linked to the enlargement process in candidate and potential candidate countries, and therefore follow a more linear path. Although the EP has observed elections in the Western Balkans, promoting of EOM recommendations has generally not featured in the activities to date.

It is important to note the broader context of parliamentary strengthening within which the EP's capacity building activities take place. The EU provides significant funding in this area through implementing partners such as UNDP, International Institute for Democracy and Electoral Assistance (IDEA) and Westminster Foundation for Democracy (WFD), among others. The EU also supports a significant Twinning Programme, which provides assistance to third country parliaments through the parliaments of the EU Member States. The EU has also been a leader in developing good practice for parliamentary support, having published guidelines⁵² in 2010 and a study⁵³ on performance indicators for parliamentary support programmes in 2012. In addition, the EU has been increasing its support for political parties in recent years⁵⁴.

Objectives and 2014 DEG recommendations

The key objective of the DEG's capacity building work is: 'to strengthen the primary function of parliaments (legislation, oversight and representation), the implementation of administrative and institutional reforms and the sharing of best practices'⁵⁵.

Pre-accession capacity building actions have the stated objectives⁵⁶: 'to support democracy in the Western Balkans and Turkey by strengthening parliamentary capacity and fostering parliamentary dialogue... [and] to facilitate the EU enlargement process by helping these countries to comply with the EU accession criteria through increased parliamentary participation and oversight'.

Further guidance to capacity building activities during this legislature has been provided by the DEG in its end-of-legislature report (2014), which set out for the first time the main CDSA principles. Capacity building activities should be implemented in line with the CDSA, forming part of a structured, coherent and sustainable framework throughout the electoral cycle, and thus link up to other EP activities. The report also provided specific recommendations on 'strengthening parliaments worldwide', including:

⁵² European Commission, *Engaging and Supporting Parliaments Worldwide*, Tools and Methods Series, No.8, 10.2010.

⁵³ European Commission, *Study on Performance Indicators for EU parliamentary support*, 2012.

⁵⁴ The 2015-2019 EU Action Plan on Human Rights and Democracy calls on EU institutions to 'step up engagement with political parties and citizen movements'. See also De Vrieze, F. *Mapping and Study on Performance Indicators on EU Support for Political Parties*, B&S Europe/European Commission, Brussels, January 2014.

⁵⁵ 2017 DEG Briefing note to the Co-Chair.

⁵⁶ From PAAC Work Programme 2018.

- Efforts to strengthen the democratic role of parliaments should be 'developed on the basis of a specific needs assessment' and within the guidelines established by the DEG;
- While focusing on the Eastern and Southern Neighbourhoods, retain flexibility to respond rapidly to developments outside of the neighbourhood, in countries where input from the EP may make a real difference;
- Continue to pursue 'demand-driven' support to ensure ownership of projects by partner parliaments, remaining within the parameters set by the DEG;
- Increased focus on long-term engagement in specific countries, including an enhanced link between election observation and democracy support activities, for example through 'democracy monitoring delegations';
- Enhance collaboration with regional bodies so that the EP can transmit its specific regional expertise.

Additionally, in pre-accession countries:

- Promote EU core values such as human rights, democracy, rule of law and civic participation as well as EU standards and policies;
- Provide a network for exchange of pre-accession capacity building between national parliaments, and expand some bilateral activities so that they become regional.

3.2 Overview of activities

Fact-finding visits

During the eighth legislature, lead Members conducted fact-finding visits to CDSA priority countries, including Georgia (2017), Peru (2017), Nigeria (2017), Tunisia (2016), Myanmar (2015/16), Morocco (2015), Moldova (2015), and Tanzania (2015). Generally these were two-day visits following EP election observation to meet with parliamentary counterparts and determine potential next steps for EP democracy support activities. For example, the fact-finding visit to Tunisia in May 2016 included Former EP President Barron Crespo and met with representatives of the Assemblée des Représentants du Peuple (ARP) to discuss preparations for 'Tunisia Week'. Following the visits, typically a brief internal note on the visit identified possible topics for future capacity building activities. In some cases, lead Members also debriefed the DEG on the fact-finding visits for endorsement of the recommended activities. At times, lead members conduct additional visits to the partner countries or use seminars or conferences as an occasion to meet with the parliament, civil society or others to review the cooperation.

Fact-finding visits at times have also engaged other democracy support partners, donors and civil society, to map out the support already provided to partner parliaments and in some cases, opportunities for collaboration. The internal note on Myanmar, for example, identified the possibility of cooperation on parliamentary support with International IDEA, which was implementing an EU-funded democracy assistance project, as a proposed next step, among others⁵⁷.

In a more ambitious exercise that reflected the EU's desire to provide significant support to Ukraine's political reforms, the EP established a Needs Assessment Mission led by former EP President Pat Cox to define possible areas in which to strengthen the Ukrainian parliament.⁵⁸ This exercise included a series of

⁵⁷ Internal documentation provided by the EP.

⁵⁸ This was based on the Memorandum of Understanding signed by EP President Martin Schulz and Verkhovna Rada Speaker Volodymyr Groysman (see also the case study Ukraine).

missions held from September 2015 to February 2016, and resulted in a comprehensive public report including 52 recommendations to improve legislative output and institutional effectiveness⁵⁹ (see Chapter 6 - case study Ukraine for further details).

Study visits

Study visits of parliamentarians and/or staff to the European Parliament are the most frequent capacity building activity implemented by the DEG. According to the information provided, the DEG organised at least 46 study visits (2 in 2014, 13 in 2015, 7 in 2016, 13 in 2017 and 11 in 2018) during the eighth legislature. Most of these study visits were conducted with CDSA priority country parliaments, although study visits were also received from Pakistan, Sri Lanka, the Gambia, Jordan, India, ASEAN and Niger/Côte d'Ivoire, in most cases following EP election observation delegations. Ukraine, Tunisia and the Pan-African Parliament (PAP) have had the most study visits during the four-year period (at least five each).

On average, study visits to the EP last three days and typically provide an overview of the European Parliament, as well as discussions on a number of other topics, often including parliamentary oversight of the executive, budgetary oversight, role of committees and sometimes other technical issues such as the research service, with the participation of the relevant EP Directorate Generals (DGs). Study visits provide opportunities for peer-to-peer exchanges between officials, including on best practices, and insight into the workings of the European Parliament. Several internal interlocutors acknowledged that it is difficult to measure the results and impact of study visits.

In some cases, study visits have had more focused topics. For example, a series of smaller staff study visits from Ukraine have met their counterparts in specific DGs, and the PAP had a study visit in April 2018 devoted to election observation and conflict resolution. The PAP study visit, which was organised jointly as a mediation activity, included elements of training of the trainers. Such formats have allowed for more in-depth engagement on a particular issue and may have had more tangible results as a consequence.

While at the EP, study visit participants usually meet the MEPs most relevant for their country, including the CDSA lead Member, the head of the standing delegation and the head of the joint parliamentary committee (where relevant). They also have an opportunity to meet with EEAS and other EU officials responsible for their country, providing a good opportunity for exchange of views on bilateral issues.

It is notable that the composition of study visits includes representation from as many parliamentary factions as possible. Informal relationship-building between parties therefore can be a useful consequence of such activities, even if it is not the formal objective. For example, in 2016 a study visit from Moldova included members of the Women's Caucus, which provided them an opportunity to spend time with each other outside the particularly contentious environment of the Moldovan parliament.

While study visits are useful in providing information about the EP and exposure to its political culture, the EP as a regional body may not always be the most relevant model for national parliaments for topics of parliamentary processes⁶⁰. Generally, while the EP is open to cooperation with national parliaments, this has hardly materialised yet, with the exception of visits to the Belgian parliament, which has been included in visits from Moldova and Myanmar – an efficient use of resources as the Belgian parliament is based in Brussels.

However, officials from national parliaments have frequently been included in EP study visit agendas to provide a 'perspective from a national parliament' on specific issues. The pre-accession work stream has also begun to address this issue by starting a regular exchange of information with national parliaments of

⁵⁹ Report and Roadmap: On Internal Reform and Capacity Building for the Verkhovna Rada of Ukraine, European Parliament, 2016.

⁶⁰ Based on interviews with EP internal interlocutors.

EU Member States in 2017. In 2018, two pre-accession events were organised jointly with EU national parliaments (in Prague and Sofia) and more of this type of cooperation is anticipated in 2019.

Conferences/seminars

Another format that has been used to provide capacity building support during the eighth parliament has been conferences and seminars, organised around specific thematic topics. In the Western Balkans region, capacity building has been primarily delivered through regional conferences on specific topics, selected together with correspondents from the partner parliaments on an annual basis (see Chapter 7, Case study – Western Balkans region, for more information). These have been held most often in Brussels, but have also been hosted by partner parliaments in the region, as well as occasionally by the parliaments of EU Member States. Hosting conferences in the region has allowed for more participation of civil society organisations (CSOs), whose participation is generally not covered by the DEG budget.

Outside of the Western Balkans regional activities, a number of targeted seminars have been held in partner countries. The Nigerian National Assembly held two joint seminars in Abuja with the EP in 2017 – one on ‘Inter-party relationship in the legislature’ and the other on ‘Oversight and the Executive’. These seminars attracted significant interest from the Nigerian side, with 250 legislators from the National Assembly and the 36 State Assemblies participating. A seminar held in Lima in 2018 on the EP’s petitions mechanism similarly attracted a large number of participants, with more than 150 officials and political advisors within the Congress in attendance. Seminars were also organised in Moldova (2016), Tunisia (2015) and Tanzania (2015). Holding the seminars in the partner countries allowed a much greater number of participants than would have been the case in Brussels and provided significant visibility for the European Parliament, as well as the EU more generally.

Large-scale events

During the eighth legislature the DEG has organised and hosted a number of large-scale events, especially in the second half of the legislative term, requiring a significant amount of coordination.

In March 2016, Ukraine Week brought the leadership of the Verkhovna Rada, over 40 parliamentarians, including the Speaker and all faction leaders, as well as high-level parliamentary officials, to the European Parliament in Brussels. Significantly, it provided the first occasion of capacity building actions and a platform for the signing of the Administrative Agreement between the Secretaries General – the first such example of cooperation at the administrative level for the EP. It also provided the occasion to present the EP’s Needs Assessment Mission report.

Then in May 2017, for Tunisia Week, the EP hosted a large delegation of 52 parliamentarians and 12 officials from the Assemblée des Représentants du Peuple, led by its President, M. Mohammed Ennaceur, for a full three-day programme. High-level talks with President Tajani, MEPs and representatives from other EU institutions, including HRVP Mogherini, also took place. This was followed in November by Africa Week, which included 36 parliamentarians from 11 African countries and also involved the participation of President Tajani and HRVP Mogherini in a high-level meeting.

In June 2017, the DEG organised a high-level capacity building seminar, ‘The Legislative Cycle: from Legislative Initiative to Implementation and Monitoring’, hosting delegations from each of the CDSA priority country parliaments, including over 60 committee chairs. The event allowed parliamentarians from all priority countries the opportunity to exchange their experiences with MEPs and each other on all phases of the legislative cycle.

Since 2016, the EP has hosted the annual International Day of Democracy in Brussels. This public event is jointly organised with the European External Action Service, the European Commission and four democracy support organisations: the European Endowment for Democracy, the European Network of Political Foundations, the European Partnership for Democracy, and the Office of International IDEA. The

well-attended event draws participants from the democracy support community in Brussels as well as further afield, and provides a forum for the discussion of topics of particular relevance to democracy practitioners.

Democracy Fellowship Programme

The Democracy Fellowship Programme⁶¹ aims to support partner parliaments by 'offering thematic training to high or mid-ranking civil servants from parliaments in new and emerging democracies implementing internal reforms'⁶². The programme hosts up to 10 fellows per year, for a period of at least two weeks. Each participant has a tailor-made programme with a relevant host unit within the EP Secretariat General. Participants provided evaluations of the programme, which are used to improve it in future. In 2014 the evaluation findings of the Democracy Fellowship Programme for that year were included in the Annual Report, including recommendations stressing that the fellowships should be integrated into the CDSA agenda with a partner country and should focus on political aspects of a democratic parliament.

The Pre-Accession Fellowship Programme provides a similar opportunity to staff of Western Balkans Parliaments, as well as Turkey, but the fellowships are of a longer duration (6-8 weeks) and therefore provide a more in-depth experience for the participants. Additional information about the Pre-Accession Fellowship Programme is provided in the Western Balkans case study in Chapter 7.

Currently new 'Implementing provisions governing EP Democracy and Human Rights fellowships' are being drafted, to cover all of the Fellowship programmes organised by the DEG. This is an opportunity to review the experiences throughout the 8th legislature, to update objectives and streamline the selection and evaluation process.

Partnership in technical assistance

On a few occasions during the eighth legislature, the EP has provided 'technical assistance' to partner parliaments by sending one or more EP officials to the country to lead a training or advise on a specific issue. These have been focused interventions and, in most cases, have been coordinated with a broader parliamentary assistance programme implemented by an external partner, such as UNDP. Such a model, coordinating with a parliamentary support provider that is continuously present in the country, helps the EP to be more relevant and timely in its interventions and offsets one of its constraints - that it is not on the ground on a sustained basis to closely follow developments.

The most extensive such cooperation has been in Ukraine, where the UNDP parliamentary support project, *Rada za Europa*, was designed based on the recommendations of the EP Needs Assessment Mission report, with the EP as a partner. While the EP attempted to replicate this model in Tunisia, it was reportedly viewed as less successful⁶³. Another European Commission project begun in 2017 provides assistance to the PAP, and has supported a number of EP-PAP capacity building activities. The EP has also coordinated its focused technical assistance activities in Moldova with the UNDP and in Myanmar with International IDEA, helping to identify niches where the EP's added value could be most useful.

In June 2016, the EP hosted the 6th Donor Coordination Meeting on Parliamentary Development in Brussels, co-organised by the OECD, UNDP, DFID and the World Bank. Such meetings provide a forum for the donor community to engage in regular discussions and sharing of experiences and lessons learned, with the aim

⁶¹ In its decision of 18.6.2007, the EP Bureau authorised a number of training programmes, including fellowships to strengthen the capacity of parliaments in new and emerging democracies.

⁶² Annual DEG Report, 2014, annex 3.

⁶³ Based on interviews with internal and external interlocutors.

of continually improving the work in parliamentary development and identifying emerging priorities⁶⁴. The EP's hosting of the meeting allowed for MEPs to be actively engaged in panels and demonstrated its commitment to coordination with other donors and implementers of parliamentary support.

A new project funded and managed by the European Commission and implemented by International IDEA, 'INTER PARES | Parliaments in Partnership - EU Global Project to Strengthen the Capacity of Parliaments' (EUR 5 mio, 3 years, multi-country)⁶⁵, provides a good entry point for the European Parliament in becoming more involved in this kind of focused technical assistance on specific topics. The Project will start implementation in 2019 and aims to strengthen the capacities of parliaments in partner countries through the expertise of, and exchanges with, EU Member State parliaments. The project team and office will be based in Brussels to ensure coordination with all relevant stakeholders, including the EP, also a member of the Steering Committee of the project. This provides a good framework for enhanced inter-institutional cooperation in the field of parliamentary strengthening.

3.3 Findings

During the eighth legislature, the DEG has implemented most of the 2014 DEG recommendations related to the work stream of capacity building, many of which relate to the overall CDSA concept. These include carrying out capacity building in CDSA priority countries, while maintaining a degree of flexibility, and the guidance by the designated lead Members for the priority countries and partners. At the same time the conduct of capacity building activities on a sustained basis requires a significant time commitment. While some lead Members have been very engaged in their assigned countries, in other cases the interest of lead Members in a specific country has reportedly waned over time. In this legislature, some former MEPs have at times been involved in implementation of capacity building activities, in line with the DEG recommendation, which is one way to help address this issue.

Overall objectives for both CDSA priority countries and partners stress 'capacity-building' related to the main functions of parliament, with an additional element of dialogue and best practice sharing. These objectives are rather general and do not necessarily take into account the comparative advantages of the European Parliament, as compared with other implementers of parliamentary support. The objectives as defined may also be difficult for the EP to achieve with the range of activities it currently conducts, including mainly study visits and conferences. Such activities provide a forum for exchange of experiences and relationship-building rather than capacity building, which would require a more focused and sustained engagement in most cases. As such it may be worth reformulating the objectives for this work stream to ensure they are consistent with EP's approach and scope.

