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## Team Europe Democracy (TED) Initiative

United for Democracy

# Exploring EU and Member States' approaches and options to addressing the shrinking of civic space

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## Executive summary

The global trend of shrinking civic space threatens fundamental rights that are essential to democratic principles, such as freedom of expression, association, and assembly, contributing to a wider pattern of democratic decline. Bluntly, it makes the life and opportunities of citizens worse. As a concept, civic space refers to the ecosystem encompassing various actors who should ideally enjoy fundamental freedoms and engage in public policy-making to protect democracy. A healthy and inclusive civic space, whether online or offline, fosters good governance and democracy, enhances transparency and accountability, and empowers individuals and civil society (actors and organisations).

This paper analyses responses to shrinking civic space and identifies ways on which the European Union (EU) and member states (MS) can fine tune their actions to the closing of civic space, providing for general reflections on the possible ways forward. The findings of this paper are the result of in-depth literature review and policy research, a tailored online survey, and limited key informant interviews.

The EU and its MS have a variety of tools to defend civic space politically and operationally, both jointly and individually. International efforts to address shrinking civic space have included diplomatic pressure, bolstering international norms, and innovative adaptive programming. However, more vocal public responses depend on several factors, including the national context, the severity of violations, the EU's and MS' economic, security, and political interests in the country, their relationships with the partner country, and the leverage they can apply. The EU and MS also are not always a welcomed actor, and in an era of geopolitical contestation they need to navigate their own history and profile. While a global response is necessary, operational actions must be context specific. In addition to reactive measures, it is crucial to support actors within the civic space ecosystem to "hold their ground." However, if done carelessly it can backfire, and therefore necessitates a tailored and coordinated approach that is both principled and politically savvy exploiting the full EU toolbox.

Civic space is shrinking but it's not shrinking all the time in all its dimensions. The EU and MS dispose of an array of options that they can execute in the short term:

1. **The EU and its member states should strategically and sustainably support CSOs to build capacity and resilience** against shrinking civic space, while ensuring partner organisations remain self-directed rather than donor-driven;
2. **The Team Europe Democracy network should identify points of entry** where they can more effectively execute actions to protect civic space, such as the **Global Gateway strategy**, to further promote democracy and go beyond the do no harm approach;
3. Supporting people-to-people exchanges across various sectors is a key approach to strengthening civic space. This provides regular updates on the civic space developments and can be further used by the member states and the EU to adapt their responses;
4. **The EU and its member states should leverage existing dialogue platforms and other mechanisms**, such as civil society roadmaps and human rights dialogues, to **broaden the narrative on defending civic space** within the context of democratic backlash, establishing a strategic vision with clear red lines and monitoring indicators to assess their impact at the country level.

Over the longer term, the EU and MS could also undertake a number of strategic measures that could help them counteract the closing of civic space and foster a stronger enabling environment:

5. **The EU and its member states should broaden their engagement with the full ecosystem of civic space** actors by proactively exploring the realm of actors that are not the "usual

suspects”, strengthening cooperation among focal points, and conducting **political economy analyses** (PEA) at the country level to better understand and address civic space challenges, while fostering closer collaboration between political and operational sections in EU Delegations and Embassies for greater impact.

6. Where and when possible and relevant, EU and EU MS should **support the consolidation of an enabling environment at partner country level** by accompanying governments in working on legislation and regulatory measures to enable civic space to grow, and by supporting democratic institutions. Approaches, however, will need to be adapted to the country’s reality and context.
7. **EU actors should use Team Europe approach’s untapped potential by scaling up the coordination of the interventions of the EU and the MS** present and/or active in a country, and by taking into consideration the execution of joint actions.

## Acronyms

CIVICUS	World Alliance for Citizen Participation
CSO	Civil Society Organisation
EC	European Commission
EP	European Parliament
EU	European Union
EUSEE	European Union System for an Enabling Environment
HRD	Human Rights Defender
LA	Local Authorities
MS	Member States (of the European Union)
NDICI	Neighbourhood, Development, and International Cooperation Instrument
NGO	Non-Governmental Organisation
TED	Team Europe Democracy
TE	Team Europe approach
TEI	Team Europe Initiatives
WHRD	Women Human Rights Defender

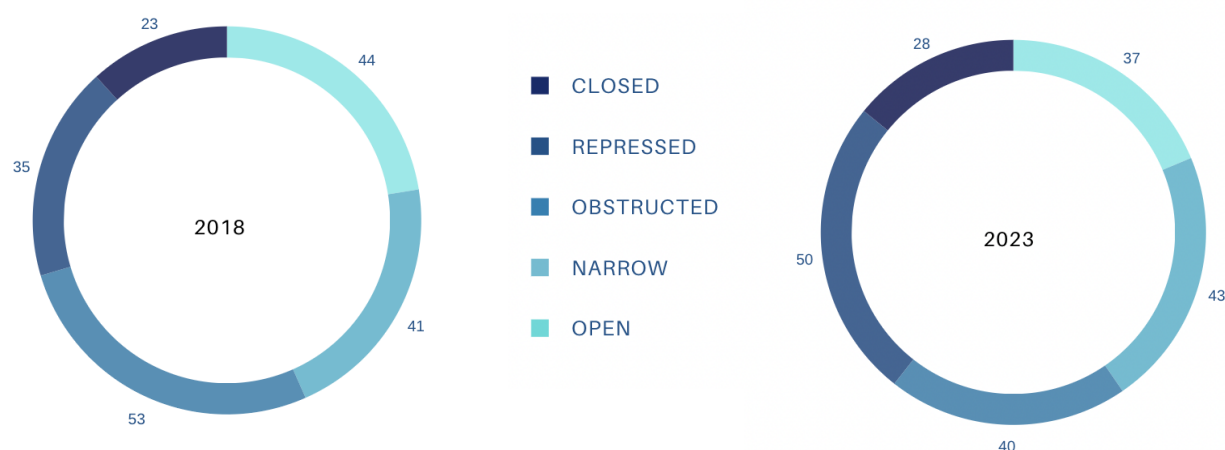
## Introduction

### Increased dissensus on liberal democracy and shrinking civic space

**In recent years, increased dissensus on liberal democracy has spread globally:** the backlash on democracy and human rights is visible in various parts of the world (e.g. US, Argentina, West Africa and the Sahel etc.). **Also in Europe, rule of law and democracy are increasingly challenged.**<sup>1</sup> Across the globe, restrictions on individual freedoms have especially targeted journalists, activists, human rights and environmental defenders. This has been spurred by various trends, including increasing socio-economic inequalities and the polarisation driven by the widespread use of digital technologies and social media to inform and engage in politics.

The space for civic engagement is determined by the degree to which citizens can organise themselves (right to association), the degree to which they can participate in matters of public importance (freedom of assembly, for example for consultations, demonstrations, etc.) and the degree to which they can freely express themselves (freedom of expression). Based on this, CIVICUS has proposed a categorisation of civic space on a 5-scale rating as follows: open, narrowed, obstructed, repressed, and closed.<sup>2</sup> A clear increase in the number of countries with a closed or repressed civic space can be observed in Figure 1. Almost 30.6% of the global population now lives in countries with ‘closed’ civic space - an increase from the 26% that was recorded in 2018.

**Figure 1: CIVICUS Ranking of civic space from 2018 and 2023 by number of countries.**



Source: CIVICUS 2018; CIVICUS 2023. Reproduced by ECDPM.

