

Evaluations EIDHR

The Euro-Mediterranean Human Rights Network

MEDE European Consultancy in partnership with The Netherlands Humanist Committee on Human Rights and The Danish Institute for Human Rights
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Abbreviations

CDF	Committee for the Defence of Democratic Freedoms and Human Rights
EC	European Commission
EIDHR	European Initiative for Democracy and Human Rights
EU	European Union
EMHRN	Euro-Mediterranean Human Rights Network
EMP	Euro-Mediterranean Partnership
FIDH	International Federation for Human Rights
GA	General Assembly
GONGO	Government-organised non-governmental organisations
HRE	Human rights education
MEP	Member of the European Parliament
MP	Member of Parliament
NGO	Non-governmental organisation
OMCT	World Organisation Against Torture
OSCE	Organisation for Security and Cooperation in Europe
PCM	Project cycle management
RELEX	External Relations Directorate-General
ToR	Terms of reference
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
WG	Working group

Executive Summary

The Barcelona Declaration signed by the European Union (EU) member states and 12 non-EU Mediterranean countries in November 1995 forms the basis for a partnership of increased cooperation, exchange and coordination among these countries. An important aspect of the Declaration is the commitment to respect and promote human rights in the signatory countries. The creation in 1997 of the Euro-Mediterranean Human Rights Network (EMHRN), a network of over 50 EU and non-EU Mediterranean human rights non-governmental organisations (NGOs), reflects the efforts of civil society to contribute to this process as *per* the Declaration. The rationale of the EMHRN's work is that the Barcelona Process provides an effective way of addressing the improvement of human rights in the Euro-Mediterranean region.

The European Commission (EC) has provided the EMHRN with funds to support a four-year programme. The evaluation of this EC-funded programme is the subject of this evaluation, which is based on the review of documents, the conducting of focus groups and interviews with members and key stakeholders.

The EMHRN's programme objectives are to support and publicise human rights; strengthening, assisting and coordinating the efforts of its members to monitor compliance of the partner states with human rights; and to support the development of democratic institutions, the rule of law and human rights education in the Euro-Mediterranean region. The main focus of the EMHRN's work is the Southern and Eastern Mediterranean countries.

In order to achieve its objectives, the EMHRN developed three strategies: the dissemination of information; dialogue, lobbying and campaigning; and capacity building. Strategies are further broken down into separate activities aimed at the main stakeholders, the institutions of the Euro-Mediterranean Partnership (EMP), the EC and EMHRN members.

This constitutes the first strategy identified by the EMHRN to reach its objectives. A major component of this strategy is the dissemination of information about international and national human rights standards, the level of commitment of the Euro-Mediterranean partners to respect human rights and information about the Barcelona Process and on selected human rights-related issues.

Since the start of the programme, information flow has grown, as reflected in the increased volume of EMHRN publications and statements. The EMHRN has reached a considerable number of stakeholders through its mailing list, website, letters of appeal and publications. Information collected by the EMHRN from a broad range of civil society institutions, governmental bodies and the media has been found credible and reliable.

Context

Summary of the general objectives, strategies and programme of the EMHRN

Information, documentation and dissemination

Dialogue, lobbying and
campaigning

The EMHRN has succeeded in raising awareness among several different constituencies of the obligations of partner governments to uphold their commitments to international human rights standards with the ultimate objective of improving compliance. The success of this central priority area of the EMHRN has contributed to the development of a human rights community.

The dissemination of information, however, can be greatly enhanced by the development of a system, which would allow the use of the disseminated information by the main stakeholders to be assessed. The objective of reaching the public at large has not been achieved. The development of a media strategy taking into account the various groups of stakeholders the EMHRN intends to reach would enhance the effectiveness of this strategy.

At an internal level the EMHRN has developed a system of communication, which aims to provide its members with information on organisational matters. Internal communication can be improved by ensuring continuous feedback from the members on their work.

Through this strategy the EMHRN aims to strengthen the human rights mechanism in the Barcelona Process. The EMHRN has made major progress in its advocacy with EU governments, the EMP structure, EU delegations, and with members of the European Parliament as well as with the European Commission and the European Council. The EMHRN office in Brussels has played an important role in that it constitutes an effective platform for lobbying.

The EMHRN has been less successful in contributing to dialogue with governments, especially in Southern Mediterranean countries, which is largely due to the political climate in the Southern and Eastern Mediterranean regions, but also results from the limited capacity of EMHRN members, some of which can be influenced positively by Network initiatives. Positive influence is reflected in several cases where dialogue with governments was achieved with the help of the EMHRN. This is particularly true for countries where conditions for human rights organisations remain difficult.

The EMHRN has also assisted its members by reacting rapidly to help call international attention to detained human rights activists in a number of urgent appeals.

The development and implementation of country strategies, together with the EMHRN members, would improve the potential of the EMHRN to contribute to a civil society-government dialogue and needed changes. This would involve a re-examination and a refining of advocacy objectives and approach.

The EMHRN has defined capacity building of its members as one of the three strategies to achieve its objectives. Capacity building, according to the EMHRN, consists mainly of providing networking opportunities for its members, the development of joint projects, training, communication and the exchange of expertise, especially through working groups.

Capacity building

The EMHRN Secretariat has played an important role in building the capacity of its members. It has been successful in promoting communication and exchanges between human rights organisations, which has led to increased networking and cross-country cooperation in the region; it has facilitated capacity building through human rights education initiatives especially via the working groups and organising associated meetings, including for example a Summer School; and it has provided training seminars on specialised topics. One example is the highly successful training seminar on the Barcelona Process.

Capacity-related activities, however, appear to be of an ad hoc nature, lacking a systematic approach, strategic priorities and conceptual foundation. They seem to follow what the members have demanded. The development of a strategy would remedy this situation. The provision of capacity building would benefit from a long-term strategy on the basis of which activities can be developed. Only then would it be possible to tailor capacity building to concrete needs.

The EMHRN could then improve its role as a capacity builder by tailoring training and taking into account the role human rights organisations have in their respective countries and their organisational make-up.

The working group structure has much potential in the EMHRN in terms of capacity building and channelling the expertise of members on behalf of the programme of the Secretariat and of the Network as a whole. Capacity building should, in addition to the provision of human rights education, also include the promotion of organisational capacity of member organisations.

The EMHRN is a self-governing association of independent human rights organisations, each of which has its own programme and governance structure. The core body in the EMHRN is the General Assembly, that is, the inclusive body of members, which has the obligation to ensure that the EMHRN's activities conform to its objectives as per the Statutes.

Management and institutional issues

On an organisational level the EMHRN has made substantial improvements by developing an internal governance and management structure, consisting of Officers, an Executive Committee and a Secretariat. The EMHRN has developed statutes, a human resources policy and has a solid financial management system.

It could make substantial progress in scaling up its activities. In particular, the opening of an office in Brussels has strengthened the EMHRN's capacity for lobbying and campaigning.

The programme is well-managed, meetings are well-planned and internal reporting is extensive and thorough. Employed staff have the necessary profile to do their job and are highly professional and committed. This is reflected in the substantial overtime invested by staff in implementing the programme. Additional funds should be made available for the recruitment of staff for both the current programme and the expansion of activities.

Current programme activities are formulated in an action plan, which is translated into a work plan. At the General Assembly meeting an Annual Report is presented, which outlines whether objectives have been achieved. While this procedure suggests transparency and accountability the EMHRN would improve the management of its current and future programme by applying project cycle management tools, such as a logical framework indicating programme objectives and expected results and a system of monitoring and evaluation.

As a loose organisation of independent organisations the EMHRN has provided its members with a platform to interact, exchange expertise and develop joint initiatives. The EMHRN would improve its coherence as an organisation by strengthening its internal communication system with its members. This would also include a more systematised flow of information from its members and ensure efficient member contribution. Similarly, it is recommended that external communications be improved through the development of a media strategy.

Impact, conclusions and recommendations

Funds provided by the EC have been directed at developing an organisation and a process for regional and inter-regional cooperation and dialogue.

The EMHRN has proved to be an invaluable and indispensable NGO partner to the work of EU members, EC officials and EMP institutions. It has contributed to a better understanding of the Barcelona Process, has lobbied effectively and has brought its members closer to EMP institutions. The activities of the EMHRN have had impact on civil society, both in the Mediterranean countries and in the EU. They have had impact on national policies and they have had some impact on the evolution of the EMP and on the fulfilment of the objectives of the Barcelona Process itself.

The EMHRN contributed directly to the capacity of NGOs to work with their constituencies by providing training and assistance in fundraising and development and added the value of the political weight which membership of the EMHRN provides for its members. Its added value for members also lies in the credibility and the protection it gives them. As a result of this, applications for membership have increased, as has the scope of activities of the members. Membership of the EMHRN has generated more horizontal cooperation among members and exchange of expertise

A general weakness of the EMHRN is the lack of a clear strategy, focus and direction in its work. The EMHRN needs to re-assess its programme and develop a long-term strategy. This in turn would constitute the basis for developing a programme using project cycle management tools.

The EMHRN would improve its current programme by identifying priorities within its three objectives: information; dialogue, lobbying and campaigning; and capacity building. In order to improve the dissemination of information the EMHRN should develop a media strategy which would be tailored to the different constituencies it aims to reach. Dialogue with governments will benefit from a more structured and systematic approach. Finally, the EMHRN needs to devote special effort to building capacity among its members. The development of a strategy of capacity building would address issues related to the organisational make-up of its members as well as their role as human rights organisations in the region.

The Team believes that, when assessed in terms of its unique position and future potential, the EMHRN can be considered to hold a 'monopoly' in its field and thus qualify to implement a Targeted Project. Such a project could focus on strengthening the capacity of members and continuing to monitor and promote compliance with the Barcelona Declaration, and might further engage other international human rights mechanisms.

1. Context

1.1 The Barcelona Process

In November 1995, at the Euro-Mediterranean Conference, member states of the EU together with official representatives of Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey and the Palestinian Authority signed the Barcelona Declaration. The document is the basis for what has become known as the 'Barcelona Process'.

The document and its follow-up procedures were to a significant extent modelled upon and inspired by the Helsinki Final Act and the 'Helsinki Process'. Like the Helsinki Final Act, the Declaration has three interconnected 'baskets': the Declaration aims to establish a "common area of peace and stability"; a "common area of shared prosperity", the core of which is a free-trade area; and "developing human resources, promoting understanding between cultures and exchanges between civil societies".

Several events were important in moving the EU and its partners toward this agreement. The Oslo Process had begun two years earlier, in 1993. There was hope that, with the settlement of the Israel-Palestine conflict that it promised, more positive political and economic changes could be expected, and the Declaration would provide the necessary framework for Europe and the Southern neighbours to move forward together in a new atmosphere. Another factor influencing the initiative was the aftermath of the Gulf War. Numerous European countries were faced with an influx of legal and illegal immigrants from the Mediterranean region. There was a stronger interest in addressing, in a constructive manner, the social, economic and political conditions in the countries of origin, in response to the situation.

With regard to the 'third pillar', the Declaration refers to the importance of 'social development' and "respect for fundamental social rights, including the right to development". The participants "recognise the essential contribution civil society can make to the process of development of the Euro-Mediterranean partnership...". They agreed to encourage exchanges and contacts. They would encourage "actions for support of democratic institutions and for the strengthening of the rule of law and civil society".

The participants agreed to respect the UN Charter. They agreed to uphold the Rule of Law and democratic principles of government and to promote human rights and fundamental freedoms. They agreed to respect and promote diversity and pluralism and to work against racism and xenophobia.

The Declaration and the subsequent emergence of the EMP on the basis of the work programme annexed to the Declaration and association agreements between the EU and Mediterranean nations, including human rights clauses, aroused intense expectations among civil society activists in the South and individuals and institutions in Europe. In European political circles, expectations were that a larger and more profound role for civil society in the Southern partner countries would have important and manifold positive consequences and that to link civil society together on a strong regional basis would be effective in encouraging processes that had so far eluded local political élites.

1.2 Establishment and development of the EMHRN

The idea to form a network of human rights organisations from the Mediterranean countries and from the EU originated among representatives of human rights organisations from the South and emerged at a seminar sponsored by the Danish government in 1996. The idea was taken up by the Danish Centre for Human Rights, and the Danish government provided funding for the first organisational initiatives.

The EMHRN was established in January 1997. It was founded on the belief that the Barcelona Declaration is an 'important instrument' that can be used by civil society to improve human rights. The success of the Barcelona Declaration depends upon actions by civil society. Embedded in the core assumption and strategy of the EMHRN is a notion of 'leverage', similar to that which motivated the Moscow Helsinki Group and other NGOs in the Soviet Union to use the Helsinki Final Act as a basis for their actions. Governments, having signed the Barcelona Declaration, would be held to account, and the principles would be placed by civil society before the respective populations and political leaderships as goals to which the political leaderships would aspire. EMHRN as a Network states that its primary task is to facilitate the work of its members.

The EMHRN today has become an established human rights organisation. It has members from around 20 countries who are parties to the Agreement, that is, in both the EU and among Mediterranean countries. Its membership falls into different categories: individuals and representatives of national and regional organisations. These constitute the General Assembly. The General Assembly elects an Executive Committee, which is the governing body, as well as a President, Vice President and Treasurer. The EMHRN includes a number of sub-structures that are established to pursue special concerns like human rights education.

The major focus of the EMHRN's work has been human rights conditions and standards in the Southern and Eastern Mediterranean countries, although in beginning to deal with migration issues more intensely, the EMHRN would be addressing a trans-regional issue. This is also true for members located in Europe. This has been at the expense of human rights issues in Europe itself.

The activities of the EMHRN are managed by its professional Secretariat seated in Copenhagen, originally under the auspices of the Danish Centre for Human Rights. The staff consists of seven members, headed by an Executive Director, acting under the supervision of the Executive Committee, who manage the affairs of the EMHRN.

After its formal establishment in 1997, the EMHRN sought funding from the EU's MEDA Democracy Programme and a grant of 400,000 Euro was made. But due to organisational problems in the EC, funds were not actually available until 1999. Because of the delay, a large portion of the funds could not be spent in the time remaining before the expiry of the contract and consequently money had to be returned to the EC.

1.3 Project to be evaluated

EuropeAid/ME8/b77050/IB/1999/0283B is being implemented by the EMHRN at a total cost of 3,125, 218 Euro, with an EC contribution of 2,555,178 Euro, over 48 months ending in June 2004. The process by which the EMHRN was awarded the grant was anomalous compared to current procedures and the resulting contract was not consistent with EC standards and practices that have evolved in the past four years. The grant was made at the beginning of the creation of AidCo. The proposal was developed in a very short period of time, using flexible categories that could be adapted to a developing programme. The programme fills only two pages¹. This has been, in reality, a grant to cover the core costs of the EMHRN, core costs being considered broadly to include programme activities developed by the process established by the Network and implemented using the funds available. No precise budgetary guidelines were provided. It can be said at the outset that, given the hazards of the awarding of such a substantial sum under relatively open and even vague constraints, it is a tribute to the management of the EMHRN that a coherent and responsible programme has been elaborated and that these funds have been spent in a productive and responsible manner, in close cooperation with the EU External Relations Directorate-General (RELEX) representatives who have monitored and advised the process.

