# JOINT STATEMENT ON PROGRAMMING FOR THE NEIGHBOURHOOD, DEVELOPMENT AND INTERNATIONAL COOPERATION INSTRUMENT (NDICI)

The Council Conclusions on Democracy adopted in October 2019 sent an important political message about the **European Union's ambition on democracy in its external relations.** (1) The Joint Communication on the Action Plan on Human Rights and Democracy from 25 March 2020 matches the commitments of the Council into clear and operational guidelines for actions on the ground. (2)

The European Partnership for Democracy (EPD), the European Network of Political Foundations (ENoP), and the International Institute for Democracy and Electoral Assistance (International IDEA) call on EU staff in Brussels and in Delegations worldwide to translate these strategic and operational ambitions into democracy support programmes to achieve the objectives of the Neighbourhood, Development and International Cooperation Instrument (NDICI). (3)

Around the world, countries are confronted with growing discontent over the functioning of politics. Citizens increasingly lament governments' ability to deal with societal challenges such as inequality, corruption, security, globalisation or public emergencies. This has resulted in support for populist leaders, who dismantle civic space and free media in an attempt to stifle opposition. The current crisis caused by **the COVID-19 pandemic is likely to exacerbate such trends further**, and a number of leaders are taking advantage of the situation to monopolize power and limit liberal freedoms in a disproportionate way. It will be essential to ensure oversight rules are restored, emergency powers are limited and electoral processes are restored as soon as this is responsible from a health perspective. The anticipated socio-economic implications of the pandemic, moreover, are likely to prompt new social contracts between governments and citizens, for which democratic systems are best apt to deliver. The crisis thus highlights the need for free speech, democratic governance and multilateralism.

**The EU has a strategic interest to support its member states and partner countries in opting for democratic solutions** to the above mentioned challenges, while respecting its core values of human dignity and human rights protection, freedom, democracy, equality and the rule of law. Democracy assistance focuses on supporting crucial actors in democracy such as parliaments, political parties, civil society, independent media, local authorities, trade unions and human rights and democracy activists. **In this statement we provide practical guidance for staff in EU Delegations to engage on supporting democracy effectively.**

**Strong democratic institutions and sound democratic processes help to enhance democratic delivery on the five key areas for external action set by the European Commission (4):**

1. Council Conclusions on Democracy. October 2019. Available here.
2. Joint Communication on the EU Action Plan on Human Rights and Democracy. 2020. Available here.
3. Without human rights there can be no democracy worthy of the name. In turn, only in a democratic environment can human rights be protected and realised effectively. Both should hence be equally supported in external action. This statement focuses exclusively on EU programming in support of democracy as part of the geographic pillars of the NDICI. It reflects the recommendations and expertise of the signatories on democracy, while acknowledging the importance of human rights.

**Sustainable growth** – Comparative research shows that democracy provides better conditions for sustainable development than hybrid regimes or non-democracies and has an instrumental value as an enabler of sustainable development. (5) Democracies demonstrate more basic welfare, less corruption, more gender equality and are better for doing business.

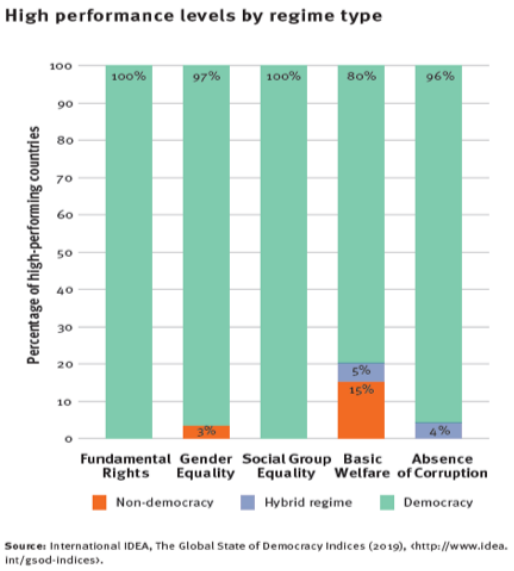
**Climate action** - Addressing climate and environment emergencies will involve unprecedented changes to society, politics and businesses. Research shows that low corruption democracies outperform autocracies on the environment, and that harmful environmental policies may lead to human rights abuses.(6) Democracies also score higher averages on the Environmental Performance Index. (7)

**Peace and governance** – Democracies are more peaceful.(8) Democratic institutions and multilevel and inclusive governance provide peaceful mechanisms for resolving political and societal conflicts. Organized crime and violent extremists flourish in countries with failing political systems, calling for addressing them at the roots and helping to tackle marginalization, discrimination and human rights abuses.