For capacity building actions to be as focused, relevant and strategic as possible, in line with the CDSA, it is necessary for the DEG to have a good understanding of the main issues affecting a partner parliament, reflecting the end-of-legislature report recommendation for actions to be based on needs assessment. While the fact-finding missions conducted by the DEG to priority countries have provided relevant information, the visits have been relatively short and the reports produced could be more thorough. The major exception to this has been in Ukraine, where the Needs Assessment Mission (NAM) led by former EP President Pat Cox took over four months, included over 100 meetings and resulted in a report with 52 recommendations for parliamentary reform. While such a massive effort will not be possible in most CDSA priority countries, a smaller scale assessment mission with a report in a standard format could still bring tangible benefits in terms of defining a strategic long-term approach for a specific country that ensures the relevance of EP actions. In some cases, such missions may also develop additional types of capacity building activities that could be implemented that are more tailored to the actual needs of the parliament.

⁶⁴ Concept Note, provided by EP.

⁶⁵ Contribution Agreement EIDHR/2018/402-430.

Such activities could include, for example, conducting workshops or sending EP staff to advise on a specific aspect of a partner parliament's work.

The EP's capacity building activities have been demand-driven, to some extent. While there is a general regard in the DEG for ensuring partner ownership of its activities, some of those interviewed⁶⁶ pointed to the need for the EP to set priority topics that are consistent with the EP's political priorities, as well as reflecting its own assessment of partner needs. A 'demand driven' approach also may lead to the EP working in a country on a diverse set of issues, rather than focusing on one or two specific thematic areas and building on the results of previous activities. Such an approach would be more strategic as well as more likely to generate tangible outcomes in the functioning of partner parliaments.

While topics for study visits and conferences have varied during this legislature, a standard approach has been to have an initial event on the EP's functioning, followed by topics selected by the partner, or otherwise budget oversight and communications, as the most common themes. At the same time, the capacity building topics that appear to be the most relevant and appreciated by stakeholders have been issues related to the political culture of a parliament and sharing European values with partners. These themes can also be, in certain circumstances, an entry point for the JMD (see Chapter 4 Mediation and Dialogue activities), which can open the discussion to the role of political parties.

Over the past legislature there has been a shift from a more 'technical approach' to a more 'political approach' to capacity building, in line with guidance from the DEG end-of-legislature report, and also taking into account the increasingly active role of the EU partners in the more technical side of support to parliaments. While some of those interviewed commented that the EP 'is not an aid agency' and should be careful not to overstep the role of an executive body in providing technical support, others felt that using technical means might, in some cases, better correspond to the actual needs of partner parliaments, and that the effects might also be more long-term in nature.

Related to this is the question of whether to focus capacity building efforts primarily on MPs, or on staff, including political parties and group staff. The peer-to-peer approach that the EP can offer with MEPs meeting their peers in partner parliaments is a distinct advantage that the EP has vis-à-vis other parliamentary support providers. At the same time, staff generally remain longer in their positions than MPs, and investing in their capacity may therefore bring longer-term gains. Democracy Fellowships also provide an opportunity to develop staff capacity, as well as establishing further personal links between EP and partner parliament staff, although these fellowships were more limited in number and scope as compared with the Sakharov and pre-accession fellowships. Capacity building for parliamentary staff is also a resource question, as providing technical assistance to partner parliaments is outside of the responsibilities of most EP staff members (working outside of the Directorate for Democracy Support), whose job descriptions might need to be expanded should they be asked to frequently provide training or other support to partners⁶⁷. The current stated approach is to work 'mainly targeting parliamentarians, but also staff'⁶⁸, which has been borne out in the activities, some of which include both. This approach appears reasonable, given both the comparative advantages of the EP and the relatively limited resources of technical units.

Collaboration with regional bodies through capacity building, as has been done with the PAP, is particularly relevant and plays to the specific strengths of the EP, while no other implementer of parliament support would be in a position to provide this type of assistance. A declaration of interest was signed between the EP and the PAP, and EP activities have been further strengthened with an EC-financed project

⁶⁶ Interviews with EP and EC officials.

⁶⁷ However, it is worth noting that the Administrative Agreement between the EP and the Ukrainian Parliament explicitly provides that all EP directorate-generals are ready to be involved in the cooperation.

⁶⁸ 'Briefing on the DEG and EP Democracy Support Activities', Brussels, 1.2.2017.

to build PAP capacity. Recent EP activities have included a focused series of training of trainers related to election observation, conflict prevention and mediation, aiming to build specific skill-sets within the PAP on a sustained basis and coherent with overall EU priorities.

Pre-accession capacity-building actions⁶⁹ have largely implemented specific end-of-legislature report recommendations. The recommendation to take a more regional approach to activities rather than working with specific countries in isolation has been taken on board, as almost all activities are now held on a regional basis. While this has provided a platform for enhancing regional dialogue consistent with EU accession priorities, it has also mostly supplanted the possibility for bilateral capacity building focused on the specific needs of each partner parliament. Activities planned for 2019 will address this gap to a degree, because of the difficulty in conducting conferences that require significant MEP participation during EP election year. This opening could provide an opportunity to try out other approaches.

Pre-accession actions have also implemented the recommendation to focus on EU core values such as human rights, democracy, rule of law and civic participation as well as EU standards and policies. Conference themes have mixed EU core values with EU standards and policies. While the sharing of EU core values is important, some interlocutors considered that a focus on EU standards and policies may be somewhat premature given the likely timeframe for EU accession. More focus could instead be placed on the identified needs of the partner parliaments so that they can improve their own practice, coherent with the EU's overall enlargement policy and the EP's priorities in this area.

Along the same lines, the EP could also focus more of its capacity building activities on the implementation of Association Agreements in the three associated countries in the Eastern Neighbourhood (Ukraine, Moldova, Georgia). Such a strategic focus would promote coherence with EU policy, and would provide needed support to these countries for the considerable task of implementing the AAs. A range of capacity building activities could be formulated for meeting the specific needs of the country parliaments related to their role in the implementation of the AAs.

Overall the EP's capacity building efforts have demonstrated good coordination, especially within the EP and with other EU institutions, such as EEAS and the Commission, including the Directorate General on European Neighbourhood Policy and Enlargement Negotiations (DG NEAR) and the Directorate General on International Cooperation and Development (DG DEVCO). Thematic issues that highlight EU values have also ensured policy coherence. In addition, there have been some good examples of where the EP has coordinated effectively with other international organisations, both on the ground, as well as in Brussels. Expanding fact-finding missions to include meetings with implementing partners and donors on the ground, as was done in Myanmar and Ukraine, helps to promote good coordination and prevents duplication of efforts. The Coordination meeting on parliamentary development is another opportunity to promote good coordination with other parliamentary development providers, and to promote visibility of the EP's own efforts. By sponsoring International Day of Democracy on an annual basis, the EP also has an opportunity to raise awareness within the democracy promotion and human rights community in Brussels about its activities and priorities.

Strengths of the EP approach

- The EP's political perspective and the opportunity for its Members to offer 'peer to peer' support through its actions
- Actions can promote political priorities of the EP (and EU institutions), providing policy coherence and leverage, e.g. for enlargement and associated countries

⁶⁹ As the one of the case studies covers the Western Balkans region, these issues are further discussed in Chapter 7.

- Exposure to the political culture of the EP can inspire ‘change-makers’
- Good coordination with partners on the ground in some cases allows for the EP to use its value added and not to duplicate efforts
- Collaboration with regional bodies through capacity building plays to the EP’s specific strengths

Weaknesses of the EP approach

- The objectives for EP capacity building, as defined, may be difficult for the EP to achieve with the range of activities it currently conducts
- Fact-finding missions are relatively brief and do not necessarily provide the information necessary for a strategic approach. These could be further developed.
- Demand-driven actions may at times lead to the EP working on a diverse set of issues in a country, rather than focusing on one or two specific areas and building on the results
- Limited resources of EP technical units (outside of the Directorate for Democracy Support) may at times constrain the EP’s ability to carry out actions on specific technical issues
- It may be a challenge to maintain Members’ engagement in capacity building activities for a specific country over a sustained period given their other responsibilities

4 Assessment of the EP’s activities on mediation and dialogue

4.1 Background and context

The EP resolution of 21 November 2013 stated that ‘The EP’s successful involvement in mediation has demonstrated the important role parliamentarians can play in supporting mediation and dialogue processes’. The DEG end-of-legislature report stated that the instruments of mediation, facilitation and dialogue had been identified as complementary to the CDSA and as an area where Parliament could develop further its activities.⁷⁰

To support and further develop the DEG’s work in mediation, dialogue and conflict prevention, the EP Mediation Support service became operational at the end of 2014, within the Directorate for Democracy Support. In July 2017 the service was upgraded to a Mediation and Dialogue Unit. Its goals, as stated in the DEG’s 2017 Annual Report are ‘to further develop the newly established working methods and to continue providing expert policy advice and practical operational support to Members active in the area of parliamentary mediation, facilitation of dialogue and conflict prevention.’

In addition to various EP mediation missions, key mediation and dialogue tools that have been developed and deployed are the Young Political Leaders’ Programme (YPL) and the Jean Monnet Dialogues for Peace and Democracy (JMD), the latter of which has been initiated in Ukraine (since October 2016) and the former Yugoslav Republic of Macedonia (since July 2017). Other initiatives to support political dialogue include regional parliamentary dialogue, pre-election activities (as described in Chapter 2), and parliamentary support to conflict prevention and peace processes.

⁷⁰ AFET launched in July 2018 its work on an own initiative report on building EU capacity on conflict prevention and mediation, which would also cover the work of the EP. However, the adoption of the report fell outside the period of examination.

4.2 Overview of activities

Mediation missions

The development of MEPs' involvement in mediation has taken various forms, including initiatives at the party level, missions involving former MEPs and missions involving sitting MEPs, with varying levels of supervision and reporting requirements to the EP and involvement and support from the EP Secretariat.⁷¹

During the eighth legislature, there were two mediation successes of note involving the DEG, in addition to the more institutionalised and ongoing processes described below.

Between December 2014 and January 2016, the AFET Chair and DEG Co-Chair, Elmar Brok, acting on behalf of EP President Martin Schulz, and in cooperation with Dr Christian Witt of the Charité Hospital Berlin, carried out eight humanitarian missions to Azerbaijan, resulting in the release from prison of human rights activist Leyla Yunus and her husband Arif Yunus and their subsequent transfer to the EU.⁷² This followed an EP Resolution calling for the release of the Yunus in September 2014.⁷³

The second notable case is the 2015-2017 mediation in the former Yugoslav Republic of Macedonia following the political crisis caused by the 2015 wiretapping scandal in which Prime Minister Nikola Gruevski was accused of being complicit. EU Commissioner Johannes Hahn reached out to three MEPs, Eduard Kukan, Richard Howitt (later replaced by Knut Fleckenstein) and Ivo Vajgl, to join him in an EU-facilitated dialogue between the four main political parties. The mediation effort eventually led to the 15 July 2015 Pržino Agreement, which foresaw the Prime Minister's resignation, a special prosecutor for the wiretap investigation and the formation of an interim government that included the opposition ahead of new elections.

Jean Monnet Dialogues

The Jean Monnet Dialogues for peace and democracy is a new mediation and dialogue instrument of the EP aimed at improving dialogue, building consensus and promoting democratic political culture. Launched in the historic Jean Monnet House in Bazoches in the French countryside near Paris, where they often but not exclusively take place, the JMD process allows political leaders representing different parliamentary factions to meet away from the spotlight of their own capitals and media with the aim of reaching consensus on various issues. JMD meetings are preceded by preparatory activities, including the development of position papers to find potential areas of consensus. The agenda items are proposed by the political leaders themselves, ensuring local ownership of the process. A set of rules of engagement have been developed for the dialogues themselves.⁷⁴ JMD meetings can be complemented by targeted capacity building through study visits from chiefs of staff and staff members of parliamentary factions.

The Jean Monnet Dialogues were first used in Ukraine in 2016, in the wake of a political crisis and following a needs assessment mission and report on parliamentary reform, led by former EP President Pat Cox (see Ukraine case study for further information). There have to date been five rounds of the JMD, with a sixth

⁷¹ See Redeij, J., 'MEPs as Mediators: An Emerging Trend of Parliamentary Diplomacy,' Paper presented at the European Union Studies Association Biennial Conference, 5.2017 for case studies of the different EP mediation formats in Albania, Ukraine and the former Yugoslav Republic of Macedonia.

⁷² The case is summarised in a 22.4.2016 EP press release 'Leyla and Arif Yunus to receive expert medical care at the Charité Hospital'.

⁷³ EP Resolution of 18.9.2014 'on the persecution of human rights defenders in Azerbaijan', (2014/2832(RSP)).

⁷⁴ The nine rules of engagement are: mediation principles will apply if needed; every political party engages on equal terms; zero is not an option; nothing is ruled in or ruled out in advance; nothing is agreed until everything is agreed; no media communication until there is a concrete outcome; pre-existing proposals, motions or draft laws should not be submitted; If there is a political agreement on a topic, a drafting methodology will apply; any agreed common draft can then be submitted jointly by the parties.

planned for May 2019. Pat Cox has continued his leading role in the JMD format, in coordination with lead Member for Ukraine, Elmar Brok. The Ukraine JMD are carried out in an informal partnership with NDI.

The JMD in the former Yugoslavia Republic of Macedonia followed on from the EP mediation process described above after the country experienced further political crisis and protests. Parliamentary elections, initially planned for June 2016 finally took place in December 2016 and were observed by the EP as part of the OSCE/ODIHR EOM. However, the President initially refused to allow a coalition of the previous main opposition party and a party from the Albanian minority to form the government. The new government was finally formed on 31 May 2017 after violent scenes in the parliament. In order to break the political impasse and to make progress on parliamentary reform, a JMD was suggested to the Speaker as a follow-up to the Pržino Agreement by the same three MEPs involved in that mediation process, who became co-chairs of the JMD.

While the EP did not carry out a needs assessment of its own, as in Ukraine, the JMD builds on a set of reform needs for the Assembly identified by the Government and assessed by the European Commission in what is known as the '3-6-9 Plan'⁷⁵, and thus had clear objectives. To date, one round of JMD has been held in Ohrid on 18-19 May 2018, in the former Yugoslav Republic of Macedonia. In an effort to avoid duplication but rather to reinforce the collective efforts of the international community, the Westminster Foundation for Democracy, which was already engaged in a parliamentary reform project with the Sobranie, was invited to provide expertise on budgetary matters within the JMD. Similarly, two technical experts who had been contracted by the EU Delegation to work on parliamentary reform were also included.

Young Political Leaders Programme

The Young Political Leaders programme was set up in 2015 'focusing on deepening peaceful dialogue and trust with young leaders in third countries, contributing to long-term confidence building and reconciliation and to the overall reinforcement of the EU's image and values in the world as a supporter of peace and democracy'⁷⁶. It focuses on four regions and three countries in the Neighbourhood and CDSA priority countries. The target group is parliamentarians, political party representatives and civil society actors. The YPL builds on the previous Young Leaders Forum events, an EP initiative to engage with young leaders, and other ad hoc events, aiming to bring 'a more coherent and harmonised EP approach'⁷⁷. A pilot project bringing a group of Sudanese young political leaders to Brussels took place in April 2015.

Since then, YPL events have been held on conflict-related dialogue between young political leaders in Israel and Palestine, and Azerbaijan and Armenia as well as regional dialogues with participants from the Western Balkans, the Eastern Partnership countries, the MENA region and Africa. In the Western Balkans and Africa, Pre-Summit Youth Forums were held ahead of the respective summits between the EU and its partners (Western Balkans Summits, Paris 2016 and Trieste July 2017 and African Union-EU Summit in Abijan, October 2017) with the aim of feeding youth perspectives into those events.

In May 2018, the EP and EEAS in partnership with the UN and key civil society actors co-organised a High-level Conference on Youth, Peace and Security as a contribution to the implementation of the UN Security Council resolution on youth, peace and security (UNSCR 2250). Six YPL leaders as well as participants of the

⁷⁵ The '3-6-9 plan' envisaged a set of fast-track reforms to be carried out within 9 months and to put the country back on the path for European integration. Although the plan was declared implemented by the government in April 2018, issues identified in it on parliamentary reform remain pertinent. Text of the plan:

<https://vlada.mk/sites/default/files/dokumenti/Narrative%20Plan%206-9%20EN.pdf>

⁷⁶ Concept note on the establishment a new EP Young Political Leaders Programme, Directorate for Democracy Support, 27.5.2015.