1 See Annex 1: Project Proposal: Euro-Mediterranean Human Rights Network.

According to the Terms of Reference (ToR), "The programme to be evaluated aims to strengthen the capacity of non-governmental human rights organisations in the Mediterranean partners of the EU by enhancing their operational capacity as well as consolidating the Euro-Mediterranean Human Rights Network within the context of the Barcelona Process...".

The proposal states that "the *raison d'être* of the EMHRN is the EMP and the dynamic it has installed in the region... an important human rights mechanism can develop in the region". These are core assumptions upon which project strategies have been based, which will be questioned in the course of this document.

A central feature of the EMHRN itself and the activities proposed was a 'bottom-up approach'. The organisation itself was founded in response to expressed concerns and ideas from local organisations. The idea was that the actual activities would reflect proposals from members of the EMHRN, rather than from outside the region or from an elite structure guiding it; this gives the activities concrete relevance and authenticity and gives beneficiary organisations responsibility and ownership. It is assumed that members of such an organisation know what they need in order to fulfil their obligations and objectives. This can be considered as another core assumption to be evaluated.

Three kinds of activities are contained in the proposal, reflecting the main objectives of the EMHRN, upon which the specific features of the programme would be developed.

First, information about human rights would be developed and distributed, aimed at "raising awareness of the human rights dimension of the Barcelona Process". The information would be made available to the 'public at large' and to the EMP mechanism. The assumption appears to have been that, by informing citizens and officials about the human rights obligations undertaken by governments in the Barcelona Process, political forces within societies or arising from pressure from EU countries on the Mediterranean governments would bring about changes in legislation and practice, bringing the governments into conformity with international standards and thus allowing individuals to enjoy fundamental rights and freedoms.

Also within this category were stated plans to organise training seminars and follow-up seminars. The topics reflected issues which were of concern to the civilian human rights community who were members of the EMHRN. But it may legitimately be asked whether they were the central questions or issues; whether other issues were neglected as a result; and whether the leadership structure functioned properly in the process of identifying priorities.

These kinds of activities might have been classified under 'capacity building', a third category of activity, which illustrates the interconnectedness of these kinds of activities.

A second category of activity would be dialogue, lobbying and campaigning. These advocacy activities would be established, and organised, fostered to engage EMHRN member organisations particularly in the EMP mechanism in order to "strengthen the human rights mechanisms in the Barcelona Process". They would also include "campaigns on urgent issues". Again, the assumption underlying this strategy is that the Barcelona Process could or would evolve into a regional mechanism able to transform the region's human-rights-violating regimes. The focus of the advocacy work is the EMP. While responding to the initiatives of its members, the process of engagement in the EMHRN has encouraged local organisations to devote their energies to the Barcelona Process, as opposed to other international agreements and treaties and associated review mechanisms (for example, United Nations (UN) treaties and committees) or to direct advocacy with their own governments.

A third category of effort was to be 'capacity building'. The EMHRN project aim to make its members more effective in their work, both locally and in promoting and advocating the Barcelona Process. The main tactics to be employed to strengthen capacity would be improving communication among and between the organisations, allowing knowledge transfer; providing a coordination mechanism to foster joint actions and projects; and providing an institutional framework in which some members would take the lead in specific areas of human rights, organising semi-autonomous sub-organisations within the EMHRN ('working groups'), to facilitate the capacity building process in various fields of human rights. The assumption explicit in this strategy is that there existed among the members of EMHRN themselves a repository of human rights knowledge which, if transferred on a 'horizontal basis', would be distributed, absorbed and used, and that this constituted the best strategy for knowledge transfer and for the actual absorption and use of knowledge and understanding. At the same time, as noted above, the EMHRN did plan to establish specific areas of human rights knowledge and practices where information needed to be developed and spread. But in general it may be concluded that the central approach to capacity building was seen to be communal, a process to go on within the EMHRN and not involving members of the EMHRN being instructed by outside experts.

These, therefore, are the main elements of the proposal and a preliminary examination of the implicit and explicit assumptions they embodied, which can be examined on the basis of the concrete results.

At this point in these preliminary sections, we wish to take note briefly of the human rights situation in the countries of concern in the process of eventually concluding how appropriate the assumptions and strategies have been.

1.4 The human rights situation

According to analysis by the EMHRN and its members, the general human rights standards in the Mediterranean region have not significantly improved during the period covered by the present EU contract with the Network or, for that matter, since 1995.

Indeed, on balance, and evidently as a result of the 'War on Terror' in the wake of the 11 September 2001 attacks in the United States, human rights compliance has diminished in most of the countries in the region, arguably including EU members². There appears to be a consensus in the EMHRN that the Barcelona has not succeeded as an instrument capable of leading to improvement in abiding by human rights standards. Numerous representatives of EMHRN members and of the Network itself conclude that "Barcelona is dead". This civil society human rights constituency has a tendency to assign blame for this situation on a "lack of political will" in the EU and its member states to enforce its principles, as well as on the intransigence of the Southern partners. What is more, increasingly the United States is blamed for continuing human rights violations in the region and for recent deterioration in the situation. The Israel-Palestine conflict, or more specifically Israeli policies and actions, is also commonly blamed.

In some respects the context has changed. The international focus on terrorism has made the EMHRN more preoccupied with policies of the US administration and with Iraq, as well as with the Israel-Palestine conflict. While mobilising many members against violations of international law, the war in Iraq also brought the catastrophic effects of dictatorship into focus and has led to more inwardness in the thinking of Network participants.

Governments in the region use the War on Terror as a pretext for justifying repressive policies, and progress in human rights has been further retarded. With the focus on security, the activities of human rights organisations are receiving less support. More political actors in the region, in both North and South, accept or believe that human rights protection must be sacrificed for security. All these factors have dominated the political reports of the EMHRN and reflect adverse trends and challenge the EMHRN to advocate the upholding of human rights as a priority.

In this context we wish to note a few salient facts about the human rights violations and possibilities for civil society human rights organisations to operate in key countries that are the focus of EMHRN's efforts.

In Algeria, the most active organisation which is a member of the EMHRN has had no access either to government officials or to prisons. The government has a mixed record regarding its cooperation with international NGOs and representatives of the UN. There have been some improvements in the levels of gross human rights violations such as extra-judicial killings, arbitrary arrests and torture.

Egypt continues to restrict NGOs and to violate severely basic political and civil rights, imposing official threats such as a possible 15-year prison term for sending false reports to an international organisation. Torture is widespread. Policies still reflect a deep fear of terrorism since the 1997 massacre of 62 mostly foreign tourists.

Many local and international human rights organisations operate freely in Israel, where they document not only abuses in the areas under occupation but also, for example, the rights of non-Jewish citizens and other residents in terms of unfair trials, violations of property rights and other problems, with some degree of government cooperation.

In Jordan, local and international groups investigate and publish reports, but local groups have been barred from receiving funds from foreign sources. The government formed a Commission on Human Rights in 2000. Lebanon allows human rights groups to operate more or less freely, but some organisations report they have been harassed and intimidated by government bodies and also by Syrian and Hezbollah forces.

Libya prohibits the establishment of independent human rights organisations and does not cooperate with any international NGOs.

Morocco's human rights record has improved notably and there are numerous active human rights groups.

Syria does not allow domestic human rights groups to exist legally, although several do exist. The government denies that there are restrictions on human rights and refuses, for the most part, to cooperate with monitoring efforts, whether by international governmental or non-governmental organisations.

Tunisia has taken an aggressive approach to combating the efforts of local and international groups to monitor and advocate for human rights, and has actively disrupted meetings organised by the EMHRN using proxy government-organised non-governmental organisations ('GONGOS'). Human rights violations reported by EMHRN's members include government beatings, harassment, interrogations, loss or damage to property, unauthorised home entry and restrictions on travel.

The human rights record of Turkey, as is well-known to EU bodies, is mixed. At time of writing the death penalty has just been banned. There have been improvements in terms of minority and cultural rights. There is continuing torture and restrictions on the freedom of expression. The Turkish organisation that is the participant in the EMHRN, the Human Rights Association, has been victim to violent suppression, including the murder of many of its members, allegedly by state authorities.

The human rights record of the Palestinian Authority is characterised by serious abuses, including arbitrary arrests, detention without charge or trial, torture and grossly unfair trials. In many cases these violations have occurred in the aftermath of anti-Israeli violence and reflect in part US and Israeli pressure on the Palestinian Authority to crack down on militant Palestinian groups. The Palestinian Authority also continues to maintain the death penalty, with death sentences ratified by the Palestinian's Authority's President, without the possibility of appealing against the sentence.

Such a cursory review nevertheless confirms that, with the exceptions of Morocco and Jordan, the human rights situation in these countries has not improved nor bears many marks of influence as a result of the Barcelona Process that began nearly a decade ago. The possibilities for civil society to engage in processes of monitoring and reporting on state compliance with international human rights standards has improved in several cases and has in some cases deteriorated.

The focus on human rights in Southern and Eastern Mediterranean countries has come at the expense of human-rights-related issues in Europe. As noted above, however, the EMHRN intends to re-activate a workshop on migration issues.

1.5 Evaluation, Terms of Reference and approach

This evaluation is being conducted on the basis of the ToR, which although designated a draft, is the final version.

An Evaluation Team was contracted in November and December 2003 and January 2004 to examine performance in the implementation of the project.

Methodology: The Team reviewed publications and documents reflecting internal and external communications of the Network and its members.³ The Team met with and interviewed members of the RELEX staff of the European Commission; staff of the European Parliament; staff of Europe-Aid; representatives of other Europe-based non-governmental organisations; and staff of the EMHRN and of the Danish Institute for Human Rights in the course of missions to Brussels and Copenhagen.⁴ The Team attended the Sixth General Assembly meeting of the Network on 5-7 December 2003 in Malta and meetings of the Justice, Human Rights Education and Palestine Working Groups. The Team interviewed numerous stake-holding representatives of member organisations, including members of the Executive Board. The Team organised a focus group composed of a representative sample of members of the EMHRN participating in the General Assembly meeting and another focus group composed of members of the Human Rights Education Working Group, and recorded opinions and recommendations expressed. The Team made a short report about its activities to the members of the General Assembly in Malta.

The Team sought information and developed a commentary on each of the questions raised in the ToR, which are summarised in Annex 4.

Under the guidance of key experts supervising the evaluation, the categories of the ToR have been re-cast to allow a logical presentation providing basic contextual background information.

In Chapters 3, 4 and 5 of this Evaluation, we seek to analyse the three main elements of the programme. For each one, we describe objectives, methods and achievements; analyse their respective relevance, effectiveness and efficiency; and make recommendations, which are found in consolidated form in the concluding Chapter 7. Chapter 6 deals with management issues. Chapter 7 addresses the impact of the programme, and contains conclusions and recommendations.

We begin with a summary of the programme.

3 see Annex 2: List of documents.

4 see Annex 3: List of people contacted.



2. Summary of the general objectives, strategies and programme characteristics of the EMHRN

The EMHRN has built its programme on the assumption that the EMP is characterised by a top-down approach, with limited civil society participation. Based on a perceived need to strengthen the civil society contribution to the Barcelona Process and the human rights dimension of the EMP, the EMHRN defined its objectives as:

- Supporting and publicising the universal principles of human rights as expressed by all international instruments on human rights and as expressed by the Barcelona Declaration of November 1995
- Strengthening, assisting and coordinating the efforts of its members to monitor compliance by the partner states with the principles of the Barcelona Declaration in the field of human rights and humanitarian concerns
- Supporting the development of democratic institutions, the promotion of the rule of law, human rights and human rights education in the Euro-Mediterranean region

In order to achieve these objectives the EMHRN chose a set of three inter-related strategies, briefly explained in its proposal:

- A. Information, documentation and dissemination
- B. Dialogue, advocacy and campaigning
- C. Capacity building and education

The main methods and means EMHRN chose to implement the strategies include:

1. Advocacy targeting regional mechanisms: these include the four potential human rights mechanisms of the EMP: the MEDA programme, the Inter-Parliamentary Forum, Association Council meetings and the Committee of High Officials.
2. Key initiatives: Civil Forum, which is attached to the Barcelona Process, and dialogue with governments, whereby the EMHRN will assist its members in their relations with government, but will also involve itself in establishing dialogues with governments of the South and Eastern Mediterranean countries
3. Country priorities
4. Thematic priorities: the EMHRN has identified seven thematic priorities: protection of human rights defenders, including freedom of association and expression; justice and equal access to justice; women's rights; migrants' and asylum seekers' rights and human exchange; human rights education; self-determination and the rights of refugees; and economic, social and cultural rights.

These methods are further broken down into specific activities, which target to a varying degree the main stakeholders, including members of the EMHRN, the EMP institutions, the EC and governments.

The objectives and strategies are translated into work plans, which are presented for discussion and approval in the form of reports to the General Assembly.

Some of the activities reappear in each action and work plan. For example, the EMHRN has defined the development of a media and a country strategy as one of its priorities without having achieved any progress in relation to them. A discussion of these at the General Assembly meetings failed to indicate the reasons for this failure.

3. Information

In forming a major portion of its programme on the collection and distribution of information, the EMHRN has taken a normal path consistent with virtually every other major civilian human rights project. 'Information' means a number of things to human rights groups, including information about national and international human rights standards; information about the violations of these standards; information about government functions necessary to realise basic political rights; information about what other groups say and do etc.. As in the world of politics, information is a main currency of human rights work. Conversely, restrictions on information are often human rights violations themselves and are further used to inhibit the development of civil society and consequent restraints on the sovereignty of state authority.

3.1 Objectives, strategies, methods and achievements

The EMHRN has taken as a major goal to make civil society groups aware of the Barcelona Process; their respective governments' obligations regarding the EMP and association agreements; EU institutions and methods to influence the EMP; and how other organisations function, in order to learn from prior experiences. The EMHRN strategy is to raise awareness among several different constituencies of the obligations of partner governments to uphold their commitments to international human rights standards, with the ultimate goal of improving their compliance and thus the possibility that members of those communities might better realise and fulfil their human potential and not suffer from the range of detrimental effects of the violation of their human rights.

The design of the Network project is well-suited for the collection of information from a broad civil society constituency, from governmental and intergovernmental bodies and from the media and other sources. The Network operates as a 'funnel' for the collection, organisation, and in many cases translation between Arabic, French and English, and analysis of documentation supplied by members, and the distribution of this information to its members, subscribers, advocacy targets and other contacts including the mass media. The website is a major vehicle.

The information flow within the EMHRN is voluminous and falls into a number of categories, although some of the important kinds of information exchange are not easily categorised. Different kinds of information flow reflect different objectives within the overall programme. They exhibit varying degrees of efficiency and effectiveness in implementation and thus different outcomes in terms of both these factors and the viability of the basic assumptions involved.

This is a relatively accessible, although perhaps unambitious site, including basic information about the EMHRN and serving as a reference point, with information about members, reports and documents.

