



Social Protection in Development Cooperation of the European Union

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Preface

Lately social protection has made quite a spectacular comeback to the international cooperation agenda. In particular the role of social protection plays in alleviating and preventing poverty as well as creating social and economic development has now been largely recognised by international agencies, donors, governments and civil society organisations.

Based on the UN Social Protection Floor Initiative (2009), the ILO issued a Recommendation concerning social protection floors in 2012. 185 ILO member states have adopted this Recommendation, thus committing to provide basic social protection in their countries. This includes arrangements in the context of development cooperation. The Universal Declaration of Human Rights states in Article 22 in 1948: “Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

Moreover global impoverishment and causes of poverty require more than ever responses at social policy level with instruments and concepts that go beyond national borders. The same applies to internationally generated resources for the funding of social security. The measures mentioned by the ILO include debt cuts or debt servicing, the adoption of a more accommodative macroeconomic framework as well as fighting illicit financial flows that amount to more than ten times the total aid received by developing countries (ILO 2014).

The increasing international attention that the issue of social security has gained in recent years becomes also evident in the discussions and negotiations concerning the new development agenda (post-2015 Agenda). In this context it is the opinion of Bread for the World that the post-2015 Agenda should be implemented according to the principle of “common but differentiated responsibility”. One area, in which this responsibility can be realized, is international development cooperation. The European Union (EU) and its Member States are the largest donors of Official Development Assistance (ODA). Social protection instruments belong to the most important measures in the struggle to end poverty in all its dimensions around the world.

This is the context in which this paper was produced. It is intended as an illustration of “development think-

ing” during recent years in the EU, presenting important programmes and instruments. It may serve as the basis for both political lobbying work within the EU as well as for practical implementation of social protection in the context of EU development cooperation.

Bread for the World is member of international civil society networks such as the Global Coalition for Social Protection Floors, the ACT Alliance and the EU Working Group for Decent Work and Social Protection. These networks are committed to make sure that the human right to social security will be implemented worldwide.

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Chapter 1

Introduction

The European Union (EU) is an important player in international development aid, which is one of the four pillars of EU's external actions. The foundations of development cooperation are laid down in the **Treaty on the Functioning of the European Union** (Title III: Cooperation with Third Countries and Humanitarian Aid).

The Treaty of Lisbon clearly states that primary objectives of the Union's development cooperation policy are the reduction and the eradication of poverty (European Union 2010a). At the same time the Treaty specifies that "in the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a common policy; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs. ... The Union's development cooperation policy and that of the Member States complement and reinforce each other."

Since the Treaty of Lisbon cooperation policies of the EU and its member states are geared towards more convergence and regarded as complementary. Many consider the fragmentation of aid policies as problematic. According to the Report Aid Effectiveness Agenda: Benefits of a European Approach the potential benefits from a European approach could amount to 3 to 6 billion euros a year and drastically decrease the burden on partner countries (Carlsson 2009). The Operational Framework on Aid Effectiveness, in line with the OECD effectiveness agenda, was adopted at the Council of the European Union meeting on 17 November 2009 (Council of the European Union 2009a).

The Union and its Member States provide together more than half of ODA globally and are committed to achieve the target of 0,7 percent of GNI by 2015.

Regarding social protection a clear distinction between internal and external matters is required: Within the European Union, social protection is an exclusive competence of the member states, even if the European Commission can influence national policies through its policies regarding the internal market, free movement of persons and competition. This certainly holds true for the more recent policies on 'economic governance' that contain 'country specific recommendations' on social matters.

In foreign affairs, such as development cooperation, the European Union can be active in social protection, though here too, beneficiary countries can accept or reject aid in these matters.

At the level of social protection for developing countries, cooperation between member states might be par-

ticularly important and give added value to a European approach, given the common values attached to the 'European social model', at the risk of being overridden by current austerity policies. Supporters of more convergence have repeatedly advocated a 'single EU contract'. A common agenda for North and South joined by a knowledge transfer might also work as an incentive for policies promoting social protection.

As in national development cooperation the EU has increased its commitment to social protection. The **EU Council** endorsed the guiding principles for social protection in future EU development cooperation in its Conclusions "Social Protection in European Union Development Cooperation" adopted on 15 October 2012 (Council of the European Union, 2012a). Among other things, the Council Conclusions called on the Commission "to examine how best to integrate social protection, which is an important element of EU development policy, in the post-2015 development agenda and ensure that social protection is included in policy dialogues with partner countries."

And the Council Conclusions of December 2014 on a transformative post-2015 Agenda state: "We emphasise the critical importance of quality education, universal health coverage, and social protection for all, which are central for the achievement of sustainable development" (Council of the European Union 2014b).

A post-2015 Agenda must make explicit provisions for social protection floors so as to allow everyone to live in dignity. The overriding priority and necessary condition for sustainable development is the eradication of poverty in all of its forms everywhere. This requires the coverage and effectiveness of social protection for the vulnerable, such as children, young people, the unemployed, the working poor, unpaid workers, and people with disabilities, migrants as well as older persons. The focus of social security policies should be on the protection and preservation of livelihoods and contribution to full and productive employment and decent work for all.

It will be the task of civil society organisations to support people in claiming their rights, to advocate the development of social protection as well as to monitor and participate in the implementation of social protection.

Chapter 2

The European Union

The reduction and the eradication of poverty are the primary objectives of the Union's development cooperation policy focusing on aspects such as social protection, health, education, jobs, business development, sustainable agriculture and energy. Even if the EU is still perceived by some as a 'non identified political object' (NIPO), it has clear structures with well-defined competences. They are not identical to classical state structures, nor are they directly comparable to the traditional international organisations.