**The worsening trend is no longer limited to the so-called ‘repressive’ countries.** In the **United States**, the government is reportedly instrumentalising regulations and laws and using certain narratives to shrink civic space.<sup>3</sup> More recently, the Georgian Parliament overturned the Presidential veto and passed the “Law on Transparency of Foreign Influence”, which makes all non-governmental organisations and independent media outlets in the country that receive more than 20% of their total

<sup>1</sup> Red Spinel 2023

<sup>2</sup> CIVICUS 2024a

<sup>3</sup> Kleinfeld 2024

funding from abroad to register as 'operatives of a foreign government',<sup>4</sup> a common tactic used by governments to shrink civic space. In 2023, CIVICUS ranking downgraded countries such as **Germany**,<sup>5</sup> which experienced a decline in civic space due to the authorities' repressive measures against environmental activists, causing its ranking to shift from open to narrow, and **Bosnia and Herzegovina**, which moved from narrowed to obstructed due to a rapid decline in its civic space after the introduction of laws to silence dissent and the use of violence and threats against journalists and activists.<sup>6</sup> The current state of affairs for civic space both within the European Union (EU) and globally demonstrates the trilemma currently faced by the EU and its member states (MS) in safeguarding civic space. For the EU, this trilemma includes: how to balance its partnerships, the values that it embraces, and its interests both at home and abroad.<sup>7</sup>

## Background to this research, methodology and structure

In this context, this discussion paper analyses responses to shrinking civic space and identifies options and best practices that the EU and its MS, in particular members of Team Europe Democracy (TED) initiative (see box 1), could adopt to effectively respond to the current challenges to civic space. The analysis identifies actions with the objective to propose concrete ways for TED members to work together to consolidate efforts to strengthen civic space in partner countries and globally.

### Box 1: Team Europe Democracy Initiative

Launched in December 2021 by the Commissioner for International Partnerships, Jutta Urpilainen, the TED Initiative is a global thematic Team Europe Initiative that aims to promote and enhance evidence-based support for democracy and human rights worldwide. 14 EU member states are involved in TED, namely Austria, Belgium, Croatia, Czech Republic, Denmark, Finland, France, Germany, Ireland, the Netherlands, Poland, Slovakia, Spain and Sweden.

The Initiative aims at establishing and strengthening networks among EU institutions, MS and other like-minded actors to produce and share practices, lessons learned and approaches to support democracy worldwide. The TED Initiative has three main pillars: 1) research on democracy support best practices and policies; 2) TED Network; 3) providing expertise at country level.

Running between 2022 and 2027 with a total budget of 15 753 206 EUR, the TED Initiative operates globally, where the TED Network facilitates information exchanging and strategic dialogue. At partner country level, EU delegations and MS receive support in exploring and advancing Team Europe Initiatives.

The TED Network strengthens collaboration across regions in promoting democracy and fosters joint initiatives focused on TED's key thematic priorities: 1) Accountability and Rule of Law; 2) Political and Civic Participation; 3) Media and Digital.

Source: [Capacity4Dev](#); European Commission [website](#).

This discussion paper is a shorter and anonymised version of a longer research carried out between April and June 2024. The findings of this research are the result of an in-depth literature review and policy research, a tailored online survey, and limited key informant interviews. The authors focused on EU actions in six partner countries across Africa, Asia, and Latin America, and across a range of regime contexts, as identified in the V-Dem annual report: from democratic through hybrid to

<sup>4</sup> CIVICUS 2024b

<sup>5</sup> Although internal EU civic space is not the primary remit of TED, the question of internal/external coherence and consistency might affect effectiveness in fostering civic space at the global level.

<sup>6</sup> CIVICUS 2023

<sup>7</sup> MacKellar et al. 2024



autocratic.<sup>8</sup> The criteria for case study selection included: i) diversity of regime contexts; ii) regional spread; iii) diversity in terms of international actors and engagement of Team Europe members; and iv) high possibility of learning. Of these criteria, the diversity of regime contexts was the most relevant in relation to the way/s in which EU and MS responded to shrinking civic space. In this regard, V-Dem distinguishes between four types of regimes, namely liberal democracies, electoral democracy, electoral autocracy, and closed autocracy. Three of these types are represented in this research.

**Table 1: Overview of regimes**

Regime	Overview
<b>Electoral democracy</b>	Countries in this category are characterised by multiparty elections for executive office that are largely free and fair. Electoral democracies also exhibit a satisfactory degree of suffrage, freedom of expression and freedom of association. This is the most common of the four regime types, with 59 countries.
<b>Electoral autocracy</b>	Although multiparty elections for the executive exist in countries within this category, they are not always free and fair. Also, there are insufficient levels of fundamental freedoms, including the freedom of expression and association. There has been an upward trend in the number of electoral autocracies, with V-Dem counting 50 in 2023. This is partly explained by the liberalisation of a number of closed autocracies.
<b>Closed autocracy</b>	Countries within this category are characterised by the absence of multiparty elections for the top executive position as well as the absence of core democratic rights such as the rights to freedom of expression, association and free and fair elections. In addition to the trend of ‘democratic backsliding’, V-Dem has highlighted another worrying trend with regard to countries in this category, being that some electoral autocracies are changing for the worse into closed autocracies.

12 answers were received to the online survey, and interviews with 17 key informants at both EU and country level, and 15 CSOs across the countries, were conducted. Throughout the analysis, a political economy approach was adopted to examine how political and economic processes interact and shape policies and practices in relation to civic space, shedding light on the formal and informal rules at play, and the interests and incentives that drive actors in the civic space ecosystem.

This discussion paper presents only a limited overview and analysis of the findings of the main (non-publicly available) research due to the necessity to maintain confidentiality and anonymity of actors and their (politically sensitive) actions. Moreover, **this paper does not aim at covering in depth all aspects of civic space**. For example, this paper does not fully tackle the consequences on civic space of the current wave of digitalisation and the adoption of digital laws, nor the extent to which the interaction between online and offline civic space plays out in the selected countries. Local governance structures also play an important role in building civic space resilience: they can help promote civic education and public participation, which in turn help build resistance to restrictive measures against civic space. However, this paper does not offer a detailed analysis of these aspects, but only offers a general view.

<sup>8</sup> V-Dem 2024

This paper is organised as follows: Section 1 delves into the definition of civic space and discusses the importance of its protection, considering the Team Europe approach (TE) as an enhanced means of working better together. Section 2 presents the triggers that prompted a response from the EU and MS, delves into their current actions to protect civic space and highlights the gaps in these responses. Based on this, in Section 3 we propose future actions based on six approaches.

## 1. Defining and understanding civic space

### 1.1 Why safeguarding civic space is important

The OECD defines civic space as the space that “encompasses the legal, policy, institutional, and practical conditions required for non-governmental actors to access information, express themselves, associate, organise and participate in public life”.<sup>9</sup> In essence, civic space is the public arena where “citizens can freely intervene and organise themselves with a view to defending their interests, values and identities; to claim their rights; to influence public policy making or call power holders to account”.<sup>10</sup>

**Core drivers of (economic) development, such as the fight against corruption, need a broad civic space with strong actors in it. A healthy and inclusive civic space, whether in the digital realm or offline, fosters good governance and democracy, reinforces transparency and accountability, and empowers individuals and civil society. This counters the global rise of authoritarianism and supports the achievement of all the sustainable development goals.** An open civic space enables individuals to freely express their opinions and assert their rights, influence public policy, and hold those in power accountable. Conversely, in a closed civic space, legal and extra-legal restrictions impede these freedoms and citizen participation. However, in reality, civic space is dynamic and complex, rarely fitting strictly into open or closed categories. It varies across contexts, from democratic to autocratic, with a diverse range of actors and stakeholders playing critical roles.<sup>11</sup>

