

*EUROPEAN COMMISSION (SCR F5)*

EXTERNAL EVALUATION OF COMMUNITY AID  
CONCERNING  
POSITIVE ACTIONS  
IN THE FIELD OF HUMAN RIGHTS AND DEMOCRACY  
IN THE ACP COUNTRIES, 1995-2000

## Phase 2 Mission Report: Ethiopia

The conclusions contained in this report are those of the authors, and do not necessarily reflect the views of the European Commission.

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# PREFACE

In 1991 the European Commission included a very political form of aid in its external relations : support to human rights and democracy in African, Caribbean and Pacific countries (known as the ACP countries). Rather than making development aid conditional on minimum conditions being met in human rights and democracy, it launched activities to promote respect for these. This it has called « Positive Measures ».

In January 2000 the Commission requested an independent evaluation of these positive measures undertaken in the period 1995-2000. The evaluation was carried out in a three phase approach (headquarters, visits to countries, synthesis) over a six month period by a team of three consultants assisted by 12 experts at different stages of the evaluation. The consultants carried out a review of documentation, project observation and extensive interviews with partners and beneficiaries. The purpose was to assess the performance and future options for the Commission's work in this field.

The evaluation produced the following outputs:

- Phase 1: headquarters Desk Study Report
- Phase 2: Mission Reports for Ethiopia, Malawi, Nigeria, Rwanda, Senegal, Tanzania and the Democratic Republic of Congo, and a Case Study Report on Haiti.
- Phase 2 internal evaluation workshop of the Commission, with supporting documentation
- Phase 3: Synthesis Study

The present is the mission report on the human rights and democracy measures funded by the Commission under budget line B7-7020 in Ethiopia. It was written by Dr Pierre Weiss and Miss Florence Burban, with help from Mr Emery Brusset. It defines performance using five criteria: coherence of the programme *vis à vis* other aid programmes, relevance in relation to country needs, effectiveness (ability to match actual results with intended ones), efficiency (achieving maximum results with given means), and positive or negative impact (wider changes taking place as a result of the project). The assessment has focused on the Positive Measures as a Commission instrument, rather than on the individual projects.

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## 1. INTRODUCTION

Ethiopia has been host to large-scale food insecurity, and a succession of high level military conflicts. This has presented a constraint on the development activities in the country and in the region. The foreign assistance provided has been in the reconstruction mode for many years. The rehabilitation of basic infrastructures and services, and food security, constituted the main preoccupation of external donors, including the European Commission.

In May 1991, the Ethiopian People's Revolutionary Defence Force (EPRDF), which ousted the socialist regime, inherited one of the poorest countries in the world. As a consequence, the main objective of this new government has been to restore the constitution, establish fully representative and democratic institutions, and provide a stable base for future growth.

Ethiopia has been the largest ACP recipient of European Commission assistance - in particular from the European Development Fund (EDF) since the first three Lomé conventions. Outside EDF and programmable aid, there are about 30 separate budget lines mobilised in relation to Ethiopia.

Over twenty years, EC policies have focused on food security and infrastructural development, as well as participated in macro-economic policy coordination. However, the Lomé IV Convention and the evolutive Ethiopian context have carried the EC involvement one step further. The 8<sup>th</sup> EDF NIP in 1998 (294 Mecu) introduced for the first time democratisation /institution building as one of the main sectors of co-operation. Although, 75% of EDF funds are still used to support road construction, 3% of the National Indicative Programme (NIP) is currently devoted to strengthening the public administration and civil service. The EC has already provided a new financial information system to the Ministry of finance in anticipation of more substantial assistance to this ministry, in line with the expenditure management and control component of the civil service.

The human rights and democratisation sector is therefore very recent. It is clearly still not considered a key policy concern within the total project portfolio. However, budget line B7-7020 (the Community financing dedicated to democracy and human rights in developing countries) represents an opportunity to reinforce the coherence of integrated EC support to facilitate the continued emergence of a stable and viable state. It is highly relevant.

## 2. STRATEGIES OF INTERVENTION

Ethiopia's recent political history is characterised by an authoritarian style of governance. There has been very little debate on the role of constitutional state, which enshrines the principles of individual rights, constitutional democracy, separation of powers between the executive, legislature and an independent judiciary. In this very complex context, the four projects (global cost: 1,650,068 Euro) funded under budget line B7- 7020 from 1995 to 1999 are representative of a new evolution of the strategies of the Commission's intervention, and of political change in the country (yet it should be noted that over that period seven times less money was committed to the funding of positive measures than in Nigeria in 1999).