2.1 Structures of the EU

National State	European Union	International Organisations
Head of State	European Council (28 heads of State or governments + European Commission)	Secretary-General (appointed by member-states)
Legislative power (Parliament)	Legislative power: European Parliament + Council of Ministers	General Assembly
Executive power (Government)	Executive power: European Commission	Secretariat
Judicial power	Court of Justice	Non legislative Assembly of national members of Parliament

The European Union is the consequence of a Treaty between its Member States. The first Treaty was the Treaty of Rome, entered into force in 1958, creating a 'European Economic Community'. The Treaty of Maastricht, entered into force in 1993, created a 'European Union' with elements of a political union, such as cooperation in the fields of a common foreign and internal affairs policy.

The last and most important Treaty is the Treaty of Lisbon, which became effective as the amended result of the rejected 'constitutional treaty' (European Union 2010a). It introduced a 'European External Action Service' (EEAS) with its own 'High Representative' and diplomatic service. Development cooperation now is a competence of EEAS.

The European Union decides by way of *regulations* (binding and directly applicable in all member states), *directives* (goals to be adopted into national law), *decisions* (binding on those to whom it is addressed) and *recommendations* (not binding).

A particular feature of the European Union legislative work is the fact that only the European Commission can take the initiative for draft legislation, which then

has to be adopted by the Council of Ministers and the European Parliament.

At the level of the **European Commission**, one Commissioner is responsible for Development Cooperation (Neven Mimica, Croatia) and one for Humanitarian Aid (Christos Stylianides, Cyprus).

Policy implementation is in the hands of EuropeAid, the agency of the Commission's Directorate General for Development (DEVCO). It is responsible for defining the EU's development cooperation policy and for implementing aid in partner countries. To strengthen coherence between external relations and development cooperation, the European External Action Service strives to bring all its policies and actions in line with the development objectives.

The European Commission's Humanitarian Aid and Civil Protection Department (ECHO) aims to intervene when natural disasters or man-made crises happen, in order to save and preserve life, prevent and alleviate human suffering and safeguard the integrity and dignity of populations. ECHO works, for instance, in Liberia to help contain the spread of the Ebola virus, and in Haiti where it provides basic services to those still living in camps after the devastating earthquake of 2010.

The **European Parliament** has a *Committee on Development*. It is responsible for:

- the promotion, implementation and monitoring of the development and cooperation policy of the Union, notably:
 - political dialogue with developing countries, bilaterally and in the relevant international organisations and interparliamentary fora,
 - aid to, and cooperation agreements with, developing countries, notably oversight of effective aid funding and evaluation of output, including in relation to poverty eradication,
 - monitoring of the relationship between the policies of the Member States and those implemented at Union level,
 - promotion of democratic values, good governance and human rights in developing countries,
 - the implementation, monitoring and advancement of policy coherence with regard to development policy;
- all legislation, programming and scrutiny of actions carried out under the Development Cooperation Instrument (DCI), the European Development Fund

- (EDF) - in close cooperation with national parliaments - and the Humanitarian Aid Instrument, as well as all matters related to humanitarian aid in developing countries and the policy underpinning them;
3. matters relating to the African Caribbean Pacific (ACP)-EU Partnership Agreement and relations with the relevant bodies;
 4. matters relating to Overseas Countries and Territories (OCTs);
 5. Parliament's involvement in election observation missions, when appropriate in cooperation with other relevant committees and delegations.

The committee coordinates the work of the interparliamentary delegations and ad hoc delegations falling within its remit.

The current Committee for Development counts 28 members, eight of which come from the Group of the European People's Party (EPP), seven from the Group of the Progressive Alliance of Socialists and Democrats (S&D), two from the Group of European Conservatives and Reformists (ECR), two from the Group for Freedom and Democracy (EFD), three from the Group of the Alliance of Liberals and Democrats for Europe (ALDE), two from the Group of the Greens/European Free Alliance (Greens/EFA), two from the Confederal Group of the European United Left - Nordic Green Left (NGL), and two from the non-registered (NI). Its chairwoman is Linda McAvan (UK) from the S&D Group.

Whereas policy objectives are broadly defined in the Multiannual Financial Framework, most development thinking is not the result of legislation. The European Commission works with Green Papers (in which future policy objectives are broadly outlined) and Communications (which can contain proposed legislation or any other formal communication to the Council, the European Parliament and other consultative bodies of the EU) which can but are not necessarily discussed by the European Parliament and can be adopted or amended by the Council of the European Union. This means the Development Committee of the European Parliament has little legislative work to do, but it has a limited possibility to write own initiative reports on topics that are of a particular interest to its members.

The European Parliament also has a *Subcommittee on Human Rights*, linked to the Committee on Foreign Affairs. The Subcommittee's main responsibilities include all matters relating to human rights, the protection of mi-

norities and the promotion of democratic values while its geographical remit covers countries outside the EU. Its main objectives involve ensuring that human rights are at the forefront of European foreign policy and mainstreaming human rights across all policy areas.

2.2 Citizens' Involvement

Since 2009 there is also the European Citizens' Initiative: one million citizens from at least one quarter of the Member States - with a minimum number of signatures from each - can call on the European Commission to make a legislative proposal.

Citizens can also indirectly participate in the legislative process by answering the public consultations the European Commission is usually organising for its legislative proposals.

Finally, in case of complaints about the implementation of European legislation, citizens can introduce a petition to the European Parliament. For example, the Citizens' Initiative Water and sanitation are a human right! Water is a public good, not a commodity! had successfully collected more than one million signatures and the initiative was invited to an official hearing at the European Parliament in 2014. However, its demands were not implemented.

Chapter 3

Development Thinking at the Level of the European Union

The main reference for EU politics today is the Treaty of Lisbon (European Union 2010a). It defines the topics for which the member states have delegated completely or partially competences to the European Union, such as the internal market, agriculture, free movement of persons and capital, transport, competition, trade, economic and monetary affairs.

Consolidated version of the treaties, after integration of the Treaty of Lisbon, article 21 (2)

The Union shall define and pursue common policies and actions as well as work for a high degree of cooperation in all fields of international relations, in order to safeguard its values, fundamental interests, security, independence and integrity.