While there is a tendency to narrowly equate civic space with civil society (and its organisations), **civic space is an ecosystem that encompasses a wide range of actors and stakeholders that ideally enjoy core freedoms (of association, assembly and expression) and engage in public policy-making in order to safeguard democracy.**<sup>12</sup> These actors traditionally include civil society organisations (CSOs), human rights advocates and/or defenders (HRDs), non-governmental organisations (NGOs), journalists and the media,<sup>13</sup> labour unions, political and religious organisations. However, in light of the restrictions targeting civic space and its shifting, new actors that constellate the civic space ecosystem are emerging, such as climate activists and grassroots social and youth movements, National Youth Councils, anti-corruption activists, women human rights defenders (WHRDs) and young feminists, LGBTQIA+, indigenous peoples and migrants’ organisations,

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<sup>9</sup> OECD 2022

<sup>10</sup> Bossuyt and Ronceray 2020

<sup>11</sup> Bossuyt and Ronceray 2020; Sapienza and Tapia 2024

<sup>12</sup> Bossuyt and Ronceray 2020; EPD 2020

<sup>13</sup> Traditional media includes mostly non-digital advertising and marketing methods or outlets that existed before the internet. These include television, radio, print advertisements, billboards, newspapers and magazines. New forms of media, or digital media, include any online platform, such as among others email, social media, websites, video streaming and user-generated content (Rosencrance 2023).

organisations of persons with disabilities and those defending land, environmental, and social and cultural rights. Moreover, **the private sector is also emerging as a potential ally of civic space.**<sup>14</sup>

This ecosystem has been shrinking over the last decades in many countries worldwide, including in the West, where established democracies are grappling with rampant nationalism and populism, (increasing) political violence<sup>15</sup> and the proliferation of hate and defamation campaigns aimed at fomenting political polarisation and division. **The closing of civic space is driven by deep-seated structural factors: partly connected to the global shift towards authoritarianism and partly reflecting a strengthened anti-liberal and anti-Western agenda of some countries.**<sup>16</sup> The phenomenon is occurring on a global scale, but it is also context-driven, and it is often more serious at local levels, which receive less attention from international observers and where media and civil society are typically less developed.<sup>17</sup> Indeed, while common tactics are used worldwide to shrink civic space and a global trend can be discerned, it is far from being a uniform phenomenon.

Anti-NGO laws, arbitrary inspections, intimidation, criminalisation and the weaponisation of anti-terrorism and national security laws have been used in the past to put pressure and squeeze civic space. While regimes were applying these practices more covertly in the past, these practices have intensified more recently and are carried out more overtly, purposefully and systematically.<sup>18</sup> Marginalised and minority groups, including indigenous land defenders and LGBTIQ+ activists have been particularly targeted.<sup>19</sup> Attacks on women's human rights defenders (WHRDs) and young feminists have taken various forms, including harassment, stigmatisation, exploitation of conservative social norms and gender stereotypes, as well as online and offline reputation attacks.<sup>20</sup> Moreover, challenges resulting from squeezing civic space particularly affect the safety and integrity of youth organisations and other marginalised groups, which typically operate with limited financial resources, sometimes functioning informally, and have fewer connections to established civil society networks.<sup>21</sup>

In addition, non-state actors can also operate as proxies for governments in targeting other civic space actors. Such actors, that might include CSOs, but also businesses, media, and traditional authorities, might align with formal state institutions to intimidate and hinder CSOs from promoting more progressive and inclusive development.<sup>22</sup> Interviews highlighted that some CSOs might be spared by more restrictive laws because of their (unofficial) role as proxy and/or alignment with the government.

While digital transformation has increased the scope for civic space engagement by connecting civic spaces worldwide and supporting mass mobilisation of social movements offline, digital technologies are increasingly being used to suppress, monitor, and manipulate civil society and the space in which they operate.<sup>23</sup> **Restrictions are therefore no longer limited to physical spaces but have extended to the digital realm and take the form of online surveillance, increased control over internet information and access, and prosecution on the basis of what is published and shared online.**

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<sup>14</sup> For more information, see Chatham House 2021 and European Democracy Hub 2024.

<sup>15</sup> For up to date data on political violence in Europe, please see [ACLED data on Europe and Central Asia](#).

<sup>16</sup> Kleinfeld 2024; CONCORD 2023; EP 2017

<sup>17</sup> Afrobarometer 2022

<sup>18</sup> Buysse 2018

<sup>19</sup> Oxfam 2024

<sup>20</sup> Kvinna till Kvinna 2021

<sup>21</sup> Plan International 2021

<sup>22</sup> Van Kesteren 2019

<sup>23</sup> Domingo and Tadesse 2022

The consequences of the restriction of civic space are profound, impacting local and international CSOs, development agencies, and activist groups. **The closing of civic space has profound negative impacts on inclusive and sustainable development.**<sup>24</sup> This global phenomenon challenges fundamental rights that underpin democratic principles - such as the freedom of expression, association, and assembly - and has contributed to broader trends of democratic recession. This is why more recently practitioners have urged the international community to broaden the narrative of shrinking civic space to include the closing of democratic space. This shift allows for a more expansive understanding of the issue, moving beyond viewing it solely as a "civil society problem".<sup>25</sup>

It is generally agreed that the issue of shrinking civic space is not only a problem in and of itself with relation to the rights affected, but rather, **it also more broadly reflects the trend of democratic recession and authoritarian resurgence.** Broadening the narrative on defending and reclaiming civic space to encompass the wider context of democratic recession and authoritarian resurgence will help to mobilise support and resources that might otherwise remain out of reach. In recognition of this need, **international responses to shrinking civic space have included diplomatic pressure, attempts to strengthen international normative framework and new adaptive programming.** Concerned actors have undertaken both proactive and reactive measures as responses to defend and claim back civic space. These actions have been categorised as 'resistance strategies' and 'resilience strategies'.<sup>26</sup> **However, despite these efforts, competing interests and a lack of coordination have weakened responses.** It has become increasingly clear that the current response strategies are insufficient to stem, much less reverse, the tide of shrinking civic space.

## 1.2 What is at stake for the EU and the MS in addressing shrinking civic space

**The promotion of democracy, the rule of law and respect for human rights, including gender equality, has been at the core of EU external action.** This is aligned with the EU and the MS' joint commitment to the realisation of SDG 16 on peace, justice and strong institutions. To advance its interests and fundamental values globally, the EU benefits from a wide toolbox (see Section 2). **For several decades more broadly, the promotion of values and principles was seen as a joint responsibility of the EU and its MS. More recently 'Team Europe', the approach proposed to raise the EU and its MS' joint profile, has been explored to increase and strengthen the support and profile on these topics.**<sup>27</sup> But shifting geopolitical trends have put the joint commitment of the EU and its member states as whole under pressure. This contains considerable risks and raises difficult questions about how the EU can continue to support civic space in a radically changed political environment. For one, rolling back the EU support to democracy and the rule of law, is not 'cost free' for an EU that needs to be seen as a reliable partner.

Addressing democracy through the Team Europe approach corresponds to a new way of working together as the EU family that has a potential to foster a more impactful joint response to shrinking civic space if it is well organised and coherent. Since 2020, the EU and its MS have created the conditions for more tailored and flexible collaborations.<sup>28</sup> The EU, the MS and their respective agencies for international cooperation now have ad hoc frameworks to develop joint initiatives at global, regional and country level. However, the support to civic space in that context is difficult to assess as it can be

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<sup>24</sup> CONCORD 2023; Hossain et al. 2018; Hossain and Santos 2018

<sup>25</sup> Bossuyt and Ronceray 2020; EPD 2020

<sup>26</sup> Bossuyt and Ronceray 2020

<sup>27</sup> Sabourin and Jones 2023

<sup>28</sup> Jones and Sergejeff 2022

delivered through specific activities or mainstreamed in other sectors' components. In addition, a clear definition of the ways in which the EU and MS may act to counteract the shrinkage of civic space is lacking. The EU has not monitored or assessed its own interventions in this field.