Website

Weekly electronic report	A weekly compilation of reports and appeals by members and by the EMHRN itself is distributed to a diverse list of recipients, with an address list of approximately 800.
Members' reports	Diverse reports are collected and periodically published on the EMHRN website
Major publications	A list of the EMHRN's major publications is found in Annex 2. Some of these are products of meetings of working groups or other meetings, meant to be guides for further actions. For example, <i>...is there a real human rights education?</i> is a 24-page report on a human rights summer school in Lebanon, organised by the Human Rights Education Working Group. <i>The integration of women's rights from the Middle East and North Africa into the Euro-Mediterranean Partnership</i> was written as the basis for a workshop and other actions on the subject. The most acclaimed of EMHRN's publications seems to be <i>The human rights implications of the MEDA programmes, 2002</i> (81 pages).
Letters and appeals	On numerous occasions the EMHRN has published appeals, démarches and urgent communications aimed at motivating government actions.
Reports on EMHRN General Assembly and other meetings	These are aimed at transparency and cooperation on the basis of an established record of internal EMHRN debate and decision-making. Following the General Assembly meetings a bound compilation of all information, including agendas, minutes, lists of participants and all relevant documents, is published in three languages, being as long as 300 pages (for all three languages combined). Other meetings produce less complicated reports, for example a meeting about the war in Iraq.
Internal communications	The EMHRN is highly transparent. Many long and detailed documents about its internal organisational aspects are distributed.
3.2 Relevance, effectiveness and efficiency	
General overview	The EMHRN has identified the dissemination of information as one of the sets of activities to achieve its objectives and this strategy is obviously highly relevant. The EMHRN has implemented all sub-activities listed under dissemination of information. The Team found that the main 'targets' for information distribution (the staff of the EU Commission and European Parliament) are highly respectful of the information received, describing it as "reliable, accurate, and credible". The EMHRN has provided an information development and exchange forum through which universal human rights values and standards have been brought before national civil society organisations.

The performance of governments has been monitored and measured according to the international standards, including the Barcelona Declaration.

The information-sharing programme of the EMHRN has been a main force in the formation of a civil society community of human rights NGOs. According to the EMHRN, it is in this sphere of activity that goals have been most tangibly achieved and where most progress has been made. The EMHRN has succeeded in providing important information on the work of its members both among members and to a range of supportive organisations, educational institutions, other NGOs and the international community. It has also been successful in informing members about institutional arrangements and new developments at the EU level.

The EMHRN has provided invaluable information on selected issues through its in-depth research. It has analysed, organised, produced and disseminated new information. For example, research has been conducted on women's rights, access to justice and other problems. Reports have the value of having been produced by partnerships of organisations from both sides of the Mediterranean.⁵

Information flow has accelerated during the course of the contract, as reflected in the increasing volume of EMHRN statements.

The EMHRN has perfected its ability to obtain information about the relevant EU institutions and processes making up the Barcelona Process.

The Brussels office plays an important role in the dissemination of information. Since its establishment the initially slow progress has been reversed. The Brussels office plays an important role in informing its members about developments at the EU level.

While it is difficult to quantify in a meaningful way, there is strong evidence that awareness about the EMP and about Article 2 in the Association Agreement has increased in the region during the past few years. Human rights organisations, at least, focus on these tools, as evidenced by the issues they address in reports, press releases and generally. The Civil Forum Declarations have numerous references to human rights and to the EMP. Our interlocutors attribute this rise in awareness in large part to the work of the EMHRN.

5 The EMHRN has published 15 country reports.

Questions about the effectiveness and efficiency of the information programme

In this regard we can conclude that a central priority area of work has been successful, but its ultimate effect on achieving the goal of improved human rights in the region is questionable insofar as the basic strategy (to use the Barcelona Declaration a lever with which to force civil society to exert pressure) has proved to be weak.

The audiences the EMHRN intends to target include the EMP institutions and representatives, human rights organisations and the EU institutions and European Parliament. The information sent by the EMHRN, especially the reports disseminated via its mailing list, has not been tailored to the specific profiles of its target groups. It also appears that there is no follow-up mechanism in place, which would allow the EMHRN to assess the extent to which this information has been used by the recipients.

Thus, according to one of the Team's interviewees, the EMHRN "does not know whether it is being heard". While the Team found strong evidence that the human rights information generated by the EMHRN was appreciated by EU and other European political recipients, it is not clear how it is possible to gauge its impact on the 'public at large', which was identified as a primary objective of the programme.

Responsibility for the distribution of the EMHRN's materials locally falls to its members. There is no 'enforcement' to ensure its fulfilment and, indeed, even some individual members of member organisations were reportedly not aware of major pieces of information EMHRN tried to distribute. It is now known whether EMHRN's members systematically send information to local media, international media and wire service representatives and to local and national officials and embassies.

It is unclear the extent to which information about the Barcelona Process and national compliance with this and other human rights obligations has been and can be made available for the public at large in the target countries. There is no systematic approach for reaching the public beyond a relatively mechanistic information distribution system, in large part, evidently, because of the restrictive political atmospheres in the Mediterranean countries. There is little evidence that the EMHRN and its activities are reflected in the international media. In its 2004 work plan the EMHRN has included the development of a media strategy as one of its priorities.

Some EMHRN members have complained about the efficiency of the Secretariat in distributing information and in particular in updating the website. Some have said that they hear about important information from other sources before it is distributed by EMHRN.

There is no doubt about the efficacy of the strategy to promote solidarity and increase the effectiveness of human rights NGOs by providing a comprehensive, current and common stream of information, allowing them to coordinate their advocacy and build a civil society community in the region. However, to do this as well as the situation, and the multiple constituencies of the EMHRN, demand is a huge and complex task requiring more resources and expertise than have been available.

3.3 Recommendations

1. Development and implementation of a media strategy, backed by financial and human resources, would allow the EMHRN to apply a more systematic approach in publicising its full range of information aimed at achieving political and institutional goals, and this has been inserted into the EMHRN Action Plan 2004-2008. In addition to a media strategy, the Evaluation Team found that improved external communications would enhance the effect of the dissemination of information and would constitute an important lobbying tool. The EMHRN has included the employment of a coordinator of external communications in its Action Plan 2004-2008.
2. Information generated has constituted a valuable basis for lobbying and campaigning. It is recommended to follow up on information in a more systematic way. Human resources allocated for external communications could be in charge of this function.
3. The gathering and dissemination of information in the region should be pursued in a more coordinated way. A regional coordination mechanism could be developed to facilitate gathering and dissemination of information. Currently it is the responsibility of the members of the EMHRN.



4. Dialogue, lobbying and campaigning

4.1 Objectives, strategies, methods and achievements

The main stated objective of the EMHRN's advocacy activities is to strengthen the human rights mechanisms in the Barcelona Process, and strategies and methods centre mainly on advocacy in the context of the EMP. The unique element of the strategy, what the EMHRN has been able to do as a network of local organisations, has been to bring civil society human rights movements into immediate contact with the European and EMP structures. The actual programme that has been implemented has been broader. Dialogue and advocacy have been instigated, promoted, organised, documented and followed up with a number of governments, both in Europe and in the South. Of course, parts of the work that are classified as elements of the 'Information' sphere also belong in this category. The EMHRN brings the reports of its members directly to the EMP. The main objective guiding these activities is to improve human rights in the Mediterranean countries via pressure applied by the EU and its members.

Advocacy has largely been addressed at EU targets. The EMHRN has so far not adopted 'country strategies' because the process of developing such strategies proved "too complicated", according to the staff and this goal is included in the new work plan for 2004-2008. The complications lie in the difficulty of coming to agreement among local organisations about priorities and strategies; in the ambivalence they often have about the efficacy of dialogue with structures that would possibly be seen to derive more legitimacy from such a process, thereby depriving human rights groups of their independent, principled stance; and other obstacles. It is possible to attribute this problem mainly to a capacity deficit among EMHRN members; it is a problem the leadership and staff have sought to address, as evidenced by the Action Plans. Failure to execute reveals a lack of effective strategic thinking, something that could be ameliorated in the future as the members professionalise themselves with the assistance of the EMHRN.

At the same time, most EMHRN members are unable to have dialogue with their own governments because of issues which for the most part are beyond their own control – they are reportedly "blocked" from doing so. What is more, some governments in the region have aggressively worked against the efforts of the EMHRN, especially in Tunisia. As noted above, the Tunisian government has evidently taken steps to disrupt a number of EMHRN meetings and presentations, which was an unforeseen obstacle.

In several cases dialogue was achieved with the assistance of the EMHRN. The EMHRN has used its local meetings, missions and other activities junctures to try to organise meetings with officials in the region.

Only a few governments in the region have demonstrated any concrete responses to appeals by the EMHRN. These are governments that have been moving toward reform initiatives, so it is difficult to sort out the degree to which this is a result of EMHRN pressure or is reflective of ongoing approaches.

The EMHRN notes as a success story its role in the removal of the head of the United Nations High Commissioner for Refugees (UNHCR) bureau in Lebanon in 2002, based on cooperation with a local EMHRN member who reported corruption.

The EMHRN has had dialogue with the Egyptian government, especially on the issue of the right of association.

The EMHRN devoted resources to an attempt to gain consultative status in the Human Rights Commission of the Arab League.

The EMHRN has reacted rapidly to help call international attention to detained human rights activists through a number of urgent appeals, for example in the case of Samira Trad. The EMHRN has come to the direct assistance of a number of human rights defenders who have been unjustly detained and, by its timely work in drawing international concern in these cases, has contributed to international pressure (for example, in the form of *démarches*) which has contributed to their release.⁶

A planned 'Tool Box' for dialogue, "...with good examples and methodologies taking into consideration the different cultural and religious traditions and approaches to dialogue", was not actually produced in the end, because of a lack of human resources among EMHRN members.

The EMHRN's focus on the Barcelona Process and the EMP is obviously based on its mandate. There are some indications that the EMHRN's local affiliates find the notion of advocacy activities in Brussels and European capitals a politically effective alternative to a domestic campaign. These groups do, however, suffer from denunciations for having damaged the reputation of their governments and societies by reporting on human rights violations in foreign settings, and some of these NGO representatives are routinely interrogated by security agents upon their return.

The EMHRN has thus made major progress in its advocacy with EU governments, ambassadors to the EMP, EU delegations, Members of the European Parliament, the European Commission and the European Council. This represents progress in carrying out planned activities.

6 The EMHRN has undertaken numerous missions to MEDA countries (see Activity reports for a comprehensive list). Among these were missions to Egypt in relation to the trial of Nawal Saadawi, observation at the trials of Moncef Marzouki and Zuheir Yahyaoui in Tunisia and lobbying for the release of Samira Trad (a member of the EMHRN) in Lebanon.

Over the course of the grant period the EMHRN has taken part in meetings with numerous governments, including those of Finland, France, Sweden, Austria, the United Kingdom, the Netherlands, Belgium, Spain, Italy, Ireland and Denmark, in addition to the meetings with representatives of Egypt, Lebanon, Morocco and Jordan.

The EMHRN has begun to be successful in its efforts to cooperate as a partner in the mechanism and activities of the EMP. A conference on Access to Justice in the region in Uppsala (April 2001), which was part of the official programme of the EMP, was instigated by the EMHRN and provided an opportunity for its active participation. The conference outcomes were integrated into the EMHRN's programme of monitoring, education and capacity building. In September 2003, the President of the EMHRN had an opportunity to speak before all the Ambassadors to the EMP.

The EMHRN has issued reports and appeals on a regular basis citing violations by the partner states of their human rights obligations under the Declaration. The EMHRN has used various reports as lobbying tools. While the report on the human rights dimension in the MEDA programmes⁷ has generated the desired result, some publications have received rather mixed assessments concerning their effectiveness. The report on women's rights, for example, was criticised for not having more specific recommendations, although such comments ought not to be taken as discrediting the effort. A report providing an overview of legislation has been well received.

The reports and appeals of the EMHRN made in cooperation with members have consistently promoted fair elections, independent courts and the implementation of international human standards into national legislation and practice. These documents have been developed in partnership between the Network and its constituent members, reflecting a focus on the Barcelona Process by local human rights organisations which has been sharpened by their participation in the EMHRN. The EMHRN has assisted its members by working with them as well as by organising educational and know-how transfer seminars and workshops. The EMHRN has brought its members into contact with one another in a regional forum and communication system through which they are kept informed about ongoing national and international developments in relation to the Barcelona Process. The EMHRN has 'internationalised', and made into regional and European concerns, human rights problems that affect stability and economic development. Working with its members, the EMHRN has helped a diverse group of local human rights organisations approach the EU in a philosophically consistent and technically proficient manner. The EMHRN has also focused particular attention on the obligations of the EU and its members themselves to use the Barcelona Process to urge and assist Mediterranean partners to comply with the commitments therein.

7 *The human rights implications of the MEDA programmes*. September 2002. The Euro-Mediterranean Human Rights Network.

Tangible success stories vary according to the different political environments. Of particular note are improvements in human rights legislation and practice in Morocco and Jordan. In Morocco, the EMHRN supported a Law on Public Freedom and made effective contributions to this country's improved approach to women's rights. A seminar on freedom of association in Morocco is linked to the result that Morocco has one of the best NGO laws. The Network believes that it contributed to this development. In 2003, the EMHRN discussed with the Jordanian government the setting up of a national human rights institution. Numerous missions were undertaken, specifically to Egypt, Tunisia, Turkey and Israel in the defence of human rights activists.

In some instances, membership of the EMHRN has enabled local organisations to engage in dialogue with governments where that may not have been otherwise possible. This is particularly true for countries where conditions for human rights organisations remain difficult. For NGOs in Syria, membership of the EMHRN has provided protection. The EMHRN has provided support to the Syrian Committee for the Defence of Democratic Freedoms and Human Rights (CDF) in the form of training on human rights and organisational support.⁸

The EMHRN has also successfully promoted legal status for human rights organisations, for example the Egyptian Organisation for Human Rights.

The Communication on Human Rights in the Mediterranean Region adopted by the EC on 21 May 2003 includes a large number of the recommendations from the EMHRN. The EMHRN position on the Communication is outlined in a joint paper with the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) published on 19 September 2003.

4.2 Relevance, effectiveness and efficiency

The relevance and ultimate effectiveness of the bulk of the EMHRN's dialogue and campaigning activities can only be analysed in view of the relevance to the prospects for improved human rights of the Barcelona Process itself.

We can say unequivocally that the EMHRN's advocacy efforts within the context of the EMP have been undertaken with efficiency and have made the best use of the unique advantage enjoyed by the organisation, that is, cooperation with local organisations. The EMHRN has functioned well to achieve its goal of supporting the efforts of its members in making advocacy in EMP activities possible.

8 The EMHRN also organised a mission to Syria in support of CDF activities in 2000.

The EMHRN's office in Brussels has been highly effective in this respect. The Brussels office monitors institutional and political developments, alerts the EMHRN and its members to opportunities for advocacy, organises meetings and generally facilitates this central EMHRN activity.

The problems in this area are both strategic and linked to the political climate of the region, specifically its continuing inhospitableness to civil society human rights activity, and also result from the limited capacities of EMHRN members, some of which could be influenced positively by Network initiatives.

The EMHRN is suffering from the contradiction of devoting its energies to a process it has found ineffective while not having yet developed other directions. Despite the manifold obstacles to advocacy with national governments and the complexity of the process from the political perspective, EMHRN members continue to address human rights violations and issues in their own countries. However, the EMHRN has not yet brought its members toward country *strategies* and programmes, which would strengthen the members' efforts considerably. Reporting on the failures of the EU to enforce partnership agreements is more evident than reporting on failures of Mediterranean partners themselves. The EMHRN could address these issues by engaging its members more in the assessment of their own mandates and work in the region. This engagement should be supported by a country strategy, which would also identify thematic issues on which inter-country cooperation would prove effective.