Article 208:

1. Union policy in the field of development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action. The Union's development cooperation policy and that of the Member States complement and reinforce each other.

Union development cooperation policy shall have as its primary objective **the reduction and, in the long term, the eradication of poverty**. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.

2. The Union and the Member States shall comply with the commitments and take account of the objectives they have approved in the context of the United Nations and other competent international organisations.

(European Union 2010a)

The Treaty of Lisbon puts development cooperation within the framework of EU's external action European External Action Service (EEAS). This means its objectives cannot be defined autonomously but have to be coherent with the objectives of the external relations. Development cooperation has to safeguard the 'values' and the 'fundamental interests' of the EU. The European policies also have to be seen as complementary to the initiatives of its Member States. In this particular case, competences are not shared, but each maintains its own

competences though, implicitly, it is hoped that the development cooperation activities of Member States will be coherent with those of the EU and also respect the objectives of the EEAS.

European External Action Service (EEAS)

The EEAS is a service situated in between the European Commission and the Council of the Union. Its High Representative (Federica Mogherini, Italy) is also vice-chairman of the European Commission and chairs the meetings of the Foreign Affairs Council of Ministers. It has 140 delegations in different countries all over the world and works with five geographical directorates: Asia-Pacific, Africa, Europe and Central Asia, the Greater Middle East and the Americas. Its officials come from the relevant departments of the General Secretary of the Council and of the Commission, and it also works with staff seconded from national diplomatic services of the member states.

The primary objective of development cooperation remains the reduction and in the long term, the eradication of poverty. Today this is put into the context of inclusive and sustainable growth and development, including the achievement of the Millennium Development Goals (MDGs).

Since the Treaty of Rome (1957) and for the EU itself, there is a chapter on 'social policies' mentioning **social security** and **social protection of workers** with an explicit reference to the exclusive competence of Member States (European Economic Community 1957). Today, this means the Council of Ministers can only act with unanimity on these matters.

European development cooperation

European development cooperation is as old as the European Economic Community (EEC) itself. Development was already included in **1957** in the **Treaty of Rome**. Article 132 refers to the association of 'countries and regions' having a special relationship with the founding Member States of the European Economic Community, or in other words, their overseas colonies. The objective of the

association was the promotion of economic and social development of these countries and regions, and the realization of close economic relationships with the Community as a whole. The association had to create the possibilities for the promotion of the interests and the prosperity of the inhabitants of the relevant countries and regions (European Economic Community 1957).

With the expansion of the EEC and the independence of most of the 'countries and regions', the **Lomé Convention** was first signed in **1975** between the Member States of the EEC and 46 African, Caribbean and Pacific (ACP) countries; in particular former British, Dutch, Belgian and French colonies. The Convention concerns 'trade and cooperation' based on a preferential treatment for the exports of developing countries, as well as a stabilization mechanism for the export revenues of poor countries. This Convention has repeatedly been renewed, extended and enlarged.

In 2000 the Lomé Convention was replaced by the Partnership Agreement of Cotonou for a period of 20 years between the Member States of the European Union and 77 ACP countries (European Community 2000). Here, the main objective has become 'poverty reduction', in accordance with the turn in development thinking that also took place at the level of the World Bank and the United Nations. It announces the end of trade preferences and trade rules will have to be compatible with the in 1995 founded World Trade Organisation.

Its formal objective is to promote and expedite the economic, cultural and social development of the ACP States, with a view to contributing to peace and security and to promoting a stable and democratic political environment. The partnership shall be centred on the objective of reducing and eventually eradicating poverty consistent with the objectives of sustainable development and the gradual integration of the ACP countries into the world economy.

Cooperation mechanisms were also put into place for some countries of Latin America and Asia that were not colonies at the moment of the creation of the EEC, such as Haiti or the Dominican Republic. After the Cold War, the same happened to European neighbour countries, that is, Central and Eastern Europe and Northern Africa.

The latest revision of the Cotonou Agreement also takes into account the growing importance of regional

integration, security and fragility, climate change as well as aid effectiveness (European Union 2010).

The Partnership Agreement of Cotonou has a section on 'human and social development' (section 2) which says, inter alia: "Cooperation shall promote and support the development and implementation of policies and of systems of **social protection** and security in order to enhance social cohesion and to promote self help and community solidarity" (European Community 2000 Article 25, 3).

In **2005**, the **European Council**, the **European Parliament** and the **European Commission** decided on a European Consensus on Development (Council of the European Union 2005). Its main objective was to produce a common vision of the different EU institutions on development. It repeats the aim of poverty reduction and adds: "We reaffirm our commitment to promoting policy coherence for development, based upon ensuring that the EU shall take account of the objectives of development cooperation in all policies that it implements which are likely to affect developing countries, and that these policies support development objectives" (Council of the European Union 2005).

This text remains valid to this day and states that the primary and overarching objective of EU development cooperation is the eradication of poverty in the context of sustainable development, including the pursuit of the Millennium Development Goals (MDGs). It emphasizes the strong interlinkages with security, migration, trade, fragility of states, etc. Among the action themes it mentions essential services, equal rights, reproductive rights, food and health. It also refers to the redistribution of income from growth and the need to combat inequalities through decent work, social welfare and fundamental social rights.

The EU's Communication Increasing the impact of EU Development Policy: an Agenda for change, adopted by the Council in May 2012, adds a reference to the Treaty of Lisbon: "and a priority for EU external action in support of EU's interests for a stable and prosperous world. Development policy also helps address other global challenges and contributes to the EU-2020 Strategy". It puts an increased focus on good governance in political, economic, social and environmental terms. It introduces the concept of 'inclusive and sustainable growth for human development' (European Commission 2011).

3.1 Social Protection in EU Development Cooperation

The 2010 European Development Report provides a list with different statements from EU documents between 2005 and 2010, advocating a more proactive role in the promotion of social protection (RSCAS/EUI 2010, p. 28).