At all levels, but especially when trickled down in partner countries, the support to democracy-related issues as Team Europe revealed some challenges. For example, **efficient and effective policy dialogues on democracy require consistency and coordination within the EU family**. But the rise of political parties prioritising (national) security over human rights and freedoms, has led the EU and its MS to question its shared priorities and interests, and has affected its coordinated engagement on such topics with partner countries. As a result of this growing dissensus the EU and its MS are unable to speak with one voice.<sup>29</sup> Moreover, frustration among partner countries is growing due to the double standard application of values by the EU and its MS.<sup>30</sup>

Moreover, the EU's narrative has seen a shift, where the EU spells out its interests more, affecting the EU's international partnerships.<sup>31</sup> For example, in 2021, the EU launched the Global Gateway, a flagship policy initiative, to mobilise private investments in the area of digital, transport, energy and climate, health, education and research, aimed to maximise the impact of the EU budget, together with MS and development finance institutions. In principle the Global Gateway is fully aligned with the UN's Agenda 2030 and its Sustainable Development Goals, as well as the Paris Agreement. 'Democratic principles' and 'good governance and transparency' are two of the six key principles<sup>32</sup> anchored in the Global Gateway strategy, which has established a Civil Society and Local Authorities (LAs) Dialogue Platform (which includes 42 networks and CSOs platforms) to ensure CSOs and LAs are consulted.<sup>33</sup> However, according to past ECDPM's research, CSOs have expressed frustration with the consultations conducted through this platform, which they perceive as more of a box-ticking exercise than a genuine effort to incorporate civil society voices and concerns into the Global Gateway's approach to development and values.<sup>34</sup>

On the operational side, the programming phase of the EU's main external financial instrument, the NDICI-Global Europe, allowed the EU not only to define its cooperation activities, but primarily to set its interests and priorities for each partner country, and then seek where and how these could match with the partner country's priorities, from a Team Europe perspective. It did this by involving the MS in that reflection. **Our research shows that the EU internal mechanisms and ways of working together did not provide enough space to address civic space as a whole, beyond the support to civil society and democracy. This seems to be more ad hoc than revealing a strong coherent vision of what it means for the EU and the MS to protect civic space.**

Now more than ever, in a changing geopolitical context marked by increasingly strong authoritarian tendencies and shrinking democratic and civic space, a strong and healthy civic space is needed to hold national and international actors accountable, across a range of topics and sectors. From that

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<sup>29</sup> Sabourin and Jones 2023

<sup>30</sup> Sabourin et al. 2023

<sup>31</sup> Veron and Sherriff 2024; Sherriff and Veron 2024

<sup>32</sup> The 6 principles are: 1) Democratic values and high standards; 2) Good governance and transparency; 3) Equal partnerships; 4) Green and clean; 5) Security-focused; 6) Catalysing private sector investment. Source: [Global Gateway - European Commission](#).

<sup>33</sup> EC 2023

<sup>34</sup> Bilal and Teevan 2024



perspective, **the Global Gateway strategy and the Team Europe approach need to be more inclusive and endorse more participatory mechanisms.**<sup>35</sup>

Inclusion and participation are both crucial to increase the sense of ownership by civil society and the ecosystem of civic space in the EU interventions in partner countries. **Such country-level ownership and buy-in from all stakeholders** are also key to ensure that democratic principles and values are applied in a meaningful and sustainable manner. Lessons learned from successful development programming clearly illustrate how country ownership needs to extend beyond central government actors. Within the context of the implementation of the Global Gateway strategy, a large part of TEIs are now linked to infrastructure projects related to green and digital transition. In some rare instances, the promotion of democracy is clearly included as a component of the TEI, yet the research shows a need to further define, more generally, how the Global Gateway strategy should be a value-driven or value-based strategy, or at least a value-informed strategy. In this case, one key question lies in the way to embed the discussion on civic space in big infrastructure related projects, and/or in the negotiations of public private partnerships to fund these projects.

**Creating, nurturing and strengthening partnerships between the EU and the civil society is key in addressing the challenges of shrinking space.** The NDICI-Global Europe is supposed to create a favourable environment to redefine effective international partnerships, confirming the commitments taken in 2012 by the European Commission (EC) towards CSOs in its communication on ‘The roots of democracy and sustainable development: Europe’s engagement with Civil Society in external relations’ (EC 2012). Despite these commitments and the objectives of the NDICI-Global Europe, the recent evaluation of the external financing instruments (final evaluation of the 2014-2020 external financing instruments and mid-term evaluation of the 2021-2027 instruments), shows that while the NDICI-Global Europe and the Team Europe approach have strengthened the partnership between the EU and MS, partnerships with civil society in partner countries have not increased or been strengthened.<sup>36</sup> In that sense, addressing shrinking civic space is a good example of the trilemma the EU is facing: balancing the EU’s interests, its values’ agenda, and the partnership’s priorities.

## Box 2: Conclusions of the NDICI-Global Europe MTE on civil society

- The NDICI-Global Europe reaffirms a multi-stakeholder approach and the wish to strengthen new ways of collaborating with civil society.
- The CSOs remain key actors of governance under the NDICI-Global Europe and most of the EU delegations have a focal point for CSOs.
- A spending target has been set for democracy and human rights but can hardly be used as a policy monitoring tool, as it remains difficult to assess the part of the geographic programmes dedicated to human rights, democracy, civil society and local authorities. This means the impact of the spending targets remain critically underassessed.
- Support to democracy and human rights is seen as an added value of the EU, which is perceived as the only donor engaging on this at all levels, including towards communities. However, some concerns have been expressed that these priorities might be overshadowed by emerging challenges and crises, such as the migration crisis and border management challenges that emerged, and the war in Ukraine.
- While the NDICI-Global Europe and the Team Europe approach have strengthened the partnership among the EU and the MS, civil society “suffers from persistent weakness, exacerbated by the accelerating phenomenon of shrinking space”.
- Partnership with national CSOs has continued, but some obstacles remain and keep challenging the CSOs’ access to funding, mostly because of the EU’s use of larger envelopes than before, but also because of capacity constraints.

<sup>35</sup> Rodriguez 2024

<sup>36</sup> MacKellar et al. 2024 and box 2

## 2. Triggers, EU and MS' answers and gaps in response to shrinking space in practice

### 2.1 Repressive measures and threats contributing to shrinking civic space

This subsection presents some examples of triggers that worked in pushing for action and/or joint responses from the EU and the MS, providing examples of what was done in the countries selected for this research. Triggers have typically included violations of human rights, postponement of elections and shut down of access to the internet.

State and non-state actors dispose of an **arsenal of different actions that repress civic space, ranging between legal, physical and online actions** (for a non-exhaustive overview of these actions, see Annex A). **The perpetuation of these repressive measures further narrows civic space and should therefore be considered threats to the creation of an enabling environment in which actors enjoy their rights.** A clear example is the creation of bodies that regulate the civic space and NGOs in particular, or the targeting of CSOs and HRDs under the pretence of supporting terrorism and/or working against national security. Non-state actors can also act to restrict civic space: for example gangs and armed groups in Latin America, or fundamentalist and extremist groups specifically target activists and voices that go against their beliefs and interests.

