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AIDCO/F2 D(2009)

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ANNEX 1

ACTION FICHE 1– EIDHR 2009 AAP

1. IDENTIFICATION

Title/Number	Enhancing respect for human rights and fundamental freedoms in countries and regions where they are most at risk		
Total cost	€14 million		
Method/ Management mode	Project approach – Call for proposals managed by European Commission Headquarters – <i>Centralised (direct)</i>		
DAC-code, if applicable	15162	Sector	Human Rights and Democracy

2. RATIONALE

The EU is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. EU policy in support of democracy and human rights in third countries has been articulated and developed in Commission communications, European Parliament resolutions and Council conclusions over the years, including specific EU Guidelines on particular human rights issues. As indicated in the Treaty mandates, the objective of developing and consolidating democracy and the rule of law, and respect for human rights and fundamental freedoms is now a feature of all forms of co-operation with third countries. And in recent years many countries have moved towards more open societies, fairer electoral processes, and greater commitment on a range of human rights issues. However, many countries remain autocracies where basic freedoms are systematically repressed.

Building on its key strength, which is the ability to operate without the need for host government consent, EIDHR is able to focus on sensitive political issues and innovative approaches and to cooperate directly with local Civil Society Organisations (CSOs) which need to preserve independence from public authorities, also to be active in countries that may be described as “difficult partnerships”, where geographic programmes may meet obstacles.

The EIDHR Strategy Paper 2007-2010 has identified as its Objective 1 "Enhancing respect for human rights and fundamental freedoms in countries and regions where they are most at risk". This is the objective covered by this Action Fiche in 2009.

3. DESCRIPTION OF THE CALL FOR PROPOSALS

3.1. Basic act and financing source

Regulation (EC) N° 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1), in particular its Articles 1.2.a and 2.1.(a) and (b).

This Action will be financed by budget line 19 04 01, for an amount of €14,000,000.

3.2. Objectives of the programme, fields of intervention/priorities of the year and expected results

The focus of this Action will be on situations where there is a serious lack of fundamental freedoms, where human security is most at risk, where human rights defenders are under most pressure, where civil society operates with difficulty and where there is little room for political pluralism.

The overall objective of this action is to support local stakeholders and civil society organisations in their work aimed at promoting positive changes in countries and regions where human rights and fundamental freedoms are most at risk.

Considering the difficult context in which the organisations will operate, the first outcomes expected will result in empowering local stakeholders and strengthening the capacity of local civil society (NGOs, trade unions, professional associations, journalists, human rights defenders, etc.) to organise itself, to express, to exercise its rights and take part in international fora.

Actions should include an appropriate mix of activities ranging from monitoring, public information, awareness-raising, capacity building, training on human rights issues, and dialogue with key stakeholders.

The activities under this action should promote a holistic approach to human rights and should in these difficult countries specifically seek to improve the situation of the right to freedom of thought, conscience and religion; the right to freedom of opinion and expression, to information and to communicate, including freedom of the media, fight against censorship, and access to the internet; the right to freedom of peaceful assembly and association, including the right to form and join a trade union; and the right to freedom of movement within the borders of a state, and the right to leave any country, including one's own, and to return to one's country.

Provided the focus is on these freedoms, projects may be combined with campaigning on particular human rights issues and use other "entry points", such as social, economic and cultural rights.

The gravity of the situation and the effectiveness of the action are to be the two key considerations for assessing and prioritising project proposals.

Priority will be given to activities addressing in-country situations where fundamental freedoms as identified above are the least secure, and where disrespect

for human rights is particularly pronounced. These situations can be characterised by the following selected indicators (non exhaustive list):

- Limitations on the right to freedom of association (e.g. regular and widespread obstacles to registration of civil society organisations and their independent operation, forced closure of civil society organisations, and physical threats to their members);
- Limitations on the right to freedom of peaceful assembly (e.g. frequent prohibition or violent repression of peaceful protests);
- Limitations on the right to freedom of expression, to information and to communicate (e.g. regular repression of and major reprisals for criticism of public policies, obstacles to collection, publication and dissemination of information on human rights, including access to the internet; general censorship);
- Threatening and insecure environment, which seriously undermines the right to life and physical and mental integrity (e.g. extra-judicial killings, death threats, beatings, torture and ill treatment during questioning or detention);
- Limitations on the right to a fair trial and due process (e.g. regular occurrences of disregard of due process, arbitrary arrests and detention, lack of impartial tribunal and appropriate jurisdiction, restrictions on the exercise of legal defence, legal harassment on baseless charges).

Grant applications need to specify these situations to the extent possible, with reference to independent monitoring reports and external independent indicators. Such situations may be limited to a particular region or may affect only a particular group in a country, which otherwise is less repressive. The indicators shall contribute to establishing project relevance, the graver the situation, the higher the priority.

Transnational and regional activities may also be supported provided the focus is on situations as described above. Projects may also include operations “out of country - in neighbouring countries, with the Diaspora or the refugee community, etc.

3.3. Eligibility conditions

Eligible actors under this Action will be primarily civil society organisations as defined in Article 10 of Regulation (CE) 1889/2006, preferably based in the country itself, in the region or in the EU, but no nationality restriction will be applied to applicants or partners. Where possible, local partner organisations should be involved, though the particular circumstances of each situation will determine how this may be done, without putting them at risk or creating further resistance to democratic reform. Local partner organisations benefiting from the projects can be organisations that have lost their legal personality or groups of natural persons and organisations without legal personality and for which reimbursement of expenditure of activities will be eligible. They will be considered as informal partners taking part in the implementation of the action but without being a formal member of the partnership.

International organisations and other actors within the meaning of Article 10(1) of Regulation (EC) No 1889/2006 may also be eligible and/or associated especially where they can offer particular access and means of action.

In certain conditions proposed by the beneficiary, accepted by the Commission and strictly defined in the Contract, the beneficiary of the Community financing will be authorised to give financial support in the form of grants to third parties. This financial support will not be the primary aim of the Community financing and the amounts concerned will, in conformity with the Financial Regulation, be small (maximum of €10,000 per third party and up to a maximum total amount of €100,000 per Contract).

3.4. Essential selection and award criteria

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions.

The maximum possible rate of co-financing for grants is 90%. Full financing may only be applied in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulations where financing in full is essential to carry out the action in question. This provision is of particular relevance for this action.

Grants awarded under this call are expected to fall between €150,000 and €1,200,000.

Partnerships as defined in the Practical Guide to contract procedures of the EC external actions will not be mandatory and the evaluation criteria for the award of a grant will be adapted to the specificities of this action.

A special observance of the requirements of confidentiality and security in the publication of the grants awarded under this objective will be followed.

3.5. Schedule of calls for proposals

The call for proposals was launched in December 2007 and remains open until 2010, with two deadlines per year for project assessment and selection. The next deadlines are published in the EuropeAid Call for Proposals and Procurement Notices web page. This will enable submission of proposals any time there is a window of opportunity to act in a given country/region.

3.6. Indicative amount of call for proposals

The indicative total amount for this Action is of €14 million in 2009.

Remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

4. SUPPORT MEASURES

Given the sensitive nature of this Action, political support and complementary action through other EU tools, such as political dialogue, may be of great importance. Close

information links will therefore need to be maintained with Commission Delegations on the spot.

Monitoring missions will be carried out by external experts, as well as follow up missions by the operational staff of the Commission. The Action will also be covered by individual project evaluations or thematic evaluations.

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ANNEX 2

ACTION FICHE 2 – EIDHR 2009 AAP

1. IDENTIFICATION

Title	Contribution to the European Humanities University Trust Fund		
Total cost	EC contribution: EUR 1 million		
Aid method / Management mode	Project approach – Joint Management with the Nordic Council of Ministers (NCM)		
DAC-code	15162	Sector	Human Rights and Democracy

2. RATIONALE

2.1. Sector context

EC assistance to Belarus is guided by successive GAERC conclusions on Belarus. According to the November 2004 GAERC conclusions, assistance to Belarus will aim to “support the needs of the population and democratisation notably by humanitarian, regional, and cross-border cooperation and by projects supporting directly and indirectly democratisation and democratic forces in Belarus”.

The November 2005 GAERC conclusions further specify that assistance will seek to “promote shared democratic values between the people of the EU and Belarus by intensifying people-to-people contacts and by strengthening good neighbourly relations across borders (e.g. through student and scientific exchanges, scholarships, youth travel, contacts between small- and medium-sized enterprises, training local authority officials, etc)”. More recently, the October 2008 GAERC conclusions recall the EU’s aim “of encouraging genuine progress towards strengthening democracy and respect for human rights in that country” and that “the European Union will continue to provide assistance for Belarusian civil society in order to promote the development of a democratic and pluralist environment.”

Education is one of the most important areas in laying the foundations for democracy and the European Commission fully acknowledges the key role of the Belarusian youth in the democratisation process in Belarus. Since 2005, the European Commission has ensured continued support to Belarusian civil society in general and to the higher education sector in particular. The European Humanities University in exile plays an important role in this regard. It is currently the only independent Belarusian University that allows Belarusian students to study disciplines such as Political Sciences and European Studies, Communication and Media, International and European Law (including Human Rights Law), Belarusian studies, etc, without political interference. The political value of the EHU is therefore evident, as long as the current situation in Belarus prevails. In coordination with other donors, the European Commission has agreed to ensure a longer term support to the EHU

through a dedicated multi-donor Trust Fund, which was set up and is now managed by the Nordic Council of Ministers. The aim of the EHU Trust Fund is to help the EHU fulfil its educational and democratisation mission through financial support in the medium-term, or as long as the situation in Belarus does not allow the EHU to return to the country, and with a view to the university becoming self-sustainable in the future. The Trust Fund is to become the main mechanism for channelling the financial contributions of the international donor community to the EHU.

2.2. Lessons learnt

The European Commission is currently supporting Belarusian students studying at the EHU and universities in other neighbouring countries like Poland and Ukraine.

The two projects (DDH/2005/113-304 and TACIS/2006/123-919) for supporting higher education for Belarusian students amount to €6.7 million, out of which €5.5 million have been directly allocated to the EHU through the Nordic Council of Ministers, making the Commission the main donor of the EHU. The first project was aiming at helping the EHU to set-up in Vilnius (+ 350 students), while the second is providing scholarships to repressed Belarusian students (205 at the EHU and 100 in Ukraine), who had been penalised by the Belarusian regime following their participation in the post-elections demonstrations of March 2006. The second project also covers the living expenses of the students of the first project. These projects cover the expenses of students enrolled in 2005 and 2006.

A third project (ENPI/2007/143-031) was established to help bridging the financial gap until a long-term solution for the EHU was in place. This project provides scholarships to 65 Belarusian students who enrolled in 2007 in the BA programmes at the EHU in Vilnius. The EC contribution amounts to €1 million.

The EHU is now providing independent education to Belarusian students. Despite the significant support provided by the EC and other donors, the EHU has yet to become a self-sustainable university.

The Nordic Council of Ministers (NCM) is managing the above mentioned EC assistance projects to the EHU and has also set-up co-ordination mechanisms among the donor community. Upon the initiative of the Commission, the NCM established on 13 June 2008 a Trust Fund. The EHU Trust Fund is the main channel for donor support to the EHU. Its purpose is to raise, accept and make use of non-earmarked funds provided by donors for the University while situated in Vilnius, with the aim that the EHU will become self-sustainable in the future. The Trust Fund will help ensure sound financial governance and transparency in that it will guarantee regular reporting to contributing donors and audits that follow international standards. The EC contributed €1 million to the EHU Trust Fund through a fourth project (DDH/2008/165-508).

2.3. Complementary actions

In addition to support targeted at studies in the EHU, the Commission also provides scholarships for Belarusian students within the framework of the Erasmus Mundus Programme as from 2007. Under the Erasmus Mundus External Co-operation Window (EMECW), Belarusian students will be able to study abroad in an EU

university of their choice. The EC contribution in 2008 set aside for Ukraine, Belarus and Moldova is €5.3 million.

