

ENoP

EUROPEAN NETWORK OF
POLITICAL FOUNDATIONS

Policy Paper



Human Rights and Democracy



Co-funded by
the European Union

Contents

Policy Paper – Human Rights and Democracy

- 03 HUMAN DIGNITY, HUMAN RIGHTS AND DEMOCRACY – MUTUAL INTERDEPENDENCE**

- 03 DEMOCRACY: A SYSTEM TO SECURE RESPECT FOR HUMAN RIGHTS**

- 03 DEMOCRACY NEEDS TO BE INCLUSIVE AND EFFECTIVE IN ORDER TO SAFEGUARD HUMAN RIGHTS**

- 04 POLITICAL PARTIES, CIVIL SOCIETY, MEDIA, AND THE JUDICIARY AS CRITICAL ELEMENTS OF INCLUSIVE AND EFFECTIVE DEMOCRACY**

- 05 CHALLENGES TO DEMOCRATIC GOVERNMENTS**

- 05 PRIORITIES AND APPROACHES FOR EFFECTIVE EXTERNAL DEMOCRACY AND HUMAN RIGHTS SUPPORT BY THE EUROPEAN UNION**

- 06 MAIN RECOMMENDATIONS**

- 06 ABOUT ENoP**

HUMAN DIGNITY, HUMAN RIGHTS AND DEMOCRACY – MUTUAL INTERDEPENDENCE

Human dignity is at the core of the European understanding of social cohesion. This understanding is also mirrored in the Universal Declaration of Human Rights promulgated following the Second World War and the experiences of totalitarian atrocities of that time. The Declaration proclaims the dignity of the human being and equal rights for women and men across the globe; this fundamental, normative statement after the Second World War became the starting point for a system of safeguarding human rights, including political, civic, economic and cultural rights.

These rights include substantial freedoms such as the freedom of religion, expression, information, assembly, association, and movement. Equality before the law, physical and mental integrity, and basic social rights including the rights to nutrition, education, housing and medical care, also fall under the overall principle of human dignity.

Securing these fundamental human rights for everyone in society is a logical priority of value-based politics. In today's world, people are fleeing from the violence and injustice being committed by their own governments—steadily rising numbers of detained, persecuted and murdered activists, human rights defenders and journalists, the systematic violation of the rule of law, government-controlled media, and the suppression of a critical civil society, opposition parties, and movements demonstrate that democracy and human rights are fundamentally being challenged today.

Hence, human rights and human dignity must form the basis of every democratic, political order and be the guiding mission for every political and economic activity which takes place in a democratic society. Without these, there can be no democracy worthy of the name. In turn, only in a democratic environment can human rights be protected and realized effectively.

DEMOCRACY: A SYSTEM TO SECURE RESPECT FOR HUMAN RIGHTS

Often, in reality, powerful vested interests prevent the securing of fundamental human rights for all members of a society through their economic dominance, their links to armed forces or the control they exercise over critical decision-making processes. The core question thus becomes how can a society be organised to secure basic human rights for all its members?

Generally, in a self-governed society, people will secure basic human rights through their—or their representatives'—joint decision-making. In societies in which the structures and procedures of government and policy decisions are not based on the democratic concept, there is little chance of a significant and effective implementation of basic human rights for all citizens. The benevolent dictator is an exception and will soon default to a more authoritarian style of rule without democratic accountability mechanisms. As such, democracy is not only a system that emerges from the existence of basic human rights, but also a pre-condition for effectively securing them in society.

DEMOCRACY NEEDS TO BE INCLUSIVE AND EFFECTIVE IN ORDER TO SAFEGUARD HUMAN RIGHTS

Modern societies and their citizens are diverse with a high level of division of labour and a significant diversity of beliefs, interests and aspirations. Any decisions being made must build on these factors. Thus, the pursuit of basic human rights for all citizens through the implementation of the concept of democracy faces two fundamental challenges:

1. How to secure the basic human rights of minorities and groups that are not generally a part of the established majorities
2. More generally: How to design robust management, decision-making, monitoring and accountability structures and mechanisms in line with the concept of the “rule of the people” in order to prevent the abuse of power by ruling bodies (legislative, judicial and executive) and to ensure that the groups in power work to safeguard the basic human rights of the citizens and do not only pursue their own interests or act as a façade for the real power structures.