#### Box 3: Underlying motivations of governments to close civic space

Governments may shrink civic space due to a combination of political, economic, and social underlying motivations, often aimed at consolidating power and minimising dissent. Some examples include, but are not limited to:

- **Maintaining political control** is the first reason to restrict activities of CSOs, limit freedoms and curb the right of assembly. Weakening alternative views as well as the political opposition ensures that the ruling party or leaders face fewer challenges to their authority and enables them to govern with less scrutiny and interference from the public or political adversaries.
- **Economic interests** also play a significant role in the shrinking of civic space as organisations and individual activists defending environmental sustainability or compliance with human rights could represent threats or obstacles to the implementation of infrastructure projects for instance.
- **Social control** may also motivate governments to reduce civic space as some groups and organisations might promote minority rights and women's rights which might challenge the dominant social norms and/or the leader.
- **Security reasons** might also be advanced as justifications for shrinking the civic space, the government claiming that controls on civil society and the media are necessary to combat terrorism, insurgency, or other security threats. This is often used to target political opponents, human rights defenders, and independent journalists under the guise of safeguarding national interests, thereby stifling legitimate criticism and debate. Moreover, during the Covid-19 pandemic, some governments employed repressive measures targeting freedom of expression and participation in the name of "public health protection." Critics, journalists, opposition members but also health workers criticising

the government have been detained during the pandemic.<sup>37</sup>

Overall, this often involves censoring or persecuting groups and individuals who promote alternative perspectives, thereby ensuring that the dominant ideology remains uncontested.

Responding to triggers only, without taking into consideration the structural and more proximate causes behind the decisions of a government to close civic space, risks having a limited impact on preventing shrinking civic space.

*Sources: Bossuyt and Ronceray 2020; Smidt 2018; EPRS 2017.*

At times, **the EU and some MS have reacted to perceived threats to civic space.** For example, the EU and MS use joint statements to strongly condemn partner countries' decisions to postpone national elections.<sup>38</sup> Interviews highlighted that the EU and MS are **quicker to react when a strong demand for civic space protection comes from CSOs. This shows how crucial it is to not only have a vibrant and resilient civil society in and of itself, but also for the EU to maintain open communication channels.**

**The EU and MS have also reacted to violations of human rights and showed their support in protection of fundamental rights.** For example, in the Philippines, EU MS jointly attended trials and coordinated for trial observation to make sure that HRDs wrongly accused got justice. The EU and MS have also advocated and supported campaigns for the release of former senator Leila de Lima, who was jailed on drug charges she said were fabricated to stop her investigation against former president Rodrigo Duterte. Her release in November 2023 after 6 years in jail was welcomed in a statement by the EU Ambassador, who stressed that the court decision to free her on bail was a key step in the rule of law of the Philippines.<sup>39</sup>

Nevertheless, **more publicly vocal reactions to threats to the health of civic space depend on different factors, including -but not limited to- the national context, the severity of the violations, the different economic, security and political interests of the MS and the EU in the country, the relations that they have with the partner country (and particularly its government) and the leverages that they can use.**

**At the same time, interviews mentioned that in some contexts, a reaction from the EU and MS can have a damaging effect on CSOs.** This is because some countries' governments consider civic space actors in favour of more liberal and democratic values as being pro-Western and/or against the government, and therefore actors risk facing tightened restrictions. In that perspective, more publicly supporting these CSOs could actually harm the situation rather than contributing to broadening or opening the civic space. That is one of the reasons why sometimes MS and the EU do not react publicly but initiate a joint political work that happens "behind the curtains".

**Stand-alone triggers have been important to prompt reactions from the EU and MS in protection of civic space and should be used as a momentum.** At the same time, it is important **not to lose sight of the trends and the drivers of closing civic space.** While drivers and structural causes of closing civic space differ from country to country, there are several drivers that have fuelled the global crackdown on civic space. Indeed, states have a tendency to use copy-cat methods and tactics to

<sup>37</sup> McCain Institute 2020

<sup>38</sup> Council of the European Union 2024

<sup>39</sup> VOA 2023



increasingly close civic space, therefore it is important to see their actions in a continuum and not in (geographical) isolation. Drivers and trends of shrinking civic space have been in place for years, but sometimes actions have been slow to arrive and have been mostly reactive, according to interviewees from the civil society. The EU is currently in the process of setting up an Early Warning Mechanism (EUSEE) (see box 4) in order to detect threats to and closing of civic space and intervene in a timely manner. Once in place, the EU can utilise this instrument to be on top of trends and quickly react to developments affecting civic space in order to intervene in a timely manner.

#### Box 4: The EU Early Warning Mechanism

The new EU Early Warning Mechanism (EUSEE - EU System for an Enabling Environment) was officially launched at the margins of the TED second annual meeting held from 13-14 June 2024. The EU signed a partnership with a consortium of 9 CSOs to promote an enabling environment for civil society in 86 countries across the globe. EUSEE will be first framed and launched to be tested in pilot countries in 2024, and then extended to the rest of the countries. EUSEE is a welcomed mechanism that in addition to having the potential to further finetune the EU's actions in protection of civic space, can also boost a broader discussion on what the EU, EU Delegations and MS understand as civic space and potentially broaden the scope of action beyond CSOs and HRDs.

Source: [EU website](#) (2024).

## 2.2 Joint and individual answers from the EU and MS

This subsection aims at highlighting concrete examples of what the EU and MS are doing to stand up for civic space which were flagged during the research. Individually, MS and the EU have a wide range of tools at their disposal, some of which are presented below. Collectively, the Team Europe approach broadens the potential of joint initiatives.

### The EU: A more consolidated toolbox since 2021

Although there is no EU strategy for civic space,<sup>40</sup> **the NDICI-Global Europe (2021-2027) mentions explicitly civic space as being part of the promotion of EU values in the geographic programmes** (art. 13 of the NDICI-Global Europe). This was not the case in the previous instruments - the Development cooperation instrument (DCI) or the European Development Fund.<sup>41</sup> **Mainstreaming the support to civic space in the geographic programmes** now constitutes the main channel for the EU to engage at country and regional levels on civic space. It represents a way to embed the discussion on civic space within the more sectoral programmes. At the same time, this risks diluting those priorities into wider programmes.<sup>42</sup>

NDICI-Global Europe has also integrated **two thematic programmes that contribute to counter the shrinking civic space**, namely the programme on Human Rights and Democracy, and the programme on Civil Society. Under its Priority 1, the programme on Human Rights and Democracy for 2021-2027 has one action (out of 4) that aims to “support human rights defenders and counter shrinking space for civil society, including by means of short-, medium- and long-term holistic support”. According to various interviewees, these global thematic envelopes allow the EU **to more safely and discreetly support and protect specific stakeholders**, also thanks to the employment of ad hoc mechanisms

<sup>40</sup> CONCORD 2023

<sup>41</sup> MacKellar et al. 2024

<sup>42</sup> Sabourin and Jones 2023

(see box 5 for an example). Additionally, the NDICI-Global Europe's non-programmed rapid response mechanism can contribute to supporting actions on freedom of expression and information.

### Box 5: The EU Human Rights Defenders Mechanism

The EU Human Rights Defenders Mechanism ([ProtectDefenders.eu](https://protectdefenders.eu)) is an EU mechanism created to support human rights defenders around the world, and it is part of the Human Rights and Democracy programme for 2021-2027. The Mechanism is managed by a consortium of 12 human rights NGOs. Following the unprecedented increase in requests for urgent protective support that ProtectDefenders.eu received in 2021, in September 2022 Commissioner for International Partnerships, Jutta Urpilainen, signed an additional 30 million EUR for the new phase of the EU Human Rights Defenders Mechanism for the period 2022–2027. In its new phase, the EU Human Rights Defenders Mechanism incorporates the EU Emergency Fund for Human Rights Defenders at Risk, managed by the EU Commission and the European External Action Service (EEAS).

Sources: EU [Commission website](https://commission.europa.eu) (2022) and [ProtectDefenders.eu](https://protectdefenders.eu).