The EMHRN has a strong foundation for developing in new directions. Many of its problems in this area cannot be attributed to its own failures but are endemic to the political and civil society environment. At the same time, while the political and civil society environment has contributed to the problems it is facing, a systematic approach and strategy would provide a good basis for the EMHRN in addressing these problems.

4.3 Recommendations

1. The EMHRN needs to re-examine its advocacy objectives and to consider refining and/or broadening its approach. While the primary focus should remain the EC framework, the EMHRN could explore other possibilities of effective advocacy by, for example, using the UN agencies.
2. Work has begun on a programme referred to as 'Beyond Barcelona' but this requires more elaboration.

Note: recommendations 5-8 apply to information and capacity building.

3. A programme of wide-ranging consultations should be undertaken in this regard, bringing in a range of experts on international human rights law to work with the EMHRN as a 'visiting committee'.
4. One of the tasks of the visiting committee would be to help the EMHRN assess the possibility of advocacy with the most difficult governments in the region. The EMHRN needs eventually to develop country strategies, a process that may require prior steps in the area of capacity building (see below)⁹. A regional coordination body in the South would facilitate more direct engagement. This body would also be relevant to improvements in information and capacity building.
5. The agenda of the EMHRN should be enlarged to deal in a positive manner with the ineffectiveness of the regional human rights mechanisms in place.
6. The debate in the General Assembly about such basic challenges appears to be too limited. While many hours were consumed by procedural issues of little interest to many of the more imaginative members, a wide-ranging debate on how the civil society human rights community might address the development of a stronger regional human rights mechanism was not possible.
7. It is important for the intellectual capacity of the EMHRN that opportunities be given for such debates and in particular for positive initiatives. The tendency of speculative thinking is of a negative character. We were surprised that, while a proposal to introduce an intergovernmental structure along the lines of the Organisation for Security and Cooperation in Europe (OSCE) in North Africa and the Middle East is well-known in a number of political communities, it was not discussed by the EMHRN.
8. At the same time, we recommend that the EMHRN continue its programme vis-à-vis the Barcelona Process and the EMP. In significant ways, this programme has been successful. In particular, it has made it less easy for partners in the process on both sides of the Mediterranean to ignore their human rights obligations. It has increased the risks to governments of violating human rights. While it is hard to assess the role of EMHRN's efforts in this process, it is certain that, without these efforts, the human rights situation would be worse than it is.
9. Finally, many members of the EMHRN expressed at the General Assembly their view that EU enlargement will weaken their position, being aware of decisions taken in the past regarding funding re-allocations. But we recommend that the EMHRN engage political representatives of the new incoming members of the EU and thus of the Barcelona Process. These are governments that are likely to take a fresh look at the prospects for human rights and democracy in the Middle East and North Africa. They are eager to demonstrate their interest in the integrity of the EU. And they are, in many cases, governments led by people with particular sensitivities to human rights issues and sympathies with NGOs like the members of the EMHRN, which struggle against authoritarian practices.

⁹ This objective has been inserted into the Action Plan 2004-2008 as one of the key activities.

5. Capacity building

5.1 Objectives, strategies, methods and achievements

It is possible to define several forms of capacity-building activity: general cooperation processes, the influence of specialised bodies meant to facilitate member's projects and technical seminars.

The EMHRN's capacity building strategy is that groups will become stronger by cooperating with one another. Capacity building is conceived as an activity going on among the members, not members being trained by experts from outside. Thus, the capacity-building activities organised by the Network are largely those of the main programme and thus have an amorphous quality.

The belief underlying the strategy is that groups will benefit from sharing experiences, information and ideas and that they gain perspectives on and can improve their own work by receiving feedback from peers. The strategy is possibly influenced by the concerted adherence to egalitarian approaches. There is a palpable effort not to judge some organisations as inferior to others, in particular not to make any invidious comparisons between those in the South and those in the North. At the same time, in the process envisioned, certain groups would emerge as lead agencies regarding certain thematic concerns.

An important component of capacity building consisted of the development of joint projects between the members. The Network contributed to the building of the Cairo Institute for Human Rights Studies and the training provided by the Cairo Institute for Human Rights to the CDF¹⁰ is noteworthy, as are various training workshops and seminars on human rights.¹¹ The EMHRN has also been active in launching an Arab Civil Forum process linked to the Arab League.

One of the EMHRN's activities to strengthen capacity is to promote communication and exchanges between human rights organisations. Efforts of capacity building have also included missions organised by the EMHRN to member countries.

Indirect contributions to capacity-building by the EMHRN thus consist of supporting the expansion of informal networking and inter-country cooperation in the region. As in any institution or organisation, participation is beneficial according to the content and quality of peer interaction. The EMHRN has brought NGOs into contact with one another and the Network has made an important, indirect, qualitative contribution to NGO capacities, to the extent that serious, principled, professional human rights organisations have found added support through contact with one another and with a supportive Secretariat, and to the extent that weaker organisations have benefited from contact with high levels of conceptualisation and activity.

10 The Syrian CDF participated in training organised by the Cairo Institute for Human Rights in October 2002 and October 2003.

11 For example, in 2002 the EMHRN organised a seminar on freedom of association and in 2001 a training workshop on the human rights implications of the MEDA programmes.

The EMHRN constitutes the only platform which brings together Northern and Southern human rights NGOs. Most of the general organisational activities of the EMHRN (meetings of the General Assembly, the governing bodies and the working groups) have some bearing on the capacity building objective. But we would stress here the importance of the EMHRN's procedural approaches to deepening basic understanding of and commitment to core values of democracy, transparency, dialogue, tolerance and rationality. The EMHRN itself is a learning process for all its participants. It is a process that enables exposure to the norms enumerated above, self-reflection and feedback from peers and equals (as opposed to those in positions of hierarchical or ascribed authority). That is, the EMHRN is not only a transfer point for information and technique, it also disseminates, especially by a process of demonstration, basic values that are central to the development of civil society. The appreciation of the value of universal human rights standards has been strengthened. Notably, members of the EMHRN have reflected upon and collectively committed themselves to an international approach to human rights as opposed to 'nationalistic' approaches.¹²

The EMHRN has facilitated capacity building through human rights education initiatives especially via the working groups, publishing background reports aimed at clarifying the concepts to which they are devoted and organising associated meetings including, for example, a summer school.

The Human Rights Education Working Group could be the vehicle for organising additional training aimed at intellectual, technical and operational capacity building. The summer school exercise in Lebanon issued a diverse report, but the concept of human rights education is rather vague. Participants in a focus group composed of members of the working group were for the most part unable to provide clear answers to basic questions about the idea of human rights. They were unable or not willing to produce clear answers, but rather underlined differences in approaches to human rights in the region both as regards educational and content aspects. Human rights education means many different things to different actors in the human rights community. It is a field where huge resources and varying degrees of quality exist. A university programme in Malta promises to bring clearer concepts to the fore.

A Working Group on Equal Access to Justice allows participants to compare experiences and information relative to specific countries in the light of international standards, and is preparing a comparative report. A report being undertaken by two consultants engaged by the EMHRN (one from the North and one from the South) is to provide a thematic survey allowing the constituencies of the Network to focus on central problems, but the accessibility and usefulness of this document to local organisations and media and to interested officials is questionable. This issue was discussed in the Working Group.

12 A seminar conducted to assess the human rights situation in the aftermath of the war in Iraq had, among its conclusions, the participants' recognition of the failures of a nationalistic approach to human rights.

A Working Group on Palestine has also been successful in terms of capacity building. Its participants attest to the enlargement of their capacities for dialogue and understanding and to obtaining more objective information. The Working Group has met several times and, after suffering an organisational setback apparently due to problems with a member organisation, has been now restarted.

Finally, some of the strategies and activities of the EMHRN have been more conventional. These include training seminars on specialised topics. The EMHRN organised a highly successful training seminar on the Barcelona Process, which resulted in an advocacy guide. The EMHRN organised another seminar on the MEDA programmes which resulted in a report. Other thematic seminars have concerned freedom of association, women's rights (resulting in the above-mentioned report) and migration and refugees. The training activities of EMHRN have generally therefore been topical in nature, rather than focusing on knowledge and understanding of international human rights law and its implementation, the international human rights system or technical/legal aspects of the field, including for example legal methods to bring cases before the UN Human Rights Committee or the engagement of various procedures.

In terms of summarising and evaluating achievements, while the results of EMHRN's capacity-building efforts may vary as regards its members, it should be recognised that the capacity of the EMHRN Secretariat has clearly grown. The Secretariat has become an important repository of knowledge and a resource for the EU, governments and the civil society community. The EMHRN has thus become an important, perhaps the most important, NGO partner for the EC regarding the human rights component of the EMP.

While the results of the general cooperation and exchange programme of the EMHRN in terms of capacity building are difficult to assess at a particular moment in the ongoing process, the process is clearly working toward this objective. It is limited by the quality of its participants and the range of quality represented in the EMHRN. The success of cooperation as a capacity-building mechanism depends on the existence of capacity to be transferred. But we conclude that the EMHRN's leadership has allowed an important learning process to take place that has without doubt enriched the level of the members' capacity especially with respect to their human rights and democratic value orientations.

The working groups could become important vehicles for capacity building but they have not yet fulfilled their potential. The purpose of the groups is still somewhat unclear and clarification is inhibited by the feeling that EMHRN's members will react negatively to the notion of an expert formation within the organisation assuming superior knowledge and presuming to teach others.

Finally, the more conventional training seminars have been highly effective, and their effectiveness has been limited only by choices of topics, which are in turn reflective of the democratic and decentralised decision-making process in the organisation. The seminars follow what the members have demanded but it is unclear the degree to which this reflects a strategic approach that would make choices on the basis of strategic priorities.

The members have demanded more such thematic seminars. But the inability of EMHRN members to form country strategies reveals capacity deficits. Those deficits might be diminished by different kinds of training – training the members may not be able to admit they require or may resist. Here it is possible to observe a weakness of the EMHRN which is derived from its democratic structure. The weakness is offset by benefits from this structure and, with the proper refinement, can be overcome.

The focus of the EMHRN in building the capacity of its members has thus been to facilitate the exchange of expertise through working groups and joint projects, to provide training and to promote networking and exchange visits. The result of this understanding of capacity building has been the strengthening of the EMHRN members' roles as actors in civil society. Capacity building, however, cannot be limited to its external dimension but should also include internal capacity building, i.e. strengthening of internal capacities of EMHRN members. An important step towards strengthening the technical and organisational capacity of EMHRN members is the creation of the EuroMed Human Rights Foundation.

5.2 Relevance, effectiveness and efficiency

We have suggested that the EMHRN's capacity building activities fall into three categories: the benefits to organisations from participating in the EMHRN as a community, working groups and specialised seminars.

General capacity building from the cooperation, including joint projects and the organisation of exchange visits, is highly relevant, not only to capacity building but also to the fulfilment of global objectives and those of the Barcelona Process.

In the long term it is effective, but it is a long-term and intangible process and thus lacking in 'efficiency' prosaically understood. It could be more effective and more efficient with the addition of stronger members to the EMHRN, as we will recommend. The basic design and methodology of the EMHRN is thus sound, but it could benefit from stronger actors.

In order to increase the capacity of its members, the EMHRN has also chosen the creation of working groups. The Evaluation Team observed that working groups have the potential to provide an invaluable framework to ensure member contributions. By providing a platform for the exchange of expertise and knowledge, the working groups create a sense of ownership among members. The structure is highly relevant but needs to be more effective and efficient.

We judge the thematic seminars to hold much potential for capacity building, but they should be carefully planned and promoted politically within the EMHRN in order to address the most serious capacity problems within the Network. They should be linked to strategic priorities and expected results.

5.3 Recommendations

Preliminary comments: as we have emphasised, a central mandate of the EMHRN is to assist its members, but this is not necessarily the same thing as contributing to building their capacity. Experience has shown that international structures can sometimes even retard development of capacity of local organisations by rendering too much or the wrong kinds of assistance.

It should also be noted that an adequate analysis of the success of EMHRN's capacity-building strategies would require more work on the situations of members, and the evolution of these over the grant period, than is possible under the constraints of the evaluation. What role did membership of the EMHRN have in changes in capacity? The membership of the EMHRN is diverse, including a range of different kinds of organisations, as well as individuals. We have reviewed a wide variety of publications by EMHRN members. Some are of a very high standard in the context of local NGO products, others are low-quality. Did the EMHRN have a role in these outcomes? A particular type or degree of capacity does not appear to be a closely-defined criterion for admission or retention of membership, although organisations have been excluded when they have ceased to function legally. According to the Statutes, members must "be active in at least one of the human rights issues contained in the Barcelona Declaration....a Regular Member shall prior to its recognition have demonstrated its ability to organise and maintain basic activities of the Network..." (3.1.i)

But this also raises the question of what is meant by 'capacity'. The term is generally considered to mean power, ability or effectiveness but groups like EMHRN would be well-advised to define in a differentiated manner this quality toward which they devote their efforts.

It is recommended that a distinction be made between the external and internal dimension of the capacity of EMHRN members. External capacity building would focus on the strengthening of members as actors in the human rights community. Capacity building activities would typically include the networking or exchange of expertise. Internal capacity building would focus on the organisational capacity of the member itself. Both external and internal capacity building should be based on an assessment of the issues in the region and the development of a long-term strategy (country strategy) by the EMHRN in order to address these issues.

The Evaluation Team recommends the following:

1. The Team believes the EMHRN needs to find ways to assess and address capacity deficits defined by an overall strategy. These might be conceived as falling into several categories, for example, basic human rights knowledge and understanding; research and reporting techniques; legal knowledge; media and marketing; management and fundraising; internet and internet security techniques; advocacy techniques etc. The Evaluation Team also recommends that a strategy of capacity building be developed. Capacity building should, in addition to the provision of human rights education for EMHRN members, include the promotion of organisational capacity of member organisations. This could involve training in fundraising, monitoring, reporting, advocacy, media etc. Capacity needs to be considered beyond the networking capacity. A regional coordination body in the South would be relevant to improvements in information and capacity building.
2. As stated above, the cooperation and exchange process is effective as a capacity-enlarging mechanism to the degree that capacity exists that can be exchanged. A central recommendation is therefore to bring into the EMHRN more strong human rights organisations from Europe, especially from the new members of the EU. For example, a number of the strongest human rights organisations in Europe exist in Poland, the Czech Republic, Hungary, and Latvia. The European components of the EMHRN need to be stronger and to make a stronger contribution to all phases of the capacity-building process. (The Team has already recommended to the EMHRN that it organise a meeting between some of its members and some members of the International Helsinki Federation for Human Rights in the context of the Netherlands EU Presidency.)