Each one of these projects is relevant and based on real constitutional need, expressed by the transitional government, since 1995. Are covered here:

- ET/PS/20/95: Studies to reinforce civil society and the independence of institutions. (345,553 Euro)
- ET/ED/69/97 : Assistance to Ethiopian Parliament (511,860 Euro)
- ET/ED/5/97 : Establishment of the Human Rights Commission and Ombudsman Office (582,355 Euro)
- ET/VN/17/98 : Training Information Campaign Against Harmful Traditional Practices (210,300 Euro)

The use of the budget line focused on support to institutional strengthening towards the Parliament's capabilities. The Programme for Democracy and Good Governance in Ethiopia began in 1998. The division of EC activities between civil society and governmental structures is quite the opposite of that seen for example in Nigeria, where civil society was paramount. In 1995 the project ET/PS/20/95, a research effort, was the first step in an attempt to redress this possibly excessive focus on the state. Currently a parliamentary network is funded with the project ET/ED/69/97. One could also include the creation of a Human Rights Commission and Ombudsman Office with the project ET/ED/5/97.

In parallel, one project is now specifically funded to reinforce civil society: Training Information Campaign against Harmful Practices (ET/VN/17/98). This project highlights the isolation of civil society NGOs from the EC aid programmes in Ethiopia.

The Commission approach in Ethiopia has been to achieve the right balance between civil society and the institutional development of public administration. The projects have followed closely local realities, as noted in the preceding paragraph. This has increased their relevance. One could have

sought to develop other priorities, such as conflict prevention, possibly in connection with other financing objectives (food security, refugees). However there is limited capacity for such an integrated approach (see below).

Two aspects stand out as reducing this relevance. Most of these institutional support activities are located in Addis Abeba. The decentralisation programmes of the Ethiopian government have not been reflected into EC programming. The geographical coverage of actions in the fields of human rights and democratisation is limited - as is the public visibility of the work done in human rights and democracy.

The relationship of the EC with the international donors has been touched during interviews. This relates to the relationship that the EC has with the UN, large bilaterals, and most permanently with the EU member states. As the EC, many donors – intergovernmental and non governmental - are expressing interest in supporting Ethiopia's political transition. They have undertaken a large number of initiatives relying on a wide variety of programmes, institutional mechanisms and policies.

Donor co-ordination is still very informal and seems to be based essentially on an exchange of information. Donor states which share the same interest collaborate together, but it is difficult to find information about the amount of funds allocated to the democratisation and human rights fields. Specific areas of intervention, trends, and the proportion of these activities in comparison to the others, are consequently unclear.

In these fields, the EC does not appear to be the vehicle for increased European co-ordination. Most of the EC member states ignore the existence of the Human Rights budget lines, their procedures, and purpose. The French and the British Embassies have expressed to the evaluation an interest in being more informed about these budget lines. At this stage it is difficult to see a specific European approach emerging among the EC member states.

Most international donors do not have the capacity to monitor a large number of activities. For this reason, and in a very fluid context, many donors are also redefining their missions to give them a more limited focus, to enable them to concentrate on specific areas with optimal effectiveness. Most of the donors, including the EU member states and international organisations, have developed a specific interest in the judiciary program (France, the U.K, Canada, Sweden, USA, Germany), the electoral process (UK, Ireland, Norway, Sweden, Netherlands, UNDP) and the decentralisation process, according to the priorities already expressed by the Ethiopian government. Furthermore, to enhance the capacity and flexibility needed to operate, many donors have developed “small grants

programmes”. At the moment the EC projects appear to remain outside these areas of democratisation. This rather than increasing complementarity, is reducing the impact of EC aid.

### **3. SELECTION OF ACTORS**

In order to enable the establishment of fully representative and democratic institutions, the Ethiopian government passed a number of enabling laws at the national and international level. For this reason, all the projects have been initiated by the EC at three levels: namely, a national state-led transition (with the assistance of the Parliament), civil society with NTCPE, and a combination of the state and society-led transition with the establishment of a Human Rights Commission and Ombudsman office. These three main strategic issues were considered in the evaluation.