The EU's support to civic space is difficult to measure and assess in its totality. The AidWatch report states that only 10% of the total support for CSOs in EU ODA in 2021 was allocated to civil society organisations in partner countries.<sup>43</sup> But support to CSOs cannot be the only indicator to measure the extent of the support and protection of civic space. As explained in section 1, civic space is broader than just CSOs as many other actors are part of this ecosystem. Therefore, the EU's support to the civic space can take the form of projects or programmes about, for example, strengthening the rule of law and democratic institutions, supporting local authorities, setting up digital tools for democracy, expanding the role of civil society within sectoral reforms, and within local communities. **This highlights the importance of having clear indicators that are broader than the measure and impact of CSOs' support.**

### Box 6: The key role of strong institutions: Examples from Senegal and the Philippines

Strong and independent institutions are key to preserving and protecting democracy. In February 2024, the Senegalese Constitutional Council's decision to reject former president Macky Sall's decree postponing the presidential election safeguarded the democratic basis of the country and reasserted the country's judicial independence.<sup>44</sup> In the Philippines, the Supreme Court's decision of 8 May 2024 which declared that red-tagging constitutes a threat to the life, liberty and security of individuals constituted a significant step forward in protecting fundamental freedoms and ensuring accountability.<sup>45</sup>

These examples show that **as the rule of law continues to erode, the necessity to protect and strengthen independent democratic institutions is more crucial than ever.**<sup>46</sup>

**In the current EC budget cycle (2021-2027), the EU relies considerably on MS' implementing agencies.** In line with a wider political and geopolitical change, the NDICI-Global Europe created the conditions for MS' implementing agencies to implement EU programmes more often and more systematically. This is a change compared to the previous European Development Funds and other

<sup>43</sup> CONCORD 2022

<sup>44</sup> Giancesello and Tine 2024

<sup>45</sup> Supreme Court of the Philippines 2024

<sup>46</sup> Okechukwu 2023

previous External Financial Instruments, where the partner country's governments and administration were more directly involved in the implementation of the EU funds.<sup>47</sup> Despite using different ways to deliver support (each development agency comes with its own procedures, overall national strategies, and networks), this new evolution has been highlighted by interviews as an asset in some contexts where implementing agencies are seen as less political than the EU and the MS embassies themselves. In comparison to the UN agencies, delegating the implementation of the EU programmes to the MS development agencies allows the EU funds to remain in the EU family, which is also considered as an asset in terms of visibility. **Yet this is also a trade-off in not working with UN agencies that may be perceived differently, or have different networks to the EU itself.**

### Member states' actions towards civic space

EU MS are also individually engaged in a range of activities aiming at **creating an enabling environment for civic space. Some have introduced funding initiatives that specifically target CSOs, others support media freedom or reforms of the justice systems.** Some MS have adopted **specific strategies** to guide their engagement with civic space. For example, France's Minister for Europe and Foreign Affairs (MEAE) has recently adopted its first **strategy to engage with civil society and civic space in partner countries.**<sup>48</sup> Other examples are provided below.

#### > Belgium's Civic Space Initiative to support human rights and democracy in partner countries

In 2023, Development Cooperation Minister Caroline Gennez launched a new initiative to support human rights organisations in Belgium's partner countries on a larger scale than the support that the Belgian development cooperation was already providing to many CSOs. The Fund aims at supporting local, Belgian or international NGOs that are active in the civil society of one of Belgium's partner countries to help them protect HRDs, safeguard civil and political freedoms such as freedom of expression, assembly and association, promote fair elections, guarantee the rule of law and fight against impunity and corruption. Between 2023 and 2024 around 8 million EUR will be allocated to the initiative, which will cover 14 among Belgium's partner countries with a priority given to organisations active in Burundi, Rwanda, Mali, Uganda, Guinea, Palestine, Democratic Republic of the Congo (DRC) and Burkina Faso.<sup>49</sup>

#### > The Netherlands' Safety for Voices initiative

The Dutch Ministry of Foreign Affairs has allocated 40 million EUR to the Safety for Voices initiative (2022-2027), which has the objective to ensure a "greater safety, both online and offline, for human rights defenders and journalists worldwide".<sup>50</sup> This initiative is in line with the Dutch strategy on Human Rights Worldwide, which through its Human Rights Fund, supports initiatives in protection of human rights all over the world.<sup>51</sup> The Safety for Voices initiative recognises that human rights defenders and media workers play a crucial role in exposing human rights violations, protecting vulnerable groups and holding governments accountable, therefore defending democracy.

#### > Germany's support to media and freedom of expression

Germany, through its development agency Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), is very active in the protection of access to information. For example, in collaboration with the

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<sup>47</sup> Sabourin et al. 2023

<sup>48</sup> Strategic guidance paper 2023-2027 civil society and civic engagement (see MEAE 2023).

<sup>49</sup> Government of Belgium 2023

<sup>50</sup> Government of the Netherlands N.d.

<sup>51</sup> The strategy's priorities are Freedom of expression, internet freedom and independent journalism; Freedom of religion and belief; Equal rights for LGBTIQ+'s; Equal rights for women and girls; Supporting human rights defenders (Government of the Netherlands N.d.).

EU and the Ministry of Communication, Telecommunications and the Digital Economy of Senegal, GIZ is implementing a programme on “Promoting trust in information and reducing disinformation”.<sup>52</sup> In other countries, German support has fostered links between African media houses and European ones, helping to build media outlets and journalists’ capacities in order to counter false information. According to some interviews, the focus on journalism is key, especially in those countries where information on local languages is still missing, which provides more space for disinformation and manipulation on online platforms and social media such as Facebook. In that perspective, cross-border cooperation helps (but should also be increased) to allow more peer-to-peer exchanges and sharing of good practices.

#### ➤ Denmark’s multi-level response

Denmark has a strategy on Support to Civil Society and adopted a **multi-level response to shrinking civic space**, which includes global monitoring and advocacy and goes down to the engagement with authorities and dialogue with local actors.<sup>53</sup> Denmark has consistently invested in addressing the enabling environment for civic space and has strengthened its own overall political and institutional capacity to act.<sup>54</sup>

**Figure 2: Denmark’s multi-level response to shrinking civic space**



Source: Bossuyt and Ronceray 2020.

<sup>52</sup> More information available at this [website](#).

<sup>53</sup> Ministry of Foreign Affairs of Denmark 2022

<sup>54</sup> Bossuyt and Ronceray 2020

## Joining forces: the EU and MS acting as a Team Europe on civic space

The EU and MS general commitment to combatting the closing of civic space materialises through a number of **joint initiatives and responses**, such as the **EU action plan on human rights and democracy** (implemented at local level in human rights and democracy country strategies), or the **roadmaps for the EU's engagement with civil society**. Created in 2014 and now in their third generation (2021–2024), they serve as a strategic instrument for coordinating the EU and MS support for civil society organisations. Although often designed with external experts, hindering EU Delegations' full ownership, interviewees shared that EU Delegations are increasingly aware and willing to consult with civil society groups in a more structured manner. Interviews highlighted that in particular the latest roadmaps involve MS more actively and hold untapped potential to guide EU programming and political strategies. They also sparked some reflections around the best way to involve CSOs in the operationalisation of the Global Gateway strategy.

Although the “Team Europe” concept was born as a response to the Covid-19 crisis in 2020,<sup>55</sup> the EU and MS already coordinated their responses before that through the joint programming of development cooperation exercises. After this joint exercise, the Team Europe approach gave a new and more flexible framework for the EU and the MS to work together. Working as a Team Europe on civic space is now a part of the global Team Europe Democracy Initiative, under the civic participation component. **Trickling down at the partner country level, this encompasses a support to civil society and their capacities, as well as a support to creating norms that will provide a legal framework to an open civic space.**

However, beyond the programmes and the financial support, the Team Europe approach has a mixed record as far as it concerns taking more political stances, which interviewees deem as necessary as programmes and financial support. **Standing up politically is considered to have more leverage if conducted jointly, in a Team Europe approach.**

Beyond traditional political dialogues and conditionalities, **policy dialogues** offer a platform for comprehensive exchanges with partners that could be further maximised in order to advance democracy and human rights in a more effective and integrated way. Engaging in substantial and frequent human rights dialogues with partner countries is an example. At the EU level, the EU Special Representatives hold human rights dialogues with some partner countries. The number of human rights dialogues in the different regions of cooperation depends on the agenda of the strategic dialogue with the country/organisation.<sup>56</sup> In some countries, interviews highlighted that the discussions on the civic space are integrated, when possible, to the general policy or political dialogues.