To meet these challenges, it is necessary to consider the concept of democracy in all its aspects. Often, the notion of democracy is reduced to a focus on free and fair elections, however, a number of other vital questions must be answered to assess the state of democracy in its full complexity:

- How free and balanced has the media been in the years before elections?
- How are the candidates for elections selected and positioned?
- Do political parties have clear manifestos so that the voters can make meaningful choices?
- How will elected representatives be monitored and held accountable following the elections?
- What possibilities do citizens have to participate in political processes and to influence political decisions outside elections?
- What capacity do elected representatives have to control the actions and decisions of the executive arm of the government?
- Are there economic power structures and armed forces beyond the control of elected representatives which influence or even override governmental decisions?
- How capable is the judiciary to protect the interests—and human rights—of citizens if the laws adopted by their representatives in the legislative bodies are violated with or without the collaboration of public administrations?
- Is there a functioning system of checks and balances and separation of powers?
- Is the judiciary truly independent? Is the rule of law effective?

- How much room for manoeuvre does civil society have? Are its freedoms of expression, assembly and association respected and truly implemented?
- Are the basic human rights of minorities and marginalised and disadvantaged groups secured by an inclusive constitution and implemented legislation?

Only if a broader concept of democracy is supported will human rights be effectively secured. Without adequate democratic structures, the promotion of human rights will not be successful.

Consequently, **supporting democracy —particularly in environments where it is being challenged— has to go beyond election observation.** Democracy support must include striving for the promotion and protection of all human rights, fostering meaningful participation, equality between men and women in all aspects, elimination of discrimination on any account, the creation of a safe and enabling environment for all actors of civil society and the media, open and transparent political processes and institutions (political parties, parliament, and government) and implementation of the rule of law. Determining where there is political room for manoeuvre for democratic change and human rights in a restrictive/authoritarian environment is one of the core objectives of political foundations.

POLITICAL PARTIES, CIVIL SOCIETY, MEDIA, AND THE JUDICIARY AS CRITICAL ELEMENTS OF INCLUSIVE AND EFFECTIVE DEMOCRACY

A key element of an inclusive and effective democracy is situated at the centre of the governance and political decision-making process: **political parties**. Their capacity to effectively represent the people's interests and to protect their human rights is crucial to a functioning democratic system in which political parties organise and act in the legislative decision-making process, control and scrutinise the government and its actions, and involve citizens in the political process at all times. Without democratic political parties, democratic structures are a façade, since even a strong and independent media and an independent judiciary cannot protect citizens' human rights alone.

A vibrant and unrestricted **civil society** plays a key role in safeguarding human rights and a well-functioning democratic state and society as well. Civil society is part and parcel of all political processes, be they national or international. Civil society can shape political processes, successfully organise political participation, uncover corruption and human rights abuses, and will demand accountability from state actors. Civil society organisations are watchdogs of official policy, drawing attention to unsound developments, initiating and focusing public debate, and offering political and social alternatives.

Independent media provide the citizens with information about the society they live in: people and their representatives in legal and political decision-making can only act in a meaningful way if they are well and accurately informed about the events and developments taking place in their society. In this context, two core questions are important: first, how

present and accessible are independent and mature audio-visual, print, online and social media in any given society? Second, are most citizens educated enough to understand the information provided by the media? These are key elements for an inclusive and effective democracy that secures the human rights of its citizens.

Finally, a politically, legally and financially **independent judiciary**, with high professional standards, which is easily accessible by all members of the society, with reasonable procedures and freedom from corruption, is a precondition for safeguarding human rights for citizens, including disadvantaged groups.

Even if core values are enshrined in the constitution and operationalised through legislation implemented by the representatives of the people and governmental decisions, it does not necessarily provide adequate safeguards for the human rights of the country's citizens, especially those from disadvantaged groups or groups that have been marginalised in the society. If in real life, those with economic power do not always follow the laws and proclaimed policies while sometimes violating the rights of disadvantaged citizens. This is a reality in many countries that otherwise claim to be democracies, wherein powerful actors from outside the representative political system are supported or tolerated by politicians or parts of the public administration with which they have close relationships through corruption and cronyism. Only the rule of law—where no one is above the law and where impunity is not tolerated—can put an end to this.

CHALLENGES TO DEMOCRATIC GOVERNMENTS

The number of countries that call themselves democracies has increased steadily over the last few decades, with even one-party states declaring themselves to be “people’s democracies”. Despite more and more intensive, globalised communication and the general acceptance of human rights and democracy by the global community organised in the United Nations, authoritarian regimes and open dictatorial rule with violations of basic human rights continue in many countries under the cover of innovative propaganda or language. There are several trends that undermine inclusive and effective democratic governments in numerous countries:

- Populist politicians, offering to provide simplified solutions for complex problems, and who also build their success on systematic dishonesty and fake news, are a considerable danger to the quality and existence of democracy in a number of countries—even countries with long democratic traditions.
- The independence and professional quality of both the media and judicial systems, as core pillars of inclusive and effective democracies, are being systematically undermined and limited in many countries; again, even in countries with long democratic traditions.