⁷⁷ Concept note on the establishment a new EP Young Political Leaders Programme.

HRVP Young Med Voices were invited to participate, thus ensuring that the event built on these previous initiatives.

Political dialogue

The EP has been involved in two regional parliamentary dialogues (RPD). It has supported the working group of the Moldovan Parliament and the Gagauzian People's Assembly as a platform for consensus building since its inception in 2015, alongside Crisis Management Initiative (CMI), who are the key facilitators. Results of the working group include the adoption of an Action Plan on Gagauzia on Socio-economic Development of Gagauzia 2016-19, which was adopted by the Moldovan Parliament on 26 October 2016⁷⁸. The EP's contribution has included hosting a three-day seminar in November 2017 aimed at strengthening the Working Group's capacity for consensus building.

The EP has also provided support to the new Ukraine-Moldova-Georgian Parliamentary Assembly. At a recent event in Tbilisi the EP, Support Group for Ukraine and NDI advised the Assembly on setting up an informal working group on disinformation, and have been requested to provide ongoing support.

Other dialogue and mediation activities specifically related to the pre-election period are covered in Chapter 2, Assessment of the EP's election-related activities.

4.3 Findings

The developing role for MEPs in mediation and dialogue has become increasingly evident throughout the eighth legislature and has shown that the EP can fill gaps in relation to other EU institutions, strengthening the overall coherence of EU policy and action. The skills that MEPs have developed through their own parliamentary experience within the EP, where consensus-building and inter-party dialogue is part of their daily work, is particularly relevant when mediating between political parties within parliaments in third countries.

For example, with regard to the mediation process in the former Yugoslav Republic of Macedonia, Enlargement Commissioner Johannes Hahn recognised the potential role of the EP in such a process, given that it concerned a parliamentary deadlock⁷⁹. It has also been noted that the Commission had 'limited leverage' in the country following increasingly negative annual progress reports⁸⁰. In contrast, the different political affiliations of the three MEPs enabled them to engage directly on a political level with their Macedonian counterparts – an approach that had previously been successful in the party-led rather than EP-coordinated MEP mediation in Albania⁸¹.

⁷⁸ The Action Plan is available in Moldovan at https://gov.md/sites/default/files/document/attachments/intr26_30.pdf and is explained in the 9.11.2016 news story 'Action plan adopted to improve the quality of life in Gagauzia' on the CMI website.

⁷⁹ 'I think this is a good example and as it concerns the Parliament it is quite logical that the European Parliament and not the Commission should do that.' Commissioner Hahn quoted in 'EU Commissioner Hahn: Macedonian parties to return to Parliament,' *Kurir*, 17.2.2015, <http://kurir.mk/en/?p=42370>.

⁸⁰ Fonck, D., 'Parliamentary Diplomacy and Legislative-Executive Relations in EU Foreign Policy: Studying the European Parliament's Mediation of the Macedonian Political Crisis (2015–17)', *Journal of Common Market Studies*, 2018, Vol. 56, no.6 p.1311.

⁸¹ '[T]he three MEPs embodied the political spectrum of the European Parliament and matched the Macedonian parties' affiliations – the VRMO-DPMNE belonging to the EPP, the SDSM to the S&D and MEP Vajgl bringing some neutrality to the mediation process. This peculiar configuration rested upon the hope that the parties would engage in confidence-building measures – the MEPs appealing to their counterparts' political affinities.' Coibon, T., 'How effective is the EU as a Mediator? The Case of the Former Yugoslav Republic of Macedonia', *EU Diplomacy Paper* 01/2017, College of Europe.

The EP mediation in the former Yugoslav Republic of Macedonia has also been assessed positively for its good coordination across different EU institutions and their mutually reinforcing roles, demonstrating coherence⁸².

The case of the Yunuses is fully consistent with the EP's general support for human rights defenders and willingness to speak out and act globally to support them. It also demonstrates how MEPs can use their influence in specific cases to make a very tangible difference to the lives of individuals.

The JMD and the YPL are both in their different ways tools that utilise the EP's institutional strengths in interparty dialogue, consensus building and understanding of how parliaments function and that can be adapted for specific contexts.

The JMD has, in a relatively short space of time, managed to become a high-profile initiative of the Parliament, both within the two countries where it has been implemented, and among Members. The targeting of CDSA priority countries and the long-term nature of the dialogues are fully consistent with the CDSA overall philosophy. In both cases, efforts were made to ensure the relevance of the activity through basing the activity on identified needs. Furthermore, the objectives of the JMD show coherence with broader EU policy. For example, the 2016 European Commission country report⁸³ on the former Yugoslav Republic of Macedonia highlighted the need for the Sobranie 'to substantially improve its performance as a forum for constructive political dialogue and representation'; the JMD with its inter-party approach to encouraging dialogue can be seen as a direct response to this.

Helped by the Jean Monnet branding and the availability of the Jean Monnet House as a symbolic venue for negotiations, the JMD is now a concrete addition to the EP toolbox for democracy support. The relatively remote location of the Jean Monnet House, outside of the countries of the participants and away from distractions, has been highlighted by interlocutors involved in the process as important for the success of the dialogues. When expanding JMD to locations beyond the Jean Monnet House, efforts have been made to maintain the spirit of holding the events away from the capitals to encourage relaxed dialogue. In both countries where the JMD has been implemented, the initiation of cross-party dialogue in such divided parliaments can already be considered as an achievement. Furthermore, efforts have been made to enhance cooperation not only at the level of heads of political parties but also at the level of political party staff.

Indeed, the process appears to have been so popular both among Members and third countries, that there have been calls for Jean Monnet Dialogues to be used in Serbia, Kosovo, Georgia and Moldova. A number of interviewees, however, stressed the need for the JMD to be used only when the conditions necessary for a productive dialogue have been met, and emphasised that both existing JMDs followed extensive earlier mediation processes that enabled the build up of trust with the EP facilitators prior to the JMD. There are, however, a number of steps already required in establishing a JMD, from getting approval of the DEG and Conference of Presidents to entering into a dialogue and agreement with the host parliament and political parties, that should ensure that the tool is deployed appropriately.

In both the case of the Verkhovna Rada and the Sobranie, working groups were established with a view to implementing the conclusions agreed in the JMD. In Ukraine, this has met infrequently (see case study for more information); it is too early yet to see whether this mechanism will function well in the Sobranie, although the adoption of the agreed Code of Ethics with overwhelming cross-party support in the Sobranie

⁸² 'While the European Parliament has conveyed its political expertise and multi-level engagement, the European Commission has provided its long-standing technical expertise as regards the enlargement process; and both have been supplemented with the EU facilitator's daily monitoring', Coibon. *EU Diplomacy Paper* 01/2017. This view was also supported by interviews with the various EU institutions involved.

⁸³ Commission Staff Working Document, The former Yugoslav Republic of Macedonia 2016 Report, SWD(2016) 362 final 715 final.

shortly after the first JMD was a positive sign. Interlocutors and academic literature have highlighted the persisting problems of political corruption and weak political party structures that mean that party leaders do not always have the authority to ensure agreements are implemented by their own MPs⁸⁴. Greater attention may therefore need to be given to what other steps the EP or its partners could take to encourage the implementation of decisions made during the JMD. This could include closer cooperation with civil society groups pushing for reform who could help hold political factions to account. One civil society group interviewed in Ukraine explicitly stated its readiness for deeper engagement with the EP on parliamentary reform.

The level of external communication has been different with the two JMD processes, with a higher level of media visibility in the former Yugoslav Republic of Macedonia⁸⁵. However, several interviewees commented that too much media coverage in the former Yugoslav Republic of Macedonia had been unhelpful at a certain point and that efforts had been made to dampen down visibility. The lesson from this may be that a communications strategy or plan should be considered that goes beyond the existing rules of engagement, to ensure consistent messages are presented from all partners, including between rounds of the JMD. While the JMD are by design discreet, if used appropriately, public information can also be a tool to help publicise objectives and outcomes of the JMD and promote their implementation as well as to manage expectations.

Concerns have also been raised about the sustainability of the chairing in the JMD. In the case of the former Yugoslav Republic of Macedonia, the JMD has three serving MEPs as co-chairs whereas in Ukraine it is chaired by a former EP President and one sitting MEP. Mediation processes are very time consuming and benefit from consistency as relationships of trust are built over time. With EP elections on the horizon, consideration should be given to how best to ensure long-term continuity among the JMD chairs, including calling on former MEPs as a resource, as recommended by the EP resolution of 7 July 2011⁸⁶. However, for legal and institutional reasons, it would be advisable to continue the practice of Ukraine of involving a sitting MEP in such processes where a former MEP is also engaged.

One of the strengths of the JMD is that they have not taken place in isolation but rather as one of several actions, including capacity-building activities, in line with the aims of the CDSA approach. Similarly, YPL events have at times been timed to overlap with other EP or EU events, such as meetings of the EU-former Yugoslav Republic of Macedonia Joint Parliamentary Committee (JPC) or Tunisia Week, which enhances coherence. Following on the example of the former Yugoslav Republic of Macedonia, a YPL programme for Ukraine, particularly targeting young MPs, could complement the work of the JMD.

The contribution of both JMD processes have been acknowledged in EP resolutions⁸⁷. The JMD with the Sobranie was recognised in the 17 April 2018 Commission progress report, 'aiming as [sic] strengthening

⁸⁴ Internal party cohesiveness was also noted as an obstacle in the earlier Macedonian mediation process. Coibon, *EU Diplomacy Paper 01/2017* p24. In Ukraine, according to James Nixey, 'Ukrainian tycoons have excessive sway in their country's politics', p.3 and 'The agenda is often set by populist parties, and vested interests are still entrenched.' p.vii. According to James Sherr, 'In effect, he [President Petro Poroshenko] is a weak monarch in a neo-feudal and oligarchic system. His powers are limited, and reform does not depend solely upon him. The powers of Prime Minister Volodymyr Groysman, a more committed reformer, are even more limited.' Both in Ash et al. *The Struggle for Ukraine*. 'External influence' was also cited as a problem for party discipline in the Cox NAM report, p.31.

⁸⁵ A high level of media coverage of the JMD and the setting up of the working group is evidenced by the *Skopje Diem* media digests for 21, 22 May and 12 June 2018.

⁸⁶ As stated in the DEG end-of-legislature report, 'the EP resolution of 7 July 2011 on EU external policies in favour of democratisation underlined the benefits of calling on former parliamentarians to make their competence and experience available. Where relevant and appropriate an involvement of former MEPs in parliamentary democracy assistance projects should be considered, in consultation with the Former Members Association (FMA).'

⁸⁷ For example, the EP resolution of 12.12.2018 'on the implementation of the EU Association Agreement with Ukraine', (2017/2283(INI)).

the culture of compromise among the Members of the Parliament'⁸⁸. This demonstrates the coherence of the EP actions with the wider EU accession policy.

In several countries/regions, the YPL is now in its second or third iteration, and those interviewed generally agreed that the programme should be long-term, with results in confidence-building more evident after several editions rather than one-off events. Efforts have also been made to involve YPL alumni in other relevant events, such as the High-level Conference on Youth, Peace and Security, to ensure that such actions build on each other. As with other areas of the DEG's work, in cases where one-off events have happened, they have tended to be in non-CDSA priority countries and outside the neighbourhood. While such events are still 'demand driven', it is not clear that there is clear value for either the EP or the beneficiary country unless such activities form part of or lead to a wider and sustained engagement with clear and attainable goals.

In many activities, the EP has found a niche in working with political parties and interparty dialogue, an area that is not already covered by other EU institutions such as the Commission (DG DEVCO). While there are some international NGOs with expertise in this area, they are relatively few in number and lack the weight and convening power of the EP. Parliamentarians from partner countries appear to be more willing to learn lessons from those they consider peers than from 'international experts'. The EP could seek further ways to develop its comparative advantage in this area.

Similarly, an interesting development has been the YPL in the Western Balkans, where a cross-party youth caucus was set up in the former Yugoslav Republic of Macedonia in the framework of the EP's first 'Bridging the Gap' event that aims to bring together parliamentarians and youth and involve youth in policymaking, to both promote regional conciliation and national cross-party dialogue. The event was co-organised by the European Parliament, the European Commission's DG NEAR and the Sobranie and is an example of how the EP can add value to wider EU policy implementation by making use of its parliamentary contacts within partner parliaments (see case study). By focusing on parliamentary aspects and working with young parliamentarians and by deploying its experience in consensus building, the EP can offer something unique to the youth engagement field.

In many of the mediation and dialogue activities, the EP has partnered with international NGOs and foundations such as NDI, CMI, WFD and the European Youth Forum. This enables the EP to engage effectively in countries where it has no on-the-ground presence. Such cooperation ensures that the EP can bring its unique contribution at good value for money while avoiding duplication of effort.

Good cooperation with other EU actors, such as EEAS and the Commission (DG NEAR) was also noted in several activities. EU Delegations can be particularly useful partners in continuing to promote the EP's messages of mediation and dialogue and in promoting implementation as part of a coordinated approach.

Strengths of the EP's approach

- The EP is uniquely well-positioned among EU institutions to promote inter-party dialogue and consensus building
- EP mediation and dialogue actions have generally responded to well-defined needs while adopting innovative approaches
- Generally a long-term approach has been adopted, with follow-up to individual actions and linkages between activities

⁸⁸ 'Commission Staff Working Document, The former Yugoslav Republic of Macedonia 2018', SWD(2018) 154 final.

- Cooperation with a range of external partners allows for pooling of resources and maximising impact of respective strengths and expertise
- Activities are mostly targeted at countries where the EP has political leverage and EU strategic interests

Weaknesses of the EP's approach

- The time commitment and long-term engagement required in mediation processes can be a challenge for serving MEPs
- Lack of mechanisms and capacity to follow-up on implementation of decisions agreed in EP dialogue processes

5 Assessment of the EP's activities on human rights

5.1 Background and context

Human rights in third countries have long been a concern of the European Parliament. The importance of human rights, including in its external policies, is enshrined in the founding treaties of the EU, and has been vocalised by MEPs ever since. Given the importance of political support and visibility in safeguarding human rights, the EP has particular added value in this field.

The main DEG activities organised by the Human Rights Actions Unit (HRAC) are: managing the Sakharov Prize; coordinating the Sakharov Prize Network and related activities, such as the Sakharov Fellowship Programme, the participation of laureates in events, and monitoring the situation of laureates; and other human rights actions, which include study visits, capacity building, work on women's participation/gender equality and advocacy events, as well as cooperation with the annual One World Human Rights Documentary Film Festival. It should be noted that the EP also carries out human rights actions under the coordination of the DROI. However, they are beyond the scope of this study, which is focusing on activities coordinated by the DEG.

5.2 Overview of activities

The Sakharov Prize

The Sakharov Prize for Freedom of Thought was established in 1988 and is one of the most visible actions of the EP in the human rights field, receiving wide media coverage. According to its 2003 statute⁸⁹ (the latest revision) the Sakharov Prize 'shall be awarded for a particular achievement in one of the following fields: defence of human rights and fundamental freedoms, particularly the right to free expression, safeguarding the rights of minorities, respect for international law, development of democracy and implementation of the rule of law.'

The EUR 50,000 award can be given to individuals, or to associations or organisations, regardless of whether they have legal personality. Nominations are proposed either by 40 Members or by a political group, from which a shortlist of three is decided on by AFET and DEVE. The Conference of Presidents selects a final winner. The prize is awarded during a session of the EP in December each year during a week of events related to the award, dubbed 'Sakharov Week'. The prize is usually well covered in international and national media across Europe, with a media plan including media interviews with laureates devised by the EP's DG COMM.

⁸⁹ 'Statute of the Sakharov Prize for Freedom of Thought, Decision of the Conference of Presidents', 15.5.2003.

The Sakharov Prize Network

The Sakharov Prize Network, consisting of laureates and MEPs, was launched in 2008 on the occasion of the 20th anniversary of the Sakharov Prize. The 2013 EP-commissioned study on the Sakharov Prize stated that the network ‘still needs to show its concrete relevance, beyond keeping the EP in touch with former prize winners’ and encouraged the development of a network that could speak out on global human rights concerns⁹⁰. The same year, on the occasion of the 25th anniversary of the Prize, the Network was reinforced by a Declaration in 2013, stating its aim ‘to enhance joint efforts in support of human rights defenders around the world through common actions by the Sakharov Prize winners jointly and under the aegis of the European Parliament’⁹¹.

