

Civic space, threats to democracy and EU elections

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Report

Carlotta Besozzi, Director of Civil Society Europe and moderator of the panel, set the scene by pointing out that civil society is an important pillar of democracies in Europe: it is active on the ground, responds to people's needs and acting as checks and balances with a view to the rule of law. However, when democracy is under threat, civil society faces increasing threats and attacks, legal and administrative barriers or difficulty in accessing funding, and so is unable to enjoy the right to association, peaceful assembly and expression.

Christian Moos, EESC member and rapporteur for the EESC opinion on the Defence of Democracy Package, outlined the risks and shortcomings of the European Commission's proposal. These included potential stigmatisation of civil society, an inadequate consultation process and insufficient involvement of the EESC, and lack of emphasis on structured dialogue with civil society organisations.

Marta Pardavi, Co-Chair of the Hungarian Helsinki Committee, pointed to the differences between the EU directive and Hungary's 'Sovereignty law'. She noted problematic aspects such as the handling of personal data of civil society organisation staff and the fact that Hungarian law does not provide for a register. She also advocated for strengthening civil society in the coming EU institutional cycle and making this a priority for the next European Commission. Lastly, she called for the development of a 'civil society toolbox'.

Sergey Lagodinsky, MEP in the Greens/EFA Group, emphasised the need to grasp the true objectives when it comes to combating malign interference. He expressed doubts regarding the effectiveness of the Defence of Democracy Directive, particularly concerning the independence of national authorities, and warned about the potential dangers posed by the directive itself. He argued for the establishment of a substantial EU foundation to replace the foreign funding for civil society which could be affected by the directive.

Vitor Teixeira, Senior Policy Officer at Transparency International EU, proposed a comprehensive approach to funding disclosure for entities influencing policies and decisions. He emphasised the need to cover all sources of funding, both internal and external, so as to prevent loopholes and guarantee

transparency. Furthermore, the directive's scope should be extended to all types of entities, regardless of their legal status or place of establishment, in order to prevent abuse. The current proposal can be used by Member States as a Foreign Agents Law; such laws can be used by governments with longstanding issues regarding the rule of law and democratic backsliding.

Marie-Helene Boulanger, Head of Unit Democracy, Union Citizenship and Free Movement at DG JUST, emphasised the EU's firm commitment to fundamental rights. She stressed the importance of safeguarding the EU against threats from third countries, and identified various democratic challenges, including inclusiveness, disengagement, disinformation, and the potential use of technology to address these issues. Regarding the Defence of Democracy Directive, she acknowledged concerns about its narrow scope but suggested leaving decisions on scope to the co-legislator.

Gabriel Toggenburg, EU Agency for Fundamental Rights (FRA), said that the most significant threats to democracy were domestic. He quoted data from FRA studies indicating dissatisfaction among a majority of citizens with democracies, and the perception of NGOs facing intimidation from their governments. He advocated for a monitoring tool for civic space within the EU, and said that the Defence of Democracy Package lacks a robust framework for civic dialogue. He also called for more sustained funding rather than project-based financial support for civil society organisations.

Riccardo Rossella, Coalition and Campaign Officer for Social Platform and Civil Society Europe, highlighted the crucial role that civil society plays in promoting and protecting democracy, and the need to better recognise and support this role, especially in light of the trend of shrinking civic space. He said that measures to support civil society will be needed during the next EU mandate, and called for the development of a civil society strategy and an agreement on civil dialogue.

Recommendations

The following recommendations emerged from the workshop and were presented during the closing session:

- 1) The EU should address threats to democracy both internally and externally by promoting and supporting independent media and civic education at all levels, and addressing the existing loopholes in the Defence of Democracy Directive, in particular regarding its scope.
- 2) The EU should develop a European strategy for civil society, including measures for a better overall operating environment for civil society organisations; a protection mechanism for civil society actors within the EU; an increase in the amount and accessibility of funding for civil society actors; and a proper framework to monitor civic space trends.
- 3) The EU institutions should conclude an agreement on civil dialogue to make sure that civil society can be meaningfully involved throughout the policy-making process.

The complete recording of the workshop is accessible [here](#).