The momentum for social protection in EU development policy

“In the context of poverty eradication, the Community aims to prevent social exclusion and to combat discrimination against all groups. It will promote social dialogue and protection” (Council of the European Union 2005).

“The Council emphasises the importance of integrating the different components of decent work into country-led development and poverty reduction strategies, including ... social protection” (Council of the European Union 2006).

“The Council recognizes that partner countries and donors need to scale-up efforts to create more, better and more productive employment, and to develop systems of social protection with broader and effective coverage which should be guided by each country’s needs and circumstances” (Council of the European Union 2007).

“The EU will take targeted social protection measures in a gender sensitive way and support developing countries’ actions to cope with the direct social impact of the crisis through the creation and strengthening of social protection systems and programmes, including enhancement of financial and in-kind transfers” (Council of the European Union 2009).

“Targeted interventions should focus on the most vulnerable, including women, children and people with disabilities, through support to wide-coverage social protection systems which are a key element of social cohesion and stability” (European Commission, 2010b).

“The EU and its Member States should ...set up of co-ordination mechanisms between agriculture, health, education, and social protection sectors” (European Commission, 2010).

“The EU should support third countries efforts to formulate effective policies to mobilise domestic revenues, scale up fair financing of health systems and develop or strengthen social protection mechanisms in the health sector” (European Commission, 2010a).

“By reducing inequality and supporting the most disadvantaged people, social protection promotes human capital investments, enhances productivity, improves socio-political stability, and contributes to the creation of sound institutions” (European Commission, 2010c).

Social protection has gained a prominent place in policies oriented towards poverty eradication. Several UN organisations have proposed inequality reduction and social protection as new priorities. The **International Labour Organisation** (ILO) adopted in June 2012 the Social Protection Floors Recommendation (ILO 1012).

Issues that can be considered to be part of social protection, such as health care and education, as well as labour rights are also covered by other development cooperation policies, including the Millennium Development Goals.

Expectations have been raised with the Commission’s Communication on Social protection in development cooperation, published in August 2012 (European Commission 2012). In the document it is stated that “social protection may be broadly defined as policies and actions that:

- enhance the capacity of all people, but notably poor and vulnerable groups, to escape from poverty, or avoid falling into poverty, and better manage risks and shocks” and
- “aim at providing a higher level of social security through income security and access to essential services (in particular, health and education) throughout active and inactive periods and periods of need throughout the life-cycle.”

This definition is limited, though it does mention the avoidance of poverty, as well as the income security that can be guaranteed. It is thus not necessarily at the service of poverty reduction and can go beyond the access to social services, providing monetary transfers.

In its Conclusions on Social Protection in European Union Development Cooperation, the **Council** also emphasizes that the EU will encourage partner countries to include in their national policies the provision of **higher levels of social security** through, for instance, income security, **universal** and **non-discriminatory access to social services** (Council of the European Union 2012a). It also reiterates its support for the **social protection floors** and **decent work**, both ILO programmes. The Council emphasises the importance of domestic resources and tax reforms in order to fund social protection. And it adds the necessity to examine how best to integrate social protection in the post-2015 development Agenda.

The EU Development Report 2010

The positions of the institutions had been presented in the 2010 European Development Report “Social Protection for Inclusive Development” (RSCAS/EUI 2010), prepared by several independent research institutes. There social protection is regarded an indispensable instrument in supporting progress towards growth and the MDGs. It states that **social protection** should become an **integral part of EU development policies** and its commitment to the social dimension of globalisation. Social protection is not a luxury – it is necessary and feasible.

According to the report, the key function of social protection is to prevent severe hardship; it is a means to assist the poor. And social security is a **human right**, laid down in Article 22 of the Universal Declaration on Human Rights.

In 2013, when preparing the post-2015 Agenda, the **Commission** stated in its Communication: A decent life for all: Ending poverty and giving the world a sustainable future: “We need to finish the unfinished business of the current MDGs, filling gaps and learning the lessons. For example, we need to address broader issues of education and health and **include social protection**. Aggregate averages have hidden national inequalities caused by extreme poverty, geographic location or marginalisation. We must move from purely quantitative goals to address quality, for example in education and health. There must be **a floor under which no man, woman or child should fall** by the very latest in 2030: standards by which every citizen should be able to hold her or his government to

account. We should aim at empowering people to lift themselves out of poverty. Goals to stimulate action to deliver key standards in education, nutrition, clean water and air will help eradicate hunger and improve food security, health and well-being. Goals should also stimulate action to deliver productive employment and **decent work for all**, including youth, women and people with disabilities, depending on countries’ levels of development. Unlike the existing MDGs, they should apply to every country and not only be a global target without individual country responsibilities. Each country has the responsibility to ensure progress towards internationally agreed goals” (European Commission 2013).

In its resolution on the Millennium Development Goals – defining the post-2015 framework, the **European Parliament** stresses that inequality hampers economic growth and poverty reduction and makes it difficult to construct broad-based redistribution and fiscally sustainable social welfare systems (European Parliament 2013). It calls for a renewed approach to poverty eradication, which takes into consideration the importance of inclusive economic development and growth, redistribution of wealth through budgetary means, decent work and calls for the implementation of well-designed **national social protection floors** for poverty reduction and resilience.

In its Communication A decent life for all: from vision to collective action the **European Commission** states that “business as usual is no longer an option”, and that apart from the three dimensions of sustainability (economic, social, environmental), new challenges have to be tackled (European Commission 2014a). It recalls that social protection and inequalities were not addressed in the MDGs. However, it does not call for integration of a specific **social protection target** in the Sustainable Development Goals (SDGs) of the post-2015 Agenda, though it speaks of social protection floors and gradual implementation of higher standards of social guarantees as “potential target topics”. Health and education, water and sanitation, income security, full and productive employment, plus decent work for all are mentioned separately. Similarly, the Council Conclusions of 16 December 2014 on A transformative post-2015 agenda speak even of “**social protection for all**” (Council of the European Union 2014b, § 19).