The April 2014 DEG end-of-legislature report made some further recommendations such as encouraging the greater involvement of MEPs and establishing a more effective system for monitoring the situation of laureates and making appropriate interventions when they faced threats. It also recommended exploring ideas set out in the 2013 Declaration such as the establishment of a Sakharov human rights defenders shelter, a Sakharov Prize scholarship and the introduction of Sakharov Prize Trainees within the existing Schuman Trainee Programme.

The Human Rights Action Unit maintains contact with laureates and also receives information concerning laureates through local networks of NGOs or through contact with EU Delegations. MEPs respond quickly to calls for their involvement, and action is taken either through the issuing of public statements or through silent diplomacy where relevant.

In enhancing the activities of the Network, the DEG has endeavoured to create a sense of community among laureates, trying to find synergies between laureates where they exist, and using Sakharov laureates as ‘ambassadors’ for the EP’s work on human rights. Members of the Network are kept up to date on relevant activities and developments through a newsletter, which is also published online on the EP’s Sakharov Prize webpages. Sakharov laureates have also developed close working relationships with the EP and EU Delegations, often being invited to brief on the human rights situations in their countries either during high level visits, or when they come to Brussels or Strasbourg for EU human rights events. This ongoing relationship and access to European decision-makers is highly appreciated by laureates and represents a further added value to the Sakharov Prize⁹².

Over the course of the eighth legislature, a large number of Sakharov-related public events has been organised with the cooperation of EP Information Offices in Member States. Similar events have continued in the following years and this would appear to be an effective way of spreading the messages of the Sakharov Prize beyond Brussels.

The Sakharov Fellowship

The Sakharov Fellowship, coming out of the proposal of the 25th anniversary conference of the Sakharov Prize, was established in 2016 in the form of a two-week programme for human rights defenders. Up to 14 human rights defenders, civil society activists, journalists or other with a human rights background are selected annually, following an open call for applications. EU delegations and Sakharov Prize laureates can also make recommendations for candidates. Geographic and gender balance, as well as a range of different human rights issues, are factors in the selection.

⁹⁰ The European Parliament’s Sakharov Prize for Freedom of Thought, 1988-2013 – A Quarter Century’s Engagement in Human Rights, EP DG EXPO, p.20.

⁹¹ ‘Declaration of the 25th Anniversary Conference of the Sakharov Prize by the Sakharov Prize Network’, 2013.

⁹² In addition to this point being made by both laureates interviewed, ‘access to the international community, including European institutions’ is identified as one of the dimensions of impact on individual laureates and their organisations in *The European Parliament’s Sakharov Prize for Freedom of Thought, 1988-2013 – A Quarter Century’s Engagement in Human Rights*, p.11.

The fellowship is currently split between a week in Brussels and a week at the European Inter-University Centre in Venice where they are integrated into an existing summer school. During the week in Brussels they have a tailored programme and meet with staff from EEAS and the Commission, as well as a significant number of MEPs. The Venice component includes presentations from Sakharov laureates and MEPs. Feedback is gathered from fellows via a feedback form and a dedicated debriefing session.

Now having run for three editions, the fellowship attracts more than a thousand annual applications, and the selected fellows have included several relatively senior human rights defenders. Although the fellowship is global, efforts are made to include fellows from CDSA countries each year.

The aim of the fellowship is to increase fellows' capacity to affect positive change to protect human rights, to disseminate human rights training more widely through the fellow training other human rights defenders, to create a network of Sakharov fellows who can share best practice and advocate on each other's behalf, to improve links between MEPs and human rights defenders, and to extend awareness of the Sakharov Prize, the Sakharov Prize Network and the EP's role in defending human rights and fundamental values.

Other human rights actions

The DEG organises a number of other human rights activities, including study visits to the EP. Although the resources for such activities are relatively small, there is more scope to design activities that fit into the CDSA framework. The aims of these actions are 'raising the awareness among parliamentarians from third countries, in particular from the CDSA countries, to help to mainstream human rights into legislation, but also to build networks with human rights defenders and support civil society representatives in dialogue with national parliaments and authorities'⁹³.

Recently, the EP has joined forces with OSCE/ODIHR on a number of events, such as a joint 2017 conference on Strengthening Regional Human Rights Defenders' Networks in Western Balkans, Eastern Europe and Turkey and a capacity-building and advocacy conference for human rights defenders in the South Caucasus and Central Asia in 2018. This appears to be a good practice, both in terms of the efficiency of co-operation with OSCE/ODIHR, and in the consistency with the CDSA of reaching out to human rights defenders from priority countries/region.

The DEG invited journalists and media activists from the Western Balkans region to an inter-parliamentary conference held in Prague in 2018, co-organised by HRAC and PAAC, on 'Upholding the freedom of expression, including media freedom, in the EU and beyond'. Bringing human rights actors to events with parliamentarians is a good practice that could be repeated elsewhere.

Other actions include one-off study visits of MPs from both CDSA and non-CDSA countries focused on topics such as gender equality or human rights more generally, sometimes feeding into events organised in the context of parliamentary capacity building, jointly supported by HRAC and the Directorate's units responsible for capacity building (see chapter 2).

5.3 Findings

The Sakharov Prize is consistent with overall EU policy goals on human rights and in particular its focus on support and protection of human rights defenders⁹⁴. Since the Sakharov Prize is well-established as a global award, and pre-dates the development of the CDSA, it is unsurprising that this aspect of the EP's

⁹³ DEG Annual Report 2017.

⁹⁴ See for example the EU Guidelines on Human Rights Defenders and the EP priorities outlined in the EP resolution of 13.12.2017 on the 'Annual report on human rights and democracy in the world 2016 and the EU policy on the matter' (2017/2122(INI)).

activities does not neatly fit into the CDSA approach, and indeed there was no appetite expressed either in interviews or in the literature reviewed to limit the Sakharov Prize to the CDSA priority countries.

A positive development over the eighth legislature has been the decision to invite all three finalists to the award ceremony, giving all three the opportunity to meet with MEPs, EP staff and media, thereby increasing the impact of being shortlisted and bringing attention to a greater number of human rights concerns. This enhances the Prize's relevance, enabling it to have a greater impact across a broader range of human rights concerns.

A 2013 independent study commissioned by DG EXPO, The European Parliament's Sakharov Prize for Freedom of Thought, 1988-2013 – A Quarter Century's Engagement in Human Rights, provided a comprehensive overview of the Prize's achievements over its first 25 years and gave a number of recommendations. Several of these have been implemented over the last legislature, including the development of the Sakharov Prize Network and increasing Sakharov Prize-related outreach within the EU. However, its final conclusion is still relevant today:

'Celebration is merited; but the prize cannot rest on its laurels... the prize must be targeted more tightly towards the contexts where it could have tangible impact; must be dovetailed with other foreign policy instruments; must guard more carefully against unintended effects; and must serve as a platform for broader international linkages in the defence of human rights'⁹⁵.

Those interviewed for this study generally agreed that the Prize, because of the status of the Parliament, had the potential to make a real difference to human rights defenders both in terms of visibility for their specific issue and for the political protection it could bring because of the ongoing monitoring of laureates' situations – a unique feature of the Prize. The additional involvement of laureates in EP activities through the Sakharov Prize Network gives the Prize an added quality and level of coherence when laureates are in a position to take advantage of these opportunities.

In some cases, the prize has had symbolic value as a political statement of support; in other cases, it has had more lasting and tangible impact on individuals and their organisations. While the EP has the freedom to nominate and award the Prize as it sees fit, Members should also be mindful of the purpose of the Prize, as outlined in its statute, and endeavour to remain consistent to those principles. The EP could also consider its own influence in the country of each nominee and consider where the award could have the most impact and be most effectively used as a tool to promote human rights.

While the main focus of this study is not the Sakharov Prize itself, but rather the related activities, it is nonetheless important to note that the success of the Sakharov Prize Network is dependent on both the reputation of the Prize, and on the active participation of the laureates.

In terms of the Sakharov Prize Network, by the end of the eighth legislature, action had been taken on most of the suggestions of the Network's Declaration. The idea of a shelter was explored but ultimately rejected because it would not be compatible with the Parliament's financing rules. Four Schuman traineeships were renamed Sakharov Prize traineeships, with two in the DROI Secretariat and two in the HRAC. It should be noted, however, that this is essentially a rebranding exercise as the same number of trainees were previously assigned to these units.

More significant steps have been taken as regards the monitoring of laureates and the development of the Network, including through the creation of the Sakharov Fellowship (see below).

⁹⁵ The European Parliament's Sakharov Prize for Freedom of Thought, 1988-2013 – A Quarter Century's Engagement in Human Rights, p.20.

During the eighth legislature there is evidence of at least three successful silent diplomacy initiatives by the Parliament in relation to Sakharov Prize laureates, as well as at least two attempts where tangible results were not achieved⁹⁶. This follow-up action regarding the safety of laureates has been recognised as one of the unique features of the Sakharov Prize and one of its particular values. It should also be noted, however, that the EP's influence varies very much from country to country and the Parliament should take care not to create unrealistic expectations among laureates of what it is able to achieve. The Sakharov Prize laureates have also made joint statements to show solidarity and call for the protection of some of its fellow laureates⁹⁷.

While this relationship can be of mutual benefit to the EP and laureates, there are questions over the long-term sustainability of the Network given that relatively few laureates are active members for various reasons. While potential participation in the Network should not be the main consideration in the selection of laureates, it is clear that without a regular supply of new participants, the long-term viability of the Network will be in jeopardy. Another difficulty inherent in the development of a cohesive global network is the fact that some laureates are focused on their own particular national human rights causes and do not necessarily have an interest in human rights more generally or share common causes with other laureates.

Some of the aspirations of the Sakharov Prize Network to become a vocal platform for global human rights, while laudable, may be too ambitious given the diverse and relatively sparse number of active laureates. However, the Network provides individual opportunities for human rights defenders to network at the international level and to engage with EU policymakers, and on the other hand for MEPs to connect with grassroots human rights defenders.

Views of the Sakharov Fellowship has generally been positive, with it being seen as good value for money and a way to connect the Parliament with grassroots human rights defenders. The Brussels week is particularly valued for the opportunity to establish personal links with the EP. While fitting into the pre-existing summer school in Venice gives extra opportunity for learning and networking, in the case of some of the more experienced fellows selected, the level was considered too basic⁹⁸.

The names of fellowship participants themselves are deliberately kept confidential for safety concerns, so it is difficult to assess the impact that the fellowship has in spreading awareness of the Sakharov Prize and Network. It is also too early to assess the extent to which a lasting network of fellows has been formed, although two fellows interviewed from two different fellowship years confirmed the existence of active social media groups that were set up by the fellows themselves. There have also been efforts to integrate meetings with fellows into the agendas of MEP visits to their respective countries, although to date this has not happened due to scheduling issues. However, fellows have participated in other EP events such as the launching of the 30 years of the Sakharov Prize exhibition in several countries, the annual EU-NGO Forum in Brussels and in DROI meetings. Such efforts should be continued to gain maximum benefit from the network.

There has been excellent coordination between EU institutions regarding the fellowship, with EU Delegations actively promoting it, as reflected in the numbers of applications received. Officials from other EU institutions have been available to meet fellows in Brussels, enriching the programme.

⁹⁶ As demonstrated in confidential correspondence to governments provided by the EP.

⁹⁷ For example, according to an internal EP feedback note and the Sakharov Prize Network Newsletter 05/2016, laureates at the mid-term conference of the Sakharov Network in May 2016 expressed their wish to sign a letter to the Saudi authorities calling for the release of Raif Badawi.

⁹⁸ Feedback forms are collected and in-person debriefing sessions are carried out to enable evaluation and refinement of the programme, and such weaknesses have been identified through these mechanisms. However, the EP has limited possibilities for changing the EIUC Venice component of the programme although has suggested to participants to attend the more specialised sessions available.

Given that the Sakharov Fellowship brings together more than a dozen human rights defenders from a younger generation each year, there is the potential to develop a strong and dynamic network in a relatively short space of time. Consideration could also be given to enhancing the opportunities for networking across years of alumni through regional or thematic events to ensure the fellowship network remains relevant, particularly in CDSA priority countries and regions.

In terms of other human rights actions, study visits are often demand driven, are usually enjoyed by participants and receive positive feedback, but it is difficult to assess the real impact these actions have as there generally is no follow-on action. For example, there were two study visits from parliamentarians from The Gambia in 2018, the second focusing on human rights, gender equality and empowerment of women parliamentarians as well as dialogue and consensus-building. While many needs were identified for the new Gambian parliament – as perhaps reflected in the breadth of the topics covered – an internal feedback note acknowledged that the EP has limited institutional capacity to follow up on these events. While there was an EP election observation delegation in The Gambia, which these activities followed on from, The Gambia is not a CDSA priority country. On the other hand, it is in line with general EU policy on supporting democratic change worldwide for the EP to show support for a country that had undergone recent democratic change, which aims to make democracy support more focused and strategic. Consideration could be given to alternative tools for showing political support in such cases.

Recent trends suggest more DEG events are being organised in co-operation with other organisations and that they focus more on human rights defenders and civil society activists and not just parliamentarians, as is the case with the majority of study visits. This is a welcome trend, given the importance of civil society to wider democracy development and particularly around election cycles.

Given the limited resources dedicated to non-Sakharov activities, a strategic approach is necessary and it may be advisable to establish clear criteria for organising events beyond the CDSA priority countries. Consideration could also be given to rebalancing the current division of the different components of the human rights actions to give more focus to CDSA priority countries/regions.

Strengths of the EP's approach

- The Sakharov Prize is well-established with good brand recognition
- The monitoring and support offered to Sakharov Prize laureates is an added value
- Laureates and fellows act as message amplifiers of EP's human rights values
- Continued relationship between the EP and laureates gives direct access to information on human rights situations
- EP has the convening power to bring human rights activists together with MPs in partner countries
- Strategic relationships and joint events with other organisations can amplify the EP's reach

Weaknesses of the EP's approach

- The long-term sustainability of the Sakharov Prize Network and related ambitions are at risk if the Prize is not consistently awarded to those who have a clear human rights defender profile and can actively contribute to the Network
- The impact of some human rights activities in non-CDSA priority countries may be limited, given the constrained ability for the EP to carry out follow-on actions

6 Case study: Ukraine

The level of democracy-support activities of the European Parliament in Ukraine during the eighth legislature was unprecedented. This reflects Ukraine's geopolitical importance, and a series of critical events that occurred before and during the eighth legislature. As a case study, Ukraine provides an example of the CDSA approach at work across the fields of election observation, mediation and dialogue, capacity building and human rights.

6.1 Background and context

Following the imprisonment in 2011 of four Ukrainian political figures, including former Prime Minister Yulia Tymoshenko, the signing of the Association Agreement between the EU and Ukraine was cast into doubt.

Between 2012 and 2014 former EP President Pat Cox and former Polish President Aleksander Kwaśniewski were asked to lead an EP monitoring mission to Ukraine to help negotiate the release of the prisoners. This mission has been seen as instrumental in setting the stage for increased EP involvement in Ukraine⁹⁹.

Meanwhile, the failure of the Ukrainian Government to sign the Association Agreement under pressure from Russia led to the Euromaidan protests in the winter of 2013-4 and the so-called 'Revolution of Dignity' that ultimately caused the downfall of Ukrainian President Victor Yanukovich.

In reaction to these events, between February and March 2014, Russia carried out the annexation of Crimea and engineered the war in the Donbass.

An interim government signed the Association Agreement on 21 March 2014. Presidential elections followed in May 2014 and the economic part of the Association Agreement was signed by newly elected President Petro Poroshenko in June 2014.

6.2 Overview of activities

Given these events, where Ukraine's European future and European values were so clearly at stake, the European Parliament took a number of significant actions in the democracy-support field, fitting in around the election cycle, in line with the CDSA approach.

Firstly, the EP sent a 15-strong member election observation delegation to join the OSCE/ODIHR Election Observation Mission to the 26 October 2014 parliamentary elections. The post-election report by the EP delegation chair Andrej Plenković recommended to the DEG to include Ukraine as a priority country under the CDSA; to follow up on the recommendations of the EOM; to develop specific democracy support and parliamentary capacity-building activities to assist the new parliament (Verkhovna Rada) in the elaboration and the timely and efficient implementation of the EU-oriented legislative reform agenda; and to facilitate dialogue between the Verkhovna Rada and civil society on thematic issues.

