



VIBRANT DEMOCRACIES NEED A VIBRANT CIVIL SOCIETY!

WHY WE MUST DEFEND CIVIL SOCIETY - SOME FACTS

What's at stake?

SHRINKING CIVIC SPACE IN THE EU

In countries where the government cracks down on dissenting views – be it about gender, abortion, climate, war or any other topic – the NGOs are amongst the first ones targeted. Civil society actors are being attacked all over Europe by authoritarian and nationalist forces who organise [smear campaigns](#), adopt discriminatory laws, cut the funding, implement [restrictive measures](#) such as oppressive [surveillance](#), and prosecute those who wish to highlight matters of public interest or [step in when the government is not doing its job](#)¹.

In authoritarian member states such as Hungary or Poland, NGOs critical of the government are increasingly unable to carry out their work effectively. Administrative obstacles and political discrimination have already forced the first organisations to move to other EU member states.

But in all Member States of the European Union evidence of some level of the shrinking of civil society space, or civic space, can be found, according to the [European Union Agency for Fundamental Rights \(FRA\)](#)'s publications and a wide range of reports by human rights [NGOs](#) and [watchdogs](#), but also international organisations such as the [OECD](#) or the Council of Europe.

The consequences are that in several EU countries, the exercise of citizens' rights to freedom of association and expression can no longer be guaranteed, seriously threatening democracy, human rights and the rule of law which are among the core values of the EU.

NO DEMOCRACY WITHOUT CIVIL SOCIETY

Civil society organisations, such as citizens' associations and NGOs, are crucial when it comes to standing up for culture, social care, education, health, anti-corruption, environment, anti-discrimination and much more. They mobilise citizens and intervene when rights, democracy and the rule of law are under attack. At the same time, they work to promote accountability and transparency.

Thus, civil society actors have to be acknowledged and supported as one of the essential pillars of democracy. If we want to build a European democracy, we need to have a European civil society that is free to work together across the EU.

The Greens/EFA in the European Parliament have a strong track record in ensuring that the European Parliament (EP) plays a role in the defence of fundamental rights, for example through EP initiatives on the [shrinking space of civil society](#), or more recently on [a statute for European cross-border associations and non-profit organisations](#).

Yet more has to be done. In order to strengthen the shrinking space for civil society organisations, European protection standards are needed for dealing with associations, foundations and all other forms of non-profit-oriented organisations.

¹ For concrete examples across the EU please see Greenpeace "Erosion of civil society space across the EU" <https://www.greenpeace.org/static/planet4-eu-unit-stateless/2020/05/20200504-Greenpeace-EC-Consultation-response-rule-of-law.pdf> and Civicus Monitor 2022 "People Power Under Attack" <https://findings2021.monitor.civicus.org/europe-central-asia.html>



What can we do about this?

■ EU-WIDE MINIMUM STANDARDS FOR PROTECTION

Administrative and bureaucratic requirements for the establishment, registration, management and financing - in short the state's dealings with civil society organisations - are very different in the 27 EU countries. This means that an association in Poland is subject to completely different rules than an association in Germany. If, for example, in Germany it is required for a non-profit organisation to refrain from being "officially politically active" according to the current legal situation, clubs in Hungary may not receive donations from abroad. In 27 states, 27 different sets of rules - and thus 27 different standards of protection - exist for organised civil society.

However, civic engagement does not stop at the state border. Thousands of organisations are committed to goals that affect all Europeans, be it climate protection, equality, the rule of law or LGBTIQ+ rights. These issues extend far beyond the national state and therefore require cooperation across national borders.

■ FIGHT AGAINST CRACKDOWNS

Political groups and lawmakers have to raise awareness on the essential role civil society organisations play in a functioning democratic society and develop adequate and accessible funding opportunities for them both at national and EU level.

The European Commission should denounce the shrinking space for civil society and take legal action when an EU Member State obstructs civil society space.

At the same time, the European Commission should create and implement measures to support a regular, meaningful and structured dialogue with civil society.

The European Commission should defend the rule of law in all its dimensions, including the independence of the judiciary and media freedom.

Additionally, it has to provide support and a platform for organisations that have been or still are targeted by governmental repression.

■ A COMMON SET OF RULES

Therefore, a common European legal framework for dealing with civil society organisations is needed. Associations, foundations and all other forms of non-profit organisations should be able to be established, registered and maintained in all EU member states under equally empowering conditions. In practice, an association in Germany would encounter the same administrative processes as an association in Poland or Hungary.

Civil society organisations can thus be protected from politically motivated discrimination because they are subject to similar rules throughout the EU. This would also help the associations from different countries to work together. The European right to freedom of association and expression must become a reality, for all citizens of the Union to have the possibility to organise themselves under the same circumstances and stand up for their rights.