3. The Team believes the working group structure has much potential in the EMHRN in terms of capacity building and channelling the expertise of members on behalf of the programme of the Secretariat and of the Network as a whole. The Human Rights Education Working Group should develop into an internal educational framework for the EMHRN. Human rights education should be dealt with as a cross-cutting issue that indicates not only humanistic values and knowledge about international standards but also technical capacity. Promoting human rights education through the support of the Working Group is a key activity in the Action Plan 2004-2008.
4. In order to ensure increased exchange of experience and expertise it is recommended that exchange visits from the North to the South be increased.
5. Some participants in the EMHRN criticise the Network for 'neglecting' certain countries, for example Syria and Iraq. The Evaluation Team found that it is perceived that the Network's small member organisations need more support. The EMHRN should develop a strategy for what it calls "countries of special concern".
6. The EMHRN should also ensure that activities of working groups are made available to other members as well as lessons learnt disseminated.
7. Special strategies should be developed for countries with difficult political and human rights conditions. A more strategically-oriented support system is needed for NGOs in the member states where the environment is particularly difficult, such as Syria. (This is included in the Action Plan 2004-2008.)
8. The Evaluation Team found that more attention needs to be given to strengthening member NGOs in addressing the human rights dimension of the Barcelona Declaration vis-à-vis their own governments. The development of a country strategy together with the member NGOs would allow the EMHRN to provide support and a framework for member NGOs to assess governments' commitment to human rights, as for example reflected in Article 2 of the Association Agreement.
9. The EMHRN should thus focus more on supporting its members in their domestic programmes. This could be done by several means: assisting members and backing them in a dialogue with their governments. This is of course linked to the issue of country strategies.



6. Management and institutional issues

In this section we bring together a number of questions raised in the ToR regarding management and institutional issues, organising them so that the answers can yield basic conclusions regarding both the basic structure of the EMHRN and how it is engaged in fulfilling the organisation's objectives.

6.1 Concept and structure

The concept of the EMHRN is that of a self-governing association of independent organisations, each of which has its own programme and governance structure. In a sense it is a professional association based on a common professional endeavour; or it can be seen as being bound by common moral values. It defines itself as a 'membership organisation'.

Members must be non-governmental organisations from the partner states in the Barcelona Process (or potential partners) and must be engaged in human rights activity (see above). Individuals may be members but are not entitled to vote. Associate members may include organisations which do not qualify to be Regular Members. These are not entitled to vote. Members are admitted to the EMHRN by decisions of the Executive Committee, ratified by the General Assembly. Members may be excluded if they "cease meaningful activity". (3.2.a) Obligations of members include submission of a report and avoidance of actions that would discredit the EMHRN.

The core body in the EMHRN is the General Assembly, that is the inclusive body of members. The General Assembly holds power in the EMHRN, the "plenary authority of the Network", and has the obligation to ensure that the EMHRN's activities conform to its objectives as per the Statutes.

There is an Executive Committee elected by the General Assembly, consisting of no more than nine members, which includes the President and Vice President, in addition to a treasurer, who does not have the right to vote. The Executive Committee is elected every second year and is delegated to oversee the ongoing operation of the EMHRN in between General Assembly meetings. The Executive Committee must be balanced and only five members may represent EU Mediterranean partners.

The duties of the President and other officers are defined in the Statutes (5.2)

The Executive Committee has responsibility for the operating bureau of the EMHRN which is a secretariat now based in Copenhagen.

The Statutes of the EMHRN are short and allow the bodies a wide range of interpretations for their respective roles. Like other organisations of its kind, the Secretariat has a wider authority than the Statutes would suggest, based on cooperation, trust, goodwill and the disinterest of elected individuals and bodies in assuming too much responsibility. This seems especially true in membership organisations made up of small organisations that themselves consume most of the energies and concerns of members.

The EMHRN follows a format called a 'loose federation' in the NGO community. It puts relatively few constraints on its members and the members allow the EMHRN authorities and executives relatively wide latitude to take initiatives on their behalf. The membership of the EMHRN does not absorb a large degree of the members' energies on the whole, but this varies. For some it is an important identification and 'seal of credibility' (see below under Impact).

The EMHRN cannot force its members to follow any course of action in the sense of a hierarchical command structure. The EMHRN reflects quite authentically the views, values and qualities of its membership and its programme is derived in a genuinely democratic manner. Members take considerable interest in procedural debates at the General Assembly. Members demonstrate a sense of ownership of and responsibility for the EMHRN.

6.2 Efficiency, given the above

The 'loose federation' structure reduces some forms of efficiency but lends authenticity to the EMHRN's programme and allows it to achieve relevant and significant capacity-building and political outcomes, as a democratic, trans-national civil society structure. It is clear that, within the constraints imposed by such a structure, the EMHRN functions with a relatively high degree of efficiency. While the organisation is vulnerable to the criticism of lacking a long-term vision, it is nonetheless newly formed and is working in an extremely difficult environment and deserves credit for being able to operate at all. _

Quality of programme management (reporting, financial management, personnel management, procurement, monitoring and evaluation systems)

The programme is well managed, with a work schedule outlining the responsibility of each staff member, deadlines for report submission and regular tracking of progress.

There is an evolution in the staff responsibilities reflecting a need for both management of day-to-day activities and for long-range planning in consultation with governing bodies.

The EMHRN has an organisational chart and is now developing staff regulations, internal rules of procedures and job descriptions.¹³ The EMHRN is also developing a new procurement policy.

Meetings are well planned and organised. There are extensive reference materials and rules developed to guide the work of governing bodies and the General Assembly. Internal reporting is extensive and thorough in a formal sense.

The financial management was done by the Danish Centre for Human Rights. In 2003 a full-time accountant was employed and the Network has developed its own code structure. The Network is audited by PricewaterhouseCoopers.

Project progress is currently monitored; weekly staff meetings allow continuous feedback.

According to current practice, reports and Action Plans are discussed and agreed upon at the General Assembly. At the General Assembly the EMHRN also evaluates progress of activities and whether it has achieved the actions agreed upon in the previous GA.

Internal and external communication is crucial for the functioning of the EMHRN. Internal communication is working well, with weekly staff meetings and close contacts with the Brussels office. However, communication between the Secretariat and the members needs improvement, particularly on the side of the membership.¹⁴ The Secretariat informs members about important decisions and members are consulted on larger issues. Members evidently do not inform the EMHRN about their activities which should become part of the corpus of shared information of the Network.

Communication system

The Evaluation Team observed that decision-making is open and democratic, although some member NGOs noted that the Executive Committee meets without routinely sending out its agenda to member NGOs (a problem that will be addressed following the last General Assembly meeting). Some member NGOs added that not all information is circulated and that information might have been distributed sooner.

Effectiveness of the decision-making system

Members seem generally satisfied with the delegation of authority to an Executive Committee and an election was held which, although it demonstrated strong interest in serving on the Executive Committee and competition for places, was organised in a good spirit. Some awkwardness surrounded some of the procedures reflecting poor choices about effective chairing of meetings.

Despite its decentralised structure a focus on headquarters activities is observable.

13 These were finalised in August 2003.

14 This has been included as a key activity in the EMHRN's Action Plan 2004-2008.

A commitment to 'bottom-up' decision-making is deeply embedded in the philosophy and practice of the EMHRN and is inseparable from the process by which the organisation has been able to engage local NGOs in an institution they themselves control and assume responsibility for. The difficulty in such a system is the inability of actors themselves to understand and accept the need for changes in their own approaches.

Transparency and accountability

The EMHRN has created several bodies including the Executive Committee, Secretariat and a Management Group and the EMHRN 'officers', i.e. the President, Vice President and the Treasurer. A document outlining the procedures, roles and functions of the bodies, statutes and bylaws, rules of procedure for the General Assembly and internal staff regulations has been developed. There is a new procurement policy and newly revised bylaws. The EMHRN will adopt a staff policy.

Financial information is shared with members. The annual audit report (by PricewaterhouseCoopers) and the Treasurer's report are made available and are discussed at the General Assembly.

However, accounting might be structured differently, as there seems to be an overlap between activities by country and activities by theme

6.3 Potential to achieve objectives

The Team does not recommend major changes in the governance or management structure of the EMHRN, although we propose that some additional planning and management tools be employed. The present structure will not keep EMHRN from reaching its objectives and, indeed, this structure contributes to its ability to meet many of those goals and is essential to the process of doing this. In the recommendations in this section we indicate some ways that specific practices might make the EMHRN more efficient.

Comments on several other management issues raised in the ToR follow:

Awareness by beneficiaries of the role of the EU in the programme

Members of the EMHRN are aware of the role of the EC as the major donor. This information is available in the annual reports and was discussed at the General Assembly. In addition, in reports on its activities the EMHRN mentions the EU institutions, which have been receiving information and were contacted as part of an information campaign.

Methods used to make beneficiaries aware include mentioning the EU as a major donor.

Publications do not appear to include the EC logo.

It is recommended that representatives of the EU attend the major meetings of the EMHRN, both to speak about policy issues and to obtain first-hand information about the organisation and the problems it addresses.

Some activities allow flexibility, others do not. The political structure of the EMHRN is capable of responding to the need to change. The programme as implemented was sufficiently open in order to accommodate initiatives. The governance structure allows for input from diverse sectors, including members, the governing board and the Secretariat. The personalities currently engaged in leadership positions give the impression of being open to accommodating change.

Employed staff have the necessary profile to do their job, are highly professional and work well together as a team.

Given the limited human resources available, EMHRN staff had to invest substantial overtime to implement the current programme. This is reflected in the timesheets maintained by the organisation. In addition, many EMHRN activities required the recruitment of unpaid volunteers.

Additional funds should be made available for the recruitment of staff for both the current programme and the expansion of activities and their scope as reflected in the EMHRN Action Plan 2004-2008. The staff need to guard against inflation of their work load at the behest of members, in order to maintain quality.

On an organisational level the EMHRN has made substantial improvements by developing an internal governance and management structure, consisting of Officers, an Executive Committee and a Secretariat. The EMHRN has developed statutes, a human resources policy and has a solid financial management system.

6.4 Recommendations

1. As included in the EMHRN Action Plan 2004-2008, it is recommended that the system of internal communication be strengthened. The Evaluation Team suggests that a committee be created which could look into ways of strengthening internal communication.
2. A system which strengthened communication would allow members to contribute in a more efficient way. Their contribution would shape the work of the EMHRN positively. The improvement of communication should include the use of new technologies and the improvement of the website as a means of communicating among members.

Methods used to make the beneficiaries aware of the EU role

Flexibility in implementation of activities

Adequacy of resources, especially quality of human resources

3. The Evaluation Team also recommends that external communications be improved. (The EMHRN has included the employment of a coordinator of external communications in its Action Plan 2004-2008.)
4. The EMHRN does not provide any standardised mechanism to ensure member contribution and participation. Increased member contribution and participation is one of the issues addressed in the EMHRN's 2004 work plan. The EMHRN makes one of its objectives to ensure active membership contribution.
5. With the increase in membership the Evaluation Team recommends the development of more sophisticated membership criteria for the selection of participants. For example, it is not clear whether a Europe-based organisation working on issues of the South should be considered a European or a Mediterranean member. This question was raised at the General Assembly with no answer found.¹⁵
6. We recommend that members be asked to assume responsibility for some of their own costs in attending General Assembly meetings, to ensure that participation is serious and that the EMHRN is not exploited.
7. In addition, more professional human rights NGOs from Europe ought to be brought into the EMHRN.
8. The EMHRN could make substantial progress in scaling up its activities. The opening of an office in Brussels, in particular, has strengthened the EMHRN capacity for lobbying and campaigning and has increased the visibility of the Network.
9. It is therefore recommended that a logical framework for future activities be developed, which would also include a risk analysis. This would allow the EMHRN to monitor its activities on an ongoing basis. Indicators to monitor progress should be developed in cooperation with the member NGOs.
10. In addition, the Evaluation Team recommends conducting an evaluation of EMHRN programmes on a yearly basis.
11. The Team believes the EMHRN ought to require more from the members, which would challenge both sides to raise mutual expectations. For example, members should report back on their activities in a more systematic way, and the EMHRN needs to find more ways to assist its threatened groups working in the most repressive and dangerous environments. The EMHRN has included the strengthening of internal communication as one of its key activities in the Action Plan 2004-2008.
12. In order to develop a more systematic monitoring system it is highly recommended that monitoring criteria be established. This is also true for the evaluation of the project. Firm quantitative or qualitative indicators, which would allow the evaluation of progress and quality of work, have not been employed. This is an urgent matter which needs to be addressed.

¹⁵ According to Article 63 of the bylaws, three organisations from a country may become members.

13. The proposal submitted by the EMHRN to the EC for funding does not include any logical framework which would provide the management tools for implementing, monitoring and evaluating the programme. An annex in the proposal lists all activities for each of the four years of the project. Listed activities are more or less the same and are presented under general headings.
14. Equally the budget attached to the proposal does not include any detailed budget lines for thematic or country-related activities.
15. The EMHRN has formulated its activities in an action plan, which has been translated into a work plan. Activities are broken down into sub-activities. At the General Assembly meeting an annual report is presented, which outlines whether objectives have been achieved. While this procedure suggests transparency and accountability, the use of PCM tools would increase quality of planning, monitoring and evaluation considerably. The use of a logical framework in particular would allow progress assessment and evaluation. It would also allow the EMHRN to set priorities. Currently sub-activities listed seem to have equal importance and relevance.
16. PCM tools should also be applied for smaller projects implemented within the context of each of the EMHRN's objectives.
17. It is also recommended that a risk analysis be included in the design of the program. In the particularly volatile environment in which the EMHRN operates it could use the risk analysis as a basis on which to develop intervention strategies when political circumstances change or unforeseen developments jeopardise the projects.

Use of Project Cycle Management (PCM) tools



7. Impact, conclusions and recommendations

7.1 Impact

The activities of the EMHRN under the auspices of the grant have had an impact on civil society, both in the Mediterranean countries and in the EU. They have had impact on national policies and they have had some impact on the evolution of the EMP and on the fulfilment of the objectives of the Barcelona Process itself.

The rising number of members and of applications for membership reflects growing interest in being associated with the EMHRN and demonstrates confidence in the value of its existence and activities.

The volume and scope of activities of member NGOs has increased. This is also due to the increasing abuse of human rights in the Mediterranean region and to a general rise in interest in civil society activities, in addition to the specific, stimulating effect of the Network.

There has been an increase in the capacities of members, particularly regarding their understanding of the Barcelona Process and their ability, intellectually and technically, to engage in this dimension.

The EMHRN contributed directly to the capacity of NGOs to work with their constituencies by providing training and assistance in fundraising and development,¹⁶ which allowed them to implement programmes and develop reports and other information that could be distributed locally and added the value of the political weight which membership of the EMHRN provides for its members.

Where EMHRN members were under attack, the EMHRN has acted promptly in advocating on behalf of threatened human rights defenders. The EMHRN's efforts thus gave confidence to the NGO community, resulting in their taking more independent and objective positions.

Reports and publications have been used as a lobbying tool. Noteworthy in this context is the report on human rights in the MEDA programmes¹⁷. The report generated substantial discussion at the EU level. Lobbying has resulted in the EU's commitment to conduct a pilot study on developing a method of mainstreaming human rights.

The EMHRN's lobbying has also resulted in the EC's agreement to take into account the recommendations of the report in its work.¹⁸

16 For example, the EMHRN has assisted a Lebanese NGO to raise funds and has provided support by managing these funds on behalf of the NGO.

17 *The human rights implications of the MEDA programmes*. September 2002. The Euro-Mediterranean Human Rights Network.