- Electoral processes and, even more so, political parties as the key players at the centre of democratic governance, discredit themselves through their unrestricted and unregulated use of money, transforming themselves progressively more into willing instruments of the economic powers acting outside of formally democratic state structures.
- Civic and political space are shrinking: civil society organisations and opposition parties are being put under increased pressure, with their space for assembly and expression shrinking in numerous countries, alongside their being threatened or directly abolished. A similar picture emerges for political (opposition) parties and the media.
- In most countries around the world, there is a growing distrust of politicians and a growing disinterest in politics, which in many cases manifest themselves in low voter turnout at elections and a shrinking membership in political parties.

These challenges must be addressed decisively and in innovative ways if the deterioration of democratic quality—and with it the protection of human rights—is to be tackled worldwide.

PRIORITIES AND APPROACHES FOR EFFECTIVE EXTERNAL DEMOCRACY AND HUMAN RIGHTS SUPPORT BY THE EUROPEAN UNION

The EU has been implementing programmes on the support for democracy and human rights for many years under its foreign policy and development policy instruments. These programmes have prioritised support for the protection of human rights, whereas democracy support has been understood as a subordinated objective.

Direct support for the protection of human rights, however, will typically yield only limited results without the concomitant promotion and protection of democracy. Indeed, the actors and stakeholders in the field of human rights protection are confronted with intense challenges when it comes to achieving their aims as long as the countries they work in are not inclusive and effective democracies.

Therefore, the EU should not only use its political diplomacy and economic power to compel partner countries to improve their respect for human rights and to tolerate the active work of human rights stakeholders, but also to actively support democracy and democratic actors such as political parties in a more substantial manner than is currently the case.

To prioritise democracy support to at least the same degree as the protection of human rights is important since it would lead to a more effective and sustainable securing of human rights in most countries.

MAIN RECOMMENDATIONS

In order for the EU's Action Plan on Human Rights and Democracy to achieve its objectives, the following should be focus areas of the EU's democracy and human rights support activities

1. Strengthening informative, pluralistic and independent media and boosting the capacity of people to both use and understand information as well as evaluate its trustworthiness.
2. Developing and supporting robust, independent and accessible judicial systems with high professional standards, capable of ensuring the rule of law.
3. Providing support for political parties which aims to strengthen their internal democracy by increasing accountability and transparency alongside strengthening inclusiveness and respect for democratic processes
4. Strengthening the capacity of civil society organisations to work with democratic parties and legitimate bodies of representative democracy, to participate in policy processes and to monitor and hold governments and public institutions accountable.

Finally, the five recommendations for EU leadership on democracy (prioritising democracy, developing a democracy support policy, agreeing on a common definition for democracy support, adopting specific funding rules, and investing in human resources for democracy support) contained in the **joint statement signed by all main democracy support actors on 15 September 2019**, provide excellent guidance for the Action Plan on Human Rights and Democracy and will help ensure that its focus on democracy is as strong as its focus on human rights.

All in all, democracy support as a first priority in the EU's value-based global and foreign policy should provide more focused, bolder support for inclusive and effective democracy in the development cooperation and partnership instruments and programmes.

ABOUT ENoP

The European Network of Political Foundations (ENoP) serves as a platform for dialogue and exchange between the European political foundations, civil society organisations, active in the fields of democracy support and sustainable development, and the institutions of the European Union.

ENoP brings together 55 member foundations from 22 EU Member States and the United Kingdom. The members are affiliated to 6 political party families represented in the European Parliament, namely: ECR, EPP, Greens/EFA, GUE/NGL, Renew Europe and S&D. Our members are active in over 100 countries around the world, where they bring civic education, support democratic processes and sustainable development through work with civil society and political actors.

In 2016, ENoP has signed a Framework Partnership Agreement (FPA) with the European Commission, acknowledging the important role of the Network in the fields of development cooperation and democracy support. This FPA marks a set of common objectives of a Strategic Partnership to:



Promote an enabling environment for political foundations, civil society and political parties;



Encourage participation in policy-making processes through political foundations, their partner organizations and political parties;



Strengthen the capabilities of political foundations in promoting democracy and developing pluralistic societies.

ENoP
EUROPEAN NETWORK OF
POLITICAL FOUNDATIONS

*European Network
of Political Foundations*
Rue de l'Industrie 42
B – 1040 Bruxelles

 info@enop.eu

 +32 2 23 000 29

 www.enop.eu



**Co-funded by
the European Union**

This publication was co-funded by the European Union. Its contents are the sole responsibility of the European Network of Political Foundations and do not necessarily reflect the views of the European Union.