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<sup>55</sup> Council of the European Union 2020

<sup>56</sup> Sabourin and Jones 2023

## Box 7: Lessons learned from the EU and MS' actions in support to civic space

In relation to the six countries analysed, our research shows some lessons learned on the responses provided by the EU and the MS to shrinking civic space:

- Financial support to civil society organisations, human rights defenders, media development, is **necessary but not sufficient**;
- **Political interventions and support are also needed**, although delicate to be implemented in some closed contexts or where EU MS interests diverge;
- **Integrated vision required**, where civic space is part of conversations in other sectors, like projects on infrastructure, green transition, investments involving private sector, among others;
- **Long-term strategy to be developed** when there is space to address this issue in the policy dialogue between the EU, the MS and the partner countries;
- **Necessity to create links among the stakeholders**, such as peer-to-peer exchanges with European partners, cross-border cooperation, people-to-people exchanges, ... .

### 2.3 Gaps in the EU and MS responses

Civic space restrictions continue to evolve quickly as governments come up with new ways to further shrink civic space, making effective responses challenging. Our research shows that a range of factors have hindered the efficiency and effectiveness of the EU and MS responses, slowing down and reducing the impact of their reactions. The following sections provide a short overview of some of these factors.

- *The EU and its MS have a range of tools at their disposal and have responded to stand-alone triggers in multiple ways, but there is a lack of comprehensive strategy to protect civic space and quickly respond to changes*

The EU and the MS tend to focus on the “usual” actors of civic space (mainly CSOs and HRDs) but are slowly thinking about enlarging its scope to tackle new actors and the civic space ecosystem more broadly. So far, the EU and MS have not extensively explored the civic space ecosystem and its different actors. This also applies at the country level, as EU Delegations do not have a clear mandate to explore civic space, and do not have enough resources to do so.

**According to our interviewees, what seems to be lacking is a comprehensive strategy to protect civic space and quickly respond to changes.** This translates in some situations into operational confusion, lack of coordination, and hinders unity among EU MS. In addition, the prevalent practice of narrowly considering civic space as a “problem” of civil society (organisations) and human rights defenders hinders the possibility of having in the radar other (national) champions that might not be the “usual suspects” and that can help the EU and MS in their efforts to revert the closing of civic space.

- *Examples of attempts to strengthen coordination exist; but there is room for improvement to establish more effective coordination mechanisms, avoid duplication and overcome working in silos*

While the civil society roadmaps are an example of good practice in terms of coordination between the EU and MS, our research finds that there is still **room for improvement**. EU Delegations in some countries have good practices in place and a fluid approach to coordination with MS. EU Delegations



also play a crucial role of coordination in cases concerning creating a dialogue with CSOs and/or receiving human rights defenders. Nevertheless, CSO and HR focal points in some EU Delegations might lack time, sufficient resources and cooperation platforms to fully explore civic space. They might also tend to work in silos, without necessarily liaising with other focal points present in the Delegation, such as the Gender and/or Youth focal points.

Moreover, our research shows that reactions to events and threats to civic space are **not always undertaken in a timely manner**. This is due to different reasons, including the fact that the protection of civic space is not necessarily high on the EU MS agenda and that it is not always clear what kind of answer there should be and at what level (if it should be the MS ambassadors, or under the leadership of the EUDs).

The Team Europe approach presents an opportunity to consolidate efforts, expertise and coordination across a broad spectrum of civic space-related issues. Such an approach could be used to enhance coordination at the partner country level among the EU, MS, and their respective agencies. Additionally, coordination between EU Delegations and MS responses might also be improved by a greater leadership role by Heads of Delegations and MS ambassadors.

- *Addressing concerns over shrinking civic space have received attention through dedicated action and implementation plans and financial instruments, but the EU is faced with finding a difficult balance between the EU and MS' interests, and providing political support within a changing geo-political context*

In its 2020 Action Plan for Human Rights and Democracy (2020-2024), the **EU committed to fostering a global environment that supports human rights and democracy**. Nevertheless, the EU's foreign policies are found to have a **mixed track record in applying these values, which have been overshadowed by security, migration and trade interests**.<sup>57</sup> Interviews highlighted that **addressing closing civic space has become a political and sensitive matter, to the extent that in some countries, EU Delegations rely on the implementing agencies of the MS as they are perceived as non-political**.

Moreover, different political, economic and security interests of EU MS in partner countries lead them to not always speak with one voice when threats to civic space and/or repressive measures are employed by the countries authorities.<sup>58</sup> Interviews highlighted that **the degree of priority that responses to closing civic space get depends on the (political and economic) context of the country, stressing that the “political reality” needs to be taken into account**.

- *Rising levels of closing civic space at home raises concerns over the ability of the EU and its MS to form a united front in its external action, i.e. over the ability to match its values and actions; and leaves the EU vulnerable for reputational damage and accusations of applying ‘double standards’*

Different NGOs, networks and platforms have raised **concerns over the increasingly closing civic space in Europe**. The latest data from CIVICUS highlights that 11 countries of the EU have a “narrow” civic space (Belgium, Bulgaria, Cyprus, Croatia, France, Germany, Italy, Romania, Slovakia, Slovenia, Spain) while 3 have an “obstructed” civic space (Greece, Hungary, Poland).<sup>59</sup> The narrowing of civic

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<sup>57</sup> EPD 2024

<sup>58</sup> Brechenmacher and Carothers 2019

<sup>59</sup> CIVICUS N.d.

space in Europe has been associated with the increasing restrictions on protest rights and the criminalisation of civil society activists.<sup>60</sup>

For example, in 2022 and 2023, there was a **crackdown on the climate movement, with non-violent environmental activists facing arrest, prosecution, and intimidation**. In Germany, members of the Letzte Generation movement are being investigated as a criminal organisation, with authorities conducting house searches and seizing assets.<sup>61</sup> Solidarity actions, such as aiding migrants and refugees, have also been criminalised in several countries, including Cyprus, Greece, Italy, Latvia, Lithuania, and Poland (for more details, see Civic Forum and Civic Space Watch 2023). Poland and Greece experienced downgrades in their civic space ratings due to attacks on women and LGBTQI+ rights (in Poland, which became “obstructed” in 2021), and the persecution of activists and journalists (in Greece, which became “obstructed” in 2022).

Although internal EU civic space is not the primary remit of TED, the issue of internal-external coherence has a bearing on effectiveness at the global level in fostering civic space: This climate at home hinders a united front in the EU MS’ external actions in the fight against the closing of civic space and raises questions of consistency of the MS. EU MS’ governments that crack down on domestic critics are less likely to be credible when they condemn civil society restrictions in partner countries, leaving the EU and its MS vulnerable to accusations of ‘double standards’ by partner country governments and authorities. This further weakens the EU’s ability to support the protection of civic space.