Assistance to the Ethiopian Parliament implemented by IPU (Inter-parliamentary Union) is based on its lack of facilities and human resource capacities. The objectives were the strengthening of human resources and the teaching of parliamentary mechanisms. This capacity building target is aimed at improving the effectiveness of Parliament and highlighting the need to build a new civil service, both efficient and innovative. However the multitude of objectives in the Terms of Reference, concentrated in one project, does not allow for a definition of an immediate objective, the priorities and means to implement it. It is difficult to identify the target group.

The training and information campaign against the Harmful Traditional Practices (NTCPE) was a direct consequence of the recent Ethiopian ratification of the main international Conventions relating to Human Rights. In 1995, the council of representatives ratified three important international instruments, such as the International Covenant on Economic, Social and Cultural rights, International Covenant on Civil and political Rights and Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment, as well as the Convention of the Rights of the Child, the Convention on the Elimination of All forms of Discrimination against Women). The eradication of harmful practices appears to be a link between the society and national authorities.

The establishment of a HR commission and Ombudsman office is to be a guarantee of the public sector’s accountability and transparency. The aim of an ombudsman office is to interact with various branches of government and society and to promote a sustainable commitment and support for civic education activities by all stakeholders.

#### 4. MEANS AND RESULTS

The projects funded on the budget lines have been well designed. They were identified before the 8<sup>th</sup> EDF, nevertheless there is no link between these projects and EDF project. The Terms of Reference are very ambitious in relation to the real capacities of the Ethiopian Parliament. There is a tendency to overload objectives, some of which cannot be met. The manageability is consequently weakened, with apparent ineffectiveness in terms of matching results to intended aims.

Three projects funded from the B7-70 budget line are still in process. The total contract value of these projects is 1.3 millions Euro.

**Contract B7-7020/ET/ED/5/97** : following the elections held in 1995, The House of Peoples Representatives have expressed the will to establish a HR Commission and Ombudsman (art 55) under the new constitution. The implementation of the project had been done on the basis of a structured need analysis and it has determined the appropriateness of the interventions step by step. The first step was to organise an international conference to exchange experiences and examine issues, the second step was to make this project public and to involve all the actors concerned in Human right field and eventually to propose the publication of bills.

A large international conference was held in Addis Abeba in May 1998, concerning the establishment of Human Rights Commission and Ombudsman Office. This conference was to bring together the Ethiopian MPs with the international experts on these issues. Many donors have been involved to fund this conference such as Austria, Germany, Ireland, Italy, Netherlands, Sweden UK, Norway Japan Canada, USAID, UNDP and EC since 1997. The EC was the biggest contributor among the donor community. This conference covered all issues and experiences in more than a dozen countries and was seen to be lively, informed and constructive. However, the EC visibility was not optimal. Beyond the publications and brochures, there was only one staff member who represented the EC.

In January 1999, a concept paper on the establishment of these institutions was completed. This paper, prepared by the judges of the Supreme Court, outlined concepts and issues that the legal Affairs Standing Committee would have to consider to draft the two laws. The “concept paper” was translated into four languages.

In April 2000, this paper formed the basis for a public consultation. This consultation was based on 12 public meetings and took place in 9 regional states and 2 federally administered cities. More than 3000 local officials, NGO representatives and Elders discussed the concept papers and made

recommendations to the Legal Affairs Standing Committee. This has ensured that the impact was as wide as possible.

In late 1999, the Committee deliberated and proposed the publication of Bills. In May 2000 Bills were revised but have not yet been published. In fact the recognition of the complexity of the Ethiopian situation and the need to monitor this project directly in the Parliament must be counted as an achievement of the international donors and the Commission too. The permanent presence of Mr. BOSLEY (official UNDP co-ordinator of this project, in Parliament Building) was to ensure the follow up of the task of advising, assisting the Government and reporting to the donors. It has been fundamental in achieving success. It allowed collection of a wealth of information on the Parliament situation and used local expertise for background information.

This ongoing process is well managed, although slow. The project might be blocked because of the challenges of enforcement. This presumes that an Inter-institutional consultation and co-ordination mechanism exist with different institutions like the judiciary system. Such an absence raises issues for the sustainability of results.