Contribution of EMHRN's achievements to fulfilment of the main objectives of the Barcelona Process itself

The work of the EMHRN has been influential in a significant effort to reinvigorate the human rights aspects of the Barcelona Process, which were given voice in an EC communication in September 2003. The EMHRN's recommendations have been reflected in numerous EC documents, most notably in the above-mentioned Communication on Human Rights, which includes a large number of the recommendations from the EMHRN.

The EMHRN has also been involved in discussions about Association Agreements and has participated in a regional consultation conference on the programming of the European Initiative for Democracy and Human Rights (EIDHR). In September 2002 the EMHRN participated for the first time in a meeting of the Euro-Mediterranean Committee of the Barcelona Process.

The EMHRN's achievements in its three declared objectives have contributed to a varying degree to the objectives of the Barcelona Process.

Support and publicise the universal principles of human rights

The EMHRN programme has facilitated meetings between local human rights organisations (along with EMHRN representatives and staff) and officials of a number of partner states, during which state representatives have been reminded of their government's obligations to uphold universal principles of human rights as contained in the Barcelona Declaration. As a result of their membership of the EMHRN, it is clear that member NGOs have, where the local political environment has allowed, publicised and otherwise promoted international human rights standards.

The dissemination of information and publications about human rights has been primarily to a circle of human rights activists and organisations. In this context the EMHRN's report on the human rights dimension in the MEDA programme¹⁹ has highlighted the need for progress in including human rights in the Barcelona process.

Monitor compliance by the partner states in the field of human rights

The EMHRN has raised the profile of the degree to which Association Agreements are honoured by their signatories, and the integrity with which the EU and its members consider and apply the sanctions at their disposal that might encourage compliance with standards that would directly impact on enjoyment of human rights among the citizens of the Mediterranean partner states.

18 The EC issued the "Communication from the Commission to the Council and the European Parliament. Reinvigorating EU actions on Human Rights and democratization. Strategic guidelines", May 2003.

19 *The human rights implications of the MEDA programmes*, September 2002. The Euro-Mediterranean Human Rights Network.

Some of the most enthusiastic support for the work of the EMHRN was expressed by staff of the EC and the European Parliament, who have praised the Network as a main source from which the European Commission receives 'accurate' and 'reliable' information about human rights issues in the partner countries, through written reports, briefings from EMHRN staff or briefings by representatives of EMHRN member organisations who have taken part in missions organised by the EMHRN. The materials reflecting the monitoring activities by the EMHRN have been gathered by member organisations and during the course of a number of fact-finding missions dispatched to the region, many of which have resulted in the publication of reports.²⁰ Through the mechanism of its distribution system in Brussels, materials generated by EMHRN have been included in briefing packs used by members of official delegations, including those of the European Parliament, in the course of missions to the Mediterranean countries. These materials have also been made available to MEPs prior to meetings with representatives of the Mediterranean countries. The concrete impact of the EMHRN would lie in changes resulting from additional pressure applied to conform to human rights standards, based on the factual material provided.

The EMHRN has also been successful in lobbying for the inclusion and mainstreaming of human rights in the Barcelona Process.

While the Barcelona Process emphasises the "essential contribution that civil society can make to the development process of the EuroMediterranean Partnership", it does not explain how civil society (or specifically, a Civil Forum) is supposed to contribute. In response, an important initiative to strengthen civil society cooperation in the Barcelona Process was initiated by the EMHRN by re-invigorating the Civil Forum. By creating the *NGO Platform for the Euro-Med Civil Forum* the EMHRN succeeded in strengthening and broadening the contribution of civil society to the Barcelona Process.

Important contributions were made in lobbying to strengthen the human rights dimension of the Barcelona Process. The Brussels office has played an important role as the interface between civil society (in particular members of the EMHRN) and the EMP/EU.

Level and quality of stakeholders' identification and participation

The membership comprises a wide range of organisations in terms of size, quality, methods and orientation and individual members also take part in and influence the work of the EMHRN. The EMHRN has linked these diverse constituencies and formed them into a nascent Euro-Mediterranean human rights community by establishing a central point of orientation, common information packages, common activities, a governance process and a growing sense of so-called 'corporate identity'.

²⁰ For example, *Peace is not difficult: observing the trial of Nazmi Gür in Turkey* (2000); *Torture, arbitrary detention and unfair trial in Tunisia: the trial of Radhia Nassraoui and 20 co-defendants* (1999).

Within the limitations of this evaluation it is not possible to determine in detail the degree to which this engagement with the EMHRN influences and/or impinges upon the ongoing activities of the members. During the General Assembly these groups and other members obviously focus on the EMHRN.

The general conclusion emerges that the EMHRN constitutes a 'loose network'. It is composed of independent organisations with their own programmes and their own particular identities outside their affiliation with the EMHRN. Participation in the EMHRN absorbs varying degrees of the energy of the members.

A form of synergy has emerged that is embodied in many of the actions, projects and debates. With the resources at its disposal, the EMHRN has been able to offer its members numerous attractive opportunities, especially for international travel, while membership of the Network appears not to demand significant sacrifices in terms of resources and other obligations.

These opportunities have contributed to enthusiasm for the EMHRN on the part of its members, including those based in the EU. They have also presumably contributed to expectations on the part of the membership, and this raises questions about the respective balance between opportunities and responsibilities that ought to be instilled within the organisations.

The quality of participation may be deemed generally good. Good will and willingness to devote energies to the work of the EMHRN is demonstrated. At the same time there is a tendency on the part of some participants to take part in activities for which financial means are provided, without in turn giving a modicum of energy and thoughtful contribution.

As indicated above, the EU officials, who should also be considered 'stakeholders', are highly supportive of the work of the EMHRN, based on interviews conducted by the Team. The EMHRN has apparently proved a valuable and perhaps indispensable NGO partner in the work of EC and European Parliament staff who organise information about the Barcelona Process, and governments of EU member states have also cooperated extensively with the EMHRN.

Unplanned benefits arising from the process

The activities of the EMHRN have generated more horizontal cooperation among members and exchange of expertise. As noted above, this also played an important role in strengthening of civil society contributions to the Barcelona Process by assisting in the creation of the *NGO Platform for the Euro-Med Civil Forum*.

An unplanned development has also been the creation of the *Euro-Mediterranean Foundation of Support to Human Rights Defenders*, which is based on a feasibility study completed in November 2001. The Foundation's role is to complement EMHRN activities. In particular it focuses on assisting those human rights NGOs who work under difficult conditions.

New projects which were developed by EMHRN members also reflect the synergy effect and positive impact of membership of the EMHRN on human-rights-related activities in the region.

Multiplier effect arising from the process

Horizontal networking among members increased. However, no specific regional network as comprehensive as the EMHRN has emerged which follows the model of the Network. Similar smaller initiatives include those on youth and women.

Contribution to the creation of social capital

Horizontal cooperation among Southern NGOs has increased. Many of them are in working groups. This cross-border civil society cooperation has many positive social benefits, as well as contributing to confidence in international cooperation in general, breaking down negative national stereotypes, allowing merit-based leadership to emerge in an open and non-hegemonic environment centred on humanistic concerns.

Unforeseen positive or negative effects of the Programme

The work of the EMHRN is a two-way or perhaps multi-directional learning process. The director of the Danish Centre for Human Rights called the Network "one of the most important initiatives" in which the Centre had been involved and also commented, "We have all learned".

Since its creation the EMHRN has succeeded in expanding its activities considerably. Although a young organisation, the Network has become an international body, which works alongside FIDH and Amnesty International.

In general the Evaluation Team is not aware of any negative effects of the Programme.

In this context, it is useful to consider the problem of "possible lost opportunity costs".

We cannot provide a systematic discussion of this issue, which would need to weigh a variety of alternatives and their impacts against the results of allocation of funds to the EMHRN. Nonetheless, we may assume that an alternative to funding the EMHRN would have been to fund directly numerous local NGOs in the region.

Several points are relevant in consideration of this alternative:

- International bodies and national governments appreciate NGO cooperation and consolidation, by which they can broadly gauge the views of the NGO human rights community on issues rather than being faced with a variety of opinions from multiple sources, of varying quality and reliability. The impact of reports by EMHRN is of greater credibility and utility than those of many of its members reporting separately would be.
- EMHRN has functioned as a 'buffer' between the EC and numerous local NGOs, taking responsibility for allocating funds that have directly and indirectly benefited these local entities. EMHRN has functioned as a partner funding-redistribution mechanism, possessing a degree of technical, linguistic and cultural knowledge needed and ultimately absorbing labour and other overhead costs that would be high had the EC made multiple grants. All the assistance rendered to local NGOs by the EMHRN can be seen as a multitude of sub-grants that have resulted in use and beneficial activities, but would have been highly impractical to organise directly.
- EMHRN has acted as a quality-control filter, establishing a mechanism to identify reliable local partners and taking responsibility for these choices. The EMHRN has provided financial assistance to some of its members which are not officially registered organisations. This would have been impossible to do directly.
- EMHRN has avoided bureaucratic proliferation and remained faithful to its mandate to function on behalf of its members. The funds benefit the key beneficiaries.

The 'added value' of the EMHRN

These points suggest an added value of the EMHRN to the EC and lead us to a discussion of its added value to its members.

In an organisation structured like the EMHRN the question of its 'added value' to members is central. The question has no final or fixed answers and is rather best understood by reference to the ongoing process or dialectic of dialogue and cooperation. A highly experienced member noted during the focus group, "The basic institutional dilemma of the Network" – that is, the relationship between the EMHRN itself and its constituent members – "cannot be solved except through practice...it will evolve".

The EMHRN establishes a 'platform for discussion' on the level of civil society; a framework for the expression of international solidarity that by its very nature tends to 'de-nationalise', 'de-ethnicise' and 'de-politicise' human rights issues and to transform local human rights problems into issues of regional and international concern.

Thus, when members of the EMHRN work through the Network, their concerns assume a more general and transcendent character. They are transformed from being the concerns of groups with political, social and cultural ties to particular communities. They evolve from being the concerns of local organisations whose motives may be discredited as being 'political' or 'biased', as they are expressed as concerns of an independent, international organisation.

One clear form of added value for their work is, in this sense, enhanced credibility. This enhanced credibility should, furthermore, improve the possibility that wider constituencies, both civil and governmental, and in the international community as well, will pay heed to their work. Numerous members have talked to the Evaluation Team testifying to the good reputation the EMHRN has in the region. Members enjoy this reputation and benefit from it.

A second basic form of added value lies in the solidarity or 'protection' function. Membership of the EMHRN binds its members into a mechanism that has the effect of increasing the risks to governments associated with persecuting human rights defenders and human rights organisations. The Network can function to organise appeals and campaigns in an efficient and timely manner. It has become a well-known and highly credible source of information, depended upon by governments and intergovernmental organisations, the media and other NGO formations.

The existence of this 'protection' function in turn gives confidence to the civil society community, the sense of not being isolated but instead part of a supportive community, and thus encourages them to extend their efforts. It can be observed that the members of the EMHRN with the most urgent expectations for its pro-active, country-based engagement are those relatively small groups working in the most oppressive states where their activities are considered threatening, 'unpatriotic', and "damaging to the national reputation". Such organisations are thus an object of derision not only for the state authorities, but for significant elements of an undeveloped civil society which seek to ingratiate themselves with state bodies and ruling parties. Groups operating against this background tend to identify themselves closely with the Network and to obscure perceived differences between the EMHRN as such and its members. These groups tend to favour a stronger, more pro-active EMHRN as the Network increases their own legitimacy, prestige and security.

The added value for the more well-established and more secure organisations in the Network can be of a different nature. A number of such organisations have an international character themselves and perhaps have regional aspirations to organise the civil society human rights community. There is in the EMHRN, as in other similarly-structured organisations, a tendency for duplication and even competition with its own members.

The added value of the EMHRN for these groups is logically as a relatively static communications mechanism (a 'post-box') and as an organiser of member activities that will help them do their job but not intrude into their mandates.

It is clear that the EMHRN provides a learning context for NGOs based in states where decision-making tends to be based on hierarchical, hegemonic power-structures ('top-down'); where there are high risks and penalties for non-conforming utterances; where spontaneous debate is untypical; and where the content of decision-making fora is dominated by proclamatory rhetoric as opposed to open dialogue.

Some of these tendencies may be observed in the EMHRN General Assembly, reflecting the political culture that has informed the majority of members. On several occasions speakers were seemingly cut short by session chairs when they gave voice to 'controversial' positions. But in general the successful functioning of the EMHRN as a forum operating in a democratic, open, tolerant manner, respectful of minority positions and committed to fair play by following carefully procedures developed by elected representatives, to whom authority has been duly delegated, is an ongoing lesson about the good that can be achieved by respect for such practices. And while the question of Palestine is one about which all members of the Network clearly hold strong opinions, a board member drew attention to the acknowledgement in EMHRN statements of harm to Israeli civilians by terrorist suicide attacks as evidence that the Network fosters more inclusive human rights concerns than might otherwise have existed.

7.2 Conclusions and consolidated recommendations

This final section outlines our conclusions in a skeletal form and then includes a discussion of conclusions made *vis-à-vis* each of the topics considered. It includes commentary on several issues raised in the ToR that are relevant to the conclusions. All the specific recommendations from the foregoing sections are then presented in a consolidated form:

- The EMHRN is well rooted in the South and needs stronger participation in the North. Stronger members will increase the efficiency of the EMHRN in implementing its basic strategies in all three priority fields.
- The EMHRN has become an important platform for cooperation, dialogue and joint actions among human rights organisations, contributing to the realisation of important goals in the Barcelona Process. The EMHRN makes a unique contribution to this process by virtue of its structure and it has implemented strategies that take advantage of its potential.
- The Network has achieved its objectives to varying degrees
- information: the EMHRN programme expanded from issuing newsletters to producing reports on selected issues, but needs to further publicise its documents and follow-up
- lobbying and campaigning: using various means the EMHRN has succeeded in strengthening the focus on human rights on the EU agenda, with weaker results in the South. The overall strategy needs to be linked to clear goals and results need to be measured.
- capacity building: the EMHRN has provided training and opportunities for networking and exchange of experience for its members and should design and implement strategies for greater technical capacity
- Results justify the funds used
- A general weakness is the lack of focus and strategy which, while largely the result of EMHRN political structure, could be improved through both member and management initiatives..

1. EMHRN basic assumptions

Although the key assumption that the Barcelona Process would become a power instrument for improving human rights protections has so far not been proved correct, the EMHRN should continue its efforts in this area as the NGO best positioned to do so.

The assumption was that a bottom-up approach to a regional human rights organisation was consistent with a strategy to implement the civil society objectives of the Barcelona Process. The assumption is valid and the strategy can work, if EMHRN has strong internal capacity.

EMHRN assumptions about the value of generating and distributing information about the human rights situation have been correct.

EMHRN assumptions about its ability to form a strong political strategy have been only partially correct, due to the political context in the South, the weaknesses of the Barcelona Process and problems in the EMHRN itself in developing country strategies.

Conclusions in outline:

Discussion

EMHRN assumptions about capacity building through networking are valid and will be further validated with the inclusion of more strong human rights organisations from an expanded EU.