In recognition of the difficult situation that Belarusian students are facing, a special measure is foreseen in the EMECW programme for “vulnerable groups”, which are described as follows: "Nationals of the third-countries concerned by the geographical lot who are in particularly vulnerable situations. It may cover mobility for students holding the nationality of one of the third-countries concerned and having a refugee status or asylum beneficiaries (international or according to the national legislation of one of the European recipient countries) or where it can be proved that they have been the object of unjustified expulsion from university on racial, ethnic, religious, political, gender or sexual inclination grounds”.

2.4. Donor coordination

Donor coordination is ensured by the nature of the Trust Fund, which will ensure consistent support to the EHU by bringing donors’ non-earmarked contributions together and thus provide an overview in determining gaps and avoiding overlapping in donors’ financing. The Trust Fund is open for financial contributions from all kinds of donors to the EHU.

An EHU International Board, consisting of donor representatives and other committed individuals was set up at the initiative of the Nordic Council of Ministers (NCM) and the McArthur Foundation. The EHU Governance Working Group was commissioned by the EHU International Board in November 2006 to make recommendations on how to establish a Governing Board within the university structure of the EHU. The international Board of Governors was subsequently established in 2007, with the purpose of providing strategic guidance and fiduciary oversight to the EHU. The Board supports EHU management and administration, and is working towards maximizing fundraising efforts. An EHU Trust Fund Advisory Committee that will advise the EHU Trust Fund Manager on donor coordination and fundraising is in the process of being established as a follow-up to the establishment of the EHU Trust Fund.

In addition, the Commission organises donor coordination meetings on a regular basis both in Brussels and in Belarus. EU Member States, IFIs and other donors such as the US, Canada, Norway and Ukraine participate in these meetings.

3. DESCRIPTION

3.1. Objectives

The overall objective of the EC support to the EHU Trust Fund is to contribute to a democratic and prosperous development in Belarus by giving young Belarusians access to independent higher education.

The specific objectives of the project are as follows:

- To give access to higher education to young Belarusians in an environment of academic and political freedom through the EHU;

- To provide education that directly affects the capacity of the target group to develop democratic values in Belarus;
- To contribute to the education, housing and subsistence of Belarusian students over the entire duration of their studies (max. 4 years)
- To provide a sustainable financial support to the EHU by pulling together the contributions of the EC and other international donors via a Trust Fund mechanism.

3.2. Expected results and main activities

The project is expected to have the following results:

1. Allow the EHU to provide education and subsistence to Belarusian students deprived of a chance to acquire relevant higher education;
2. Guarantee a long-term sustainability to the EHU by pooling the EC funding and the contributions of other donors and thus triggering in the future new concrete financial initiatives from the international donor community.

The main activities of the project include the implementation of a selection of BA and MA degree programs focused on providing skills and knowledge necessary for the development of democratic institutions, civil society and human rights in Belarus. Each calendar year of the project will consist of spring and autumn semesters, during which the curricula of the BA and MA programmes are implemented.

Indicatively, and not limited to these items, the contributions will also include the students' living expenses (including subsistence allowance and housing allowance) and health insurance.

3.3. Stakeholders

The beneficiaries of the project are the Belarusian students. The main stakeholders are the EHU donors community (EU Member States, international organisations, NGOs and other countries, including the US), and Belarusian civil society as a whole.

3.4. Risks and assumptions

3.4.1. Risks

- The political regime in Belarus does not officially object to Belarusian students studying abroad, although the regime discourages Belarusian students from studying at the EHU. There is a risk that the Belarusian authorities may apply repressive measures, both against the students and the Belarusian teaching staff, but this risk has not yet materialised and most students and staff are able to move and study without major impediments.
- The diplomas delivered by the EHU are unlikely to be recognized in Belarus under the current political situation. Therefore, students might face difficulties to find a job related to their competences upon their return to Belarus. This risk

applies essentially to State-run and institutional organisations, other entities might on the contrary be keen on employing students with up-to-date knowledge and skills. The issue of recognition is mainly linked to political issues and the lagging behind of Belarus in terms of adaptation to the Bologna process standards. It is expected that this gap will be bridged as Belarus moves towards more democratic openness and towards European standards.

- The risk of project funded students not coming back to their home country after they finish their studies is reduced by the fact that they will study in countries neighbouring Belarus, with teaching specific to the Belarusian context and in an expatriate, but Belarusian environment (staff, academics, etc.). This will enable them to stay in close contact with the home and social networks they had to leave. Most of the EHU graduates have returned to Belarus.
- The main challenge in the selection procedure of grantees will remain, insofar these have been penalised in Belarusian universities for political reasons, to combine sound political and academic judgment in assessing each applicant. The close cooperation with experts enjoying a first hand knowledge of Belarusian affairs will ensure the maximum efficiency in selecting the most appropriate applicants.

3.4.2. Assumptions

- Good co-operation within the donor community.
- Appropriate financial contributions of the EU Member States, international organisations, other countries and NGOs, who are politically supporting the EHU.
- Sound and transparent management of the donors' funds and transparent flow of information on the donor's contribution.
- Sound and transparent accounts of the EHU.

3.5. Crosscutting Issues

The project will contribute to the development of good governance, human rights and gender equality.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

Joint management through the signature of a standard international organisation contribution agreement with an international organisation (NCM), for a contribution to the Trust Fund.

The contractual framework to be signed with the International Organisation will fully observe the conditions laid down in articles 53 d of the Financial Regulation and 43 of its Implementing Rules. The special and the general conditions of the standard model for International Organisations published on the AIDCO Website will thus be signed.

4.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the International Organisation concerned.

In any case, the International Organisation concerned will be held by contract to apply the Community principles for grants as laid down in article 43.6 of implementing rules to the Financial Regulation.

4.3. Budget and calendar

The project will have a maximum total budget of €1 million for the academic year 2009/2010.

The indicative operation initial duration is of 24 months starting on 1 October 2009.

This Action will be financed by budget line 19 04 01.

Any remaining balance from one action may be reallocated to the budget of another action, preferably within the same strategic objective.

4.4. Performance monitoring

The project will be monitored according to standard procedures. Project monitoring and evaluation will be based on periodic assessment of progress on delivery of specified project results and towards achievement of project objectives.

4.5. Evaluation and audit

Evaluations will be primarily based on the full annual report after the completion of each academic year, the interim report and the two audited reports prepared by the Trust Fund for the Donors, as scheduled in article 4.9 of the Terms of Reference of the EHU Trust Fund.

Audits may also be conducted on the systems and procedures used if need be. Audit and evaluation contracts will be concluded by the Commission.

4.6. Communication and visibility

Communication and visibility will be ensured by dissemination activities. A specific communication and visibility plan will be submitted by the contractor. Visibility tasks will be performed according to EC rules and recommendations.

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ANNEX 3

ACTION FICHE 3– EIDHR 2009 AAP

5. IDENTIFICATION

Title/Number	Country-Based Support Schemes - Strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and in consolidating political participation and representation		
Total cost	€55.5 million		
Method/ Management mode	Project approach - Calls for proposals managed by EC Delegations – <i>Centralised (direct)</i>		
DAC-code, if applicable	15162	Sector	Human rights and Democracy

6. RATIONALE

The EIDHR Strategy Paper 2007-2010 has identified as its Objective 2 "Strengthening the role of civil society in promoting human rights and democratic reform, in supporting the peaceful conciliation of group interests and in consolidating political participation and representation".

This Action Fiche defines the implementation modalities of the EIDHR Country-based support schemes (CBSS) which will be managed at country level by European Commission Delegations and/or Representations.

This support is a long established element of the European Union's human rights external relations policy and was built on the experience with micro project facilities under the previous European Initiative for Democracy and Human Rights.

Complementary actions

In order to ensure complementarity and coherence in the implementation of the EIDHR instrument, European Commission Delegations have been consulted, both in May of 2007 and July 2008 in order to choose their own priorities, being complementary to other thematic and geographical programmes. Based on their selected priorities and consultation of civil society, the Delegations prepare their own programming.

The issue of complementarity between geographic and thematic instruments is of particular importance in the case of CBSS, as EIDHR can often be used to complement support under the geographic instruments. The support to democracy and human rights under the geographical instruments is notably used in order to

support public institutions, but also to CSO. The support provided to CSOs through EIDHR can address the same issues but it is reserved for those situations considered as more sensitive where the need for support is not taken up by the government within the geographic cooperation. This way the EIDHR support complements that provided by other instruments.

Evaluations carried out on EIDHR projects and thematic priorities conclude that results and impact of the CBSS projects as well as EIDHR projects managed by HQ, can be improved if coherence and complementarity are also improved. Thematic priorities in the global call for proposals covering certain countries should thus be reflected in the CBSS in the cases where these priorities correspond to those of the countries in the fields of abolition of the death penalty, human rights defenders, prevention and rehabilitation of torture victims and international criminal justice, to give some examples.

7. DESCRIPTION OF THE CALL FOR PROPOSALS

7.1. Basic act and financing source

Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1), in particular its Articles 1.2.a and 2.1. a & b.

This Action will be financed by budget lines 19 04 01 for an amount of €5.5 million.

7.2. Objectives of the programme, fields of intervention/priorities of the year and expected results

The objective is to support civil society in third countries in working on human rights (political, civil, economic, social and cultural), political pluralism and democratic political participation and representation.

Likewise, additional objectives will be to contribute, through support to local civil society, to the peaceful conciliation of group interests, to fight against discrimination on any ground, to develop equal participation of men and women in social, economic and political life and to promote economic, social and cultural rights; this will reinforce the capacities of local civil society in becoming an effective force for positive change. Support to activities aimed at implementing the EU guidelines on Human Rights¹ will also be an important objective of this programme.

Specific activities in the fields listed below can be particularly relevant depending on the local context, complementing those addressed by other bigger scale EIDHR actions selected under Commission HQ managed calls for proposals (non-exhaustive list):

¹ http://www.consilium.europa.eu/cms3_fo/showPage.ASP?id=822&lang=EN&mode=g

- gender equality (women's rights, women in decision making, right to participate in peace building and reconstruction processes, fight against violence and harmful practices, sexual and reproductive rights, etc.)
- the rights of the child
- the rights of indigenous peoples
- the rights of persons with disabilities
- protection of Human Rights Defenders
- support to local civil society campaigns designed to ensure third countries adherence to the Rome Statute and the effective functioning of the International Criminal Court (ICC)
- support to civil society organisations' activities intended to ensure the preparation of elections (civic and voter education activities for example) and post election monitoring including follow up of the recommendations formulated by the EU Electoral Observation Missions (EOM). In such cases and where applicable, the coherence with geographic election assistance programmes, as well as with the NEEDS (Network of Europeans for Electoral and Democracy Support) programme is needed.

Moreover, four major areas of activity can be covered, as detailed in point 33 of the Strategy Paper:

- i) the pursuit of common agendas for human rights and democratic reform
- ii) building towards consensus on disputed or controversial areas of policy
- iii) enhancing political representation and participation
- iv) enhance the inclusiveness and pluralism of civil society

Specific outcomes could cover a very wide range of topics, such as (non exhaustive list):

- i) parliamentary agreements and relevant governments decisions, after concerted CSO campaign, to legislate on gender equality, on the rights for indigenous people, on the abolition of the death penalty, on prevention of torture, on new constitutional provisions for oversight of the military, on the enforcement of provisions on child labour, or on the independent composition of the electoral commission;
- ii) regular reporting from local civil society organisations in view of the country's international commitments on human rights, including, for instance regular reports by consortia of civil society bodies on UPR at UN level, on the implementation of European Neighbourhood Policy Action Plans and so on; an independent detailed diagnosis of challenges to human rights and democracy, endorsed by leading civil society stakeholders [e.g. produced in advance of an African Peer Review Mechanism (APRM) mission];
- iii) broad consensus between groups with opposing interests on directions for legislation on land reform and compensation, on the terms of reference and resources for a truth and reconciliation commission; regular dialogues established

between CSOs divided on religious or ethnic grounds and some common activities launched;

iv) multiparty agreement and draft legislation formulated, after CSO dialogues, for enhancing participation of women to the political life; party platforms include commitments to enhance transparency on elections legislation; to make changes in the penal code; creation of an ombudsman; combating discrimination on any grounds; greater decentralisation;

v) New CSOs formed, membership developed and activities begun by persons with disabilities; AIDS orphans organise and play an active role in CSO umbrella body; special women's officer and women's section created within main trade union, liaising with women NGOs and the media; campaigns for promotion of anti-discrimination legislation launched.

vi) setting up and reinforcement of social partners (trade unions, etc.)