**Migration** - War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries, alongside state fragility and human rights abuses.(9) Supporting democracy is critical for tackling the root causes of migration.

**Digital development –** Digital technologies have completely altered the public sphere, citizens' expectations of governments and the relationship between citizens. This has both positive consequences for democracy – like enhanced government service delivery, access to information, and monitoring by civil society – and negative consequences – including data protection risks, foreign online interference, and the use of digital tools for citizen surveillance.

In line with the acknowledgement of the interdependence between democracy and human rights in the Council Conclusions and Action Plan (10), research shows that democracies have higher levels of fundamental rights. (11)



Source: International IDEA, The Global State of Democracy Indices (2019), <http://www.idea.int/gsod-indices>.

The COVID-19 pandemic illustrates how transparent and effective democratic governance can save lives. **International and local democracy support actors stand ready to support the EU in helping partner countries to reinforce legislative frameworks, state institutions and their democratic environment.**

We therefore call upon the European Commission and European External Action Service staff to give democracy a central place in the NDICI programming for the next years and enhance democracy awareness and capacity in EU Delegations worldwide. It is our vision that democracy support should not be considered an isolated theme but it deserves to be integrated as a cross-cutting priority in all thematic and geographic programmes. This paper provides recommendations for the EU on how to operationalise this vision.

4. Joint Communication: Towards a comprehensive strategy with Africa. 2020. Available here.
5. See The Global State of Democracy 2019, International IDEA, 2019, p.10-13.
6. Povitkina, M. 2018. The limits of democracy in tackling climate change. Available here. European Court of Human Rights, 2020: The Environment and the European Convention on Human Rights. Available here.
7. See the Environmental Performance Index for the latest data and analysis, here.
8. See amongst others: Kant, I. 1991, Kant's political writings; Doyle, M. W. 2011, Liberal Peace: Selected Essays.
9. Joint Research Council, 2018. International Migration Drivers: A quantitative assessment of the structural factors shaping migration. Available here.
10. The Action Plan points out that respect for human rights and fundamental freedoms is an essential element of democratic societies, and democratic institutions and processes create an enabling environment for the protection of these rights and freedoms.
11. The Global State of Democracy 2019, International IDEA, 2019, p.10.
12. The 2030 Agenda features in the "European Commission's 10 priorities" and are aligned with EU's development cooperation through the European Consensus on Development. The Council Conclusions on Democracy, underpinned by the EU Global Strategy, point out that supporting democracy, human rights and the rule of law externally is also in the EU's strategic interest, as it enables and accelerates the implementation of the 2030 Agenda, among other listed benefits.

# RECOMMENDATIONS FOR GEOGRAPHIC PROGRAMMING

Considering the EU's commitment to be a frontrunner in implementing the 2030 Agenda for Sustainable Development, together with its Member States[12], democratization programmes should be a cross-cutting priority in development programming, including geographic programmes.

**Key Recommendations:**

- Democracy is of strategic importance to the EU. EU delegations should integrate democracy (support) as a priority in the pre-programming and programming exercises for geographic programming, in addition to thematic programming on democracy, thus reflecting the high political priority expressed in the Council Conclusions on Democracy and the EU Action Plan on Human Rights and Democracy.
- At least 20% of the budget available for geographic programmes should be allocated to democratic governance and human rights, allowing it to play a central role in development and complement the thematic programmes where democratic space is available.
- Take a systemic approach to development and bring EU's core values at the heart of the Flagship Initiatives.
- Budget support should only be provided to democratically elected governments subject to effective parliamentary control in line with the importance of democracy and fundamental rights in the EU's budget support guidelines (2017).
- Opt for grants rather than service contracts, and long-term funding to ensure local ownership and access to funding, and improve the sustainability and effectiveness of projects.
- Increase transparency on the planning and conception of funding opportunities for democracy support and human rights and multiply exchanges with partners and stakeholders throughout the process.

