From 2019-2024 we urge the European Union (EU) institutions to commit to five series of actions to secure the important role of civil society organisations, human rights defenders and social movements in protecting and promoting human rights within the European Union.¹

**RECOGNISE AND SPEAK UP FOR CIVIL SOCIETY**

1. The **EU should uphold the role that civil society plays to defend and promote the values enshrined in Article 2 of the EU Treaty, which include, respect for human dignity, human rights, equality, democracy and the rule of law.**

   > The mandate of the Commission President and first vice-president in charge of rule of law and fundamental rights should include a specific objective to respect, protect and promote the role of civil society. The mandates should include requirements to ensure all EU leaders systematically engage with civil society and reflect their inputs.²

   > All EU leaders should speak up to support the role of civil society and stand alongside targeted individuals and organisations.

**SECURE AN ENABLING SPACE FOR CIVIL SOCIETY**

2. **Civil society organisations need a secure space to operate, free from attacks and without unnecessary or arbitrary restrictions, both in member states and at EU level.**

   > **Legal and Regulatory Environment:** Respect for freedom of expression, association and assembly should be part of all fundamental rights impact assessments for EU legislative proposals, and part of the continued monitoring by the European Commission of existing EU and national legislation.

   > **Funding:** In the next Multi-Annual Financial Framework, the EU must ensure that resources are available for CSOs to: develop medium to long-term plans to promote fundamental rights and the rule of law, beyond specific time-bound EU related projects; sustain watchdog roles and respond to threats. This should include a dedicated budget line for national organisations working on Article 2 TEU, modalities adapted to the environment and specific emergency funding for human rights defenders at risk.³

   > **Participation:** All EU institutions must review their terms of engagement with CSOs in line with Article 11 to ensure an open, transparent and regular dialogue. Institutions should avoid box-ticking, one-way and one-off consultations, and ensure that organisations can contribute in a timely and informed manner to EU policy making.⁴

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¹ This includes professionals such as journalists, academics and social workers working to promote and protect human rights.

² The 2014-2019 mandate of the first vice-president did not include a reference to the role of civil society.

³ See European Parliament Resolution on the Citizens, Equality, Rights and Values Programme. For specific recommendations on funding including specific modalities see HRCN statement.

⁴ Article 11 of the TEU states that EU institutions ‘shall by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action’ and ‘shall maintain an open, transparent and regular dialogue with representative associations and civil society’.
Regular and comprehensive monitoring and analysis are crucial to understand the challenges faced by civil society across Europe.

- Documentation by civil society and the EU Agency for Fundamental Rights (FRA) on civic space should feed into a continuous assessment of how EU values are upheld. The mandate of the FRA should be reviewed to enable it to receive and investigate complaints, and carry out country specific assessments of member states when negative trends are identified.

- Any new Rule of Law initiative should address the abuse of fundamental rights and ensure coordinated action between the Council, Parliament and Commission to prevent and remedy violations of Article 2. A future monitoring mechanism should be transparent, based on independent sources and include a formal role for civil society.5

CSOs are experiencing a variety of attacks that take the form of intimidation, harassment, spurious allegations of wrongdoing, criminal prosecution and physical violence.

- The Commission should map the protection mechanisms available in EU member states, and at EU level, to protect human rights defenders and civil society organisations at risk.

- The Commission should work with CSOs to design a 'Rapid Response System' that can detect and act on the first signs of attacks against civil society, including a helpline, legal assistance and temporary relocation.6

Where laws in member states limit civic space, in violation of the Charter of Fundamental Rights, then the EU should take legal action and support CSOs to litigate at the national level.

- The Commission should develop guidance on freedom of association and assembly and how EU law can be used to protect civic space.

- Following potentially precedent-setting rights-based infringement proceedings, the European Commission should continue to launch infringement proceedings, where there is a breach of EU law violating civic space and associated Charter rights. Consideration should be given to the use of expedited procedures and interim measures when there is a risk of irreparable harm.

- The EU institutions should ensure a more active and predictable role for civil society in ongoing infringement proceedings and ensure funding to CSOs to conduct strategic litigation at national and regional level, including action before the Court of Justice of the EU.

Signatories


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5 Resolution of the European Parliament of 14 November 2018 on the need for a comprehensive EU mechanism for the protection of democracy, the rule of law and fundamental rights.

6 This mirrors a proposal made in a European Parliament resolution on civic space in developing countries.