3.2 The post-2015 Agenda, Coherence and Partnerships

The **2013 European Development Report**, Post-2015: Global Action for an Inclusive and Sustainable Future, points to the need for a **transformative agenda** (ODI/DIE/ECDDP 2013). It recommends to look beyond the MDGs and to broaden the focus beyond social sectors, or, in other words, to go slightly back to the old development agenda from before the poverty reduction era. Whether this could also mean that less resources will go into ‘social development’ remains to be seen.

2015 is the **European Year of Development**, which should advance development, as the **European Parliament** points out in its Proposal for a Decision of the European Parliament and of the Council on the European Year of Development (2015) (European Commission 2013a). Once again, the need for a paradigm shift is highlighted. The **Council** adopted a partial general approach on the decision establishing the European Year of Development 2015 (Council of the European Union 2013c).

Gradually social protection seems to shift the attention from poverty reduction to human development. The European Commission now reflects on looking beyond a segmented approach of traditional basic services and focusing on the outcome of human development. Social protection could indeed play a crucial role in this shifting focus.

If there is a lack of clarity in the priority given to social protection, it might very well have to do with similar problems as those existing at the level of the EU itself: social protection is a national competence, and governments are never very keen to let others decide on what they have to do.

3.3 Social Protection: a Priority for the European Union?

The question remains whether social protection now really is a priority for the European Union, given the fact that it was not demanded for the SDGs and is most often forgotten in the speeches of its representatives.

Commission President Barroso did not mention social protection in his speech before the EU-Africa Summit in April 2014 (Barroso 2014). The European election programmes of the major political parties hardly men-

tion development cooperation, let alone its social protection dimension.

On the other hand, the **European Commission** did adopt a programme “Employment, social inclusion and social protection – policy” for technical assistance in social protection. The Commission also has a strategic partnership with the ILO in order to make the greatest possible contribution to strengthen the social dimension of development cooperation (European Commission/International Labour Organisation ILO 2004). Both institutions are working together on Core Labour Standards, Corporate Social Responsibility, social dialogue, poverty reduction and employment, migration and development.

The **European Commissions’ Communication Agenda for Change** e.g. clearly calls for social policies: “the promotion of decent work covering job creation, guarantees of rights at work, **social protection** and social dialogue ... The EU should focus its support for inclusive and sustainable growth on those sectors which build the foundations for growth and help ensure that it is **inclusive, notably social protection, health and education** ... The EU should take action to develop and strengthen health systems, reduce inequalities in access to health services... improve health outcomes for all” (European Commission 2011). It points to the importance of quality education, employability and the decent work agenda.

The **Council** supports in its Conclusions Increasing the Impact of EU Development Policy: an Agenda for Change the demand for inclusiveness and states it will be focused primarily on **social protection, health and education** (Council of the European Union 2012). It also demands the promotion of labour rights, decent work and corporate social responsibility.

In its reaction to the Communication and to the Council Conclusions, the **European Parliament** regrets in its resolution on an Agenda for Change: the future of EU development policy however that no reference is made to better redistribution, that there is an exclusive focus on growth which may have no impact on poverty reduction (European Parliament 2012). There should be a real policy shift, according to the Parliament, with a focus on fulfilling all individual and collective rights. The EU should design **social protection packages** that address the gender dimension of poverty. The European Parliament also demands a reference to the obligations and duties of foreign investors.

The same applies for the post-2015 Agenda A decent life for all: from vision to collective action' (European Commission 2014a): The annex of the Commissions' communication refers to **social protection** and **social protection floors** (SPFs) (European Commission 2014b). It aims to promote social protection including social protection floors and implement the Recommendation 202 (2012) adopted by the ILO in line with the plans and policies of partner countries; it recommends to continue supporting social protection, including SPFs where relevant in bilateral relations with partner countries, at **international fora** (ILO, OECD, G20 and ASEM) and in development cooperation. It also pleads to **implement actions** of the Communication on Social Protection in European Union Development Cooperation.

What is somewhat lacking is a **comprehensive approach to social protection**, similar to what was offered in the ILO Social Protection Floors Recommendation.

Obviously, the partner countries will have to decide on what exactly they want, but some guidance of the European Union on targeting vs. universality, or on monetary transfers could have been useful. As also would have been a recommendation for a social protection target in the post-2015 SDGs. But all in all, as the regulations on the financial instruments clearly indicate, there is ample room to work on all the constitutive elements of social protection.

Chapter 4

Programmes and Facilities in EU Development Cooperation

The political priorities of the EU are fixed in its Multinational Financial Framework (MFF): the budgetary resources for a period of seven years. The last MFF was adopted by the **Council** for the period 2014-2020 after a political agreement on the funding in February 2013. These political priorities are then translated into legislation defining how the agreed amount will be spent.

In the context of the EU's External Action (EEA) the total amount in current prices for 2014-2020 is 51.419 million euros, of which three 'financing instruments' are important in the context of development:

1. The **Development Cooperation Instrument (DCI)** with a total amount of € 19.662 million for the period 2014-2020;
2. The **European Neighbourhood Instrument (ENI)** with a total amount of € 15.433 million for the period 2014-2020;
3. The **European Development Fund (EDF)** that remains outside the EU budget and is not subject to the ordinary legislative procedure. It is directly funded by Member States and has been allocated € 30.506 million.

Partnerships and Policy Coherence

Two points still have to be mentioned in order to get a clearer picture of what the EU might do with its social agenda in development cooperation.

The first one is the point of the partners it wants to work with. These are, obviously, in the very first place its partner countries. But it also wants to cooperate with local and regional authorities, as well as with civil society, including the private sector.