On 3 July 2015, a Memorandum of Understanding (MoU) between the European Parliament and the Verkhovna Rada on a joint framework for parliamentary support and capacity building was signed by

⁹⁹ The Cox-Kwaśniewski mission has been described as an example of 'mission creep' that led to a far greater role for the EP in Ukraine more generally, and characterised as 'a clear type of parliamentary diplomacy that took a competitive character *vis-à-vis* the executive, triggered by the willingness to influence or shape the EU's foreign policy... Following subsequent mandate expansions and diplomatic *démarches*, the EP eventually even took over the lead on the overall justice and electoral reform in Ukraine, being in constant contact with both the Ukrainian leadership and opposition'. Fonck, Daan. 'Servants or Rivals? Uncovering the Drivers and Logics of the European Parliament's Diplomacy during the Ukrainian Crisis', PACO Working Paper, 2017, iss 5, pp.1-20, University of Leuven. The mission is also credited as 'contributing to enhancing coordination between the EU's institution in dealing with Ukraine, which is crucial for projecting EU power externally', Nitoiu C. & Sus, M. 'The European Parliament's diplomacy – a tool for projecting EU power in times of crisis? The case of the Cox-Kwasniewski mission', *Journal of Common Market Studies*, Vol. 55, issue 1, pp71-86.

Verkhovna Rada Speaker Volodymyr Groysman and EP President Martin Schulz (the MoU was extended in April 2017, until the end of the eighth legislature). Its goals were: strengthening the constitutional roles of law-making, oversight and representation of the Verkhovna Rada; improving the quality of legislation and of the legislative process in Ukraine; increasing the transparency, predictability, efficiency and openness of the proceedings of the Verkhovna Rada; and contributing to the effective implementation of the EU-Ukraine Association Agreement. To assist in the implementation of this agreement, and because of his role in the earlier monitoring mission, the EP commissioned Pat Cox – who by this time and given his role in the mediation mission mentioned above was a well-known and trusted figure in Ukraine – to carry out a needs assessment mission (NAM) of the Verkhovna Rada.

The scope of this NAM was another first for the EP. Conducted over a six-month period it involved more than a hundred interviews with stakeholders, including all factions and groups within the Verkhovna Rada, parliamentary committee members, civil society and international community representatives. The NAM Report, which includes 52 recommendations for parliamentary reform, was presented in Brussels in February 2016 during Ukraine Week, a high-level conference on capacity building of the Verkhovna Rada to which more than 40 Ukrainian MPs, led by Speaker Volodymyr Groysman, were invited. During the conference, the general secretariats of the EP and the Verkhovna Rada signed an administrative cooperation agreement, the first of its kind agreed by the EP and another parliament. In addition, the Conference of Presidents of the EP passed a decision tasking Pat Cox with assisting in the process.

In the ‘Brussels spirit’ that followed Ukraine Week, the Verkhovna Rada passed a resolution endorsing the NAM report in its entirety. As part of the implementation of the NAM report, and in line with the MoU, a two-year technical assistance project, Rada for Europe, was launched by the EU, which was implemented by UNDP and financed by the European Commission, with the EP as a partner¹⁰⁰. The first phase of the project ended in August 2018 and a second phase is currently being defined.

In April 2016, after another political crisis following corruption scandals, Verkhovna Rada Speaker Groysman was appointed Prime Minister. Until then, the reform of the Verkhovna Rada had very much been seen as Groysman’s project, although little concrete progress had been achieved, mainly due to a lack of political will and factional divisions. With the appointment of the new Speaker, former Deputy Speaker Andriy Parubiy, and the wholesale change in personnel in the Speaker’s office, the reform process stalled.

The NAM report identified one of the main obstacles to implementation of parliamentary reform as the lack of dialogue between factions within the Verkhovna Rada, and noted that to have any success in achieving reform, it would be necessary ‘to develop a democratic parliamentary culture of dialogue, compromise and consensus building’¹⁰¹. In an effort to meet these challenges, the EP created the Jean Monnet Dialogues (JMD). The JMD takes the form of a traditional mediation process, taking opposing political leaders away from of Kiev for closed-door talks in order to seek consensus on a range of issues. Once again under the leadership of Pat Cox as well as lead MEP for EP democracy support in Ukraine, Elmar Brok, and implemented in cooperation with the NDI office in Ukraine, the JMD was established as a regular forum, with the fifth round completed in October 2018. The next round – the final of the eighth legislature – is foreseen in May 2019 after the next Ukrainian presidential election and ahead of the October 2019 legislative elections.

¹⁰⁰ ‘The project will be implemented by the UNDP in close partnership with the European Parliament within the Administrative Cooperation Agreement signed in Brussels on 2 March 2016 between the Verkhovna Rada of Ukraine and the European Parliament’, UNDP press release, 17.6.2016, ‘EU and UNDP to support the reform of Verkhovna Rada in Ukraine’.

¹⁰¹ NAM report, p.31.

In other actions, the EP supported the newly created Ukraine-Georgia-Moldova Parliamentary Assembly, an initiative of the Speakers of the respective parliaments. This is the first time the EP has been involved in strengthening regional parliamentary dialogue within the framework of the DEG.

In terms of human rights, the DEG organised together with UNDP a workshop on 'Gender Equality and the Sustainable Development Goals: a framework for parliamentary engagement' in Kyiv in September 2017. A Ukrainian civil society activist was selected as one of the inaugural Sakharov fellows in 2016, and several Ukrainian human rights activists have been nominated for the Sakharov prize during the eighth legislature, with filmmaker and writer Oleg Sentsov winning in 2018.

The CDSA calls for attention to the entire electoral cycle. In this context, the EP also sent a two-Member delegation to join an NDI-organised pre-election mission to Ukraine in November 2018 so as to be able to highlight potential issues at an early stage of the process.

6.3 Key findings

The team undertook a field visit to Kyiv from 14-17 October 2018 to conduct interviews with a range of stakeholders, including EU partners, members of the international community, civil society and local institutions. Interviews were also conducted with relevant Brussels-based EU institutions.

Overall, respect for the institution of the EP and its political leverage was widely expressed by interviewees, a fact that has allowed for the application of the CDSA approach and the tools at its disposal more fully here than in any other country thus far.

The concept of CDSA is that democracy-support activities should be centred around the electoral cycle. While the recommendations of the OSCE/ODIHR EOM concentrate on electoral reform, and the Association Agreement requires reforms in everything from energy to anti-corruption, it has become evident that no reform agenda can be pushed through without reform of the Verkhovna Rada itself. It was repeatedly stated that the added value of the EP is its innate understanding of the parliamentary process and it is therefore natural that most of its activities should play to this strength. Furthermore, where activities are most connected to its parliamentary expertise and its political leadership, the EP is less at risk of being accused of overstepping its role towards executive functions.

Election observation

In addition to the EP election observation delegation to the October 2014 parliamentary elections, the EP sent a 7-member election observation delegation to join the OSCE/ODIHR EOM to observe the 25 October 2015 local elections. This is notable as the EP does not normally observe local elections – indeed these were the only local elections observed by the EP during the eighth legislature, and were a sign of the 'great political priority'¹⁰² the EP attaches to Ukraine. The joint pre-election mission to Ukraine in cooperation with NDI in November 2018 is another sign of the continued political importance attached to Ukraine and a step in the development of a more comprehensive, consistent and long-term approach to election observation, in line with the CDSA. While teaming up with NDI builds on several positive experiences with the organisation, consideration should be given to how having different partners at different stages of the same electoral cycle might be perceived externally, given that the EP has traditionally cooperated on election observation with the OSCE/ODIHR in this region rather than a non-governmental body, and the two organisations have slightly different remits and methodologies. However, it is acknowledged that the OSCE/ODIHR does not currently carry out public pre-election activities, making it more challenging for the EP to have consistency in this respect.

¹⁰² EP press release, 23 October 2015, 'MEPs to observe local elections in Ukraine', <http://www.europarl.europa.eu/news/en/press-room/20151023IPR98962/meps-to-observe-local-elections-in-ukraine>

Needs assessment mission

The NAM was widely praised by interviewees both for its methodological approach and for the validity of its recommendations. An international expert on parliamentary reform was engaged to assist in the NAM, ensuring that the report benefited from technical expertise as well as the political stature of Pat Cox. The decision to launch it during Ukraine Week ensured its maximum impact. The fact that it was fully endorsed by the Verkhovna Rada itself, thus giving it full local ownership, meant that the NAM has become the agenda-setting document for most international donors working on parliamentary reform in Ukraine, as well as for the Ukrainian national institutions and civil society.

For the EP itself, the NAM has defined its later activities in Ukraine, helping to ensure that actions are relevant, consistent and coherent. Although the NAM includes a 'roadmap', in practice this is a list of 52 recommendations, which range from minor technical issues that can be implemented with administrative decisions to those requiring extensive legislative changes and broad political support. Some have characterised the NAM report recommendations as a 'menu' from which issues can be selected as desired. This lack of prioritisation can have the effect of critical issues being left aside in favour of lower-hanging fruit. While sometimes this is desirable in order to see at least some progress, it can lead to frustration over the lack of substantial reform¹⁰³. A clearer roadmap with ordered objectives might have been useful. However, others have pointed out that given the deep political divisions within the Verkhovna Rada, this approach was the most practical to ensure support from all factions and groups. Overall, the conduct of a NAM, even in a slightly more limited scope, is a good practice that could be replicated elsewhere.

Capacity building activities

Under the aegis of the administrative agreement, the EP has provided technical expertise in IT, human resources, agenda planning and calendar setting, communications and outreach, and library and research capacities, in the form of EP staff taking part in visits to Ukraine to evaluate needs and organising study visits to the EP for Verkhovna Rada staff and members, with capacity building for the chiefs of staff of political factions also taking place within the framework of the JMD. More than a dozen such exchanges have taken place since 2016, and these activities were generally valued by interlocutors. In particular, interviewees appreciated the contribution made in making the case for greater outreach to citizens and the need for developing a communications strategy, which received renewed impetus after a visit to the EP's visitor's centre. Another positive aspect was that participants on study visits were generally deemed to have been selected according to their position on relevant committees or technical expertise, which suggested a break from past practices where such visits were reportedly allocated as favours.

Nevertheless, some questions were raised over this level of involvement of EP staff in technical assistance, which is beyond the usual remit of EP staff working in IT, human resources or other specialist fields, whose standard work is focused on the running of the EP itself. While it may be possible to organise ad hoc activities, it is unlikely that this is a sustainable model that can be replicated extensively in other contexts without adjusting the job descriptions of EP staff.

Further, some interlocutors noted that the interest of Verkhovna Rada staff in study visits had to some extent waned. Partly this can be attributed to their lack of empowerment to implement operational changes back home, partly to the fact that Verkhovna Rada staff are generally low paid and have low job security, meaning that staff turnover is relatively high. It should also be noted that various other

¹⁰³ For example: "Real (rather than merely rhetorical) European integration lacks support within the Verkhovna Rada. Various EU initiatives, such as the Pat Cox-led European Parliament mission to Ukraine aimed at strengthening and improving the role of the legislature, have had little traction." T. Ash et al, *The Struggle for Ukraine*, Chatham House 2017, p28.

parliamentary technical assistance projects are being run by other donors, such as USAID, which include national parliamentary exchanges.

The EP activities were organised in close cooperation with the Rada for Europe parliamentary support project, financed by the EU¹⁰⁴. Implemented by UNDP, with the EP named as a partner, the responsibility for overseeing the project falls to the EU Delegation in coordination with the Support Group for Ukraine.

Some interlocutors particularly appreciated EP involvement for the understanding that EP staffers naturally have of a parliament's role and responsibilities, and to some extent saw the EP as filling a gap in expertise lacking in other EU institutions that could be expanded. However, given that the EP does not aspire to be a technical assistance provider, it may be that as a general principle the EP's undoubted parliamentary expertise is best provided at a higher political level, in coordination with other EU institutions, rather than at the technical level, except in exceptional cases.

Jean Monnet Dialogues

The Jean Monnet Dialogues, so called for their alignment with Jean Monnet's approach to dialogue but also because they regularly take place in the Jean Monnet House outside of Paris, responded to the need identified in the NAM report of improving inter-party dialogue and consensus, triggering hopes of providing impetus to the implementation of parliamentary reform. The JMD are conducted in partnership with NDI, who have a permanent presence in Ukraine and are thus able to do background political work between rounds, which the EP would be unable to do itself.

All the major political faction leaders and representatives are consistently invited and while not all leaders have regularly attended, all factions were represented at some level in almost all meetings. Faction leaders, a second MP from each faction and the leaders' chiefs of staff are invited to ensure that the consensus-building spreads beyond the factions' leadership. The meetings are chaired by Pat Cox and the Verkhovna Rada Speaker, with a significant role also given to Elmar Brok MEP, the lead Member for EP democracy support activities in Ukraine.

Clear rules of engagement have been developed for the JMD, including that 'no outcome is not an option'. Topics are selected in advance and each party is required to set out its position in a paper distributed in advance, to enable opportunities for consensus to be identified. A conclusion/outcome document is adopted at the end by consensus of all parties.

Several draft laws have resulted from the JMD on topics such as reducing the number of committees and the composition of committees, as well as some decisions on administrative issues. Although it has been pointed out that a draft law is still a long way from implementation, various interlocutors stressed that even this progress would not have been possible without the JMD. On the administrative side, the development of a communications strategy for the Verkhovna Rada as well as greater transparency of the work of committees through measures such as video streaming were cited as significant achievements in making the Verkhovna Rada more accountable to citizens.

A dedicated working group was established within the Verkhovna Rada as a mechanism for implementation of the decisions reached within the JMD. However, this working group, which is chaired by the Speaker, rarely meets, apparently due to political divisions and a lack of time on the part of the Speaker.

Over the five rounds of the JMD thus far, participants have observed a shift in political culture. Parties have reportedly become more used to the idea of setting out their positions in advance – which was anathema to them at the start of the process. The Ukrainian participants have taken more ownership of the process,

¹⁰⁴ See EU Delegation website https://eeas.europa.eu/delegations/ukraine_el/27683/Rada%20za%20Evropu:%20Capacity-Building%20in%20Support%20of%20the%20Verkhovna%20Rada%20of%20Ukraine

so that the balance of the drafting work is now done by them rather than the EP, and they have taken more initiatives over the topics to be discussed. Similarly, the Verkhovna Rada Speaker has taken on a greater role in chairing the meetings, allowing Pat Cox to step back.

Other positive observations include a more positive understanding on the Ukrainian side of parliamentarianism and of that fact that consensus and reform progress can benefit the parliament as an institution as a whole and not just the ruling factions. Such cultural shifts have been observed not only between MPs but also between chiefs of staff.

The most frequent criticism of the JMD from interlocutors was that they have failed to deliver significant progress on the implementation of reforms. Opinion is divided on whether this is in itself a problem, with internal EP interlocutors stressing that the goal of the JMD is to change the political culture and create dialogue where none existed before, while many external interlocutors had stronger expectations that the JMD should deliver implementation of reforms. Several interlocutors repeated the phrase 'outcomes not outputs' to explain the success of the JMD despite the low level of implementation of decisions reached. To some extent this may be a question of better external communication of the goals and objectives of the JMD and managing expectations. On the other hand, it is not unreasonable to expect that the JMD process should ultimately lead to progress on the implementation of decisions reached within its format and that, while recognised as a long-term process, cultural change should lead to tangible results if the process is to remain relevant.

One of the challenges in implementation is that faction leaders are not necessarily able to guarantee their own MPs' votes, with the influence of oligarchs and entrenched elites being a significant factor¹⁰⁵. The challenge of implementation is not an easy one to overcome. Some interlocutors suggested the EP could use its political leverage to ensure better implementation through follow-up visits between rounds of the JMD. As well as utilising the NDI on-the-ground presence, the EP could consider ways in which enhanced cooperation with the EU Delegation could help promote implementation and broader understanding of the JMD. Ukrainian civil society has also been described as 'instrumental in informing the Ukrainian public about the reform progress and securing its support' and the EP could explore further ways to engage with civil society on the JMD¹⁰⁶.

Although most interlocutors did not think that the JMD should be time limited, in order to allow for the maximum potential progress, concerns were expressed about how the mechanism would continue following the next elections. This is particularly relevant in the context of a perceived waning of the interest of the EP in Ukraine¹⁰⁷, including at the highest levels, and the potential change in the make-up of the next legislature of the EP.