7.3. Eligibility conditions

Country-based support schemes (CBSS): managed at country level by European Commission Delegations. Each EC Delegation is asked to define the most appropriate objectives within the thematic areas detailed under Point 33 of the EIDHR Strategy Paper and the eligibility criteria as well, and to elaborate the guidelines for local the calls for proposals.

Actors will be primarily civil society organisations with no *a priori* geographical restrictions. Civil society organisations which are established in a Member State of the Community, in an accession or official candidate country as recognised by the EU or in a Member State of the European Economic Area are eligible.

Given the nature of the objectives, however, it is expected that the focus of the actions will be on in-country civil society organisations, which may wish to cooperate with regional, European-based or other organisations and national public-sector institutions².

Projects will preferably be based on partnerships of civil society organisations or, where justified, may require the close involvement of a range of in-country organisations and stakeholders. Civil society organisations include independent political foundations. National parliamentary bodies are included as eligible partners when this is necessary to achieve the objectives of the EIDHR.

In certain conditions proposed by the beneficiary, accepted by the Commission and strictly defined in the Contract, the beneficiary of the Community financing will be authorised to give financial support in the form of grants to third parties. This financial support will not be the primary aim of the Community financing and the amounts concerned will, in conformity with the Financial Regulation, be small (maximum of €10,000 per third party and up to a maximum total amount of €100,000 per Contract).

² National public-sector institutions include National Human Rights Institutions

The **geographical focus** will be on countries where:

- there is a certain context within civil society allowing for the development and activities of civil society organisations (including human rights and democracy advocacy bodies), but where the latter may be without much organisational capacity, influence or cohesion; **and**
- there is a well-founded need for more effective action by civil society organisations in the field of human rights and democratisation whereby civil society can become a sustainable force for positive change and reform; **or**
- it is a specific priority established on the basis of EU policy considerations, namely the need of a response mechanism other than by geographical instruments.

Some countries started the programme in 2007, while others only in 2008. An indicative list of regions, countries and allocations qualifying for country-based support schemes to be launched in 2009 is provided in annex, further to a global consultation of European Commission Delegations and on the basis of the list included in Annex II to the EIDHR Strategy Paper 2007-2010.

7.4. Essential selection and award criteria

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions. Each European Commission Delegation will define the most appropriate co-financing rate which should not exceed 95%. Full financing may only be applied in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulations where financing in full is essential to carry out the action in question.

Grants awarded under the CBSS are expected to fall between €10,000 and €300,000.

Partnerships as defined in the Practical Guide to contract procedures for EC external actions will not be mandatory for all countries and the evaluation criteria for the award of a grant will be adapted accordingly.

7.5. Schedule of calls for proposals

Calls for proposals are expected to be launched during the first semester 2009 but calendars will be decided by the European Commission Delegations.

7.6. Indicative amount of call for proposals

The indicative total amount for 2009 is of €55.5 million.

Remaining balance from one country allocation may be reallocated to the allocation of another country, preferably within the same region. Remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

8. SUPPORT MEASURES

Commission Delegations will be able to spend up to 3% of the respective annual operational country allocation for support measures accompanying the implementation of country-based support schemes (activities in the field of communication, capacity-building, consultation and meetings with local civil society organisations, etc.).

As regards monitoring and evaluation costs, administrative credits may be used for such activities.

Monitoring missions will be carried out by external experts, as well as follow up missions by the operational staff of the Commission. The Action will also be covered by individual project evaluations and by country or thematic evaluations.

Appendice to Annex 3 - Fiche 3 - EIDHR AAP 2009 - CBSS

Region		Country	Allocation 2009 in EUR
Western Balkans & Candidate countries	1	Albania	600.000
	2	Bosnia Herzegovina	1.200.000
	3	Croatia	600.000
	4	Former Yugoslav Republic of Macedonia	600.000
	5	Kosovo (UNSCR 1244)	900.000
	6	Montenegro	300.000
	7	Serbia	1.200.000
	8	Turkey	1.200.000
		SUB TOTAL	6.600.000
ENPI	9	Algeria	600.000
	10	Armenia	600.000
	11	Belarus	300.000
	12	Egypt	900.000
	13	Georgia	1.200.000
	14	Israel	1.200.000
	15	Jordan	900.000
	16	Lebanon	600.000
	17	Moldova	600.000
	18	Morocco	1.200.000
	19	Russia	1.200.000
	20	Ukraine	600.000
	21	West Bank & Gaza	900.000
	22	Yemen	1.200.000
		SUB TOTAL	12.000.000
Central & Latin America	23	Argentina	600.000
	24	Bolivia	600.000
	25	Brazil	600.000
	26	Chile	600.000
	27	Colombia	900.000
	28	Costa Rica	300.000
	29	Ecuador	600.000
	30	Guatemala	600.000
	31	Honduras	600.000
	32	Mexico	600.000
	33	Nicaragua	1.200.000
	34	Panama	300.000
	35	Paraguay	600.000
	36	Peru	600.000
	37	Salvador	600.000
	38	Uruguay	600.000
	39	Venezuela	900.000
		SUB TOTAL	10.800.000
ACP	40	Angola	900.000
	41	Burundi	600.000

	42	DRC	600.000
	43	Eritrea	300.000
	44	Ethiopia	300.000
	45	Fiji	600.000
	46	Ghana	600.000
	47	Guyana	300.000
	48	Haiti	900.000
	49	Jamaica	600.000
	50	Mali	600.000
	51	Mauritanie	300.000
	52	Mozambique	300.000
	53	Nigeria	900.000
	54	Papua New Guinea	300.000
	55	RCA	300.000
	56	Rwanda	900.000
	57	Sierra Leone	600.000
	58	Solomon	300.000
	59	Somalia	1.200.000
	60	Sudan	1.200.000
	61	Uganda	600.000
	62	Zimbabwe	1.200.000
		SUB TOTAL	14.400.000
	63	Afghanistan	1.200.000
	64	Bangladesh	600.000
	65	Burma/Myanmar	600.000
	66	Cambodia	1.200.000
	67	India	1.200.000
	68	Indonesia	900.000
	69	Kazakhstan	600.000
	70	Kyrgyzstan	600.000
	71	Laos	300.000
	72	Malaysia	300.000
	73	Nepal	900.000
	74	Pakistan	600.000
	75	Philippines	1.200.000
	76	Sri Lanka	600.000
	77	Vietnam	900.000
		SUB TOTAL	11.700.000
All regions		TOTAL	55.500.000

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ANNEX 4

ACTION FICHE 4 – EIDHR 2009 AAP

9. IDENTIFICATION

Title	EU-Third Countries Human Rights Dialogue Seminars		
Total cost	EC contribution: €1.5 million		
Aid method / Method of implementation	Project approach – Centralised – Direct Management		
DAC-code	15162	Sector	Human Rights and Democracy

10. RATIONALE

10.1. Sector context

The EIDHR Strategy Paper 2007-2010 has identified as its objective 3 "Supporting actions on human rights and democracy issues in areas covered by EU Guidelines, including on human rights dialogues, on human rights defenders, on the death penalty, on torture, and on children and armed conflict". This Action Fiche covers part of the implementation modalities of the EIDHR support to actions on Human Rights Dialogues.

The EU Guidelines on Human Rights Dialogues provide that "civil society should be closely involved" in human rights dialogues, though not actually participate in the dialogue meetings themselves. Moreover, the Council conclusions of June 2006 concerning the first review of the implementation of the Guidelines on Human Rights Defenders provide that human rights defenders should be involved in preparation meetings for human rights dialogues and that the EU should facilitate dialogue between human rights defenders and the authorities of the dialogue country in the framework of the human rights dialogue. In February 2008, the Political and Security Committee (PSC) decided that the EU should continue to make strenuous efforts to persuade third countries to agree to hold a civil society event in the margins of the human rights dialogue meeting which includes genuinely independent international and local NGOs. In this light, the Commission is gradually establishing civil society seminars in the margins of human rights dialogue meetings.

10.2. Lessons learnt

As these seminars are in general in their initial stages, it is too soon to draw lessons; a preliminary assessment could be envisaged for end 2009. Moreover, a review of the EU-China human rights dialogue (which is now implemented twice a year for more than 4 years), including the legal experts' seminar, will be undertaken by early 2009.

This review will draw conclusions concerning the seminar which may also be relevant to seminars with other partner countries.

10.3. Complementary actions

In addition to this specific Action, the EC Delegations established in these Third Countries will permanently follow up the national development of the Human Rights situation. DG Relex, will also maintain a close coordination with the EU Member States, as well as with the other donors involved in this thematic activity.

10.4. Donor coordination

Coordination with Member States, both at Brussels level and with Ambassadors / Heads of Missions in the field, is permanently ensured.

Coordination is also taking place regularly with all international or regional organisations dealing with Human Rights and Democracy issues.

11. DESCRIPTION

11.1. Objectives

The civil society seminars will complement the human rights dialogue meetings at official level held with a certain number of countries. The aim of the civil society seminar is to contribute to the official human rights dialogue through open discussions which will help to enrich the official dialogue. The seminars are intended to provide an opportunity for discussion between European and local academics and civil society representatives on topical human rights issues and on how to enhance the application of human rights.

Discussions are still on-going for most of the countries but it is planned to organise Seminars with the following third countries/organisations: Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan, Kirgizstan, African Union, Brazil, Colombia and Cambodia. Other countries might be added if discussions allow it, in agreement with Member States.

11.2. Expected results and main activities

The civil society seminar will provide an opportunity for discussion between European and local civil society representatives, academics and government officials on human rights topics and on how to enhance the application of human rights. The seminars will allow participants to deepen contacts with counterparts and to engage in a wide-ranging exchange of views.

The dialogue will, in general, consist of an examination in detail of one or two particular human rights topics (eg freedom of expression, freedom of assembly). Both EU and local NGOs with expertise in the topic under discussion will be invited. The seminar will consist of a series of workshops on particular sub-topics. Each workshop will commence with presentations by participants, which will be followed by a discussion of the topic in question.

The seminar will attempt to adopt joint recommendations. Recommendations of the civil society seminar should be fed into the official dialogue meetings.

11.3. Risks and assumptions

Main risks are changes in political conditions, leading to changes in priorities and/or political orientations.

11.4. Crosscutting Issues

The European Instrument for Democracy and Human Rights is mainly focused on consolidation of governance and human rights in third countries. Special attention will be borne to an as wide as possible participation to the Seminars of the main local, national and international actors in the Human Rights and Democracy issues related to the concerned third country.

11.5. Stakeholders

The main stakeholders will be the human rights academics, the governmental officials and the civil society organisations representatives, both from the EU / Member States and from the concerned third country.

12. IMPLEMENTATION ISSUES

12.1. Method of implementation

Centralised direct management – procurement contract(s)/framework contract(s).

12.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

12.3. Budget and calendar

The total budget committed is €1.5 million.