The point was already mentioned in the Cotonou Agreement, and each time there is a stronger focus on possible partnerships with the **private sector, foundations, civil society** and **local and regional authorities**. Almost all documents refer to these possible partnerships and often it is said that the private sector remains the key driver of inclusive and sustainable growth. The European Parliament has also referred to the need to implement the UN guiding principles on business and human rights. In the Commissions' Communication Beyond 2015: towards a comprehensive and integrated approach to financing poverty eradication and sustainable development even the role of philanthropy is mentioned (European Commission 2013b).

In recent years, the **Commission** has published two specific **communications on partnerships**: one on The

roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations (European Commission 2012a) and one on A Stronger Role of the Private Sector in Achieving Inclusive and Sustainable Growth in Developing Countries (European Commission 2014). Partnerships with civil society and with the private sector, even with philanthropic foundations can be a positive element in all development actions. The points that will have to be monitored concern the decision-making, whose agenda is being implemented, and who the beneficiaries are. At the level of the EU and of several UN organisations, multinational corporations already have a strong influence. Especially in the field of social protection, too many multinational companies of the care sector are waiting for opportunities to go and work in poor countries. Since social security is a human right, States should always maintain the task of guaranteeing this right, whoever is implementing the policies. Universal access at an affordable price for all will have to be a major benchmark.

The second point that must be mentioned concerns coherence. In its communication on Policy Coherence for Development, the Commission refers to the definition by the Organisation for Economic Co-operation and Development (OECD) (Commission of the European Communities 2005). Policy coherence for development (PCD) can be defined as "working to ensure that the objectives and results of a government's development policies are not undermined by other policies of that same government which impact on developing countries, and that these other policies support development objectives where feasible" (Commission of the European Communities 2005). This policy framework is part of the package of measures adopted to accelerate progress towards the Millennium Development Goals.

The commitments were confirmed at the highest political level of the **European Union**, that is the Heads of States and Government, in the European Consensus on Development (Council of the European Union 2005).

In its Report on Policy Coherence for Development, the **European Commission** writes: "Policies other than development cooperation have a strong impact on developing countries. The European Union (EU) concept of Policy Coherence for Development (PCD) aims to build synergies between those policies and development objectives. This in turn will increase the effectiveness of development aid. Against the backdrop of the EU commitment to substantially increase official development assis-

tance, the importance of ensuring that these resources are not rendered inefficient or wasted by policy incoherence is even greater.

The aim of this report is to shed some light on progress made by the EU in promoting a higher degree of coherence between the main policies that affect developing countries as well as to identify the main outstanding issues to be considered for further action” (Commission of the European Communities 2007).

Policy areas identified as important for coherence are trade, environment, climate change, security, agriculture, fisheries, **social dimension of globalisation**, work and **decent work**, migration, research, information society and energy.

Concerning the social dimension of globalisation, the staff working paper [EU Report on Policy Coherence for Development](#) accompanying the 2007 Report states that in order to ensure coherence with development objectives the EU has to focus on the efforts undertaken in the framework of its development cooperation and external policies to create more and **better jobs** in developing countries and to **increase the level of social protection** (Commission of the European Communities 2007a).

4.1 Procedures in the Sector of Development Cooperation

The Commission works with **grants** and **contracts**.

Grants

Grants are **direct financial contributions** from the EU budget or from the [European Development Fund](#). They are awarded as donations to third parties (any NGO or organisation) that were selected after a call for proposals and are engaged in external aid activities. The Contracting Authority awards grants that are used to implement projects or activities that relate to the EU’s external aid programmes.

Grants fall into two categories:

- **Grants for actions** aim to achieve an objective that forms part of an external aid programme.
- **Operating grants** finance the operating expenditure of a EU body that is pursuing an aim of general European interest or an objective that forms part of a EU policy.

In the case of a grant, the contracting authority makes a contribution either to a project carried out by an external organisation or directly to that organisation because its activities contribute to EU policy aims. Grants usually require co-financing from the grants beneficiary. In order to benefit from grants, candidates can answer the [calls for proposals](#).

Contracts

Procurement procedures are launched when the contracting authority wants to purchase a service, goods or work in exchange for remuneration. A procurement procedure leads to the conclusion of a **public contract**.

In the case of a contract, the contracting authority receives the product or service it needs in return for payment. Procurement procedures are governed by specific rules that vary depending on the nature of the contract (service, supplies, work) and the threshold.

Those intending to apply for a contract should consult the [procurement notices](#).

Candidates for grants and contracts can register online the [Potential Applicant Data Online Registration \(PADOR\)](#). A [Financial Management Toolkit](#) aims to help recipients of EU funds for external actions to comply with the conditions for financial management set out in contracts for EU-financed external actions.

4.2 Instruments

4.2.1 Development Cooperation Instrument

The [Development Cooperation Instrument \(DCI\)](#) is concerning low income countries in South Asia, North and South-East Asia, Central Asia, Middle East, Latin America and South Africa (European Union 2014a). The EU’s assistance shall be implemented in accordance with **geographic programmes** and **thematic programmes**.

Geographic Programmes

The geographic programmes have **common areas of operation**, such as

- Human rights, democracy and good governance, with public sector management at central and local level, supporting the development of the public sector with the purpose of enhancing universal an non-discrimi-

natory **access to basic services**, especially health and education;

- Inclusive and sustainable growth for **human development**, with health, education, **social protection, employment** and culture;
- Supporting sectoral reforms that increase access to **basic social services**, in particular health and education services, with a focus on the related MDGs, and on access to such services by the poor and by marginalised and vulnerable groups: Strengthening health systems, inter alia by addressing the lack of qualified health providers, fair financing for health and making medicines and vaccines more affordable for the poor; enhancing support for equal access to quality education; supporting national **social protection schemes and floors, including social insurance systems for health and pension schemes, with a focus on reducing inequalities**; supporting the decent work agenda, and promoting social dialogue;
- Business environment, regional integration and world markets: supporting the enforcement of internationally agreed **labour rights**.

