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HUMAN RIGHTS, DEMOCRACY AND DEVELOPMENT

342.7

*At the Initiative of Mr Marin and Mr Matutes and in agreement with Mr Delors, the Commission has today transmitted to the Council and Parliament a communication on human rights, democracy and development cooperation policy.*

*It is the Commission's wish to provoke thought and set out a consistent general approach to the relations to be established between development cooperation policies, observance and promotion of human rights and support for the democratic process in the developing countries.*

*Particular stress is laid by the Commission on positive steps to promote human rights and democracy.*

*This communication takes into account the possibility of development cooperation being integrated into a common external policy and common security policy.*

I. INTRODUCTION

The issues outlined in the Commission's communication must be seen in the perspective of including development cooperation in the scope of a Community common external and security policy.

The guidelines adopted at the intergovernmental Conference on political union in this respect will provide the basis for establishing the procedures for decision-making on human rights and democracy in the development cooperation context with a view to making them more efficient and consistent.

In accordance with Article 30(5) of the Single Act, the Presidency and the Commission are responsible for ensuring that there is consistency between the Community's external policies and those agreed in European Political Cooperation. In practical terms the Community and its Member States have already spoken out on numerous occasions to defend and promote human rights (see Memo 15/91)

The Commission considers, nevertheless, that such pronouncements should become more systematic and be based on a more carefully thought-out doctrine, particularly in view of the possibility of development cooperation being integrated into a common external policy which, in keeping with the conclusions of the European Council held in Rome in December 1990, should foster democracy, the rule of law, and respect for human rights and promote economic development throughout the world.

The changes in Eastern Europe and the end of the East-West confrontation have provoked or hastened political and economic change in many developing countries. This said, external factors would not be enough to bring about far-reaching and lasting changes in the political and economic systems of the developing countries without powerful internal pressure for change. This seems to be happening in many cases, but the process is nevertheless fragile and reversible.

The time has come, therefore, to feature human rights and democracy more prominently in cooperation policy guidelines and at the same time to ensure that political reactions to situations where questions of human rights or democracy are at stake take due account of the aims and specific concerns of development cooperation.

## II. HUMAN RIGHTS

Where relations with developing countries are concerned, the Community will give priority to fundamental human rights, since these are universal and completely independent of any particular type of society. Great importance will therefore be attached to the main civil liberties and political freedoms, in keeping with the desire for democracy and efficient economic machinery.

Although economic and social rights cannot be monitored by the courts in the same way as the other rights, there is no doubt that promoting them will encourage the promotion of other human rights. There is broad consensus on the need to eliminate discrimination on grounds of race, sex and religion.

In line with the interinstitutional declaration against racism and xenophobia signed on 11 June 1986, the Member States should pursue their efforts concerning the nationals of third countries residing in the Community by taking the necessary measures to prevent racist and xenophobic acts and to ensure respect for their rights.

The Community will therefore give priority to positive actions to promote human rights. Confronted with serious and systematic violations it may choose a negative response. The various means of encouragement and dissuasion may be combined, depending on the situation or need. The Community will, wherever possible, give preference to the positive approach of support and encouragement.

The Community will also seek to promote frank and trusting dialogue on human rights with developing countries, and to keep the channels for that dialogue open as far as possible, even in difficult situations, notably where the aim is to protect specific rights.

Irrespective of the existence or lack of a contractual framework for cooperation between the Community and a non-member country, it is recognized in international law that serious human rights violations justify action that cannot be considered to constitute interference in a State's internal affairs.

Although the fourth Lomé Convention contains no express sanctions clause in the case of human rights violations, the spirit of the Convention allows certain consequences to be drawn as regards the management of cooperation if Article 5 is breached.

A system which automatically triggers a particular reaction to human rights violations would not be able to deal with all the various situations that might arise. Reactions will therefore be determined by the case in question and graduated according to its seriousness, the circumstances involved and the effectiveness of the forms of pressure available in a particular situation.

In the most extreme case, where cooperation activities are suspended, humanitarian aid will be maintained. Certain other forms of development operation, of most direct use to the local population, notably programmes aimed particularly at basic needs, could be continued via unofficial channels.

For these reactions to be politically credible, they should not be determined by particular political and economic preferences or interests, particularly where they concern a number of countries covered by a single contractual framework for cooperation. Care should therefore be taken to ensure that the attitudes of the Community and the Member States are consistent.

### III. SUPPORT FOR DEMOCRATIZATION

The Community could not set as an objective the active promotion, through its cooperation policies, of a European "model" of democracy for its development partners. Rather, it should offer those countries the benefit of its own experience.

The establishment of democratic governments in the developing countries must be the fruit above all of domestic initiatives. Democracy cannot be imposed from outside nor can it take root without domestic structures. Democratization depends on respect for fundamental rights, the opening of political dialogue and free elections, thus guaranteeing a pluralist society, while leaving developing countries to choose the forms of political democracy best suited to their social and cultural structures.

It also depends on the emancipation of social and economic associations. The formation of intermediate associations that can become development protagonists, enter into dialogue with political structures and act as intermediaries between the state and the individual provides the social and political anchorage for democracy. Such structures mobilize human potential more fully and more successfully than can the centralizing power of the state. Finally it should be pointed out that the transparency of official acts and the answerability of governments to their citizens (the concepts of accountability and good governance) are important guarantees of human rights and the start of democratization.

The essential thing now is to lay the foundations of a deep-rooted and lasting democracy that springs from initiatives of the local population itself. The Community's priority is to help the developing countries accede to a form of economic democracy appropriate to the society in question and giving all sections of the population equitable access to economic resources and a greater role in development.

Community aid must be used in a way that is transparent and of benefit to the whole population. The Community can make a positive contribution to democratization in the development cooperation context.

Lastly, as we have seen in Eastern Europe, the transition from an authoritarian system to one that is less centralized politically and economically is bound to be difficult and may justify special assistance. Reforms of this type in the economic sphere already receive support, notably through structural adjustment aid. It can be argued that we should go further and provide support for "democratic adjustment".