As discussions are still on-going for most of the countries, it is too early for finalising a calendar. It is planned to organise Seminars with the following third countries: Kazakhstan and Tajikistan early 2009, Turkmenistan in June, Uzbekistan and Kirgizstan during the second half of 2009, African Union, Brazil, Colombia and one of the Central America country at dates not yet known, and possibly with Cambodia. This list of countries, as well as the dates, is indicative. Other countries might be added if discussions allow it, in agreement with Member States.

This Action will be financed by budget line 19 04 01.

Remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

12.4. Performance monitoring

The Seminars are closely monitored by the European Commission (DG Relex and European Commission Delegations involved), by directly participating. The participation of governmental officials and EU representatives is also consolidating the monitoring.

12.5. Evaluation and audit

Rules applicable to procurement contracts/framework contracts will be applied.

12.6. Communication and visibility

These Seminars are not foreseen to give any public statement on the Human Rights situation in any of the countries involved. They are a preparatory step for the human rights dialogue meetings at official level.

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ANNEX 5

ACTION FICHE 5 – EIDHR 2009 AAP

13. IDENTIFICATION

Title/Number	Direct support to Human Rights Defenders		
Total cost	Maximum EC contribution EUR 200 000		
Aid method / Method of implementation	Project approach – Centralised (direct)		
DAC-code	15162	Sector	Human Rights and Democracy

14. RATIONALE

14.1. Sector context

The EIDHR Strategy Paper 2007-2010 has identified as its objective 3 "Supporting actions on human rights and democracy issues in areas covered by EU Guidelines, including on human rights dialogues, on human rights defenders, on the death penalty, on torture, and on children and armed conflict". This Action Fiche covers part of the implementation modalities of the EIDHR support for Human Rights Defenders.

Support for Human Rights Defenders is a long established element of the European Union's human rights external relations policy. The Council adopted the EU Guidelines on Human Rights Defenders in June 2004 and made a first review of its implementation in June 2006, which stressed among other recommendations that the EU should ensure that support provided to Human Rights Defenders takes into account their specific financial and protection needs as well as the urgency to address these needs.

14.2. Complementary actions

A call for proposals was launched in 2007 which led to the selection of eleven beneficiaries (Civil Society Organisations - CSOs) and to the conclusion of grant contracts with a wide regional or global coverage. The foreseen activities include the direct support to human rights defenders with a specific focus on various categories which are most under threat (journalists, lawyers, trade union activists, etc). They aim at a timely reaction to situations of urgency for protection of human rights defenders as well as longer term support.

A broad range of assistance measures is envisaged, from financial assistance to and securing physical integrity of a human rights defender and her/his immediate family to securing the right to a fair trial and due process according to international standards.

These activities will be fully complementary to this Action.

14.3. Donor/beneficiaries coordination

Structured and regular coordination at local and central levels between the European Commission, the Member States and the specialised Civil Society Organisations providing assistance under the above mentioned call for proposals, shall take place in order to develop synergies, ensure complementarity and avoid duplication

Therefore, grant contracts with the selected CSOs include human and financial resources for the attendance of two representatives of those organisations at two coordination meetings per year organised in Europe by the European Commission.

15. DESCRIPTION

15.1. Objectives

The objective of this action is to support human rights defenders on an ad hoc basis, responding to urgent protection needs.

15.2. Expected results and main activities

For Human Rights Defenders under threat: main activities will consist in ad hoc funding (small grants) complemented by, inter alia, direct political interventions, emergency relocation, medical, legal and security assistance, emergency visas, sheltering, etc.

All the means of actions here above should lead to secure the situation of Human Rights Defenders under threat, as well as their families' protection.

15.3. Risks and assumptions

The sustainability of this proposed action depends mainly on EU's support and extreme crisis situations at local level.

15.4. Crosscutting Issues

The action will take into account the rights of children, women, people with disabilities, indigenous peoples, and minorities as well as the links between environment and human rights.

15.5. Stakeholders

Co-operation with European Commission Delegations at local level, but also Governments – primarily the Human Rights Contacts - at the Embassies and Foreign Ministries of the EU Member States is imperative. Coordination with the beneficiary organisations of the call for proposals is necessary.

16. IMPLEMENTATION ISSUES

16.1. Method of implementation

The Commission will keep an indicative amount of EUR 100,000 to be managed by Headquarters with Delegations allowing direct ad hoc award of small grants to human rights defenders on the basis of a centralised political decision and validation process, in response to urgent protection needs in conformity with Article 9.1 of the Regulation (EC) N°1889/2006 of the European Parliament and of the Council of 20 December 2006. The amount of these small grants could reach up to EUR 10,000 per grant.

Another indicative maximum amount of EUR 100,000 will be allocated through procurement contracts, to provide transport facilities and accommodation (flight booking and tickets, etc) in the shortest possible delays.

Due to the nature of these actions, the very small amounts involved, the emergency of the situations and the relative confidentiality in regard to the implemented activities, it is foreseen to look for simplified implementing rules for contracting, with the scope of obtaining the beneficiaries' commitment to respect the obligation of a minimal required reporting.

16.2. Procurement and grant award procedures

Contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

16.3. Budget and calendar

The maximum EC contribution is EUR 200,000.

This Action will be financed by budget line 19 04 01.

It is not technically possible to foresee when the actions will take place depending on the occurrence of the cases to be submitted.

Remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

16.4. Performance monitoring

Delays for responsiveness when an emergency case is submitted will be one of the main monitoring criteria.

16.5. Evaluation and audit

Regular audits of the action are undertaken by independent external firms.

16.6. Communication and visibility

EU visibility is guaranteed by the singularity of the action and the beneficiary and the participation of the European Commission in several instances of the programme.

A special observance of the requirements of confidentiality and security in the publication of the grants and other contracts awarded under this objective will be followed.

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ANNEX 6

ACTION FICHE 6– EIDHR 2009 AAP

17. IDENTIFICATION

Title	Support to Human Rights and Democracy actions on Torture and other forms of ill-treatments		
Total cost	€20 million		
Method/ Management mode	Project approach – Call for proposals – <i>Centralised management (direct)</i>		
DAC-code, if applicable	15162	Sector	Human Rights and Democracy

18. RATIONALE

The EIDHR Strategy Paper 2007-2010 has identified as its objective 3 "Supporting actions on human rights and democracy issues in areas covered by EU Guidelines, including on human rights dialogues, on human rights defenders, on the death penalty, on torture, and on children and armed conflict". This Action Fiche defines the implementation modalities of the EIDHR support in the area of torture and other forms of ill-treatment.

Torture and other cruel, inhuman or degrading treatment or punishment are among the most abhorrent violations of human rights and human dignity. To work towards the prevention and the eradication of all forms of torture and ill-treatment worldwide is a strong policy view of all EU Member States. In this context, the General Affairs Council, on 9th April 2001, adopted the Guidelines on torture and other cruel, inhuman or degrading treatment or punishment; these Guidelines were updated in April 2008. These Guidelines provide the general framework for EU action in the area towards third countries, as well as in multilateral human rights fora. These Guidelines foresee the use of all available tools of diplomacy and cooperation, most notably through political dialogue, demarches and assistance under the EIDHR. The Guidelines commit the EU to urge third countries to take, inter alia, the following measures: prohibit and condemn all forms of torture and ill-treatment, adhere to international norms and procedures, including the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol, combat impunity, adopt and implement safeguards and procedures relating to places of detention, establish domestic legal guarantees, provide reparation and rehabilitation for victims, provide effective training and support the work of medical professionals.

An evaluation having been carried, out from 09-2007 until 05-2008, on about 40 projects related to torture prevention and rehabilitation funded by the European Initiative on Democracy and Human Rights (period 2002-2006), worldwide, the conclusions and recommendations contained in the final report have been taken into account in the preparation of this Action Fiche (the evaluation report can be find at the following address:

http://ec.europa.eu/europeaid/where/worldwide/eidhr/index_en.htm,

under "What's on", title "17/06/08 Report on evaluation of "Support to Prevention of Torture and Torture Rehabilitation Centres supported by EIDHR").

Main lessons learnt show that projects under this objective impact directly on the general situation as regards human rights in the country of action, including legislation and imprisonment conditions. Key to enhance impact is an integrated approach involving both, civil society and the local authorities. Sustainability centres and keeping the same quality and quantity of care of torture victims is still a problem when EC financing is discontinued, including in the centres operating within the EU.

Regular monitoring and periodic reporting by EU Member States' Ambassadors / Heads of Missions is foreseen to enhance the implementation of the Guidelines, and to evaluate the effect and impact of EU actions in this field.

19. DESCRIPTION OF THE CALL FOR PROPOSAL(S)

19.1. Basic act and financing source

Regulation (EC) N° 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1), in particular its Articles 1.2.a, 2.1.b(i), 2.3, 6, 9 and 10.

This Action will be financed by budget line 19 04 01, for an amount of €20 million

19.2. Objectives of the programme, fields of intervention/priorities of the year and expected results

The **Guidelines on EU policy towards third countries on torture** provide the general framework for this Action Fiche. The Action will cover distinctly two kinds of activities: Prevention of Torture, and Rehabilitation of Torture Victims.

Preference will be given to support actions based on an **integrated approach** to the fight against torture and other forms of ill-treatment, which contribute directly to preventing or reducing its prevalence. The actions should contribute to fighting against impunity, and supporting the rule of law for all. Women, children, persons belonging to minorities, and indigenous peoples should be given a particular attention.

Actors will be preferably civil society organisations based in the EU, the region, or the country concerned.

Prevention of Torture.

Particular focus will be made on the ratification and effective implementation of all aspects of the CAT, as well as the Optional Protocol to the CAT.

Where relevant, activities may be linked to a post-conflict agenda of justice and reconciliation or campaigning against a culture of violence, in view of reinforcing the effectiveness of actions against torture and to build a broader coalition of civil society actors.

Eligible activities will include, inter alia, lobbying and sensitization actions, training, awareness campaigns, monitoring of the production and dissemination of equipment dedicated to torture, assistance to persons at risk of being tortured, and legal assistance.

The expected results of this action may consist of a reduced prevalence of torture, an increased reporting of torture, better conditions for proving incidences of torture, clearer guidelines for security forces, increased investigations or cases of perpetrators brought to court and sentences, more effective monitoring of torture, ratification and implementation of the CAT.

Rehabilitation of Torture Victims.

Support will be provided to rehabilitation activities aiming at restoring the victim's right to remedy and reparation, and which take a holistic approach to rehabilitation of victims, hereby encompassing elements of medical and social rehabilitation as well as of legal redress. Attention should be paid to special needs of women and children. Activities should also contribute to strengthening the monitoring of the prevalence of torture, in particular by providing data that can be used in prevention activities.

The activities covered by the Action should seek to strengthen local professional capacity and networking and to enhance the sustainability of local services' capacity.

Rehabilitation activities in EU Member States and candidate countries, which are eligible when directly related to situations arising in third countries, should demonstrate that a share of activities act as a catalyst to develop a greater financial commitment by Member States and candidate countries in this area.

Eligible activities will include, amongst others, mental and physical rehabilitation of direct or indirect torture victims, providing assistance to the victims in obtaining reparation, training, awareness and sensitization.

The expected results of this Action may include an increase in the level of effective rehabilitation, restoring of the victim's rights and reparation, and a more sustainable funding to rehabilitation activities, in particular by EU Member States.

19.3. Eligibility conditions

There is no specific **geographical prioritisation**. Assistance for **rehabilitation of torture victims** may take place in any third country covered by the EIDHR and also in the EU when directly related to situations arising in third countries.

19.4. Essential selection and award criteria

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions.

The maximum possible rate of co-financing for grants is 80%.

Full financing may only be applied in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulations where financing in full is essential to carry out the action in question.

Grants awarded under this call for proposals are expected to fall between €200,000 and €1,500,000.

Core funding may also be applied, but only for rehabilitation centres of torture victims if this is deemed essential to carry out their activities.