¹⁰⁵ 'It is public knowledge that parts of the current parliament de facto represent oligarchs who provide crucial financing for elections and media coverage.' Chromeic, J. and Koenig, N., 'Supporting Ukraine's Difficult Path Towards Reforms', *Policy Paper 143*, October 2015, Jacques Delors Institute Berlin, p.10. See also footnote 84.

¹⁰⁶ Chromeic and Koenig, *Policy Paper 143*, p.11.

¹⁰⁷ This perception was noted in several interviews with both EU and external interlocutors. It is also noted in a report of the Ukrainian think tank New Europe Center: 'Notably, a lot of attention has been paid to the course of Ukrainian reforms and the impression that the reform process has left the international community and the EU with "Ukraine fatigue" is once again being mentioned more often in Brussels, although one high-ranked official said that "fatigue" was the past and has turned into a "Ukraine allergy". The problem is that, unlike one year ago, when critical remarks towards Ukraine were addressed by certain EU officials, this year even Ukraine's best friends in the EU are more skeptical.' *TRUMAN Index No.3 (7): Ukraine-EU Relations*, 5.9.2018, New Europe Center.

Human rights actions

The human rights actions coordinated by the DEG in Ukraine have been more limited¹⁰⁸. In line with its focus on gender issues, the DEG co-organised a workshop with UNDP on gender equality involving parliamentarians, parliamentary staff, Ukrainian civil society gender activists, government representatives and others. Ad hoc events such as this may have limited impact without further follow up; however, the focus on women parliamentarians, as a potential way of renewing entrenched elites, is positive.

Also welcome is the inclusion of a Ukrainian civil society activist in the 2016 Sakharov Fellowship programme, as the Sakharov Fellowship aims to engage human rights activists on a longer term basis through its networks of alumni. The award of the 2018 Sakharov Prize to Ukrainian Oleg Sentsov was also an important symbolic show of support for the country's human rights defenders and was welcomed by the government, with Prime Minister Groysman calling it a 'strong message highlighting the necessity of democracy protection in the world' in a 25 October tweet. However, as the nomination process is controlled by the Members and political groups, this was not so clearly part of a strategic approach by the DEG.

Although the wider scope of human rights action of the EP is the responsibility of the DROI committee rather than the DEG, it would be a mistake not to recognise those areas of human rights closely related to democracy support, especially given the place of human rights in the CDSA approach. The increasing number of attacks on civil society activists was raised by interlocutors. With elections on the horizon, the role of civil society is likely to come into more focus, and it would be appropriate for attention to be brought to the safety of civil society actors as a key democracy stakeholder.

Conclusion

Overall, the EP's democracy support activities in Ukraine provide a positive example of how the EP can use its political leverage and added value to engage with national parliaments and other partners. A further tool that the EP could deploy in relation to Ukraine would be the Young Political Leaders Programme, which could help support a new generation of parliamentarians and civil society actors.

The major lesson to be learned from the Ukraine experience is not so much in trying to replicate what happened in a very unique set of circumstances elsewhere, but rather recognising the potential that the EP can have when it plays to its strengths. These include judicious use of political leverage, potential deployment of former MEPs, added value of parliamentary expertise and understanding, and strategic cooperation with external partners.

Case study good practices

- Comprehensive needs assessment based on extensive consultation and reinforced by local endorsement
- Processes have a high level of local ownership with EP seen as peers
- High level of attention given to whole election cycle, including pre-election period
- Activities from different workstreams are complementary and reinforcing
- Partnering with other organisations on the ground fills a gap in EP capacity

¹⁰⁸ The EP as a whole, including under the aegis of the DROI committee, has been active in human rights promotion in Ukraine, as outlined in the study Racz A. et al, *Human rights in Ukraine and the EU response, including relevant activities of the European Parliament*, DG EXPO, European Parliament, 2018.

- Coordination with other organisations to avoid duplication
- Engaging former high-profile EP Members allows for deeper engagement and commitment, complementing activity of current Members

7 Case study: Western Balkans regional activities

The European Parliament's support programme for the Western Balkans is closely tied to the EU's overall accession framework for these countries. The DEG's regional activities in the Western Balkans are coordinated by the lead Member (currently Eduard Kukan) and organised primarily by the PAAC, while the EPMS organises the Young Political Leaders programme. The regional CDSA approach is complemented by country-specific activities, such as on mediation (see below) and EP delegations to election observation missions (in some countries). While Turkey as a EU candidate country is also included in most of these regional activities, it will not be explicitly mentioned in the case study as it focuses on the Western Balkans region.

7.1 Background and context

There is an elaborate policy framework that governs the EU's relations with enlargement countries, and the Western Balkans in particular. All six countries have signed Stabilisation and Association Agreements (SAAs) with the EU. As part of this framework, every year the European Parliament endorses reports produced by the Commission (DG NEAR) and issues its own resolutions on the countries. These reports set EU priorities for each country and act also as guidance for the EP's activities in the Western Balkans. The reports include a section on democratic institutions, including parliament. Since 2015, the reports have stressed a 'fundamentals first' approach, stressing the need for candidate countries to focus on rule of law, political and economic governance, prior to other areas in the enlargement process¹⁰⁹. Notably the recent EU Western Balkans strategy paper called for enlargement countries to implement 'comprehensive and convincing reforms in crucial areas', including the rule of law, competitiveness, and regional cooperation and reconciliation¹¹⁰.

Alongside other channels, the EP engages with enlargement countries through the JPCs and Stabilisation Agreement Parliamentary Committees (SAPCs) that meet twice per year to discuss the implementation of the SAA and bilateral issues. Candidate countries, including those with talks underway (Serbia and Montenegro) and those with no talks yet (former Yugoslav Republic of Macedonia and Albania) have JPCs. Countries that do not yet have candidate status (Kosovo and Bosnia Herzegovina) have SAPCs. In addition to the delegations to the joint parliamentary committees, the EP has a Western Balkans Working Group within AFET. Interviewees reported a good level of cooperation between these EP bodies focused on the Western Balkans, particularly at the working level.

The EP Support Programme for parliaments of the enlargement countries has a dual role – to provide democracy support and capacity building to partner parliaments, as well as to raise awareness of EU processes and values, as part of a broader EU accession agenda¹¹¹. The DEG programme is closely coordinated with the other EP structures working on the Western Balkans. In the same vein, the PAAC, which was established within the Directorate for Democracy Support in 2012 to provide support to pre-accession countries with a European perspective, also coordinates closely the other units of the Directorate for Democracy Support that implement the CDSA.

¹⁰⁹ See, for example, 'Western Balkans and Turkey: enlargement process key to strengthened economic and political stability in the region', Press release, European Commission, 10.11.15.

¹¹⁰ See Commission strategy paper, 'A credible enlargement perspective for and enhanced EU engagement with the Western Balkans', European Commission, COM(2018) 65 final, 6.2.18.

¹¹¹ PAAC 2018 Work Programme, 'EP Support Programme for Parliaments of the Enlargement Countries', 22.6.2018.

7.2 Overall approach

While there are a number of EP bodies working on the Western Balkans, the DEG is the only entity working with the Western Balkans at a regional level. The regional approach provides platforms for dialogue between the partner parliaments, which is valuable and coherent with the EU's policy priorities. At the same time, the regional approach should not necessarily exclude the possibility of working on a bilateral basis with the partner parliaments, given their specific circumstances and needs.

The DEG implements a programme of pre-accession activities on an annual basis that is determined together with correspondents from each of the Western Balkan partner parliaments each autumn at an annual planning meeting organised by the PAAC. While this 'demand driven' process ensures that partners have a degree of ownership in the activities, it does not necessarily provide for a strategic approach to capacity building. The selected activities – primarily thematic conferences – tend to cover a diverse range of themes and are not sequenced or followed up in any kind of concrete way, which makes their impact difficult to assess.

While the DEG generally implements its pre-accession activities on a regional basis, for the upcoming year it will also implement activities on a bilateral basis with Western Balkans partners, particularly as 2019 is a European election year and MEPs will therefore be limited in their availability to meet with counterparts. To identify specific needs for 2019 activities, the PAAC provided a questionnaire in late 2018 to its partner parliaments in the Western Balkans to determine their priorities as well as what other assistance they are receiving. It also sent questionnaires to parliaments of EU Member States to ask what assistance they are providing to parliaments in the Western Balkans. While the consultation of partners and EU Member State parliaments using questionnaires were used on an exceptional basis for 2019 programming, the practice promotes good coordination and could be used more regularly.

In addition to the DEG's pre-accession actions, the DEG implements a number of mediation and dialogue activities in the Western Balkans. While the Young Political Leaders Western Balkans Programme is regional, the DEG has also carried out bilateral mediation and dialogue activities over a sustained period in the former Yugoslav Republic of Macedonia (see below for description of activities).

The DEG's activities in the Western Balkans differ somewhat from other CDSA work streams because the cooperation is with enlargement countries that have a European perspective¹¹². This provides a solid basis for a strategic approach that reinforces the accession process, and in particular the role of parliaments in the process. Parliaments have a 'margin to manoeuvre' in how the *acquis* is implemented, and have a strategic role to play in oversight of the accession process¹¹³. By playing such a 'watchdog' role, parliaments increase the ownership of the process and provide transparency to citizens. These are issues that can be addressed by EP activities.

At the same time, the DEG's work in the Western Balkans involves young democracies that share some of the same systemic issues and capacity building needs as other CDSA priority countries. In particular, the parliaments of the region are not generally viewed as places for debate and dialogue, but instead as an instrument for approving initiatives of the executive¹¹⁴. Checks and balances do not function properly and the opposition parties have frequently refused to engage, resulting in boycotts¹¹⁵. In such circumstances,

¹¹² Interview with EP officials.

¹¹³ See, for example, Strelkov, A., 'The EU and rule of law promotion in Western Balkans – a new role for candidate states' parliaments', *East European Politics*, vol. 32, 2016, pp. 505-524.

¹¹⁴ See, for example, Burazer, N., et al, 'Democracy in Progress: Shadow Report on Political Copenhagen Criteria in Western Balkans EU Candidate States', Centre for Contemporary Politics, Belgrade, 12.2017.

¹¹⁵ A Commission strategy paper stresses that "The government needs to ensure that the opposition has the possibility to fully perform its role" (p. 5). 'A credible enlargement perspective for and enhanced EU engagement with the Western Balkans', COM(2018)65 final, Strasbourg 6.2.2018.

there may be a need to consider how the rules of procedure can function in a democratic parliament to provide space for exchanges of views as well as legislative processes. The EP has a comparative advantage with the political perspective of its Members to be able to diagnose such issues and share good practices. These issues also provide entry points for the DEG's mediation and dialogue efforts, as have been implemented in the former Yugoslav Republic of Macedonia (see below).

Internal and external interviewees also pointed to the need for renewal of political elites in parliaments of the Western Balkans, as well as other transitioning democracies. While parliaments may have the formal structures of democratic institutions, the legacy of clientelism remains entrenched, and parties often lack intra-party democracy¹¹⁶. The EP has the opportunity through its engagement with young parliamentarians in particular to share a more open political culture that can help to inspire young leaders to make changes in their own parliaments. The YPL programme and the study visits for newly elected MPs provide opportunities for this. Engaging with women parliamentarians and promoting the use of youth and women's caucuses also helps to promote renewal of political elites. EP activities in these areas should be further strengthened, particularly in the Western Balkans where entrenched political elites present a significant challenge to achieving a European perspective.

7.3 Activities and findings

Regional conferences

During the course of the eighth legislature, regional conferences have become the most common pre-accession activity conducted with the Western Balkans. Six regional conferences were held in 2018 and 2017, four in 2016, eight in 2015 and four in 2014. While most of these conferences were held in Brussels, between 1-3 each year have been held in Western Balkans countries and occasionally they have been hosted by the parliaments of EU Member States (e.g. Bulgaria, Czech Republic and Croatia).

Topics for conferences are selected together with Western Balkan partner parliaments and include a combination of themes addressing EU policies, as well as thematic issues reflecting the needs of partner parliaments. As the conferences include all parliaments from the Western Balkan countries (and Turkey), those topics with a broad relevance are selected. For 2018, for example, conferences included the EP's budgetary powers, the instrument for pre-accession assistance in rural development, freedom of expression and the future of the accession process. Planning for 2019 anticipates conferences will focus on four areas: the EU budget, human rights, EU sectorial policies, such as tackling environmental pollution and the EU banking union, and an improved involvement of parliaments with the citizens¹¹⁷.

A number of previous regional conferences have aimed to promote EU values through the choice of topics. For example, the 2014 conference held in Tirana, 'Fundamental rights, non-discrimination and protection of vulnerable groups, including LGBTI', organised jointly with the European Commission and the Italian Presidency of the Council of the EU, was considered very successful and received much positive media coverage, despite initial controversy sparked by the topic. Unlike other regional conferences, the EP provided financial support for the participation of civil society groups from the region. The conference also notably resulted in a Declaration calling on governments and political leaders of the region to take steps to end discrimination, including through legal reforms¹¹⁸. The 2016 conference 'Non-discrimination of persons with disabilities' was similarly seen to bring tangible results in terms of highlighting the need to

¹¹⁶ See, for example, Vogel, T., 'Beyond Enlargement: Why the EU's Western Balkans Policy Needs a Reset,' Friedrich Ebert Stiftung, 4.2018.

¹¹⁷ Based on internal EP documents provided.

¹¹⁸ Declaration 'Fundamental rights, non-discrimination and the protection of vulnerable groups, including LGBTI', 12.12.2014. Available at https://ec.europa.eu/neighbourhood-enlargement/news_corner/news/2014/12/20141212_en

respect rights of vulnerable groups in the region. In both cases, the active involvement of civil society was seen to contribute to the success and relevance of the activities.

While it is positive to bring together parliamentarians from the region on a regular basis and expose them to a range of topics, the impact of such activities is difficult to assess. The conferences are one-off activities that do not have any follow-up and it is difficult to see how they are able to build capacity in such a format. If capacity building is the objective, each conference could be followed by meetings of Members with senior officials of the parliaments, followed by development of a road map on how to address specific policy issues. Such an approach would mean fewer regional conferences would be conducted overall, but could provide the opportunity for specific priority issues to be addressed at a deeper level.

Some of those interviewed for the study also mentioned that conducting conferences so frequently has made it difficult to ensure the active participation of relevant MEPs, as well as EP staff with specific technical expertise. At the same time, while Western Balkan MPs may value the 'peer to peer' approach of interacting with MEPs, their level of attention during such events reportedly varies, and occasionally the same participants from partner countries have attended on a regular basis¹¹⁹.

Selection of conference topics merits further consideration, as some of the chosen topics appear to be more relevant than others. Learning about EU policies and how the EP works might not appear to be as high a priority, for example, as promoting good practice for parliamentary reform in the region, given that actual accession remains relatively distant, while the role of parliaments in the ongoing accession process needs to be emphasised. For example, the conference planned for January 2019 on how parliaments communicate with citizens appears to be consistent with an objective of promoting EU values and political culture and could provide a platform for recognising good practice within the region. Such a topic might be the basis for a more extensive programme with individual parliaments on their communication and outreach with the public, which will be crucial for a successful enlargement process. Overall, the EP's comparative advantage over other assistance providers is in addressing issues of a political nature that affect the functioning of a democratic parliament.

In 2017, for the first time, a High-level Roundtable on Integration was held with all Western Balkan parliaments. According to several interlocutors, this meeting was considered very useful as it was conducted in a closed-door format allowing for informal, frank, and open exchanges about the political realities in enlargement countries and the challenges of the accession process. From the EP side, Rapporteurs, Heads of Delegations and those MEPs most involved with the country reports were involved and very committed¹²⁰. The need to implement reforms and change the political culture in the region, in particular within parliaments, was a recurrent theme, coherent with the EU's enlargement strategy¹²¹. A second High-level Roundtable on Integration has been held in November 2018. Providing an open platform for exchange between MEPs and parliamentarians involved in the accession process provides a unique forum for building confidence around enlargement and brings policy coherence with the EU's overall regional strategy¹²².

Pre-accession study visits

Over the course of the eighth legislature there have been a significant number of study visits bringing both MPs and staff from the Western Balkan parliaments to Brussels (and occasionally Strasbourg), although they have become less frequent towards the end of the legislative term. Only one study visit from the

¹¹⁹ Interviews with EP officials.

¹²⁰ Internal feedback note provided by the EP.

¹²¹ See EP Global democracy website.

¹²² Interviews with internal and external interlocutors.

region was conducted in both 2018 and 2017, while in 2016 there were two such visits, in 2015 there were four study visits and in 2014 there were six study visits.