2. EMHRN strategies and programme

Thanks to the financial support of the EC, the EMHRN has had the opportunity to develop itself in a rational manner, adapting models that have evolved in other network organisations established to support a regional approach to promoting and monitoring compliance with human rights standards. Core funding support from the EC has also allowed this organisation to develop and implement a planning process according to priorities identified in a democratic manner by its membership, rather than to adapt its programme to priorities identified externally, and to fund itself via projects, using project overheads to fund core activities.

Priorities and goals need to be specified and activities need to be aimed at their achievement. A strengthened planning process could be implemented, but it must be recognised that the structure of EMHRN as a membership organisation committed to democratic decision-making procedures, which are essential to achieving its most central goals in terms of civil society development and values, imposes limitations.

The objectives identified by the EMHRN are broad and allow the inclusion of a wide range of activities. EMHRN strategies as such appear appropriate to address the programme objectives. However, a major weakness of the programme as a whole is the lack of coherence among objectives and strategies, and methods and means chosen to achieve these. The current programme structure lacks clarity about the relationship between stated objectives and strategies and means to achieve these. More specifically, it is not clear how certain activities, such as for example 'thematic priorities' or 'key initiatives', relate to the programme objectives or strategies.

Furthermore, an analysis of programme activities suggests a lack of prioritisation. All stated activities seem to be of equal importance and relevance and seem to be the result of an ad hoc approach to programme planning and design, not developed under the guidance of a clear strategic approach.

While descriptions of some activities are detailed, others are very general in nature. A case in point is, for example, 'key initiatives', which lacks a detailed account of how the EMHRN intends to engage in a dialogue with governments or assist its members in establishing dialogue and consultation with their governments.

The lack of clarity on this point reflects the absence of a country strategy, a weakness that lies in the member organisations and which, as discussed below, can be addressed.

In order to improve the overall programme, the Evaluation Team recommends assessing and reviewing programme strategies and the redesign of the programme, taking the following into consideration:

- Strategic planning should be accompanied by an analysis of the situation, the development of a strategy to address the situation, a budget and human resources required to achieve objectives
- The development of a long-term and a short-term strategy. Currently activities seem to be included in the action plan on an ad hoc basis
- The programme should be designed in such a way to allow a link to be established between objectives and activities.
- The programme design should be result-oriented. The current programme structure makes it impossible for the Evaluation Team to assess accurately whether or not objectives have been achieved. It is important to include evaluation indicators.
- The development of country strategies, whereby the EMHRN should clearly distinguish between the needs of its members (dictated by their mandates) and the priorities of existing national policies.
- The establishment of priorities. Currently, activity reports presented at General Assembly meetings list a number of activities without indicating priorities.
- Special attention should be given to the development of strategies in relation to their target groups. For example, information meant for the use of different groups of stakeholders should be developed and presented accordingly. The EMHRN has indicated in its Work Programme 2004 that it will “examine and plan modes of integrating human rights concerned media people into the work of the EMHRN”.
- Although the work programme and strategy are closely linked to the EMP, exploring and developing strategic partnerships with other organisations working in the region is highly recommended. Partnerships could include UN institutions.

3. EMHRN work in the three priority areas

The three priority areas continue to be relevant as the basis for action plans. EMHRN’s work in information gathering and distribution has been successful and could be more so with the introduction of a media programme.

The basic strategy is highly valuable to the main stakeholders, including EU officials and bureaux. More follow-up is needed and members should be more active in cooperating not only with information development, but with its distribution, if the use of information is to be more effective in publicising information about the Barcelona Declaration, the Barcelona Process and the level of compliance by member governments.

Dialogue, lobbying and campaigning functions have been efficiently organised but effectiveness depends on many factors outside the control of the organisation. Here we see the need for a fundamental re-evaluation of the EMHRN's mandate and strategy, because the organisation is labouring under the contradiction that it has little faith in the utility of advocacy in the main political forum it has chosen. More concentration needs to be made on advocacy at the local level.

In capacity building, the EMHRN needs to move further toward strategies other than networking. Working groups have not yet fulfilled their potential to be developed as internal capacity building mechanisms. Expanded membership will allow the EMHRN to succeed better with its current capacity building model. Basic improvements in technical capacity as professional human rights organisations will lead to overall improvements in the EMHRN as a whole.

a. EMHRN management

While a relatively new organisation, the EMHRN has developed into a well-managed NGO with a strong management infrastructure and carefully developed detailed procedures. Continuity and adaptability will be possible based on this foundation. The Secretariat is highly professional, efficient and a repository of expertise on the issues. Management is shared with the membership and, as membership is strengthened, the Secretariat can do its job more efficiently. Management will benefit from the use of additional techniques like PCM tools.

b. Impact

The work of the EMHRN under the terms of the project has had wide-ranging, strong and positive impact. It has succeeded in raising the profile of the human rights dimension of the Barcelona Process among the main political and civil society constituencies, all of which are aware of the work of the organisation, which has assumed an important and unique role in the field. The impact on the governments in countries in the South is harder to judge but is apparently not as evident.

The main impact of the EMHRN has been with civil society. The EMHRN has succeeded in mobilising civil society along the lines envisioned by the Barcelona Declaration and in providing a unique international, cooperative process in the region that has strengthened the human rights community, and in a sense created a community where before there existed a number of separate groups. The impact of the EMHRN has thus been to help forge the development of an international civil society community that can operate cooperatively with multilateral governmental institutions in a region of profound importance for security and economic development in addition to human rights.

4. Specific topics from the ToR

a. Consistency of actual activities and strategies with the financing agreement in terms of content and timeliness

The financing agreement outlines activities only in general terms, for each of the four years of the programme. Neither detailed activities nor strategies are outlined in the proposal.

The practice has been that the Network develops action plans each year. The degree to which these are shared and agreed upon by the EU and other supporters is not clear to the Team.

Similar to the activities, the budget attached to the proposal is not detailed. It does not allow the identification of funds allocated to specific activities, members or the organisation of the EMHRN itself. The budget the Team saw does not comply with the one submitted in the proposal and it is presumed that the changes have been negotiated with the EU.

The EMHRN has been successful in finding matching funds for the project.

Reference has been made by representatives of EuropeAid to delays in undertaking planned activities at the beginning of the programme. Tangible output seems to have accelerated, reaching expected or higher levels.

b. Adequacy of resources, especially quality of human resources

Employed staff have the necessary profile to do their job, are highly professional and work well together as a team. Implementation of the programme required a substantial input of overtime and support by unpaid volunteers.

Expansion of activities and their scope as reflected in the EMHRN Action Plan 2004-2008 will require more human resources. The staff need to guard against inflation of their work load at the best of members, in order to maintain quality.

c. Do the benefits justify expenditure?

The global answer to this question would be that expenditures are justified. The EU has essentially funded the core activities of an NGO and given this organisation flexibility to determine priority areas by its own means. The result has been to create and maintain the activities of an important new international NGO in a region whose strategic importance to the security of Europe is immense. In this sense, the grant is as much an investment as expenditure.

The expenditure, much of which has been directed at constructing an organisation and a process for regional and inter-regional cooperation and dialogue, will be fully justified as the EMHRN engages the organisation thus created in more direct protection of human rights. More focus should be on field action and the support of members.

We believe some expenditure could be reduced and that members should be asked to bear more costs.

d. Quality and comprehensiveness of assumptions made and risks identified during design and implementation

The design of the project as reflected in the proposal is vague. Activities listed for all four years are similar and do not include any risk analysis. A future proposal should take into account the changing political context and specify interventions. These interventions are especially relevant for urgent actions to be taken in the event of human rights defenders coming under attack.

e. Degree of flexibility of the design to respond to changes in the environment for implementation

The design has been flexible. The Network has evolved as a decentralised body, which makes input from members possible. The political process can adapt itself to exigencies and can react in an efficient manner.

Here it should be observed that members of the EMHRN perceive EU enlargement as a threat to the Mediterranean region, with funds potentially channelled away from Mediterranean countries and the weakening of the EU commitment towards the South.

The existing design enables an integration of the human rights communities from the incoming EU member states, which could be of substantial benefit to the Network.

In order to improve the overall programme, the Evaluation Team recommends assessing and reviewing programme strategies and the redesign of the programme, taking the following into consideration:

Consolidated recommendations

1. Thematic priorities and strategies

1. Strategic planning should be accompanied by an analysis of the situation, the development of a strategy to address the situation, a budget and human resources required to achieve objectives
2. The development of a long-term and a short-term strategy. Currently activities seem to be included in the action plan on an ad hoc basis
3. The programme should be designed in such a way as to allow a link to be established between objectives and activities.
4. The programme design should be result-oriented. The current programme structure makes it impossible for the Evaluation Team to assess accurately whether or not objectives have been achieved. It is important to include evaluation indicators.
5. The development of country strategies, whereby the EMHRN should clearly distinguish between the needs of its members (dictated by their mandates) and the priorities of existing national policies.
6. The establishment of priorities. Currently, activity reports presented at General Assembly meetings list a number of activities without indicating priorities.
7. Special attention should be given to the development of strategies in relation to their target groups. For example, information meant for the use of different groups of stakeholders should be developed and presented accordingly. The EMHRN has indicated in its Work Programme 2004 that it will "examine and plan modes of integrating human rights concerned media people into the work of the EMHRN".
8. Although the work programme and strategy are closely linked to the EMP, exploring and developing strategic partnerships with other organisations working in the region is highly recommended. Partnerships could include UN institutions.
9. No priorities are set in terms of sub-activities. This is needed, given the human resources and funds available. The three objectives of the Network should be linked in a broader framework. Formulation of work plans needs more input from members.

2. Information

10. Development and implementation of a media strategy, backed by financial and human resources, would allow the EMHRN to apply a more systematic approach in publicising its full range of information aimed at achieving political and institutional goals, and this has been inserted into the EMHRN Action Plan 2004-2008. In addition to a media strategy the Evaluation Team found that improved external communications would enhance the effect of the dissemination of information and would constitute an important lobbying tool. The EMHRN has included the employment of a coordinator of external communications in its Action Plan 2004-2008.
11. Information generated has constituted a valuable basis for lobbying and campaigning. It is recommended to follow up on information in a more systematic way. Human resources allocated for external communications could be in charge of this function.
12. The gathering and dissemination of information in the region should be pursued in a more coordinated way. A regional coordination mechanism could be developed to facilitate gathering and dissemination of information. Currently it is the responsibility of the members of the EMHRN.

3. Dialogue, lobbying and campaigning

13. The EMHRN needs to re-examine its advocacy objectives and to consider refining and/or broadening its approach. While the primary focus should remain the EC framework, the EMHRN could explore other possibilities of effective advocacy by for example using the UN agencies.
14. Work has begun on a programme referred to as 'Beyond Barcelona' but this requires more elaboration.
15. A programme of wide-ranging consultations should be undertaken in this regard, bringing in a range of experts on international human rights law to work with the EMHRN as a 'visiting committee'.
16. One of the tasks of the visiting committee would be to help the EMHRN assess the possibility of advocacy with the most difficult governments in the region. The EMHRN needs eventually to develop country strategies, a process that may require prior steps in the area of capacity building (see below)²¹. A regional coordination body in the South would facilitate more direct engagement. This body would also be relevant to improvements in information and capacity building.

21 This objective has been inserted into the Action Plan 2004-2008 as one of the key activities.

4. Information and capacity building

17. The agenda of the EMHRN should be enlarged to deal in a positive manner with the ineffectiveness of the regional human rights mechanisms in place.
18. The debate in the General Assembly about such basic challenges appears to be too limited. While many hours were consumed by procedural issues of little interest to many of the more imaginative members, a wide-ranging debate on how the civil society human rights community might address the development of a stronger regional human rights mechanism was not possible.
19. It is important for the intellectual capacity of the EMHRN that opportunities be given for such debates and in particular for positive initiatives. The tendency of speculative thinking is of a negative character. We were surprised that, while a proposal to introduce an OSCE-like inter-governmental structure in North Africa and the Middle East is well-known in a number of political communities, it was not discussed by the EMHRN.
20. At the same time, we recommend that the EMHRN continue its programme vis-à-vis the Barcelona Process and the EMP. In significant ways, this programme has been successful. In particular, it has made it less easy for partners in the process on both sides of the Mediterranean to ignore their human rights obligations. It has increased the risks to governments of violating human rights. While it is hard to assess the role of EMHRN's efforts in this process, it is certain that, without these efforts, the human rights situation would be worse than it is.
21. Finally, many members of the EMHRN expressed at the General Assembly their view that EU enlargement will weaken their position, being aware of decisions taken in the past regarding funding re-allocations. But we recommend that the EMHRN engage political representatives of the new incoming members of the EU and thus of the Barcelona Process. These are governments that are likely to take a fresh look at the prospects for human rights and democracy in the Middle East and North Africa. They are eager to demonstrate their interest in the integrity of the EU. And they are, in many cases, governments led by people with particular sensitivities to human rights issues and sympathies with NGOs like the members of the EMHRN, which struggle against authoritarian practices.

22. The Team believes the EMHRN needs to find ways to assess and address capacity deficits defined by an overall strategy. These might be conceived as falling into several categories, for example, basic human rights knowledge and understanding; research and reporting techniques; legal knowledge; media and marketing; management and fundraising; internet and internet security techniques; advocacy techniques etc. The Evaluation Team also recommends that a strategy of capacity building be developed. Capacity building should, in addition to the provision of human rights education for EMHRN members, also include the promotion of organisational capacity of member organisations. This could involve training in fundraising, monitoring, reporting, advocacy, media etc. Capacity needs to be considered beyond the networking capacity. A regional coordination body in the South would be relevant to improvements in information and capacity building.
23. As stated above, the cooperation and exchange process is effective as a capacity-enlarging mechanism to the degree that capacity exists that can be exchanged. A central recommendation is therefore to bring into the EMHRN more strong human rights organisations from Europe, especially from the new members of the EU. For example, a number of the strongest human rights organisations in Europe exist in Poland, the Czech Republic, Hungary, and Latvia. The European components of the EMHRN need to be stronger and to make a stronger contribution to all phases of the capacity-building process. (The Team has already recommended to the EMHRN that it organise a meeting between some of its members and some members of the International Helsinki Federation for Human Rights in the context of the Netherlands EU Presidency.)
24. The Team believes the working group structure has much potential in the EMHRN in terms of capacity building and channelling the expertise of members on behalf of the programme of the Secretariat and of the Network as a whole. The Human Rights Education Working Group should develop into an internal educational framework for the EMHRN. Human rights education should be dealt with as a cross-cutting issue that indicates not only humanistic values and knowledge about international standards but also technical capacity. Promoting human rights education through the support of the Working Group is a key activity in the Action Plan 2004-2008.
25. In order to ensure increased exchange of experience and expertise it is recommended that exchange visits from the North to the South be increased.
26. Some participants in the EMHRN criticise the Network for 'neglecting' certain countries, for example Syria and Iraq. The Evaluation Team found that it is perceived that the Network's small member organisations need more support. The EMHRN should develop a strategy for what it calls "countries of special concern".