Partnerships as defined in the Practical Guide to contract procedures for EC external actions will not be mandatory and the evaluation criteria for the award of a grant will be adapted accordingly. However, for the rehabilitation activities taking place within the EU, partnership with local organisations from third countries are strongly encouraged, in order to strengthen local professional capacity and networking.

19.5. Schedule of calls for proposals

The call for proposals is expected to be launched in first semester 2009.

19.6. Indicative amount of call for proposals

The indicative total amount for this Action is of €20 million in 2009.

Any remaining balance from this Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

20. SUPPORT MEASURES

In 2007, a global evaluation mission, covering the activities funded through the European Initiative for Democracy and Human Rights (2001-2005) in the area of torture prevention and rehabilitation of torture victims, worldwide, has been carried out. This evaluation focused on lessons learnt, methodologies applied, and impact of actions. The final report, which is already posted on the EIDHR website, contains comments and recommendations which will provide consistent help for the implementation of the activities foreseen under the present Action.

Monitoring missions, to be carried out by external experts, will be intensified, as well as follow up missions by European Commission personnel.

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ANNEX 7

ACTION FICHE 7 – EIDHR 2009 AAP

21. IDENTIFICATION

Title/Number	Support to the 2009-2010 Master's Degree in Human Rights and Democratisation, EU-UN Fellowship Programme as well as other education, training and research activities promoting human rights and democratisation of the European Inter-University Centre for Human Rights and Democratisation (EIUC)		
Total cost	Maximum EC contribution EUR 1,900,000 (78 % of total cost)		
Aid method / Method of implementation	Project approach – centralised (direct) – Operating grant.		
DAC-code	15162	Sector	Human Rights and Democracy

22. RATIONALE

22.1. Sector context

Recognising the importance of education and training in this field, the Declaration of the European Union on the occasion of the 50th anniversary of the Universal Declaration on Human Rights, Vienna, 10 December 1998, states that “the Union should further develop cooperation in the field of human rights, such as education and training activities, in coordination with other relevant organisations, and ensure the continuation of the European Masters Programme in human rights and democratisation”. This commitment was reinforced through the joint decision No 791/2004/EC of the European Parliament and of the Council of 21 April 2004, which included EIUC within the framework of “a Community action programme to promote bodies active at European level and support specific activities in the field of education and training” and ensured funding for the period 2004-2006. The Regulation (EC) No.1889/2006 of The European Parliament and of the Council on establishing a financing instrument for the promotion of democracy and human rights worldwide, adopted in December 2006, has ensured continued financial support for EIUC for the EU financial perspective 2007-2013 and thus once again confirms the high priority accorded by the European Union to education, training and research in the area of human rights and democratisation as undertaken and spearheaded by EIUC Characteristics and policies of concerned sector or thematic area (at regional level, where appropriate) and main problems the project is intended to address.

22.2. Lessons learnt

The activities of the EIUC were evaluated in the context of the "Evaluation of the Community's action programme to promote bodies active at European level and

support specific activities in the field of Education and Training". The study has concluded there is a clear rationale for the institution to exist and that the organisation shows a clear European added-value. The evaluation recommends that funding is continued in the future. In addition, it suggests that in future funding decisions: the value of the simplification of the network involved in the delivery of the E.MA. programme is explored; selection for the fellowship programme takes place at an earlier date; closer monitoring of employment of graduates is undertaken; clearer profile outside the E. MA programme is sought for the EIUC; the possibility on enhancing the research capacity of the institute through permanent staff is explored; additional effort is devoted to changing the main organisation's impacts from raising awareness about its issues of interest to improving practice further; and the allocation of additional funds to organise conferences and other events in new Member States, and ensure successful participation from new universities in the programme from these countries is explored.

22.3. Complementary actions

The success of the Master's Degree in Human Rights and Democratisation (E.MA) of the EIUC has given rise to the development of additional regional human rights master's programmes funded by the European Union. Being generally modelled on it, the regional master's programmes have many core features in common and there is considerable co-operation between them, including exchange of staff and students, joint publications and conferences.

Additional regional programmes have been financed in the Balkans (University of Sarajevo), the Mediterranean region (University of Malta), Africa (University of Pretoria) and Latin America (Universidad Simon Bolivar in Ecuador).

A new call for proposals to support regional master's degree programmes in human rights and democratization outside the European Union was launched on the 16th November 2007. Four proposals for master's degree programmes have been selected in Latin America, Balkans (University of Sarajevo), Africa (University of Pretoria) and Asia (University of Sidney).

Donor coordination

The EU is the main donor for this action (approximately 78%). Other donors are the region of Veneto, the city of Venice and the EU Presidency.

23. DESCRIPTION

23.1. Objectives

The grant is requested for the purpose of the operation of the European Inter-University Centre for Human Rights and Democratisation (EIUC) and its main activities. EIUC will act as an interdisciplinary European Centre for education and research in the area of human rights and democratisation, ensuring the continuation of the Master's Degree in Human Rights and Democratization and EU-UN Fellowship Programme and initiating new academic and operational activities in this area.

23.2. Expected results and main activities

EIUC aims to further consolidate itself as a European – and global – Centre of excellence in the field of human rights and democratisation. After four years of operation, EIUC is well on its way to achieving this purpose. The high standards of the E.MA programme, the E.MA internship programme, the EU-UN fellowship programme, and other core activities have been safeguarded and maintained, and innovative new activities, notably in the areas of research cooperation, democracy promotion, and the promotion of human rights in the cultural sphere, are being added to EIUC's annual calendar.

The E.MA Programme, which remains at the centre of EIUC's activities, will provide a unique educational experience for 90 students from EU member States, candidate and potential candidate countries, neighbourhood countries, and other continents.

The grant for 2009/2010, specifically, is intended to support:

- 1) the underlying operation of EIUC (staff, meetings of governing bodies, missions, promotional materials and publications, office costs and other running costs, equipment and related services, administration costs, etc.);
- 2) the European Master's programme in Human Rights and Democratisation, including an internship programme for the 15 best graduates of the previous year;
- 3) the EIUC EU-UN Fellowship Programme; and
- 4) additional activities, including the EIUC Summer School on Cinema and Human Rights, various seminars and conferences, production of expert opinions, specialised training activities, research cooperation and joint publications, and promotion of human rights and democracy in the cultural sphere.

23.3. Risks and assumptions

The sustainability of this proposed action depends mainly on EU's support.

23.4. Crosscutting Issues

The action will take into account the rights of children, women, people with disabilities, indigenous peoples, and minorities as well as the links between environment and human rights.

23.5. Stakeholders

The European Inter-University Centre for Human Rights and Democratisation (EIUC) is a Centre of education, training and research in European policy areas related to the promotion of human rights and democracy. The Centre is constituted through a European university cooperation currently involving 41 prestigious universities, representing the 27 EU Member States. The EIUC was created by a public act under Italian law in September 2002 and assumed full responsibility in September 2003 for the administration of E.MA, the EU-UN Fellowship Programme (formerly named Advanced Internship Programme), and a range of additional

activities. The EIUC is primarily sponsored by the European Commission and receives valuable additional support from the Region of Veneto and Municipality of Venice.

The activities of EIUC are furthermore supported by important Inter-Governmental Organisations, including the United Nations Office of the High Commissioner for Human Rights (OHCHR), UNESCO, the Council of Europe, and OSCE, and several leading NGOs active in the area of human rights and democratisation cooperate with the Centre and are represented in its Advisory Board. EIUC has also entered into strategic partnerships with GTZ, the Venice Biennale, and the Fundacion Tres Culturas (Seville) about advancing issues of human rights and democracy in the field of development cooperation and the cultural sphere.

Co-operation with other organisations regards not only IGOs and NGOs which are members of the EIUC Advisory Board, but also Governments – primarily the Human Rights Contacts at the Foreign Ministries of the EU Member States – and relevant academic and training institutions.

24. IMPLEMENTATION ISSUES

24.1. Method of implementation

Centralised management (direct) – operating grant awarded to the European Inter-University Centre for Human Rights and Democratisation (EIUC) in compliance with Article 13 (e) of Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1).

24.2. Procurement and grant award procedures

Contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

All programme estimates must respect the procedures and standard documents laid down by the Commission, in force at the time of the adoption of the programme estimates in question

24.3. Budget and calendar

EC maximum contribution EUR 1,900,000 (approx. 78 % of total cost).

This Action will be financed by budget line 19 04 01.

Main activities will be implemented from 1st August 2009 to 31st July 2010 (12 months). Yet, most activities in preparation of the academic year 2009-2010 are undertaken during the last period of the academic year 2008-2009 and therefore technically fall outside the present action period.

The remaining balance from one action may be reallocated to the budget of another action, preferably within the same strategic objective.

24.4. Performance monitoring

During the implementation of the first years of the project evaluation mechanisms have been put in place such as guidelines for appraisal of all participants in the Programmes, evaluation forms and exit questionnaires that have provided relevant information for statistics prepared regularly. These instruments have been essential in evaluating the activities, offering information with respect to follow up measures needed to improve the management of the Programmes. They will be relied upon in evaluating the implementation of the current project as well.

24.5. Evaluation and audit

Regular audits of the action are undertaken by independent external firms.

24.6. Communication and visibility

The EU visibility is guaranteed by the singularity of the action and the beneficiary and the participation of the European Commission in several instances of the programme

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ANNEX 8

ACTION FICHE 8– EIDHR 2009 AAP

25. IDENTIFICATION

Title/Number	Support to the United Nations Office of the High Commissioner for Human Rights		
Total cost	Maximum EC contribution - €4 million		
Aid method / Method of implementation	Joint management with the UN-OHCHR		
DAC-code	15162	Sector	Human Rights and Democracy

26. RATIONALE

26.1. Sector context

The UN Office of the High Commissioner for Human Rights (OHCHR)'s Plan of Action, which was released in May 2005, presented an overall vision for the future direction of the Office. Further, OHCHR 2008-2009 Strategic Management Plan details the means by which it aims to work with Member States to continue putting this vision into operation. The Strategic Plan provided a comprehensive overview of the areas of work on which OHCHR will focus during 2008-2009 and the resources that will be required. The OHCHR is currently elaborating its 2010-2011 Strategic Management Plan

It is foreseen that the 2010-2011 Strategic Plan, as its predecessor, will be based on OHCHR's fundamental goals - to protect human rights and empower all people to realise those rights - and is driven by the need to identify and address critical human rights problems in the world today, namely: poverty, discrimination, conflict, impunity, democratic deficits, and institutional weaknesses. Acknowledging the magnitude of the challenges and the need to prioritise the OHCHR's activities so that limited resources can be used effectively. In it, the current Strategic Plan elaborates on its five focus areas: developing effective, appropriate strategies for country engagement; exercising leadership within the field of human rights; strengthening partnerships; providing high-calibre support to the United Nations human rights programme; and strengthening the management of OHCHR.

The OHCHR Strategic Management Plan is a biennial plan, designed to cover the biennial budget cycle of the United Nations Secretariat and to provide a comprehensive picture of its objectives, activities, and requirements irrespective of funding sources. By adopting a two-year cycle, not only for activities funded from the regular budget but for all the work, the OHCHR can plan more effectively and enter into longer term agreements with its partners. This Plan is also results based

and assumes a cross-branch, one-office approach to planning and implementing activities.

Regulation (EC) No.1889/2006 of The European Parliament and of the Council on establishing a financing instrument for the promotion of democracy and human rights worldwide (EIDHR), adopted in December 2006, once again confirms the high priority accorded by the European Union to strengthening the Office of the UN High Commissioner for Human Rights and it states in its Article 13.1.d) that Community financing may consist in grants to support its operating costs.

The EIDHR Strategy Paper 2007-2010 includes an annual contribution to support operations of the OHCHR and under its Objective 4 says that specific contributions based on Article 13(1) of EIDHR Regulation (EC) No. 1889/2006 to the UN High Commissioner for Human Rights of up to €4 million annually will be implemented.