The format of study visits has also changed over time. While study visit participants from 2014-17 were generally from one parliament in the Western Balkans, the study visit in 2018 included MPs from three countries (Albania, Kosovo and former Yugoslav Republic of Macedonia). In addition the study visits in 2017 and 2018 focused on newly elected, first-time MPs. Recent study visits have also focused on MPs rather than parliamentary staff, consistent with the CDSA concept.

The composition and format of a study visit should depend on the objectives for the visit. The 2018 study visit for newly elected MPs of Albania, Kosovo and former Yugoslav Republic of Macedonia was reportedly very successful, as it targeted a 'new generation' of politicians who could benefit from exposure to the European Parliament's political culture and modern procedures¹²³. Bringing MPs from three countries at one time also provides a platform for relationship building, which helps to promote regional understanding and dialogue. At the same time, it would be useful to find ways to follow up on such a visit to build on its success, and to maintain links with potential 'change-makers'.

Study visits may have limited impact unless they are planned and structured in such a way to promote specific objectives, such as inter-party dialogue or exchange of experience between peers from different countries on a specific issue where best practices can be highlighted. Rather than one-off events, study visits should ideally be linked to further activities that allow the EP to follow up on specific issues of parliamentary reform, or which promote an ongoing exchange between participants. Notably some of the Western Balkan parliaments have expressed interest in developing a network of MPs from EU accession committees, following a study visit. Such a network, if it proved sustainable, could potentially provide a forum to continue discussion between annual High-Level Roundtables on accession-related issues and promote intra-regional dialogue and sharing of good practice, coherent with broader EU policy aims.

Pre-Accession Fellowship Programme

The Pre-Accession Fellowship Programme brings staff members from the parliaments of the Western Balkans and Turkey for a focused 6-8 week fellowship in a relevant department of the Parliament, allowing them to become well-acquainted with the EP's work at a political and administrative level. The Pre-Accession Fellowship Programme was established following the recommendations of the AFET working group (21 April 2010 and 20 June 2012), which was endorsed by the DEG on 18 September 2012.

Through the fellowship, the EP aims to invest in people who can act as agents of democratic change in their own parliaments. Its specific objectives include: to facilitate the sharing of EP best practices with the parliaments concerned; to help to reinforce partner parliaments' administrative capacities on the way to European Integration; and to create a network for Pre-Accession Fellows to strengthen and broaden existing knowledge and regional cooperation for the benefit of the partner parliaments and the EP.

Each year the PAAC liaises with the partner parliaments and requests that each provide three fellowship candidates who meet the selection criteria, including three years' experience working in the secretariat of the Parliament. From this pool, the PAAC selects 8 fellows based on their applications and remotely conducted interviews. One fellow from each parliament is selected, with a 'bonus' additional slot going to the parliament who provides the most qualified candidates. Fellows are each placed in EP departments relevant for their expertise, and are assigned an EP staff mentor responsible for tasking them with work assignments.

After returning to their parliaments, staff are required to share their experience with others and propose improvements, based on their experiences with the EP. The EP asks fellows to each complete an evaluation

¹²³ Interviews with EP officials and internal documentation provided by the EP.

form at the end of the fellowship, as well as to submit a follow-up report three months later on what actions they have proposed to their parliaments. Based on the feedback, the EP has made improvements to the fellowship over the course of the legislature. This practice is a positive example of evaluation and incorporating lessons learned.

In 2019 the PAAC will hold a seminar for fellows as regional change agents, and will launch the regional Pre-Accession Fellows Network, which is meant to build on the experience acquired during the fellowships and leverage it for further regional cooperation. This initiative could also promote successful efforts on parliamentary reform within the region.

The pre-accession fellowship appears to have been successful in providing staff from the partner parliaments with a unique opportunity to gain an appreciation of the EP's procedures and working culture, which can potentially be of direct benefit to their parliaments, if lessons learned can be implemented¹²⁴. The recent addition of the three-month follow-up report and the Fellowship Network will help to promote the effectiveness and sustainability of these aspects, while also signalling to potential candidates the need for a sustained commitment.

At the same time, some of those interviewed questioned whether the fellowship might be a way for the parliamentary leaderships to reward certain well-connected staff, rather than selecting the most qualified potential candidates. Requiring parliaments to submit three candidates and requiring interviews allows the EP to make its own selection based on the established criteria, even if the field of candidates is determined by the parliaments. The 'bonus' spot is an additional incentive for the parliaments to submit well-qualified, suitable candidates.

Young Political Leaders – Western Balkans

The first YPL Western Balkans initiative took place as part of the Western Balkans Youth Conference, organised by the European Commission and the French Government in Paris in July 2016. The second YPL Western Balkans initiative took place as part of the EU-Western Balkans Pre-Summit Youth Forum in July 2017 in Trieste. The forum provided an opportunity for youth representatives to prepare key recommendations that could be fed into the 2017 Western Balkans Summit, also in Trieste. The EP YPL was responsible for one of the plenary panels at the Forum, which resulted in widespread support for the EP to facilitate dialogue in the region between parliaments and youth organisations¹²⁵.

The EP followed up on the Forum by convening a conference in Brussels in November 2017, 'Bridging the gap between youth policy, youth participation and parliamentarians in the Western Balkans,' which was attended by 20 young MPs from the region, together with a number of representatives of youth organisations. Participants discussed the challenges and possible response to youth disengagement from politics and shared good practices. In particular, the experience of parliamentarians from former Yugoslav Republic of Macedonia, who set up a youth caucus, was identified as a positive example that could be replicated in other parliaments in the region.

The second 'Bridging the gap' conference was held in Skopje in September 2018 and again brought together young parliamentarians together with representatives of youth organisations from the region to further discuss common challenges and possible solutions. This time the dialogue was deepened with the addition of 'Policy Labs', which were introduced by the Joint Research Centre, the European Commission's science and knowledge service to produce policy recommendations. Participants concluded the

¹²⁴ Based on internal interviews and participant feedback shared by EP.

¹²⁵ Internal feedback note shared by EP.

conference by agreeing on a Declaration supporting the establishment of 'Bridging the Gap' as a sustainable regional dialogue forum focused on youth participation¹²⁶.

By empowering young parliamentarians, the YPL 'Bridging the Gap' programme helps to address the need to promote young leaders in the region, which is coherent with issues identified by recent EU enlargement country reports¹²⁷. The identification of youth caucuses as a good practice, if replicated, could provide space for inter-party cooperation between young parliamentarians on issues of mutual concern and interest, as well as a potential source of ideas for broader parliamentary reform. For these reasons, the further development of and linkages between youth caucuses should be further encouraged by the EP wherever possible.

The YPL Western Balkans initiatives have also demonstrated good coordination with other EU institutions as well as external organisations. As well as supporting dialogue at a regional level, the YPL has also been useful nationally in former Yugoslav Republic of Macedonia to support cross-party dialogues as a complement to the JMD work (see below). Such synergies between regional and bi-lateral activities are consistent with the CDSA and could be replicated elsewhere.

Mediation and Dialogue activities – former Yugoslav Republic of Macedonia¹²⁸

From 2015-17, the EP conducted mediation in the former Yugoslav Republic of Macedonia, to support the country in overcoming a serious political crisis. In 2015, Commissioner Hahn requested the help of MEPs Eduard Kukan, Richard Howitt (later replaced by Knut Fleckenstein) and Ivo Vajgl to facilitate cross-party talks between the main political parties in the country. The mediation effort eventually led to the Pržino Agreement, signed on 15 July 2015. The process included MEPs travelling four times to Skopje, more than a dozen coordination meetings with the Commissioner, and 12 press releases¹²⁹. The July mission of MEPs immediately before the signing the agreement was particularly crucial in ensuring its successful conclusion¹³⁰.

Following the December 2016 elections, the three mediators, together with Commissioner Hahn, continued close monitoring of the political developments in the country, including implementation of the Pržino Agreement. The three MEPs continued to provide political support, leading up to the introduction of the JMD. The first round of the JMD has been held in Ohrid in May 2018 with the political factions of the Sobranie. The dialogue had a number of outcomes, including the adoption of a new Code of Ethics for the Sobranie, significant progress on amendments to the rules of procedure and the establishment of a 'Working Group on Reforms and Functioning of the Sobranie'¹³¹.

From a regional perspective, the EP's mediation and dialogue efforts in former Yugoslav Republic of Macedonia have promoted policy coherence with the EU's enlargement strategy. Also, these activities demonstrate consistency with some of the EP's regional pre-accession activities, in line with the CDSA, including those focused on promoting a positive political culture in the parliament. Through the continued engagement of the JMD with the Sobranie and possibly other Western Balkan parliaments, such efforts can provide possible entry points for the EP to work on other aspects of parliamentary strengthening, including those that strengthen the ability of the parliaments to play their role in the EU integration process.

¹²⁶ Declaration, 2nd High Level Youth Dialogue, "Bridging the Gap" conference, Skopje, 21.9.2018, provided by EP.

¹²⁷ See 'Annual enlargement package' for country reports at https://ec.europa.eu/neighbourhood-enlargement/countries/package_en

¹²⁸ See Chapter 4, Assessment of the EP's activities on mediation and dialogue, for further details.

¹²⁹ DEG Annual Report 2016.

¹³⁰ See Fonck, D., 'Parliamentary Diplomacy and Legislative-Executive Relations in EU Foreign Policy: Studying the European Parliament's Mediation of the Macedonian Political Crisis (2015-17)', *Journal of Common Market Studies*, 2018 vol. 56, no. 6, pp.1305-22.

¹³¹ See Jean Monnet Dialogue with the Sobranie on the EP Global Democracy Support website.

Case study conclusions

This case study demonstrates how, during this legislature, a number of EP Western Balkans regional activities have brought policy coherence by addressing issues highlighted by European Commission and EP reporting on pre-accession countries, such as the need to improve political culture within parliaments, facilitate the enlargement process, and promote young parliamentarians, including women, and youth. Such policy coherence is in line with the CDSA.

In former Yugoslav Republic of Macedonia, bilateral mediation and dialogue efforts have complemented regional actions, showing how different types of DEG instruments can bring synergies. Both the mediation effort and JMD have demonstrated concrete outcomes of both processes, even though the JMD is at an early stage.

Coordination has also been a feature of the actions in the region, including within the EP, with other EU institutions, and with external actors, including civil society, who have been particularly involved in the YPL Western Balkans and in a number of regional thematic conferences.

However, other actions, although demand driven, are more difficult to assess in terms of impact. Both the regional thematic conferences and study visits are one-off activities that do not usually have any follow-up. However if they are well structured around relevant themes that bring policy coherence and are linked to other activities, including bilateral actions, they provide an opportunity for sustained impact.

Case study good practices

- Solid coordination both within and outside the Parliament on EU enlargement brings policy coherence
- Through selecting relevant conference themes, Parliament promotes EU values and political culture
- The High-Level Roundtable on Integration provides a forum for open and frank discussions on the progress of accession
- The Pre-Accession Fellowship makes improvements based on participants' feedback and aims to become more sustainable with the establishment of a Pre-Accession Fellows Network
- Engagement with young parliamentarians through first-time member study visits and the YPL helps to promote young leaders and inspire them to make changes in their own parliaments
- The mediation and dialogue efforts in former Yugoslav Republic of Macedonia provide consistency with regional pre-accession actions, particularly those focused on addressing political culture within partner parliaments

8 Conclusion and recommendations for the future

8.1 Conclusions

This study has reached the following overall conclusions:

The CDSA has brought a more focused and strategic approach, and remains a work in progress

The main aim of the CDSA has been to bring a more strategic and focused approach to the EP's democracy support activities. It has brought a vision for developing more long-term engagement in priority countries based on assessment of needs, linking activities around the electoral cycle and close coordination with others both inside and outside of the Parliament. During the course of the eighth legislature, there have been a number of innovative initiatives developed that have leveraged the comparative advantage of the EP as a political body, and have also brought synergies by bringing together the different work streams.

The best example of this in practice has been the activities in Ukraine, where the EP has engaged strategically - assessing the needs of the Ukrainian Parliament from a political perspective in addition to a technical perspective, mapping out the steps necessary for its reform, and developing a mechanism for addressing these issues. MEPs and officials alike have emphasised in interviews the 'unique' circumstances of Ukraine (Euromaidan, political crisis, the war in Eastern Ukraine), which led the EP to devote significant attention and resources to the situation. While the Ukraine circumstances may be unlikely to be repeated in another country, it remains a good example of how the commitment and sustained engagement of the EP can address clearly identified needs from different but reinforcing perspectives.

The EP's democracy support in other priority countries and the Western Balkans region has been more of a mixed picture in terms of implementing the CDSA approach. There have been other examples of democracy support activities that have been developed to address identified needs and have led to long-term engagement with partner parliaments over time. But there have also been less relevant actions, with no clear outcome or follow-on activities, which do not reflect fully the intentions of the CDSA. It has also been the case that some CDSA priority country parliaments have demonstrated more interest in working with the EP on a sustained basis than others, which is a contributing factor.

The European Parliament should focus its work where it has the most influence and strategic interests

While the 'priority country' concept has brought a degree of increased focus to the EP's democracy support activities, the countries where the EP has had the most traction have been those neighbouring countries with European aspirations. The Western Balkans countries, which are candidates or potential candidates for accession, and the Eastern Partnership countries that have concluded Association Agreements all look to the European Parliament for inspiration and encouragement regarding political reforms and democracy development. These countries are strategic priorities for the EU as a whole, and will remain as 'priority countries' for the EP regardless of whether they are on a priority country list.

The DEG's work with enlargement countries in the Western Balkans provides a solid basis for a strategic approach that reinforces the wider accession process. Some of the DEG's activities in the Western Balkans address EU priorities that have been identified in annual country reports on enlargement, promote EU values, and provide capacity building support on the critical role of parliaments in the accession process. Providing a platform for regional dialogue in the Western Balkans is also coherent with broader EU policy. Similarly, the DEG can engage parliaments in the Eastern Partnership countries that have concluded Association Agreements on issues related to their role in the implementation of those Agreements.

Capacity building support focused on political reform should prioritise these countries' parliaments, and engage with them on a long-term basis according to their individual needs. EP election observation delegations should continue to prioritise these countries as part of OSCE/ODIHR EOMs, if necessary

reducing EP delegations to EU EOMs in countries where there is less likely to be EP post-election engagement.

In addition the European Parliament has a distinct comparative advantage in working to build the capacity of transnational parliaments. Currently it has a sustained engagement with the Pan-African Parliament, and this could be continued and extended to other transnational parliaments on the continent and beyond.

The Parliament's overall comparative advantage is its political perspective and approach

The comparative advantage of the EP in providing democracy support is the political perspective of its Members, together with their understanding of how the functioning of parliament facilitates a democratic political process, including through consensus building. MEPs have the ability to work 'peer to peer' with their colleagues in other parliaments, and also share links through inter-party families. These close connections allow Members to engage at a different level than other external actors, including in sensitive activities such as mediation, as has been demonstrated in the former Yugoslav Republic of Macedonia. The EP could also further develop the involvement of senior former Members, while pairing them with sitting Members, so as to allow for continuity and the deeper engagement of the EP, particularly in time-consuming processes such as mediation.

Its political approach also allows the EP to differentiate itself from the existing field of parliamentary support providers. At the same time, as a legislative body, the EP has also been cautious not to overstep the role of the executive, by ensuring that its actions are complementary to those of long-term providers of parliamentary support. The DEG's efforts during the eighth legislature to coordinate its actions with EU institutions and external actors have helped to facilitate this.

Follow-up to election observation recommendations should be further elaborated

The election observation activities of the European Parliament are well established and bring visibility to the body through its cooperation with long-term election observation missions. However the impact of election observation remains somewhat limited if the final report recommendations remain unaddressed. The Parliament has a natural role to play in this process, as many election recommendations require legal changes, which must be carried out by the parliaments.

The EP could further develop formats for working with parliaments on a peer-to-peer basis to understand and encourage the process of electoral reform from a parliamentary perspective, including through parliamentary electoral dialogues. Such activities could also be prioritised following an EP election observation delegation in those countries where there is the political will to engage in follow-up to EU EOM recommendations, including in countries not designated as CDSA priorities. Such actions could be bolstered by the further promotion of EU EOM recommendations by Standing Delegations, a process that has already begun to a certain extent. Increased attention to follow-up to election observation recommendations would strengthen the connection between the DEG's democracy support activities and the electoral cycle, as foreseen in the CDSA.