**Contract B7-7020/ET/ED/69/97:** launched in September 1998, the project aimed to strengthen the capabilities of the members of the Ethiopian Parliament in the law making process. This project covers information provision and management in the Ethiopian Parliament. Like many donors, the EC is involved in this project with activities which include law courses for MPs, different workshops on the next observation of the elections, training for the Committees, study tours, Parliamentary and friendship associations, facilities such as information systems and networking, staff training, provision of equipment.

The EC activities implemented by the Inter Parliamentary Union (IPU) are still ongoing. In the parliamentary and friendship component, the IPU has already led a delegation to the OAU meeting in Africa and in Jordan. However because of the impending elections, workshops and training for MPs and the Committees are now suspended. They should not begin until after the elections (effectively after September 2000). Therefore the Parliament proposed to the donor group that the project be extended.

In this project the requirement of time from the EC for monitoring and support given to the projects selected has been higher than could be provided. The national capacities have not been sufficient to ensure an oversight of the nature required by the Commission, and little information was available to the evaluation. This has translated as a shortage of resources. Considering the actual level of human

resources, the lack of facilities, the project terms of reference were too ambitious in the short time allocated. It has been clearly difficult to find an appropriate scale to plan programs and activities.

**Contract B7-7020/ET/VN/17/98:** focused on issues of empowering civil society through capacity building. This project is one of the most successful of the EC activities in Ethiopia because it is based on a sharply defined need and it is representative of grassroots society. The National Committee on Traditional Practices in Ethiopia (NCTPE) is an NGO established in 1987, following the recommendations of the first international Conference on traditional practices affecting the Health of women and children, held in Dakar (Senegal) on November 30, 1984. The NCTPE is supported by a large “coalition” of actors: national Ministries (Health, Labour, Social Affairs, Agriculture, Education, Culture), UN agencies (UNICEF, UNHCR, WHO, UNFPA) and national and international NGOs (Ethiopian Red Cross Society, Swedish and Norwegian Save the Children, Addis Abeba University, Christian Relief Development Agency). The European Commission has given its first support to NCTPE with the contract B7-7020/ET/VN/17/98 .

The activities of NCTPE are centred on the eradication of harmful traditional practices that are detrimental to health, particularly that of women and children. From around 140 harmful traditional practices, the NCTPE has selected five which occur at a high rate inside Ethiopia’s 65 ethnic groups: female genital mutilation, ovuloctomy, milk-teeth extraction, early marriage and abduction. NCTPE focussed its action against these “Big Five” of these practices. The primary strategy of the NCTPE consists of implementing information campaigns among different “target groups” (first of all, mothers, midwives, circumcisers, traditional birth attendants, traditional healers, youth and community and religious leaders).

The strategy is based on diverse but coherent activities: awareness building, training, information campaigns, studies related to traditional practices, particularly among prominent religious and tribal groups, organisation of workshops, information, education and/or communication projects, training of trainers, promoting the law on implementation, representing clients, being watchdogs of international law and national legislation, holding the governmental authorities accountable, monitoring whether government is complying with its obligations under international law, and mobilising interest groups.

The project “Training Information Campaign against HTPs.” supported by the EC is planned for a period of 24 months starting in 1998, with the following four “Phases”: a) Preparation of printed information and education materials; b) Translation and printing of materials in different languages for the information campaign; c) Conducting central seminars for policy makers, teacher training instructors, writers, journalists, lawyers, artists and curriculum developers; d) A mass information Campaign

At the moment, NTCPE is preparing the phase c) on the basis of the results of the KAP (Knowledge, Attitude, Practice) survey (April 2000), which has been conducted in early 2000 at selected sites, to assess the effectiveness and impact of the programme and check the sensitisation methodology adopted by the NGO.

The effectiveness of NTCPE can be explained by 4 items:

- Methodology: NTCPE has successfully initiated a participative methodology with needs assessments, training and consciousness raising amongst civil society
- Follow up: NTCPE has successfully established national, regional and local structures. They published and disseminated conclusions and results of their research activities
- Enforcement systems at local, state and national levels; these activities include educating all the actors, advocacy for legal reform and restructuring, judiciary capacity building toward the rule of law
- Capacity building: the NTCPE identifies the need for institution building and capacity building, including staff training, support networking.