As for the **specific areas of cooperation per region**, the topics are very similar:

- **Latin America:** Encouraging social cohesion, in particular **social inclusion, decent work** and **equity**, gender equality and women's empowerment; addressing governance issues and supporting policy reforms, in particular in the areas of social policies respect for core labour standards of the ILO, strengthening social cohesion in particular with the setting up and strengthening of **sustainable social protection systems, including social insurance**, support policies in the area of education and the development of a common Latin American higher education area.
- **South Asia:** encouraging social cohesion, in particular social inclusion, **decent work** and **equity** and gender equality through education, health and other social policies; strengthening the capacity to provide **universal access to basic social services**, particularly in the health and education sectors; promoting **social protection and inclusion, decent work** and core labour standards, **equity** and gender quality.
- **North and South East Asia:** promote democratic governance and promote respect for labour standards; promote **social inclusion**; encouraging social

cohesion, in particular social inclusion, **decent work** and **equity** and gender equality through education, health and other social policies; strengthening the capacity to provide **universal access to basic social services**, particularly in the health and education sectors; promoting inclusive education, life-long learning and training and improving the functioning of labour markets.

- **Central Asia:** as overarching objective, contributing to sustainable and inclusive economic and social development, social cohesion and democracy; **decent work**; strengthening the capacity to provide **universal access to quality basic social services**, particularly in the health and education sectors.
- **Middle East:** promoting inclusive growth and encouraging social cohesion and development, in particular creation of employment, **social inclusion, decent work** strengthening the capacity to provide **universal access to basic social services**, particularly in the health and education sectors.
- **Other countries:** supporting the fight against poverty, inequality and exclusion, including by addressing the basic needs of disadvantaged communities and by promoting social cohesion and **redistribution policies** aimed at **reducing inequalities**; strengthening the capacity to provide **universal access to basic social services**, particularly in the health and education sectors; improving living and working conditions with a special emphasis on promoting the **ILO decent work agenda**.

Thematic Programmes

The thematic programmes are meant to add value to and be complementary to and coherent with actions funded under geographic programmes. They concern global initiatives supporting internationally agreed development goals or they cannot be achieved in an effective manner under the geographic programmes. The EU works and has programmes in a long series of countries.

The thematic programmes bring together the five programmes (e.g. Investing in People) from the previously mentioned Development Cooperation Instrument (DCI) in just two new programmes:

- **Support for civil society organisations and local authorities:** Non-state actors and local authorities in development encourages non-state actors and local au-

thorities from the EU and in developing countries to get more involved in development issues.

- Global Public Goods and Challenges (GPGC 2014 - 2020) supports actions in areas such as:
 - environment and climate change
 - sustainable energy
 - **human development**, including decent work, social justice and culture
 - food and nutrition security and sustainable agriculture
 - migration and asylum.

In the area of **human development**, including decent work, social justice and culture, the health programme will address inter alia **access to essential health commodities and healthcare services**. The Employment, Skills, Social Protection and Social Inclusion programme will focus, for instance, on the **extension of social protection coverage through the establishment of nationally-defined social protection systems and floors**; and support for the social and economic inclusion of marginalised and excluded groups and individuals.

A new **Pan-African programme** will support the implementation of the EU Africa strategic partnership. It will foster Africa's integration process at the continental level. It complements the geographical programmes.

Its Multi-annual Indicative Programme 2014-2017 mentions six strategic areas, one of which concerns **human development**. It relates to 'science, technology and innovation', 'higher education' (harmonisation of curricula and development of centres of excellence) and 'mobility and migration' (e.g. cooperation labour mobility).

The programme was launched in August 2014 after being announced at the EU-Africa Summit in April 2014. It was allocated a budget of € 845 million for a period of seven years, € 415 million of which it was to receive for 2014-2017.

4.2.2 The European Neighbourhood Instrument

The European Neighbourhood Instrument (ENI) provides direct support for the EU's external policies to 16 countries of Northern Africa, the Middle East and Eastern Europe: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, Tunisia, Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. It offers a "privileged relationship building upon a mutual commit-

ment to, and promotion of, the values of democracy and human rights, the rule of law, good governance and the principles of a market economy and sustainable and inclusive development" (European Union 2014).

It states in Article 2: "Union support shall focus on promoting enhanced political cooperation, deep and sustainable democracy, progressive economic integration and a strengthened partnership with societies". In particular, it will "support smart and inclusive development in all aspects; **reducing poverty**, including through private sector development, and **reducing social exclusion**; ... **promoting public health**" (European Union 2014).

It works with bilateral programmes and a priority for (amongst others) "**development of the social sectors, in particular for the youth, with a focus on social justice and cohesion and employment**", programmes at a multi-country level and a priority for (amongst others) "**education and skills development**", and cross-border cooperation programmes with a priority for (amongst others) "**economic and social development**" (European Union 2014).

4.2.3 European Development Fund

The 11th European Development Fund (EDF, 2014-2020) covers cooperation with African, Caribbean and Pacific Countries as well as Overseas Countries and Territories (OCTs), these are the countries covered by the Partnership Agreement of Cotonou (European Union 2005, 2010). Although outside the EU budget and directly funded by the Member States, the negotiations have taken place in parallel with those of the other external financing instruments.

The 11th EDF was created by an intergovernmental agreement signed in June 2013, and needs to be ratified by the Member States.

The objectives of the Cotonou Agreement refer to promoting and expediting "the economic, cultural and social development of ACP States" (European Union 2005, 2010). Part 3 of the Agreement concerns the cooperation strategies, where section 2 speaks of "social and human development" and "**social sector development**".

Article 25 (1): "Cooperation shall support ACP States' efforts ... to **improve the coverage, quality of and access to basic social infrastructure and services** ... a) improve education and training ... b) improve health systems ... c) improve reproductive health, primary health care ...".

Article 25 (3): "Cooperation shall promote and support the development and implementation of policies

and systems of social protection and security in order to enhance social cohesion and to promote self help and community solidarity” (European Union 2005, 2010).