Although we acknowledge that each region and each country has different needs, a number of recommendations apply to all countries irrespective of their location and quality of democracy.

## 1. Level of funding

Geographic programming must reflect EU key priorities as outlined in the proposed NDICI regulation, which includes good governance, democracy, rule of law and human rights (NDICI - Annex II A.1). Considering the enabling role of democracy for sustainable development, peace and security, **it is essential that democracy plays a central role in all geographic programmes.** The EU will leverage all its development support when a minimum of 20% of the geographic budget lines are allocated to good governance issues, including democracy support (NDICI - Annex II A.1: governance, democracy, rule of law and human rights).

13. Examples of questions for such analyses are: How free and balanced has the media been in the years before elections? How are the candidates for elections selected and positioned? Do political parties have clear manifestos so that the voters can make meaningful choices? How will elected representatives be monitored and held accountable following the elections? What possibilities do citizens have to participate in political processes and to influence political decisions outside elections? What capacity do elected representatives have to control the actions and decisions of the executive arm of the government? Is the judiciary truly independent? Is the rule of law effective? How much room for manoeuvre does civil society have? Are its freedoms of expression, assembly and association respected and truly implemented? Do party regulations impose transparency systems and related enforcement structures?

The thematic programme for human rights and democracy only supplements geographic programming, particularly in contexts where the conditions of geographic programming are not met (ie. absence of government consent, support to unregistered actors, etc).Thematic programming is vital. It does however not allow the EU to meet its ambition on democratic values and governance as pointed out in the Council conclusions on democracy and the Action Plan on Human Rights and Democracy, due to the limited budget and scope of actions. Thematic programming can thus not be seen as a substitute for geographic funding on democracy and human rights. Geographic funding needs to complement thematic funding with programmes that tap into the needs and opportunities of a particular country context.

## 2. Priority areas: themes

Each region and each country has different needs, with different entry points for democracy support and human rights protection. To invest limited resources in the most effective way, programming decisions need to be evidence-based and rooted in a solid political economy analysis and sector-specific assessments[13], identifying change agents and obstacles to democratic reform.

We encourage the EU to foster democracy through geographic programming, going beyond the traditional focus on election observation and maintaining the track record of supporting human rights. Depending on specific national context, we identify the following target areas for effective democracy support:

- **Accountable, transparent and inclusive institutions**, including national and local authorities, parliaments and independent oversight bodies like electoral commissions (the fight against corruption remaining a core priority in several regions worldwide);
- **Adequate constitutional, legal and enforcement frameworks** to allow for inclusive and transparent democratic procedures and decision-making at all levels of governance;
- **Democratic space** for contestation, including civic space, a level political playing field and an independent judiciary. Democratic space needs to be supported and protected as a fundamental element of development action in general.
- Support the **integrity of elections**, allowing for safe, inclusive, accountable and fair electoral processes;
- **Participatory decision-making processes that are inclusive** of underrepresented groups, particularly women, youth and minorities, going well beyond election observation and the follow-up to recommendations;
- **Inclusive and transparent political parties** that empower and represent citizens in political and decision-making processes;
- Pluralistic and independent oversight and accountability actors, particularly **media and civil society organisations**;
- Robust, **independent and accessible judicial systems** with high professional standards, capable of ensuring the rule of law;
- Well-informed citizens with access to **civic education** and digital literacy programmes, particularly at the local level.

Evidence-based programming involves **contextual analysis and progress tracking.** Projects with the highest chances of long term impact are those marked by local ownership, integrating the political and electoral cycle, and taking into account local traditions and history.