27. The EMHRN should also ensure that activities of working groups are made available to other members as well as lessons learnt disseminated.
28. Special strategies should be developed for countries with difficult political and human rights conditions. A more strategically-oriented support system is needed for NGOs in the member states where the environment is particularly difficult, such as Syria. (This is included in the Action Plan 2004-2008.)
29. The Evaluation Team found that more attention needs to be given to strengthening member NGOs in addressing the human rights dimension of the Barcelona Process vis-à-vis their own governments. The development of a country strategy together with the member NGOs would allow the EMHRN to provide support and a framework for member NGOs to assess governments' commitment to human rights, as for example reflected in Article 2 of the Association Agreement.
30. The EMHRN should thus focus more on supporting its members in their domestic programmes. This could be done by several means: assisting members and backing them in a dialogue with their governments. This is of course linked to the issue of country strategies.

5. Management and institutional issues

31. As included in the EMHRN Action Plan 2004-2008, it is recommended that the system of internal communication be strengthened. The Evaluation Team suggests that a committee be created which could look into ways of strengthening internal communication.
32. A system which strengthened communication would allow members to contribute in a more efficient way. Their contribution would shape the work of the EMHRN positively. The improvement of communication should include the use of new technologies and the improvement of the website as a means of communicating among members.
33. The Evaluation Team also recommends that external communications be improved. (The EMHRN has included the employment of a coordinator of external communications in its Action Plan 2004-2008.)
34. The EMHRN does not provide any standardised mechanism to ensure member contribution and participation. Increased member contribution and participation is one of the issues addressed in the EMHRN's 2004 work plan. The EMHRN makes one of its objectives to ensure active membership contribution.
35. With the increase in membership the Evaluation Team recommends the development of more sophisticated membership criteria for the selection of participants. For example, it is not clear whether a Europe-based organisation working on issues of the South should be considered a European or a Mediterranean member. This question was raised at the General Assembly with no answer found.²²

22 According to Article 63 of the bylaws, three organisations from a country may become members.

36. We recommend that members be asked to assume responsibility for some of their own costs in attending General Assembly meetings, to ensure that participation is serious and that the EMHRN is not exploited.
37. In addition, more professional human rights NGOs from Europe ought to be brought into the EMHRN.
38. The EMHRN could make substantial progress in scaling up its activities. The opening of an office in Brussels, in particular, has strengthened the EMHRN capacity for lobbying and campaigning and has increased the visibility of the Network.
39. It is therefore recommended that a logical framework for future activities be developed, which would also include a risk analysis. This would allow the EMHRN to monitor its activities on an ongoing basis. Indicators to monitor progress should be developed in cooperation with the member NGOs.
40. In addition, the Evaluation Team recommends conducting an evaluation of EMHRN programmes on a yearly basis.
41. The Team believes the EMHRN ought to require more from the members, which would challenge both sides to raise mutual expectations. For example, members should report back on their activities in a more systematic way, and the EMHRN needs to find more ways to assist its threatened groups working in the most repressive and dangerous environments. The EMHRN has included the strengthening of internal communication as one of its key activities in the Action Plan 2004-2008.
42. In order to develop a more systematic monitoring system it is highly recommended that monitoring criteria be established. This is also true for the evaluation of the project. Firm quantitative or qualitative indicators, which would allow the evaluation of progress and quality of work, have not been employed. This is an urgent matter which needs to be addressed.

6. Use of PCM tools

43. The proposal submitted by the EMHRN to the EC for funding does not include any logical framework which would provide the management tools for implementing, monitoring and evaluating the programme. An annex in the proposal lists all activities for each of the four years of the project. Listed activities are more or less the same and are presented under general headings.
44. Equally the budget attached to the proposal does not include any detailed budget lines for thematic or country-related activities.

45. The EMHRN has formulated its activities in an action plan, which has been translated into a work plan. Activities are broken down into sub-activities. At the General Assembly meeting an annual report is presented, which outlines whether objectives have been achieved. While this procedure suggests transparency and accountability, the use of PCM tools would increase quality of planning, monitoring and evaluation considerably. The use of a logical framework in particular would allow progress assessment and evaluation. It would also allow the EMHRN to set priorities. Currently sub-activities listed seem to have equal importance and relevance.
46. PCM tools should also be applied for smaller projects implemented within the context of each of the EMHRN's objectives.
47. It is also recommended that a risk analysis be included in the design of the program. In the particularly volatile environment in which the EMHRN operates it could use the risk analysis as a basis on which to develop intervention strategies when political circumstances change or unforeseen developments jeopardise the projects.



Annex 1: Project proposal: Euro-Mediterranean Human Rights Network

Project Proposal: Euro-Mediterranean Human Rights Network

Background

The EMHRN is a network of 50 human rights organisations based in more than 20 countries of the Euro-Mediterranean region. It was established in January 1997 with the main objective to: a) support and publicise the universal principles of human rights as expressed by all international instruments on human rights and as expressed by the Barcelona Declaration of November 1995; b) strengthen, assist and coordinate the efforts of its members to monitor compliance by the partner states with the principles of the Barcelona Declaration in the field of human rights and humanitarian concerns; and c) support the development of democratic institutions, the promotion of the rule of law, human rights and human rights education in the Euro-Mediterranean region.

The *raison d'être* of the EMHRN is the EMP and the dynamic it has installed in the region. The EMHRN believes that an important regional human rights mechanism can develop within the framework of the Barcelona Process in an ongoing *process* of dialogue, monitoring and inventive approaches.

Our aim is to establish the EMHRN as a credible civil society partner to the institutions and mechanisms of the EMP and to strengthen human rights work in the region through a synergetic process of mutual support and exchange of experience and knowledge between human rights organisations in the region.

In order to strengthen dialogue and synergy between its members, the EMHRN has established an organisational structure consisting of a General Assembly, an Executive Committee and an operational bureau, the Secretariat.

At the same time, the EMHRN has based its activities on a bottom-up approach in relation to the activities and needs of the members. It aims to be flexible and to build on existing initiatives in the region rather than duplicating these, and it seeks to encourage members to become lead agencies within their field of expertise and to develop networks within the Network.

Our activities are divided into three interrelated fields of activities: 1) Information, documentation and dissemination; 2) Dialogue, lobbying and campaigning; and 3) Capacity building and general education.

Activities*Information, documentation and dissemination*

We wish to raise awareness of the human rights dimension of the Barcelona Process among our members and the public at large, and to inform the EMP mechanisms and the public about the human rights situation in the region as well as about the work of human rights organisations.

This will be carried out through the maintenance of a computerised information service (including a website and electronic mailing lists); periodic reports about the development of the human rights dimension of the Barcelona Process and about key human rights issues in the region; in-depth research on issues which are not covered by existing knowledge; and the publication of reports on the general activities of the EMHRN.

The EMHRN will furthermore each year organise a training seminar for its members on key human rights issues related to the Barcelona Process. In 1999 we will organise a seminar on the overall human rights dimension of the Barcelona Process. In the future, we expect to deal with the following themes: conflict resolution; racism, xenophobia and intolerance; promotion of women's rights; and promotion of economic, social and cultural rights in the Euro-Mediterranean region. A booklet will be produced in relation to each seminar as a tool for goal-oriented activities.

Dialogue, lobbying and campaigning

We wish to participate in the strengthening of the human rights mechanisms embedded in the Barcelona Process and to strengthen dialogue between civil society and the EMP mechanisms in the field of human rights.

On a permanent and overall level the EMHRN will lobby the Partnership to develop a working programme and actions for the implementation of the human rights provisions and principles in the Barcelona Declaration, EMP summit conclusions and the human rights clauses of the Association Agreements. In addition, campaigns on urgent issues will be organised.

Dialogue, lobbying and campaigning will be based on the active participation of the members of the EMHRN whose inputs will be complemented by the operational bureau of the EMHRN. The EMHRN will arrange meetings between its members and relevant officials and representatives of the EU institutions and the partner countries, and with international and regional organisations, depending on the nature of the issue. These activities will be supported by the EMHRN reports and the computerised information service.

Capacity building and general education

Capacity building and awareness raising is crucial for human rights promotion and protection in the region. The EMHRN wishes to enhance human rights work in the region by strengthening communication and exchanges between human rights organisations; improving coordination of the activities of human rights organisations working in the region; and promoting the development of joint projects between EMHRN members including transfer of knowledge from one organisation to another.

This will be carried out by encouraging members to become lead agencies within their field of expertise and to develop networks within the network; organising exchange visits between member organisations; and periodic meetings of working groups under the umbrella of the EMHRN on issues such as human rights education, management and strategic planning, migrant and refugee issues, women's rights, conflict resolution, human rights monitoring and legal aid services. Communication, exchange and coordination will be supported by the operational bureau including its information service. Working groups or lead agencies will be responsible for raising funds and for the implementation of further activities. Through this project we hope to contribute to the development of a strong regional civil society participation in the Barcelona Process in the field of human rights.



Annex 2: List of documents

General Assembly (GA)

1. Rules of procedure of the EMHRN General Assembly (Resolution adopted by the Executive Committee at Casablanca 8 September 2003)
2. Preliminary agenda of the GA 2003
3. Call for candidates (for the Executive Committee)
4. Registration form GA 2003
5. Executive Committee Election Malta 2003 (Motivation of candidature)
6. Candidates for the Executive Committee Elections 2003

Working groups (WGs)

1. Meeting of EMHRN Justice WG (Draft Agenda)
2. Participants to the Working Group meeting on Justice. EMHRN Malta 3 - 4 December 2003
3. Outline of Justice report (agreed in Casablanca 30 - 31 November 2003)
4. Minutes of working group Paris 9 - 10 May 2003
5. Agenda proposal – Justice Working Group 9 May 2003
6. Points for the agenda for the Human Rights Education (HRE) WG meeting in Gozo, 8 - 9 December 2003
7. EMHRN Human Rights Education WG MAY 2003 (Participants)
8. Evaluation of the Summer School, held in Lebanon (7 - 12 September 2003)
9. Draft EMHRN paper on justice in the Euro-Med region
10. Policy and Strategy on Human Rights Education. Report of a workshop (27-29 April 2000)

Civil Forum

1. *Building bridges not walls*. Declaration. Euro-Mediterranean Civil Forum, Naples 28-30 November 2003

Work Plan and Action Plans

1. Work Plan June – May 2004
2. EMHRN Action Plan 2004-2008 draft version
3. Action Plan of the EMHRN 2000/2001
4. Work Programme for EMHRN 2002-03
5. Work Plan September 2002 – December 2003

Annual Reports, audit reports, proposal

1. Annual narrative report (1 May 2002 to 30 September 2003)
2. Annual report (February 2000 to 2001)
3. Euro-Mediterranean Human Rights Network (Annual Audit Report for 2002 (2. Financial Year)
4. PricewaterhouseCoopers Financial Statements for 2000/2001 (Audit Report)
5. EMHRN Activity Budget 2004
6. Contrat de subvention – aides extérieures
7. Annex IIIbis Project B7-7050-ME8/99/283B (Budget attached to proposal)
8. Overview: EMHRN finances – Aperçu: Finances du REMDH (2000 – 2004)
9. Activity Budget 2000 – 2004
10. Communication from the Commission to the Council and the European Parliament. Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners – (COM (2003) 294 final)

Human Rights Foundation

1. Euro-Mediterranean Human Rights Foundation Project Description
2. Statutes of the Euro-Mediterranean Foundation of Support to Human Rights Defenders

Papers, publications

1. Position paper on EMHRN and the Kurdish problem
2. Euro-Mediterranean Human Rights Network Publications
3. Report on the evaluation of the state of justice (in certain Southern Mediterranean countries)
4. Draft EMHRN paper on justice in the Euro-Med region (second draft)
5. A background paper on human rights education
6. The human rights implications of the MEDA programmes, Iain Byrne & Charles Shamas, (Marc Schade-Poulsen, ed.), Euro-Mediterranean Human Rights Network, Copenhagen, September 2002
7. Position of the EMHRN, the International Federation for Human Rights (FIDH) and the World Organisation against Torture (OMCT) on the implications of the European's Commission's Communication on Human Rights in the Mediterranean Region and on 'Wider Europe'
8. Human rights, democracy and the Barcelona Process: past experience and the way ahead. Gamal A. Gawad Soltan
9. EMHRN activity report. December 2003

10. EMHRN political report. December 2003
11. Rapport moral. December 2003
12. Contributions to the strategic orientations of the EMHRN: invitation to debate

Internal structure and organisation

1. Euro-Mediterranean Human Rights Network structures and procedures document
2. Organigram
3. Staff regulations
4. Bylaws (Explanatory rules to the Statutes)
5. Suggestions for amendments of the statutes
6. Organisation plan for the EMHRN staff (job description – last update 26 July 2003)

Miscellaneous

1. Membership fees 2003
2. Meetings and conferences (list)
3. Evaluation of Trieste Conference on Migration, Refugees and Human Rights, Trieste, 18-19 January 2002
4. Correspondence (25 March 2002) Mr Hein (Director of the Italian Council for Refugees) - Abdelaziz Bennani, President, EMHRN
5. Correspondence Mr Hein (Director of the Italian Council for Refugees) – members of the EMHRN
6. Presentation of new EMHRN members Athens 2002
7. The human rights situation in Iraq and the impact on human rights in the Euro-Med region. Draft Report. August 2003



Annex 3: List of people contacted

European Commission

Relex – Human Rights: Julia Savaga

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Elin Wrzoncki
Jennifer Geen
Natasha Shawarib
Randa Siniora
Karim Falih Hafidh

Annex 4: Issues raised in the Terms of Reference

Impact

- Contribution of EMHRN activities to strengthening the capacity of NGOs to work within their constituencies and within the Euro-Med framework
- Achievement of objectives in priority fields
- Information and dissemination aimed at awareness-raising
- Dialogue, lobbying and campaigning to strengthen human rights mechanisms and dialogue with EMP mechanisms
- Capacity building and general education
- Contribution of EMHRN's achievements to fulfilment of the main objectives of the Barcelona Process itself:
 - support and publicise the universal principles of human rights
 - monitor compliance by the partner states in the field of human rights
 - development of democratic institutions, rule of law and human rights
- Unforeseen positive or negative effects of the Programme

Relevance and design

- Added value to the work of members of the EMHRN
- Relevance of activities:
 - to addressing human rights issues within the Euro-Med context
 - to obtain measurable results in the three priority fields
- Use of PCM tools
- Level and quality of stakeholders' identification and participation
- Quality and comprehensiveness of assumptions made and risks identified during design and implementation
- Degree of flexibility of the design to respond to changes in the environment for implementation

Effectiveness

- Effectiveness of EMHRN's methods in terms of obtaining measurable results in the three priority fields
- Influence of the political, economic and security environment on achievement of programme's purposes
- Have expectations and interests of members, other beneficiaries and stakeholders been met?

- Unplanned benefits arising from the process
- Multiplier effect arising from the process
- Contribution to the creation of social capital
- Flexibility in implementation of activities

Efficiency

- Quality of programme management (reporting, financial management, personnel management, procurement, monitoring and evaluation systems)
- Consistency of actual activities and strategies with the financing agreement in terms of content and timeliness
- Adequacy of resources, especially quality of human resources
- Do the benefits justify expenditure?

Sustainability

- Extent to which the programme can be replicated
- Sustainability without EU budget

Institutional assessment

- Communication system
- Effectiveness of decision-making system
- Transparency and accountability

Visibility

- Awareness of beneficiaries of the role of the EU in the Programme
- Methods used to make the beneficiaries aware of the EU role