

Recommendations for safeguarding development policy principles and objectives in the future EU institutional framework

Following the coming into force of the Lisbon Treaty on 1 December 2009 EU member states together with the European Parliament are discussing the implementation of the Treaty, including the creation of the new European External Action Service (EEAS).

CONCORD has identified a number of principles that should be at the core of the institutional reforms process and a number of safeguards that should be put in place while deciding on the new institutional structures.

Principles

The EU should deliver on the following set of principles which it has already committed to and ensure that they are respected under the new institutional structures:

1. In respect of the EU Treaty, "the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law" (Article 21, TEU); and shall contribute to the eradication of poverty in its relations with the wider world (Art. 3, TEU).
2. "Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty"(Article 208, TFEU).
3. "The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries" (Article 208, TFEU).
4. The EU Treaty, the EU Consensus on Development and EU's international commitments should be the guiding political framework for development policy and cooperation in all developing countries without distinction.
5. Long term objectives of and commitments to sustainable development, human rights and gender equality, must be an essential aspect of the political dialogue with all developing countries as per the Lisbon Treaty and the Cotonou agreement.
6. From Council conclusions on Security and Development (2007) we retain that:
 - This nexus between development and security should inform EU strategies and policies in order to contribute to the coherence of EU external action, whilst recognising that the responsibilities and roles of development and security actors are complementary but remain specific.
 - Conflict prevention should be pursued as a priority goal in particular by fostering and strengthening development cooperation.
 - Future work on security and development should include a more detailed approach to the development perspective of security challenges, dialogue processes (political dialogue, mediation, human rights promotion, governance, democracy support), DDR and the inter-linkages with SSR, the security and development implications of climate change, environmental and natural resource management issues and migration, as well as aspects related to financing.

7. Transparency and democratic scrutiny over development cooperation policy, programming and implementation in all developing countries should be ensured.
8. Democratic ownership and accountability of all development actors towards beneficiary populations should be promoted at all levels by EU institutions.
9. EC obligations and commitments towards the consultation of civil society and non-state actors should be respected and put into practice by all institutions and at all levels¹.
10. OECD DAC criteria and Accra Agenda for Action should be the reference framework for an effective implementation of EU aid in all developing countries

Safeguards and recommendations for an institutional reform respectful of these principles

Whatever institutional model is finally agreed upon, CONCORD thinks the following types of safeguards should be put in place:

Political level

It is CONCORD's view that the principles and commitments enounced above will be best respected if:

- The EEAS takes a long-term and sustainable development approach in the policy dialogue with third countries and in all interventions in the area of CFSP and CSDP.
- Effective dialogue and coordination mechanisms are established between the different institutions and DGs dealing with developing countries while respecting the leading role of the Commissioner for Development and the European Commission on development policy formulation and initiatives and on development cooperation programming and implementation.
- Development policy and objectives, human rights and gender equality, are integral and prominent aspects of the policy dialogue with third countries and of the negotiations in view of signing international agreements with developing countries (FTA, FDI agreements, association agreements etc).
- Ensuring policy coherence for development is a shared responsibility of all institutions in relations with developing countries and safeguards and mechanisms for respecting and implementing policy coherence for development are put in place under leadership and supervision of the Commissioner for Development.
- Effective mechanisms allowing full scrutiny by the European Parliament on the adoption of EU cooperation strategies with third countries and on the use of the EU budget for external actions are established, including mechanisms to monitor policy coherence for development.
- Structured and effective dialogue and consultation mechanisms are put in place, by all institutions and at all levels, to allow a meaningful participation and contribution of civil society actors in Europe and in developing countries in all aspects of EU external actions.
- Full transparency on the sharing of responsibilities and decision making process inside EU institutions is ensured and user friendly information on the way the new institutional framework is taking decisions and functioning is made available for external actors and the broader public.

Institutional level

¹ It includes the Communication from the Commission 'Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission', Brussels, 11.12.2002, COM(2002) 704 final as well as the Guidelines on Principles and Good Practices for the Participation of Non-State Actors in the development dialogues and consultations of November 2004.

It is CONCORD's view that the principles and commitments enounced above will be best implemented by an institutional framework ensuring that:

- Expertise on development policy and practice is present at all levels in the institutions including in the EEAS and more particularly in the delegations.
- Sharing of expertise, good practices and lessons learnt between all institutions and staff dealing with developing countries is promoted and adequate institutional mechanisms are set-up in that view (for example, through reinforcing and extending the Inter service quality support group).
- Sharing of expertise and coordination taking place at HQ level is reflected at delegations and MS embassies level and is strongly promoted through incentives and proper training of delegations staff.
- Clear lines of responsibility for sign off are established to ensure a strong development check on the use of aid instruments and ODA in general under supervision of the Commissioner for Development.
- Clear lines of management and reporting are established between delegations and the different DGs and Commissioners according to staff responsibilities in delegation while EEAS has the overall supervision and coordinating role.

Strategic and programming level

It is CONCORD's view that the mandate of the High representative for Foreign Affairs and Security Policy and the objectives of EU Development Policy will be best supported through an aid programming cycle that respects the following conditions:

ODA envelopes are allocated to developing countries on the basis of harmonised and objective criteria relating to the needs and the conditions necessary to realise development policy objectives and the MDGs. Foreign affairs or economic interests of the EU should in no way interfere with these decisions. These criteria should be subject to an interinstitutional agreement between the EC, the EP and the EEAS.

The EEAS together with member states and in consultation with the European Commission undertakes joint regional and country analyses taking due account of developing countries own interests and priorities and in line with the Council conclusions on security and development and on that basis, prepares joint overall and coherent EU country or region Policy Papers .

The European Commission and the Member States prepare their own development cooperation strategies and programmes in line with the Joint EU Country/Region Policy Paper that has been adopted and taking into account the developing countries own poverty eradication strategies. In doing so they abide by the Paris Declaration on Aid Effectiveness as well as the EU Code of Conduct on Division of Labour.

EC aid programming at country and regional level is under the responsibility of the Commissioner for Development and takes the form of an EC development cooperation country strategy and indicative programme. It integrates experience and lessons from the previous programming cycle and evaluations and is in line with the EU consensus on development, the Cotonou Agreement (in case of ACP) and the commitments taken at international level (MDGs, AAA and other international conferences).

EU delegations play a prominent role in establishing both the EU Country Policy Paper and the EC Country Development Cooperation Strategy and Programme in close cooperation with the partner governments and in full respect of the principle of ownership and civil society participation, particularly in the partner country. They pay special attention to ensuring proper coordination, coherence and complementarity between the different EU policies and instruments having an impact in the country as well as Member States' cooperation programmes.