Political culture can be a major obstacle to parliamentary reform and the EP should take all opportunities to address this

Throughout the study, those interviewed have stressed the main obstacle to reform in partner countries is the political culture of partner parliaments. In many countries, parliaments are not seen as a place for democratic exchange of views, building consensus, policy-making and oversight, but instead act as 'rubber-stamping' bodies for the executive branch. The 'winner takes all' approach to elections and governing ensures that the majority party dominates all aspects of the parliament and leaves little role for the opposition, which then may see boycotting parliament as its best option, until it has a turn to dominate. At the same time, the clientelism that often exists means that MPs are beholden to business interests and corruption remains widespread.

Addressing issues of political culture is challenging, but the EP as a political body is better placed than other parliamentary support providers to do so. Such issues require inter-party dialogue and consensus building, which the EP has been able to foster through the JMD implemented in Ukraine and the former Yugoslav Republic of Macedonia.

Parliamentary exchanges, mentoring and fellowships, when well-designed, can also provide opportunities to expose MPs and staff to the political culture and openness of the European Parliament, potentially encouraging possible 'change-makers' who may be able to bring good practices back to their own parliaments, especially if they are supported.

In particular, the EP should continue to prioritise working with young parliamentarians and women MPs, whose entry into the parliament may contribute to a renewal of political elites. In the Western Balkans, study visits for first time parliamentarians and the Young Political Leaders programme are good examples of this. As much as possible, engagement with potential 'change-makers' should be sustained over time through the building of networks and other longer-term or sequenced activities. Similarly, the EP's political support to civil society actors and human rights defenders through activities such as the Sakharov Prize, Sakharov Prize Fellowship and other human rights activities helps strengthen those who attempt to hold their own political elites to account.

Openness and transparency in partner parliaments should continue to be encouraged

Another consistent weakness of partner parliaments has been their lack of transparency and outreach to citizens. As elected bodies, the connection between elected representatives and their constituents is crucial to the democratic functioning of a parliament. Parliaments should be accessible to citizens, so that they can hold their representatives accountable, as well as understand the policies that affect them. This is especially important for EU accession processes, which will require citizens to understand the reasoning behind the reforms that must be implemented in order to access the benefits brought by enlargement. But this is an important element for all democracies, and the EP can promote good practices in this area.

Parliaments also need to engage with civil society, which are organisations that aggregate the interests of citizens and advocate for policies that promote citizen's rights. Civil society has an important role to play also in contributing to policy development and providing oversight of parliament, as well as other government institutions. In many countries there is increasingly closing space for civil society organisations to work, and the EP should continue to defend their rights, as well as to bring civil society into its work with parliaments whenever possible. The EP has played an important role in championing the rights of civil society and human rights defenders through the Sakharov Prize and the Sakharov Prize fellowship as well as through its other activities.

The EP should also lead by example, ensuring transparency in its democracy support work and continuing to engage civil society partners wherever possible. Such efforts can include: elaborating internal policy frameworks, introducing mechanisms for evaluation, sharing more information with partners and the public, and developing communications and outreach strategies.

Coordination at all levels is a key to success

Coordination is a key principle of the CDSA, and experience during the 8th legislature has demonstrated its importance to the success of the Parliament's democracy support initiatives. Within the Directorate for Democracy Support, collaboration between the units has brought synergies in a number of instances. Coordination between the DEG and other bodies of the Parliament, including the committees and Standing Delegations, has the potential to bring increased leverage, as political messages can be followed up with concrete actions, an approach that has been adopted on occasion and could be further pursued. At the administrative level, internal communications could be enhanced to improve public awareness of the DEG's activities and role in democracy support.

Coordination with other EU institutions brings visibility and political leadership to EU priorities, such as through election observation, follow-up to EU EOM recommendations and the promotion of dialogue around enlargement processes. There is evidence that the Directorate's units coordinate with other EU institutions, including EEAS and the Commission, on the specific work streams. The upcoming EU Global Project to Strengthen the Capacity of Parliaments may present new opportunities for the DEG in this regard.

Coordination with partners on the ground is also crucial, as the EP does not have an ongoing presence in the countries where it works. The EU Delegations have a key role to play in coordinating EU policy and messaging in a specific country. While the EP's coordination on democracy support activities with EU Delegations has generally been good, there are still instances where it could be enhanced.

The EP has had some good experiences coordinating and cooperating with external partners such as other parliamentary support providers on an ongoing basis in specific countries. Such cooperation has allowed the EP to identify where its added value can best be deployed to gain the maximum impact from its activities, linking to other existing initiatives and providing its own political perspective and leverage. Fact-finding missions in CDSA countries have at times included meetings with other parliamentary support providers, as well as donors and civil society organisations, to identify synergies and avoid duplication of efforts, which could become standard practice.

Regarding the three assessment criteria (relevance, coherence and coordination and consistency), this study has concluded the following:

Relevance

- The EP's distinct comparative advantage compared with other parliamentary support providers is its political perspective and approach, which allows MEPs to work 'peer to peer' with their colleagues in partner parliaments and through inter-party families.
- The elaboration of new mediation and dialogue instruments over the course of the legislature provides mechanisms for Members to use their political leverage to address sensitive issues within partner parliaments.
- The EP's democracy support has gained the most traction in countries where the EP has the most influence, in particular pre-accession countries in the Western Balkans, and in the Eastern Partnership that have concluded association agreements with the EU.
- While there have been a number of innovative actions addressing identified needs and engaging long-term with partner parliaments, there have also been less relevant actions, with no clear outcome or follow-on activities, which do not reflect fully the intentions of the CDSA.

Coherence and coordination

- Overall the EP has demonstrated good coordination with other EU institutions, and EP actions have at times brought policy coherence with overall EU strategic objectives, for example in Ukraine and the Western Balkans.
- A more elaborated approach to follow-up to election recommendations, for example through Parliamentary Electoral Dialogues, would bring further coherence with the CDSA concept of working throughout the electoral cycle, as well as with the wider EU approach to this issue.
- Positive cooperation with OSCE/ODIHR on election observation missions provides EU visibility and demonstrates its interest, demonstrating inter-institutional collaboration and providing a basis for follow-up to recommendations in these countries.

- The EP has developed new partnerships with external actors both on the ground in CDSA priority countries and more widely through hosting of high-level conferences over the course of this legislature. Working with development partners helps the EP to identify niches where it can add value, promotes synergies and helps to avoid duplication of efforts.

Consistency

- The EP's democracy support actions are overall consistent with the Parliament's objectives and guidelines related to promoting EU values of human rights and democracy, including the inextricable links between these concepts. This is also demonstrated through EP support for human rights defenders, engagement with civil society and promoting participation of women and youth.
- EP democracy support activities in the former Yugoslav Republic of Macedonia and Ukraine have demonstrated how EP democracy support activities from different work streams can promote synergies, consistent with the CDSA concept.
- The consistency of the DEG's democracy support activities could be enhanced by ensuring that all types of activities have specific defined objectives as part of a broader monitoring and evaluation framework (see recommendation below).

8.2 Recommendations

Based on these conclusions, the study offers the following recommendations for consideration:

Overall recommendations

- Overall, the EP should continue to implement the CDSA, further developing instruments throughout the electoral cycle that allow it to be innovative and strategic in its approach to democracy support and by using its comparative advantage and expertise to address issues of a political nature.
- The EP should focus its work in those countries where it can have the most influence and strategic interests – especially the neighbouring countries with European aspirations, including those countries of the Eastern Partnership that have concluded Association Agreements and the pre-accession countries of the Western Balkans. Other countries where there has been EP election observation can be the focus of post-election activities, as is already the case.
- The practice of assigning a lead Member should be continued. However the lead Member's role could be better defined vis-à-vis other EP bodies (e.g. standing delegations, Committee rapporteurs, etc) to set out the scope and specific responsibilities of the role, including possibly through the development of guidelines.
- The EP would enhance the transparency and accountability of its work by making more information publically available on its democracy support actions and by further developing mechanisms for defining the aims and tracking the results and outcomes of its actions. The existing EU literature on monitoring and evaluation approaches could provide useful guidance.
- The EP should continue to prioritise working with youth and women, and encourage potential 'change-makers' wherever possible.
- Continue and enhance coordination with other implementers of parliamentary strengthening programming so as to identify niches where the EP's added value can be most useful and avoid duplication of efforts. For example, fact-finding missions can meet with other implementers on the ground as a standard practice (see capacity building recommendations below).

- Consider developing an overall external communications strategy to reinforce the joined-up nature of CDSA activities, as well as communication plans for each work stream.

Recommendations for election observation

- A comprehensive 'guidelines' document for EP election observation delegations should be developed, outlining the purpose and benefits of EP election observation delegations, the relationship with EOMs, the *modus operandi* during missions and their public reporting. Such a document would promote transparency and accountability and further establish the EP as being a standard bearer amongst parliamentary assemblies observing elections.
- Pre-election activities, including those to prevent the possibility of electoral violence, could be further developed, as part of coordinated EU election-related activities. Further practice development on issues such as prevention of electoral violence and challenges to election observation could also be pursued, as they allow the EP to highlight their importance and frame the policy debate within the EU, as well as vis-à-vis external stakeholders.
- The EP should continue to develop follow-up actions to promote implementation of EOM recommendations, particularly those requiring actions by national legislatures. This could include the CO and the Head of the EP election observation delegation leading on political actions and the holding of parliamentary electoral dialogues on electoral legal reform, complementary to EEAS efforts. Regular information exchange on follow-up between EU institutions is necessary to ensure coherence.
- Political groups and parties could also be further engaged to raise electoral reform issues with partner country parties from their political families.
- Consideration could be given to a more strategic selection of countries for EP election observation delegations, with a focus on States where there is an increased chance of positive follow-up by the Parliament (in line with the CDSA), and/or very strong strategic relevance for the EU.

Recommendations for capacity building

- Fact-finding missions should be further developed to define a strategic long-term approach on capacity building for each CDSA priority country. A report in a standard format could identify: the key issues and challenges facing the parliament, the parliamentary support activities provided by other democracy support providers, and the potential areas where the EP could provide added value. In some cases, such missions may also develop additional types of capacity building activities or identify other CDSA instruments that could be relevant in view of an overall country strategy.
- The EP should select more strategic priority themes for capacity building activities that are coherent with EP priorities and overall EU policies, and which address the political culture and functioning of a democratic parliament, as well as reform challenges related to the electoral cycle. In pre-accession countries, activities providing support for the enlargement process should also be prioritised, while in associated Eastern Partnership countries, activities can be developed to support the implementation of Association Agreements.
- The EP should seek to engage partner parliaments in sustained cooperation on a limited number of specific issue areas, building on the results of previous activities to obtain tangible results. This includes its work in the Western Balkans, where the EP should engage with parliaments on a bilateral basis, alongside regional activities where this approach achieves a particular outcome.
- The EP should continue to include civil society groups as much as possible in its capacity building activities, as well as encouraging partner parliaments to engage with civil society. Further involvement with civil society could also be considered, including maintaining ongoing contact and improving civil

society awareness of the DEG's role and its capacity building activities, although such steps may have resource implications.

- As a regional parliament, the EP should continue to use its comparative advantage in this area by providing capacity building support to the PAP, as well as other regional parliaments. The EP should also consider the extent to which its transnational model is relevant for partner parliaments on specific issues and seek to involve EU Member State parliaments where possible, as has been done for some pre-accession activities.

Recommendations for mediation and dialogue

- The EP should develop strategies to promote implementation of agreements reached through the JMD and other forms of dialogue including using visibility and engaging with civil society, EU Delegations and other partners on the ground.
- The EP should continue to seek partnerships and synergies with external actors in the field, while prioritising deeper cooperation with other EU bodies, particularly EU Delegations.
- The good practice of engaging with young parliamentarians in partner parliaments should be expanded, alongside other EP processes for dialogue.

Recommendations for human rights actions

- The EP should continue support to the Sakharov Prize Network, while recognising its limits due to the number and availability of laureates. Possible synergies between the Sakharov Prize Network and the emerging networks of Sakharov fellows could be explored.
- The EP should consider thematic or regional Sakharov fellowship rounds to encourage lasting links between activists. Particular attention could be given to the CDSA priority countries and regions consistent with the overall CDSA approach.
- The EP should continue to enhance cooperation with civil society and human rights defenders, in particular seeking opportunities for promoting relations between civil society representatives in events with national parliamentarians across the DEG's democracy support activities.
- Human rights activities that adopt a sustained approach to an issue or set of actors should be prioritised rather than one-off events, in line with the CDSA.

9 List of interviews

The authors of this study carried out interviews with a range of stakeholders. Interviewees were guaranteed anonymity in order to facilitate a frank exchange of views, and are therefore listed solely by institution. The total number of people interviewed was 55.

Current and former MEPs (6)

European Parliament Staff (14)

DG EXPO

DEAC

EPMS

EU-Ukraine PAC

HRAC

PAAC

Other EU institutions (9)

EEAS/EU Delegations

European Commission, DG DEVCO

European Commission, DG NEAR

European Commission, DG NEAR/Support Group for Ukraine

International development partners (14)

Electoral Institute for Sustainable Democracy in Africa (EISA)

European Endowment for Democracy

European Partnership for Democracy

International IDEA

National Democratic Institute

OSCE/ODIHR

UNDP

USAID

Westminster Foundation for Democracy

Ukrainian institutions and civil society organisations (5)

Other (7)

Deputy Chief Observers on EU EOMs

Election Observation and Democracy Support

Sakharov Prize laureates

Sakharov fellows

TOTAL: 55

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Annex: Key research questions

The following research questions were used as a basis for semi-structured interviews and adapted according to the different stakeholders.

1. Relevance of the activities for the target countries, institutions and groups.

- To what extent were and are the aims and objectives of the actions still valid for the target group and recipient?
- To what extent have the actions been consistent with attainment of the aims and objectives?
- What reasons were there for not meeting objectives?

2. Coherence and coordination with other partners' activities and processes in particular those of other EU institutions and Member States, but also the wider international community.

- To what extent were activities undertaken in isolation or part of a coherent approach?
- What was the added value of EP actions compared to other partners' activities?
- To what extent was there duplication or overlap with the actions of others and what effect did this have?
- Were mechanisms for on-going coherence and coordination effective? If not, in what ways were they ineffective, and what were the reasons for this?

3. Consistency with the EP's own objectives and guidelines.

- Were the EP's overall objectives and guidelines clear?
- Were EP objectives for actions clear?
- Did the democracy support actions contribute to the overall aims of the EP?
- Did the democracy support actions enhance the visibility of the EP in target countries?
- Were there any additional benefits to the activities for other areas of the EP's functioning and position?

4. Effectiveness of actions. This criterion will be focused on activities in case-study countries/region.

- To what extent were the aims and objectives of the actions achieved?
- To what extent are the aims and objectives likely to be achieved in the future?
- What were the major factors influencing the achievement or non-achievement of the objectives?

5. Strengths of the EP's activities.

- What were the main contributions of the EP's actions?
- What was positive about the process of developing and implementing the EP's actions?
- How can these strengths be built upon in the future?

6. Weaknesses of the EP's activities.

- What aspects of the EP's actions contributed the least?
- Have there been any negative unintended consequences?
- What was difficult or challenging about the process of developing and implementing the EP's actions?

7. Any major obstacles for the implementation of activities.

- Were there any serious challenges in implementing the activities?
- If so, could these have been foreseen in advance and avoided?
- How were these challenges met and dealt with?

8. Changes and innovations in the EP approach during the 8th legislature.

- To what extent have the recommendations of the End of Legislature Report of the DEG of 1 April 2014 been implemented?
- Has implementation of these recommendations contributed to the democracy support actions and have there been any negative consequences?
- Have other changes taken place to the actions during the 8th legislature and what likely effect did the changes have?
- Have the changes in approach been communicated effectively?
- During the 8th parliament, was there an effective mechanism for reviewing actions, and identifying changes and agreeing on innovations?

9. Changes or adaptations for the 9th legislature. Sub-questions based primarily on the Technical Specifications include asking about what changes could be considered for:

- The mechanism for identifying target countries;
- The mechanism for identifying target institutions/bodies/groups and the conception of activities/programmes;
- The implementation of actions;
- The involvement of Members and EP staff;
- Cooperation with other EU institutions and partners;
- Cooperation with other external institutions and partners;
- Monitoring and feedback on lessons learned; and
- The specific areas of work.

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