Across these areas, the **key stakeholders** are similar to those for democracy support in the thematic programming. These include: governments and public institutions, local authorities, parliaments, political parties and foundations, Civil Society Organisations (CSOs), Inter Governmental Organisations, NGOs, independent media, trade unions, Human Rights Defenders (HRDs) and activists.

**Modalities of democracy support include:** the provision of trainings, workshops, tools, handbooks and comparative experiences; coaching; peer-to-peer exchange; dialogue facilitation; guidance on legislative and constitutional reform; (etc.)

**Some examples of support programmes are:** Capacity building of electoral institutions, media trainings, civil society oversight capacity building, legal reform guidance; political party support on political finance transparency; political empowerment of women workshops; parliamentary representation, oversight and legislation drafting support; advisory services on transitional justice; inter party dialogue facilitation; participatory democracy frameworks experience sharing; Electoral risk management training; support to the oversight of ICTs in democracy, including digital campaigning, cybersecurity in elections, online political disinformation, AI etc.

## 4. Funding modalities

Based on experiences with supporting democracy across the world, there is evidence that certain modalities of support to actors on inclusive, representative and accountable governance provide more sustainable results:

- **Democracy in Flagship Initiatives**: While we welcome the push for coherence of EU development action through the Flagship Initiatives, we call on the EU to bring its core values at the heart of those projects. The fostering of democratic actors and principles will make it easier for the EUDs to successfully implement the Flagship Initiatives, as it will ensure democratic buy-in and wider ownership of the envisaged change. Likewise, democratic deliberation and oversight will ensure a more sustainable outcome in the long run. Such a whole-of-society approach will necessitate the inclusion of both governmental and non-governmental democracy actors, as listed below in the graphic. There are various ways of including democratic actors and principles in flagship initiatives (see box below).
- **Budget support with democratic control:** Budget support should only be provided to democratically elected governments subject to effective parliamentary control, in line with the importance of democracy and fundamental rights in the EU's budget support guidelines (2017), to ensure sustainable return on investment and avoid misuse of the support. When budget support is provided, civil society and parliaments need to be meaningfully involved in this process, from setting the agenda of priorities, to monitoring and scrutinising the usage and impact of budget

- **Long-term funding is necessary for supporting democratic change**, which is a lengthy, non-linear process by nature. Experience and research show that for civil society in particular, long-term funding is essential to allow them to hold those in power to account. As such, EU programming will be more effective if it dedicates funding for multiple years towards particular democracy and governance priorities.
- **Grants should be preferred to service contracts.** Grants are more accessible for local CSOs, have more local ownership and can be more adapted to local needs. The formal requirements for applications as well as for implementation of projects vary significantly depending on the applicable procedure for grants and service contracts. Both types of support – grants and service contracts – are relevant and important. However it should be underlined that democracy support differs from 'traditional' technical assistance matters, in that it deals with values, political pluralism and trust, for which a sense of ownership and inclusive, bottom-up approaches are necessary.

## 5. Procedural recommendations

In order to enhance the effectiveness of democracy support programming, democracy assessments need to be built into the programming framework, so as to identify the right entry points. Local and country-based actors are best placed to identify entry points and priority areas for supporting democracy and related space for reform. Therefore, EU Delegations are invited to enhance the practice of meaningfully consulting with actors on the ground, in addition to local government and state authorities. This includes local civil society, international civil society and inter-governmental organisations based in the country, grassroots organisations and movements, political party actors, journalists, labour unions, religious groups, and women's associations. CSOs - both in the EU and in the partner countries should be consulted in all stages of the implementation of this programme. EU-supported global democracy measurement instruments and other relevant assessment tools allow for impartial tracking of democratic progress over time and provide a baseline for government dialogue on democracy.

Consultations involving written inputs and group discussions with a multitude of stakeholders, complemented by a select number of bilateral meetings with key stakeholders, deliver the best results for EU delegations. Considering the new global constraints resulting from the COVID-19 pandemic, we encourage the EU institutions to build on past experiences with online consultations - written consultations and video calls. In addition to this, EU delegations could make efforts to reach out to those who are not digitally connected.