26.2. Lessons learnt

The European Commission is a regular donor to the OHCHR. In 2004 its commitments amounted to €4.8 million, €3.1 million in 2005, €3.0 million in 2006, €4 million in 2007, €4 million in 2008 and €4 million in 2009. On the other hand, there has been previous support to the Special Procedures, the Treaty Bodies mechanisms, gender and antidiscrimination programmes and to the field activities.

From previous actions it became clear that the project approach cooperation with the OHCHR was not the most efficient possible way and, therefore, the Regulation (EC) No.1889/2006 establishing the EIDHR introduced the possibility that Community financing might consist in grants to support its operating costs.

26.3. Complementary actions

This project does not in any way represent the only EIDHR support to the rights and activities covered by the OHCHR Strategic Management Plan. Proposals for projects specifically targeting some of these rights may be presented by other organisations under EIDHR calls for proposals to be launched during the present and following years.

26.4. Donor coordination

In 2006 the donors to the OHCHR included 62 governments, several NGOs and foundations and some private donors. Although resources to support OHCHR have increased over the last years, funding does not match the proposed budget. The OHCHR must, therefore, complement its requirements with extra budgetary sources. The OHCHR Strategic Management Plan needs the full support of donors and encourages them to provide funds that are either lightly earmarked or not assigned to a particular activity.

27. DESCRIPTION

27.1. Objectives

Within the framework of the OHCHR Strategic Management Plan, the EIDHR support relates to specific objectives including: Enhancing the High Commissioner's global leadership, further strengthening the New York Office, broadening partnerships, and building management capacity with the aim of ensuring more responsive engagement in the protection of human rights; Support for Human Rights Bodies and Organs; Support for Human Rights Special Procedures; Human Rights Mainstreaming, Right to Development, Research and Analysis; The expansion of geographic desks and the rationalisation and expansion of deployment of human rights staff to regional and country offices; Support for Programmes.

27.2. Expected results and main activities

(a) Greater country engagement through an expansion of geographic desks, increased deployment of human rights staff to countries and regions, the establishment of standing capacities for rapid deployment, investigations, field support, human rights capacity building, advice and assistance, and work on transitional justice and the rule of law;

(b) An enhanced human rights leadership role of the High Commissioner, including through greater interaction with relevant United Nations bodies and actors and regular system wide human rights consultations, a reinforced New York presence, an annual thematic human rights report, a global campaign for human rights, and more involvement in efforts to advance poverty reduction and the Millennium Development Goals;

(c) Closer partnerships with civil society and United Nations agencies through the establishment of a civil society support function, support for human rights defenders, stepped up commitment to Action 2 activities for rights-based approaches and national protection systems, and human rights guidance to the resident coordinator system;

(d) More synergy in the relationship between OHCHR and the various United Nations human rights bodies, and

(e) Strengthened management and planning for OHCHR through the establishment of a policy, planning, monitoring, and evaluation unit, significantly increased staffing levels, staff diversity initiatives, updated staff training, a staff field rotation policy, and new administrative procedures.

27.3. Risks and assumptions

- The implementation of the activities can be affected by the situation prevailing in countries and regions.
- Political crisis, insecurity, lack of commitment.
- Co-ordination difficulties between the OHCHR Geneva and its partners.

- Partners should have the capacity to deliver in time, including capacity of civil society actors for sustained follow-up of activities.

27.4. Crosscutting Issues

The OHCHR directly targets the protection and promotion of all human rights for all people. Mainstreaming issues identified in the EIDHR Strategy are not only taken into account by the OHCHR, but are also the subject of specific activities: children, women, gender-based discriminations, people with disabilities, indigenous peoples, and minorities.

There are two on-going projects financed by the EIDHR to support the OHCHR activities aiming at achieving women's human rights and the effective implementation of the Durban Declaration and its Programme of Action.

27.5. Stakeholders

Governments, legislatures, courts, national institutions, civil society, regional and international organisations and the United Nations System.

28. IMPLEMENTATION ISSUES

28.1. Method of implementation

Joint management through the signature of a standard international organisation contribution agreement with an international organisation (OHCHR), for a contribution to the Trust Fund.

The contractual framework to be signed with the International Organisation will fully observe the conditions laid down in articles 53 d of the Financial Regulation and 43 of its Implementing Rules. The special and the general conditions of the standard model for International Organisations published on the AIDCO Website will thus be signed.

The OHCHR is covered by the Financial and Administrative Framework Agreement signed between the EC and the UN on 29 April 2003.

28.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents as laid down and published by the International Organisation concerned

28.3. Budget and calendar

The OHCHR's resource requirements for 2008-2009 were estimated at USD 285.6 million. Of which, USD 105.6 million funded from the United Nations regular budget.

The OHCHR's resource requirements for 2010-2011 will certainly increase.

EC maximum contribution is €4 million – Annual contribution (1st January 2010 to 31st December 2010) to support OHCHR's operations.

This Action will be financed by budget line 19 04 01.

Remaining balance from this action may be reallocated to the budget of another action, preferably within the same strategic objective.

28.4. Performance monitoring

An important part of the strategic planning and management system is monitoring and evaluation. A performance monitoring system and an evaluation policy will be developed. The objective is to ensure that lessons learned are translated into the design and implementation of projects and programmes. The implementation of the Strategic Management Plan is regularly monitored with the aim of determining relevance, efficiency, effectiveness, and impact in relation to established priorities. Significant departures from the Plan will be analyzed and adjustments made.

28.5. Evaluation and audit

The OHCHR is developing an evaluation policy which will include country-engagement results. Moving the focus from the project level to the programmatic, thematic, and strategic levels, the OHCHR is working towards an evaluation culture built around the needs of users and the impact on rights holders. Evaluation serves as a tool for learning and for enhancing performance. Regular audits of the OHCHR are undertaken by their independent external auditor.

28.6. Communication and visibility

The OHCHR will propose a tailored Visibility Strategy designed to raise the awareness of European audiences of human rights in general, the work of the OHCHR in particular and the support being provided to both by the EC. The strategy, which will be part of the Contribution Agreement, will include a variety of high visibility initiatives and events, a number of which would be directly funded by the EC contribution.

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ANNEX 9

ACTION FICHE 9– EIDHR 2009 AAP

29. IDENTIFICATION

Title	EU-Central Asia Rule of Law initiative		
Total cost	<i>EC contribution € 600 000</i>		
Aid method / Management mode	Joint management – Council of Europe (Venice Commission)		
DAC-code	15130	Sector	Legal and Judicial Development

30. RATIONALE

30.1. Sector context

EU-Central Asia Rule of Law Initiative.

The European Rule of Law Initiative for Central Asia is a joint undertaking of the Commission and member states. The European Rule of Law Initiative is one of the key elements of the Union's Strategy for a New Partnership with Central Asia.

Strengthening the rule of law in Central Asia is crucial for an effective protection of human rights, for a stable political framework for socio-economic development, as well as for trade and investment links with Europe. The EU with its experience is in a unique position to make a contribution in this field thanks to the legal traditions it shares with Central Asia. All countries of the region are members of OSCE and aim at meeting its standards and implementing common principles, such as the rule of law, separation of powers and the protection of human rights. Moreover, the countries of the region are parties to the International Covenant on Civil and Political Rights. All Central Asian countries have expressed their interest in cooperation and exchange of experience with the European Union in further developing their legal systems, including the transformation experience of new EU member states. European assistance provided during over a decade has proven to be effective and built mutual trust.

The implementation of international obligations and a genuine progress on the Rule of Law is a major challenge for the countries in the region and a key to success of the EU-Central Asia cooperation. At present, with a generally poor human rights record and democratic structures reaching at best a formal level of democracy, all States of Central Asia face a foremost challenge of reforming their legal and judicial systems. Constitutional reform is among the most salient features of any transition from authoritarian rule to pluralist democracy. To ensure long term sustainability, complementary cooperation on policy formulation and implementation is required.

30.2. Lessons learnt

The Venice Commission has a long and successful experience in assisting countries undertaking constitutional and legislative reforms. It continues to contribute to the legislative reforms in the field of justice, human rights, elections and other areas in former Soviet Republics which have legal systems similar or close to those existing in Central Asian nations. The Venice Commission is conducting activities in the framework of a Joint Programme with the European Commission in Kazakhstan and Kyrgyzstan (2006- 2008). Kyrgyzstan is a full member of the Venice Commission and Kazakhstan has an observer status.

30.3. Complementary actions

The EC is one of the international donors providing assistance in the field of judiciary and rule of law to Central Asia countries. Projects vary from improving legal drafting process, the strengthening of judicial system and prison reforms to various projects under EIDHR -democracy instrument, essentially through the Country based support schemes.

However, most EC assistance has been so far in Kyrgyzstan, where an strong interest was expressed by the authorities earlier. In particular, the European Commission is supporting projects in the field of Kyrgyz legal and prison reforms:

- **Strengthening** the independence and institution building of the **judicial system** (second half of 2007; €2.5 million), funded under the **Stability Instrument** replies to the urgent need to strengthen the independence and institutional building of the judicial system by helping to amend the relevant legislation; increasing the transparency and professionalism of the judges, prosecutors and their staff; establishing new equipment to enhance uniformity in court rulings.

- **Supporting prison reform** in Kyrgyzstan (AAP 2008; €3 million) under **Development and Cooperation Instrument (DCI)** will aim to contribute to the modification of the penal code , improvement of living conditions in prisons and develop a probation system .

Support to rule of law and judicial reform is a relatively new area of EC-funded projects in Kazakhstan.

As mentioned above, under EIDHR, the Commission has funded in 2007, a small project for the Venice Commission in Kyrgyzstan and Kazakhstan to provide advice in the process of **amendments to the Constitution**, including concerning the independence of the judiciary, legal order and the role of Constitution Courts.

Moreover, under the same instrument, the Commission has funded a **Joint Programme on promoting legislative reform and criminal justice in Central Asia** (2004-2007) with the OSCE ; the EC contribution amounted to €0.5 million.

Lessons learned from such activities could be shared with the other CA countries through this Venice Commission regional programme for Central Asia and complementarity will be ensured with the ongoing and planned bilateral and regional geographical support programs to avoid overlapping.

30.4. Donor coordination

The European Rule of Law Initiative for Central Asia sets up a coordination mechanism among EU institutions and Member States. The Initiative relies on existing activities and EU national and regional support and will coordinate with other international donors and organisations, especially OSCE. Specific activities intend to offer tools for Central Asian countries in further developing Rule of Law, including in particular, programmes provided by Member States or by the European Commission.

The co-ordination process with the national authorities of beneficiary countries might differ from country to country. In cases where an opinion on legislation is requested by a national authority, exchanges of views will be organised directly with them requesting body (Parliaments, Constitutional courts/councils, ombudsman institutions, etc). Representatives of the requesting bodies could be invited to plenary sessions of the Venice Commission when opinions concerning their respective countries will be discussed.

For multilateral activities and conferences/seminars/trainings co-ordination with national or/and international NGOs will be envisaged as appropriate.

Co-ordination with the contributing Members States will depend on the nature of their contributions and on the terms negotiated with each partner. It is expected that close collaboration on project activities will be in particular established with the German regional legal reform programme, as well as the OSCE.

Planning and implementation of different activities both bilateral and multilateral will be co-ordinated through the European Commission Delegations in the region, and/or the relevant Directorate in EuropeAid.

31. DESCRIPTION

31.1. Objectives

The European Rule of Law Initiative aims at a concerted regional approach, taking into account national situations. Core challenges such as the development of the judicial system, law enforcement, modernisation of legislation or accountability of the administration are similar for all Central Asian states. Within the Initiative, it is foreseen to undertake specific activities to offer tools for Central Asian countries in further developing Rule of Law, comprising assistance to judicial systems and legal professions, as well as advisory services and regional exchange in the field of legislation.