## **5. BUDGET LINE MANAGEMENT**

The varied success rates of the projects demonstrate the importance of the relationships, the knowledge and the interest of the different actors within the Commission. Because these budget lines are intended to be flexible, annual and independent from the Delegation and national authorities, they impose direct relationships between Brussels and the field Contractor. This absence of involvement of the Delegation in fact creates a less focused management system for the projects. Having projects from 30 budget lines in Ethiopia poses administrative problems (payment delays, lack of monitoring) which jeopardise the efficiency and the effectiveness of the European strategy. Observers cannot feel confident about the value created by the European management methods.

The role of the Delegation should be reviewed. The fragmentation of the decision between Brussels Headquarters and the EC Delegation reinforces the complexity of the system. There is no specific staff member at the delegation in Ethiopia in charge of human rights and democratisation. Because of the staff rotation, the expertise and experience is not maintained, which does not allow for continuity in this field where detailed knowledge is essential. The NTCPE has expressed the need for assistance from EC Delegation to produce the financial and narrative report, and it is not clear how this could be provided.

Monitoring must be reviewed too. The Economic Adviser in charge of the assistance of the Ethiopian Parliament (ET/ED/69/97) and establishment of Human Right Commission and Ombudsman Office (ET/VN/17/98), covers the huge economic sector of the EDF framework. The coverage of a large number of activities does not allow him to monitor closely the Human Rights and Democracy Programme. Despite the fact that the EC was the biggest donor, there was only one EC staff member during the conference on the establishment of an Ombudsman office.

It seems very clear that the permanent presence of the UNDP co-ordinator in the Parliament to carry out and follow up closely the project and report to EC was a key to success. Replicating such an experience would be desirable, and the Commission could search for institutionalised ways of improving its monitoring capacity through project by project collaborations with outside organisations.

The adequacy of procedures must be questioned. In Ethiopia, all projects suffer from low and slow management. Arduous contractual procedures (nearly 2 years between the proposal and the decision, a budget control exercised with unclear guidelines for ill equipped partners) undermine the accountability process. The project reporting is slow because of the inexperience of all the implementing institutions.

The establishment of HR commission and Ombudsman office project (ET/ED/5/97 project) and the assistance to the Ethiopian Parliament (ET/ED/69/97) started late. Initially the amount of The HR Commission and Ombudsman office project was 511, 860 Euro. At the end of 1998 only 377,717 Euro had been given. The financial report was slow to come and it became clear that the final report could not be expected before the deadline. An extension was requested for the submission of the final report until the 30<sup>th</sup> of September 1999. This proposal was made on 8 December 1998. However, the use of unspent funds for the public consultation as follow up would require an amendment to the contract. All the information was sent to Brussels on 3 March 1999, and the consultation began in April. By September 99 it appears that the amendment was not approved. Considering the upcoming elections and the present suspension of most activities, the contract for the assistance to the Ethiopian Parliament (ET/ED/69/97) implemented by IPU would be especially vulnerable to a repetition of these delays.

Financial resources provided by the European Commission should be based more on the estimation of phases in the execution of a project, i.e. that the cycles of a project be respected. Links should be made between the financial needs for the achievement of results and the calendar of payments. To ensure the intended flexibility of this budget line one must make greater use of local expertise, and introduce greater flexibility, possibly with smaller grants

A further element, which requires mention is the nature of decision making. The European Commission, as with similar donors such as USAID, plays a leading role in defining country policy in human rights and democracy. However project approval and follow-up lies to a very large extent with distant Brussels. Most of the decisions regarding adjustments in the objectives or new initiatives need to be referred to Brussels headquarters.

The next elections in Ethiopia would present an opportunity for the Commission to express a political interest in the Ethiopian political transitions. However, the delay of approval and payments managed in Brussels discourage Delegation staff. In contrast USAID or UNDP enjoy a great latitude in agreeing projects for up to 1 million Euro within an agreed country strategy. In the same situation, the EC has only a latitude of 80 000 Euro.

## **6. IMPACT**

At the project level, the changes which these projects induce beyond their immediate results are not verifiable from the existing reporting. Clear indicators to measure quantitative and even qualitative impact have not been used. There have been few monitoring activities of the EC in the realm of its democracy activities. Most evaluations and assessments have concentrated on pre-project assessments and on establishing financial audit trails.