The Cotonou Agreement now covers almost 80 different countries. It will have to be revised in 2015 and renewed by 2020. Preparations and negotiations have to start early and it could be interesting to try and focus more on social protection.

4.2.4 Democracy and Human Rights

The European Instrument for Democracy & Human Rights (EIDHR) gives direct support for EU’s external policies in order to promote and support democracy and human rights worldwide, allowing for assistance to be provided independently of the consent of the governments and public authorities of the countries concerned. Even if national governments do not agree with the interventions of the European Union, it can support civil society groups working for democracy and human rights (European Union 2014b).

Although the text emphasizes the universality and indivisibility of human rights and fundamental freedoms, there is only a very limited reference to social development:

Art. 2: “The Union shall focus on the following ... b) xii) economic, **social and cultural rights, including the right to an adequate standard of living and core labour standards**” (European Union 2014b).

A total of € 1.333 million has been agreed for EIDHR for the period 2014–2020.

4.2.5 Humanitarian Aid

Humanitarian aid (Council of the European Union 1996) concerns “assistance, relief and protection operations on a non-discriminatory basis to help people in third countries, particularly the most vulnerable among them, and as a priority those in developing countries, victims of natural disasters, man-made crises, such as wars and outbreaks of fighting, or exceptional situations of circumstances comparable to natural or man-made disasters”.

The regulation makes no specific reference to any form of social development, even if, in cases such as Haiti, the European Commission’s Humanitarian Aid and Civil Protection Department (ECHO) does help to make essential services available to destitute people.

4.2.6 Socieux - Specific Action in Favour of Social Protection

Following the publication of the European Commission’s Communication on social protection in development cooperation (European Commission 2012), EuropeAid launched in October 2013 a technical assistance facility – Social Protection European Union Expertise in Development Cooperation, Socieux – in order to support the efforts of partner countries to better design and manage social protection systems (European Commission 2013d). Its initial implementation period is 2013–2016.

It is intended to work with short-term peer-to-peer inputs to be delivered by experts drawn primarily from the European Union Member States’ public administrations and mandated bodies. Practitioners from partner countries’ administrations and non-governmental groups can also be involved. The facility mainly targets public authorities and mandated bodies in charge of social protection at national and regional level.

Socieux is a demand-driven facility through which partner countries are invited to submit requests for assistance in designing and delivering social protection systems. The Socieux team then fine-tunes the requests in collaboration with the requesting government authorities and the local EU Delegation. The Socieux team responds to requests made by partner institutions and coordinates with the partner country. One year after its launching, many demands have been received and been approved, mostly from African and Latin American countries.

Socieux offers support in social protection areas including social insurance (contributory pensions, health, accident, unemployment protection) social assistance (cash transfer programmes, income guarantee schemes, social pensions and other old age benefits, child and the disabled support grants, public works, employment guarantee schemes together with the issues of targeting and conditionalities), access to basic social services (education, health and employment), financing of social protection systems, and monitoring and evaluations systems, statistics and registration systems.

It implements two types of activities: Analytical activities are aimed at addressing structural weaknesses in partner institutions, such as assist in designing legislation or policy frameworks, and specific activities aimed at ad hoc transfer of know-how and expertise to strengthen existing capacities or respond to punctual needs (such as support for training, awareness raising). Although ap-

proaches such as study visits to European Union and other countries and remote support can also be considered, the programme is geared towards activities that take place within the partner country.

The facility is governed by a project steering committee composed of members of the European Commission and a consortium of partners from the European Union Member States working in social protection and international cooperation. The Consortium consists of the Gesellschaft für Versicherungswissenschaft und -gestaltung e.V. (GVG), Germany, as managing member, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Germany, Agence pour le Développement et la Coordination des Relations Internationales (ADE-CRI), France, and Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas (FIIAPP), Spain. The programme runs till April 2016.

Chapter 5

Conclusion

The fact that social protection now figures prominently in all documents on EU development cooperation must be welcomed. It is evidence of a greater awareness of the need for human development. The Commission's Socieux programme and the strategic partnership with the ILO are extremely important in promoting an agenda for decent work and social justice. The concept of the social protection floor and the promotion of the 2012 ILO Recommendation 202 could signify enormous progress.

Nevertheless, we have to remain cautious. We cannot ignore that while the EU is promoting social protection in the South, it is disassembling social protection systems in its own Member States. The EU's austerity policies have caused havoc in social policies in many countries.

An analysis of discourses on social policies worldwide shows a worrying trend. What is happening is in fact a converging change - in the North as well as in the South - in the dominant social philosophy (Mestrum 2014). Where social protection formerly was based on guaranteeing incomes and compensating people in case of income loss, it now is mainly focused on prevention. In the EU this is called 'social investment', while the World Bank speaks of 'risk management'. The major change implied in this new paradigm is that people no longer are protected against markets, but are stimulated to participate in markets. Social protection is now often at the service of the economy.

This explains that up till now real commitments to social protection remain weak. The EU Council Conclusions on the post-2015 Agenda mention social protection but do not give it centre stage. The World Bank stopped talking about social protection, and its new strategy is about eradicating extreme poverty and 'sharing prosperity'. In the meantime, the IMF continues to impose its own austerity programmes (Ortiz/Cummins 2013). And as we know, the project of development aid itself is under severe criticism and will certainly be seriously reformed. Private corporations play an ever-increasing role.

The situation is thus somewhat contradictory. Clearly, the reality of aid and of social protection does not only depend on declarations of global summits or financial international organisations. The reality is made of concrete actions and practices on the ground. This means the role of civil society is extremely important. Global and local mobilizations will be needed to ensure social protection becomes a reality, beyond poverty reduction and including monetary transfers. Whether people living in poverty and social exclusion will be able to benefit

from social protection programmes will depend on the power of their civil society in order to influence governments and to have their voices heard at international gatherings. There is work to do.

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