In this context, the main objective of the CA regional programme by the Venice Commission, in cooperation with the Council of Europe, is to help the Central Asia target countries to develop legislation and practices in order to meet the international standards and honour their international obligations, in line with European approach. Assistance will aim at reinforcing judicial systems, legal professions and various fields of legislation, including protection mechanisms of Constitutions, role of public prosecutors, independence and professionalism of the judiciary, further integration of international law. Creation of a culture of human rights within the legal community

and stress on human rights enforcement through the judicial system will be also the core objectives. Further objectives would include addressing an arbitrary application of the law, abuses in the investigative process and abusive nature of penitentiary systems.

Based on the objectives of the EU-Central Asia Rule of Law Initiative, the co-operation programme could include the following areas of activities, with the sharing of lessons learned and exchange of experience among the countries of the region and the EU constituting a main orientation:

- (a) Further development of constitutional mechanisms aimed at reinforcement of the principles of rule of law, separation of powers and legal certainty through reform of the existing legislation and its effective implementation ;
- (b) Enhancing the efficiency and independence of Constitutional Councils and Courts in particular, and the judiciary in general;
- (c) Reform of the institution of public prosecution and other investigative bodies;
- (d) Further integration of international law (including international human rights law) into national legal systems;
- (e) Reform of electoral systems and improvement of election administration;
- (f) Professional training of public administration officials, judges and lawyers.

31.2. Expected results and main activities

In order to achieve the objectives of the programme the following activities can be envisaged:

- (g) exchanges of views with the competent authorities in order to identify the priority areas and the terms of co-operation;
- (h) in-depth analysis of the existing legislation, the regulatory framework and institutional/operational systems – preparation of legal opinions on the draft legislation in different fields;
- (i) organisation of conferences and workshops on concrete problems in the field of constitutional and ordinary justice;
- (j) preparation and distribution in local languages of Council of Europe, Venice Commission and expert reports containing recommendations for the changes needed in line with the international human rights standards;
- (k) organisation of training seminars and workshops for relevant actors (public officials, prosecutors, judges) on international human rights standards and on experience of different OSCE and Council of Europe Member States;
- (l) publications of Venice Commission and Council of Europe studies on specific Platform-related problems;
- (m) regional conferences and other contacts.

31.3. Risks and assumptions

The implementation of different activities will largely depend on the willingness of the authorities to co-operate on concrete projects and on political stability in the beneficiary countries. The conclusions of the first EU-Central Asia Ministerial Conference on the Rule of Law to be held on 27 November 2008 in Brussels shall endorse a common platform for enhanced cooperation in the field of rule of law. It demonstrates a high level of political commitment by Central Asia partners to work together with the EU on these issues. In parallel, in 2008, the EU has established Human Rights dialogues with the five countries. It is assumed that this project that is fully placed in the context of the implementation of the EU. Strategy, will benefit from a positive engagement by the authorities of the partner countries. High visibility will also be a crucial element of the programme activities in order to raise awareness for the importance of the Rule of Law and for the new partnership between Europe and Central Asia.

31.4. Crosscutting Issues

All activities organised in the framework of this programme will take into account the European standards in such areas as gender equality, good governance and human rights.

31.5. Stakeholders

The target groups will include: National Parliaments, Constitutional Courts and Councils, Supreme Courts, Public Prosecution offices, Ombudsman and similar institutions, Ministries of Justice and of Interior, election management bodies and NGOs.

32. IMPLEMENTATION ISSUES

32.1. Implementation method

Joint management through the signature of a standard international organisation contribution agreement with an international organisation (i.e. the Council of Europe/Venice Commission).

The contractual framework to be signed with the International Organisation will fully observe the conditions laid down in articles 53 d of the Financial Regulation and 43 of its Implementing Rules. The special and the general conditions of the standard model for International Organisations published on the AIDCO Website will thus be signed.

An adequate EC supervision mechanism will be established, through a project steering Committee that will require approval by the Commission of the work plan before implementation of the project starts.

32.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the International Organisation concerned.

32.3. Budget and calendar

EC maximum contribution: EUR 600 000. The proposed initial duration of the programme is of 24 months.

This Action will be financed by budget line 19 04 01.

Remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

32.4. Performance monitoring

During the execution of the programme, interim progress reports will be prepared every 12 months.

Monitoring and evaluation indicators shall be developed such as number of official requests for review of draft legislation received, number of relevant governmental proposals of decisions for reforms, number of texts of legislation reviewed and adopted, law passed reflecting international standards and reports showing that these laws are implemented, assessment by human rights NGOs and other inter-governmental organizations working in the field and reporting changes occurred, assessment reports by team examining the implementations of the law, number of summaries of discussion from legislative working groups, etc.

As previously said, Kyrgyzstan being a full member of the Venice Commission and Kazakhstan having an observer status, their emulation effect on the other related countries who would ask for the same status, would somehow measure the impact of the programme.

32.5. Evaluation and audit

Rules applicable to grants contracts will be applied. However, it is worth noting that the Council of Europe passed through the so-called "4 pillars" assessment exercise and that, " in summary, the documentation available for the analysis suggested that the Council of Europe generally meets the standards identified by the Commission in the four pillars" as per the conditions laid down in articles 53 d of the Financial Regulation and 43 of its Implementing Rules.

32.6. Communication and visibility

All planned and on-going activities will be announced on the Web-page of the Venice Commission. Agendas of major meetings and conferences will include the logos of the European Commission, the Venice Commission /Council of Europe and other partner institutions. It has to be evaluated for each concrete activity to which extent media coverage is necessary/ possible, together with the relevant European Commission Delegations and Europa Houses (in Uzbekistan and Turkmenistan).

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ANNEX 10

ACTION FICHE 10 – EIDHR 2009 AAP

33. IDENTIFICATION

Title/Number	Support to global civil society campaigns designed to ensure the effective functioning of the International Criminal Court (ICC)		
Total cost	€4 million		
Method/ Management mode	Project approach – Call for proposals – <i>Centralised management (direct)</i>		
DAC-code, if applicable	15162	Sector	Human Rights and Democracy

34. RATIONALE

The EIDHR Strategy Paper 2007-2010 has identified as a priority under objective 4 the assistance to "international criminal justice mechanisms, such as the ICC and the ICTY. This includes civil society campaigns at a global level and coalition-building on international justice issues."

The EIDHR will, on the basis of calls for proposals, maintain support for global civil society campaigns designed to ensure the effective functioning of the International Criminal Court in its formative years.

This Action Fiche defines the implementation modalities of EIDHR support in this area.

35. DESCRIPTION OF THE CALL FOR PROPOSAL(S)

35.1. Basic act and financing source

Regulation (EC) N° 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1), in particular its Articles 1.2.b and 2.1.c.

This Action will be financed by budget line 19 04 01, for an amount of €4 million.

35.2. Objectives of the programme, fields of intervention/priorities of the year and expected results

The general aim is to strengthen the international framework for the protection of human rights, justice and the rule of law, and the promotion of democracy in accordance with EU policy priorities.

In particular, this call for proposals aims to maintain support for global civil society campaigns designed to ensure the effective functioning of the International Criminal Court in its formative years, in particular related to on-going situation and cases. Examples of priorities under this call for proposals are:

- Promotion of the universality and full implementation of the Rome Statute and;
- Support to the preparation and the adoption of national legislations of implementation of the Rome Statute;
- Implementation of the complementarity principle between the ICC and the national judicial systems; etc.

The expected results should take the form of reinforced international frameworks for the protection of human rights and the rule of law, to be measured through a rise in ratification and implementation of instruments, greater skills amongst professionals working on international criminal justice, and greater public awareness and appreciation. Specific indicators will be detailed in each individual project.

Applicants will preferably be international civil society organisations specialised in this field.

35.3. Eligibility conditions

This call for proposals will select global projects. Therefore, there is no specific geographical prioritisation.

35.4. Essential selection and award criteria

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions.

The maximum possible rate of co-financing for grants is 80%. Full financing may only be applied in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulations where financing in full is essential to carry out the action in question. Grants awarded under this call are expected to fall between €500,000 and €1,500,000.

35.5. Schedule of calls for proposals

The call for proposals is expected to be launched in first semester 2009.

35.6. Indicative amount of call for proposals

The indicative total amount for this Action is of €4 million.

Any remaining balance from one Action may be reallocated to the budget of another Action, preferably within the same strategic objective.

36. SUPPORT MEASURES

The final report of an external evaluation, covering the activities funded from 2000 to 2005 through the European Initiative for Democracy and Human Rights in the area of international criminal justice, worldwide, is expected soon. This evaluation focus on lessons learnt, methodologies applied, and impact of actions. It will also contain comments and recommendations. Even though the report is not finalised, the preliminary findings says that the impact of our actions in this field can be improved if the centralised managed projects are complemented by actions at local level (the support to the ICC through civil society has been introduced as a priority in the CBSS action fiche). Furthermore, the preliminary findings says that the support is clearly relevant, the priorities of the calls well defined, that the European Commission is clear and visible in its support and has become the key donor in this field. Future action should put more emphasis on the implementation of the Rome Statute and on the principle of complementarity. The final report will be posted on the EIDHR Website, and should provide help for the implementation of the activities foreseen under the present Action.

Monitoring missions, to be carried out by external experts, will be intensified, as well as follow up missions by European Commission personnel.

AIDCO/F2 D(2009)

ANNEX 11
ACTION FICHE 11 – EIDHR 2009 AAP

37. IDENTIFICATION

Title	2009/2010 EU Election Observation Missions Project (EU EOM)		
Total cost	€32,068,000		
Aid method / Management mode	Project approach /centralised - Direct Management or Joint Management		
DAC-code	15161	Sector	Elections

38. RATIONALE

38.1. Sector context

Deployment of European Union Elections Observation Missions (EU EOMs) in third countries, as well as electoral assistance, is an effective way to contribute to building confidence and enhancing the reliability and transparency of democratic electoral processes and to discourage irregularities, abuse and electoral violence. It also provides indications on how to develop a political dialogue with the concerned country.

38.2. Lessons learnt

The European Commission has deployed some 85 Election Observation Missions since 2000. The methodology on which the EOMs are based has been constantly improved, following on developments in this area, and in particular the Code of Conduct for International Elections Observers. Lessons learnt have been integrated in the recently published (end 2007) Election Observation Handbook and Compendium of International Standards.

38.3. Complementary actions

The NEEDS (Network for Enhanced Elections and Democracy Support) project, as well as election assistance provided to concerned third countries via the European Development Fund (EDF) or the Development Cooperation Instrument (DCI), actions implemented in the framework of EIDHR projects, and beyond, actions and programmes aiming at improving democratic control and good governance, are complementary to EU EOM programme.

Actions proposed in attached action fiche 12 are also complementary to this action.

38.4. Donor coordination

Coordination with Members States is ensured during the whole EOM cycle, including programming, exploratory missions, EOM implementation.

Some form of (informal) coordination is also taking place on the spot with other international or regional organisations dealing with elections observation, and has to take place in a way which does not endanger the independence and impartiality of EO EOMs.

38.5. Objectives

Overall objectives: support to strengthen democratisation, good governance and conflict prevention; contribute to reducing the possibility of fraud, manipulation, intimidation, etc... which could undermine the electoral process, and to improve the legal framework and conduct of future elections, as well as public confidence in the institutions; to inform the European institutions on the conduct of elections in selected third countries.

Specific objective: to produce a detailed and informed assessment of the organisation and conduct of the election process in all its aspects for each country of the following indicative list: Fiji, Yemen, Indonesia, Lebanon, Malawi, Afghanistan, Honduras, Chad, Mozambique, Bolivia. This list could be modified, some countries could change, and additional countries (up to 4) could be added, pending on possible new EU priorities in 2009 and the beginning of 2010.