However, some impacts can be seen related to the fulfilment of general objectives. In general, all the projects have clearly ensured an awareness of the importance of human rights and democratisation issues among Members of the Parliament and the civil society.

The impact of the establishment of a Human Rights Commission and Ombudsman Office and the assistance to the Parliament cannot be judged on the basis of the number of conferences or consultations conducted.

A project such as the support to the NCTPE (ET/VN/17/98) has clearly contributed to the articulation of a human rights discourse among societal stakeholders. It is important to underline that it is the smallest project among those evaluated. It achieved improved protection for women, conceived as a vulnerable group. The national gender programme includes the identification of gender abuses, data collection, women's education, and communication. NCTPE enhanced the national capacity to design implement and co-ordinate gender responsive programmes and advocacy for gender equity and equality. Women's development was strengthened through inter-sectoral integration. This project has reinforced similar donor programmes, as noted by the evaluation in the course of interviews

## 7. MAIN FINDINGS AND RECOMMENDATIONS

The EC is one of the biggest aid donors to Ethiopia. It works with all sectors of society throughout the country. However, it has developed an approach in the fields of human rights and democratisation which is characterised by individual, and rather too ambitious, projects. The lack of integrated EC technical support across all budget lines (i.e. for projects not related to the core objectives but which could support the democratisation of the country in a difficult period) is limiting the influence it could play. The absence of a substantive dialogue on this form of political assistance with EU member states is also weakening overall impact.

All of the projects funded from budget line B7-7020 can be judged as being relevant in Ethiopia. However, the number of projects has been limited in favour of making large grants to single institutions. Making large disbursements for a few projects does not necessarily contribute to greater efficiency, or effectiveness. The objectives have proved to be too ambitious. The partners are innovative but above all under-resourced organisations. The slow procedures have been complicated by the fact that most decisions are centralised at headquarters.

A solution must be found by the Commission in its lack of capacity to monitor and provide technical assistance to its partners. This should involve both financial management and programme performance (effectiveness, efficiency, impact). The evaluation would propose project management units or periodic missions by specialised personnel. The Delegation should enjoy a higher degree of involvement in the implementation and financing decisions of projects than it currently does.

The coherence of the programme in Ethiopia, *vis à vis* other aid programmes in democracy, should be strengthened. While it would seem relatively easy to sharpen a common European approach, and so increase European visibility, this has not been done. The European Commission could seek, through its well developed programming capacity, to define a common objective in human rights and democracy, around which others could rally.

One possible avenue to be explored is to strengthen the role of civil society as a watchdog of the public institutions, including the Human Rights Commission. This would fit into the contextual evolution defined in the priorities of the Government, such as an independent judiciary and for freedom of the press.

At the same time the constitutional legal and political governance issues must continue to be supported. The judiciary clearly requires further capacity-building, and project results could gain in sustainability if this was done through a variety of financing sources (Community budget, EDF, or other donors). The decentralisation of public services to the regions, districts and locals governments, is a process which should be monitored against the objectives of the EC in human rights and democracy.

## **ANNEX**

### Persons Interviewed:

Karl HARBO - Head of EC Delegation

Wim OLTHOF- Economic Adviser – EC Delegation

Morten R. MOLLER –Economic Attache- EC Delegation

Marcel LEROY - Special Advisor (multilateral Issues) – EC Delegation

Thomas Michael BAIER- Ambassador of Austria

Ato Tesfaye ABERRA- Chief project Management Officer and Head of Economic and Social Research Team of House.

Mrs Abebech ALEMENEH - NCTPE

Mrs. Bogalech ALEMU- Chairperson- NCTPE

John BOSLEY– Canadian Special Adviser – UNDP

Maury MILOFF, Democracy Adviser Canadian Embassy

Mrs Frances GUY- Deputy head of Mission- British Embassy

Jean Luc FRANCOIS- Cooperation Attache- French embassy

Dominique PONSOT- Legal Expert- French embassy

Jean Marc BAISSUS- Judge, Legal Expert- French embassy

Eric LAVERTU- Counsellor for Cooperation and Culture- French embassy

James H. POLHEMUS- Democracy and Governance Advisor – USAID

Dr Peter OESTERDIEKOFF- Resident Representative- Friedrich Ebert Stiftung