Final decision on the deployment of an EU EOM is taken by the RELEX Commissioner when following criteria are met (cf. Communication from the Commission on EU Election Assistance and Observation COM(2000) 191 final):

- EU participation is advisable (minimal acceptable technical conditions are met by the electoral framework)
- EU participation is useful (contributes to confidence-building, can reduce risks for political violence, fraud, etc...)
- EU participation is feasible (in operational, security and financial terms)
- These criteria are assessed via an Exploratory mission sent in the country.

38.6. Expected results and main activities

Expected results:

- Elections take place in a peaceful way, fraud and irregularities are limited;
- EU Member States are informed on the way elections were organised and handled by the government in place;
- In each country, a report is provided to the authorities and stakeholders, proposing possible improvements of the electoral process and ways and means to implement them (including possible role of civil society actors and electoral assistance);
- Institutions in place after the elections gain legitimacy and public confidence.

Main activities:

In order to achieve these results, an EOM is deployed with the support of an Implementing Partner (International Organisation IOM or UNDP) identified by the Exploratory mission (on the basis of criteria as availability of required highly

specialised skills, capacities on the ground, fast mobilisation due to urgency, non-involvement in election assistance), or a Service Provider.

The Implementing Partner or Service Provider is in charge of any logistical and operational aspect (observers transport and deployment; equipment; technical support, etc.) and relies on a Core Team, which is typically composed of European experts having the following positions:

Chief Observer (Member of the European Parliament)
Deputy Chief Observer
Election Expert
Legal Expert
Political/Country Expert
Media Expert
Press & Public Outreach Officer
Observers Coordinator
Human Rights / Gender Expert

In addition, the EOM is composed of European Long Term Observers (LTOs) and Short Term Observers (STOs), proposed to the Commission by Member States. Number of observers, pending on the size and population of the country, number of polling stations, etc., varies between 80 and 200. LTOs stay approximately 2 months in the country, while STOs stay 1 to 2 weeks.

The Implementing Partner or Service Provider has to provide offices and staff to support the Core Team, as well as accommodation, equipment, communication, etc, and transport means to the observers deployed all over the country. It also has to ensure ad-hoc security coverage for the EOM.

38.7. Stakeholders

In the country, voters, election authorities, public institutions and administration, political parties, civil society at large; European Parliament, European Council, Commission services.

38.8. Risks and assumptions

Main risks are changes in political conditions leading to changes in the elections timing and in EU priorities for elections observation; deterioration of security conditions in a given country.

38.9. Crosscutting Issues

This programme is mainly focused on consolidation of governance and human rights in third countries. Gender balance will be looked after in the selection of observers,

and in careful observation of gender issues in the organisation and implementation of the elections.

It has no specific impact on environment.

39. IMPLEMENTATION ISSUES

39.1. Implementation method

Individual EOM will be implemented either by joint management or centralised direct management.

39.2. Procurement and grant award procedures

Due to the specific nature of EOMs, requiring capacity to deal with a number of observers to be deployed in a quick, efficient and secure way :

- an ad-hoc Implementing Partner (e.g. International Organisations IOM or UNDP) will be selected on the following criteria:
 - presence and specific capacities at field level;
 - ability to operate under UNDSS (United Nations Department of Security and Safety) coverage;
 - technical skills and human resources available at very short notice;
 - absence of possible conflict of interest with Government, or
- Service Provider will be identified via a tender.

In both cases, full financing (100%) is required to ensure independence and impartiality of EOMs.

39.3. Budget and calendar

EOM cost can vary from 1.5 to 6 Million euro. On an indicative basis, budget for a "standard" EU EOM mobilising +/- 120 observers for one observation round is around €2.5 million, and is as below:

Core Team Fees and allowances:	200,000 €
Observers Per Diem and allowances:	350,000 €
Air tickets	250,000 €
Local Transports (4x4 renting, ...)	550,000 €
Equipments	250,000 €
Offices, local staff, other direct costs:	650,000 €
Overheads and contingencies:	250,000 €
Total:	2,500,000 €

This Action (€32,068,000) will be financed by budget line 19 04 03.

Average duration of EOM implementation is 6 months; operations will start in 2009; indicative total duration of the programme is 24 months.

Remaining balance from one action may be reallocated to the budget of another action, preferably within the same strategic objective.

39.4. Performance monitoring

A global external evaluation, covering the activities funded along the last three years through the European Instrument for Democracy and Human Rights in the area of elections observation, is expected to be launched mid 2009. This evaluation will focus on lessons learnt, methodologies applied, and impact of actions. It will also contain comments and recommendations.

Commission staff from Election Desk is closely monitoring each EOM (including monitoring missions in the field, debriefings with Core Team and Implementing partners, end of mission reports from observers).

39.5. Evaluation and audit

Where EOM will be implemented by the International Organisation, the evaluation of the action will be made by the International Organisation in accordance with its own rules.

Where EOM will be implemented by the Commission with a service provider, the evaluation of the action may be made by the Commission through call for tender or framework contract.

39.6. Communication and visibility

Visibility is very high, in particular when the Chef Observer delivers his preliminary statement. Standard EU rules for communication and visibility will be applied by the Implementing Partner or Service Provider.

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ANNEX 12

ACTION FICHE 12– EIDHR 2009 AAP

40. IDENTIFICATION

Title	Complementary Activities (Exploratory missions; Election Experts Missions; Post-elections Monitoring Missions) to 2009/2010 EU Election Observation Missions programme		
Total cost	€1,870,000		
Aid method / Management mode	Project approach / centralised - Direct Management		
DAC-code	15161	Sector	Elections

41. RATIONALE

41.1. Sector context

Deployment of European Union Election Observation Missions (EU EOMs) in third countries, as well as electoral assistance, is an effective way to contribute to building confidence and enhancing the reliability and transparency of democratic electoral processes and to discourage irregularities, abuse and electoral violence. In some specific cases, it could be decided to send an Election Experts Mission (EEM) in lieu of a full-fledged EU EOM, or when other types of electoral assessment are required.

The final decision to deploy an EU EOM, or an EEM, and the specifications of such a mission, are based on the informations gathered by an Exploratory Mission sent by the EC in the considered country and at its request.

One of the outcomes of EOMs and EEMs are a set of recommendations to the authorities of the concerned country, on how to improve the conduct of future elections. Post-election Monitoring Missions should be organised, in order to take stock, after one or two years, of the way these recommendations have been dealt with, and how to further develop a political dialogue with the concerned country in the field of Democracy and Human Rights.

41.2. Lessons learnt

The European Commission has deployed some 85 Elections Observation Missions since 2000. The methodology on which the EOMs are based has been constantly improved, following on developments in this area., Lessons learnt have been integrated in the recently published (end 2007) Election Observation Handbook and Compendium of International Standards. Terms of reference, guidelines and templates have been developed accordingly. The EC also started in 2008 to deploy Election Expert Missions in cases where a full-fledged EOM was not possible or

appropriate, and terms of reference for such missions have also been adapted. The necessity to ensure more systematic impact and follow-up of EU EOMs has been underlined by the Member states and the European Parliament.

41.3. Complementary actions

EU EOMs (see action fiche 11) are complementary to these actions, as well as electoral technical assistance provided to concerned third countries via the European Development Fund (EDF) or the Development Cooperation Instrument (DCI), actions implemented in the framework of EIDHR projects, and beyond, actions and programmes aiming at improving democratic control and good governance

41.4. Donor coordination

Coordination with Member States is ensured during the whole EOM cycle, including programming, exploratory missions, EOM implementation and follow-up.

Some form of (informal) coordination is also taking place on the spot with other international or regional organisations dealing with elections observation, and has to take place in a way which does not endanger the independence and impartiality of EU EOMs and related activities.

41.5. Objectives

Overall objectives: support to strengthen democratisation, good governance and conflict prevention; contribute to reducing the possibility of fraud, manipulation, intimidation, etc... which could undermine the electoral process, and to improve the legal framework and conduct of future elections, as well as public confidence in the institutions; to inform the European institutions on the conduct of elections in selected third countries.

Specific objective: to enhance the EU election observation tools, their relevance and their impact through : (i) sound preparation (Exploratory Missions), (ii) tailor made approach in addition or substitution to EU EOM methodology by Elections Experts Missions when appropriate, and (iii) post-elections Monitoring Missions,

41.6. Expected results and main activities

Expected results:

- (i) : information / reports on whether EU elections observation in a given country is advisable (minimal acceptable technical conditions are met by the electoral framework); useful (contributes to confidence-building, can reduce risks for political violence, fraud, etc.); feasible (under which form and conditions, e.g. number of observers, equipment and logistics, security, budget, etc.);
- (ii) information / reports (for EU Member States, European Parliament) on the way electoral processes (legal, operational aspects, voter registration, etc.) are organised and handled by the government in place in each country, and report provided to the authorities and stakeholders in the field of elections, proposing possible improvements of the electoral process and ways and means to implement them (including possible role of civil society actors and electoral assistance);

- (iii) assessment on the implementation of EU EOMs recommendations and impact, and proposals for further actions (projects, electoral assistance, civil society support Etc.).

Main activities:

In order to achieve these results,

(i) an Exploratory Mission is deployed in a country (on its invitation), around 4 months prior to the elections, for a period of +/- 2 weeks. Such a mission is typically composed of up to 3 experts (electoral expert; operations expert; security expert).

(ii) an EU Election Experts Mission is deployed in a country (in liaison with its authorities), for a duration of +/- 8 weeks. Such a mission is typically composed of up to 4 experts (electoral expert; legal expert; political expert; human rights/gender expert) and administrative support staff.

(iii) a Post-election Monitoring Mission is deployed in a country (in liaison with the country's authorities, between 1 to 2 years after an EU EOM has taken place, for a period of +/- 10 days. Such a mission is typically composed of the previous EU EOM Chief Observer, and up to 2 experts (electoral expert and legal expert)

Stakeholders

In the country, voters, election authorities, public institutions and administration, political parties, civil society at large; European Parliament, European Council, Commission services.

41.7. Risks and assumptions

Main risks are changes in political conditions leading to changes in the elections timing and in EU priorities for elections observation; deterioration of security conditions in a given country.

41.8. Crosscutting Issues

This project is mainly focused on consolidation of governance and human rights in third countries. Gender is taken into account through careful observation of gender issues in the preparation, organisation and implementation of the elections and post elections measures.

It has no specific impact on environment.

42. IMPLEMENTATION ISSUES

42.1. Implementation method

Centralised direct management

42.2. Procurement and grant award procedures

Services contract awarded via Framework contract.

The Chief Observer leading the Post-elections monitoring Mission is a member of the European Parliament, designated by the European Commissioner for External Relations.

42.3. Budget and calendar

Average cost for Exploratory Mission is around €60,000; 10 Missions are foreseen from mid-2009 to mid-2010;

Average cost for Election Experts Mission is €200,000; 5 Missions are foreseen from mid-2009 to mid-2010

Average cost for Post-elections Monitoring Mission is around €45,000; 6 missions are foreseen from mid-2009 to mid-2010

Total budget for this project amounts to €1,870,000.

This Action will be financed by budget line 19 04 03.

Operations will start in 2009; indicative total duration of the project is 24 months.

Remaining balance from one action may be reallocated to the budget of another action, preferably within the same strategic objective.

42.4. Performance monitoring

A global external evaluation, covering the activities funded along the last three years through the European Instrument for Democracy and Human Rights in the area of elections observation, is expected to be launched mid 2009. This evaluation will focus on lessons learnt, methodologies applied, and impact of actions. It will also contain comments and recommendations.

Commission staff from Election Desks (AIDCO and RELEX) closely monitor each Mission within this project.

42.5. Evaluation and Audit

Rules applicable to Framework Contract and to services contracts will be applied.

42.6. Communication and visibility

Standard EU rules for communication and visibility will be applied.