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<sup>60</sup> Red Spinel 2023

<sup>61</sup> Euronews 2023



### 3. From holding the line to rapid response: some proposed actions and ways forward

Democracy is challenged around the globe and while the EU has ‘issues at home’ on these issues, and is increasingly called out for double standards, its role as a democracy promotion actor has become increasingly vital. To uphold its role effectively, the EU should prioritise the coherence of its actions, across institutions and MS, with a clearer narrative on substantive democracy beyond the mere holding of elections.<sup>62</sup> The EU has many challenges as a credible and effective actor, yet the added value of the EU in its approach to civic space is that the EU is often “the only donor which, in a given country, engages on human rights and democracy at global, regional, national, and local levels”.<sup>63</sup> The EU also has larger reach and presence globally than most other actors and can combine being a political actor and funder. However, other priorities have dominated the EU and MS’ agenda at the expense of civic space protection. A more closed world will not serve the EU’s wider foreign policy goals nor the aspirations of citizens globally. Hence, reversing the shrinking civic space should be granted higher priority in the EU’ strategies and actions.

While a global response is essential, actions are mostly context-bound within particular countries. Moreover, while reactive political and programming measures are necessary, support to help actors that populate the civic space ecosystem to “hold their ground” is also crucial. This section provides some ways on how the EU and MS can further commit and fine tune their actions to counter the closing of civic space, providing for general reflections on the possible ways forward, in the short term and over a longer-term perspective.

Civic space is shrinking but it’s not shrinking all the time in all its dimensions.<sup>64</sup> In **the short term**, the EU and MS dispose of an array of options that they can execute:

1. **The EU and many MS are well placed to keep supporting CSOs both politically and financially** in a coordinated and strategic way to help them build the capacity and resilience that they need to withstand the shrinking of civic space and hold their ground. Partner countries organisations and individuals should be supported in a way that does not lead them to being donor-oriented, but rather for them to have the **capacity to design and implement their own strategies**.
  - Concretely, the EU and the MS should look for means to adapt their procedures by enabling a certain degree of flexibility in designing interventions, reporting or reassessment of priorities when the context changes. Similarly, it is key to allow for flexible funding to adapt to the changing situation on the ground, especially if civic space is (rapidly) closing.
2. **The EU and MS need to find points of entry where they can more effectively execute actions to protect civic space.** For example, the Global Gateway strategy and the initiatives supported under it represents a potential new entry point for discussion around civic space, especially because its success is increasingly seen as linked to its capacity to promote democracy globally, offer a qualitatively different EU offer, and to go beyond the “do no harm approach”.<sup>65</sup>

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<sup>62</sup> IDEA 2023

<sup>63</sup> MacKellar et al. 2024

<sup>64</sup> Bossuyt and Ronceray 2020

<sup>65</sup> Rodriguez 2024

- The EU and MS should **include civic space actors in discussions around implementing projects under Global Gateway**, beyond the global dialogue platform for CSOs and Local Authorities (LAs) launched at the 2023 Global Gateway forum and for instance at country level.
  - As part of the engagement with civic space, civil society roadmaps could be used in that regard as a key vehicle for shaping civil society involvement across the five priority sectors of the Global Gateway strategy, as well as retaining (as in many roadmaps) the priority on the enabling environment.
  - Other examples might be to **include civic space in trade agreements discussions** - although the complexity and limitations of this should not be under-estimated<sup>66</sup> - or **to further explore the role that development agencies can play**, given that at times they are considered as less political than the EU and MS diplomatic offices and officials directly.
3. **The EU and MS should also continue to support people-to-people relations and acknowledge that these contribute to an enabling civic space.** People-to-people relations can include exchanges of scholars, journalists, civil servants, activists, parliamentarians and students, for instance.
- By running such programmes, and regularly diversifying their contacts (including in new sectors and beyond capital cities), the EU Delegations and the MS embassies build, nurture and update their networks regularly, which can help them find appropriate contacts that can provide an update on the civic space, monitor the evolution of the civic space in a more accurate way.
  - These programmes, their outcomes and the (new) contacts made can also be added to the agenda of the roadmaps for the EU's engagement with civil society (see also section 2) to ensure a smooth information flow among EU actors.
  - The implementation of these programmes also involves local authorities, who are accountable for civic education and public participation. In that sense, working with local authorities as part of local ecosystems is unavoidable in the safeguarding of democratic principles, accountable governance and inclusive development.<sup>67</sup>
4. The EU and MS could use existing spaces and calls for dialogue, such as the roadmaps for the EU's engagement with civil society or the human rights' country strategies, to **broaden the narrative on defending and reclaiming civic space to encompass the wider context of democratic recession**. This would also help mobilise additional support and resources.
- This broader narrative should recognise that civic space is evolving and that new participants are emerging as influential players in the civic sphere. It will also lay the ground for a more strategic vision at partner country level, which would entail both clearer red lines, and include monitoring indicators as a useful baseline to assess the impact of the EU and MS responses to shrinking civic space.

The EU and MS could also undertake a number of **longer-term strategic measures** that could help them contrast the closing of civic space and foster a stronger enabling environment.

5. **Civic space is evolving and offers a realm of actors that are not the “usual suspects”.** The EU, the MS and their implementing agencies at the country level often tend to rely on players that share their (liberal) values, missing out on a series of actors who may have the

<sup>66</sup> Ashraf and van Seters 2020

<sup>67</sup> Bossuyt and Ronceray 2020

potential to drive change but have typically been disregarded by normative European donor agencies, such as some moderate faith-based organisations.<sup>68</sup>

- The EU and MS could **explore the full ecosystem of civic space**, taking proactive efforts (matched with sufficient resources and tools) to see “who is out there”, including at local level. Exploring civic space can also help **identify potential future threats and therefore take measures to be on top of trends**.
- However given the existing shortages of financial and human resources, it would be crucial to **build on the existing mechanisms and expand on them**. For example, CSO and HR focal points in the EU Delegations can benefit from more support and time allocated to them, and better cooperation platforms. They could also further liaise with the Gender focal point and Youth focal point in order to further expand the pool of actors consulted and tackle civic space shrinkage from different perspectives.
- **Conducting political economy analyses** (PEAs) at the country level can also help to better understand the specific challenges and windows to support the creation of the conditions for civic space to be broadened.
- **Closer working relationships for ‘political sections’ and ‘operational sections’** of EU Delegations and Embassies can help share insight and contacts for greater impact.

6. **The EU and MS are also well positioned to continue supporting and working with partner countries** to ensure an enabling environment for civic space.

- In particular, along other sectoral priorities with partner countries, MS and the EU could accompany governments in working on legislation and regulatory measures to enable civic space to grow. This includes **keeping working with and supporting strong democratic institutions** (see also section 2 box 6), such as the Supreme courts and National Human Rights Institutions (NHRIs), which play a vital role in bridging civic space and government.

7. A Team Europe approach to address democracy builds on a recently adjusted collaboration methodology within the EU family, and offers the potential to deliver more impactful joint responses to the shrinking civic space. Therefore, **the EU and MS could further tap into the potential of the Team Europe approach to protect civic space**.

- Operationally, a **more coordinated approach regarding the implementation of programmes of EU and MS related to civic space, including support to civil society, would enhance the coherence, and, eventually, the weight, of their actions**. It would also contribute to ensure continuity between the projects and among the donor community in the implementation of the EU’s funds. The EU and MS should also make further use of a Team Europe approach to stand up politically in protection of civic space, since such an approach allows them to exercise more leverage.

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<sup>68</sup> Bossuyt and Ronceray 2020

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## Annex A. Non-exhaustive list of actions that close civic space

The below table is a non-exhaustive list of actions that different actors take to close civic space. The authors preferred not to put these actions on a scale ranging from “light” to “severe” threats because the severity of actions might vary from country to country.

Legal actions (by the State)	Physical actions (by both State and non-state actors)	Online actions (by both State and non-state actors)	Other actions
Onerous fines and registration fees, complex procedures for NGOs registration, licensing, renewal	Extrajudicial killings and attacks against political activists and journalists	Shutdown of internet access and social media platforms	Postponement of elections
Absence of legislation, such as access to information laws stifles civil society's monitoring role	Attacks and raids on media platforms or CSOs' facilities	Hate speech and disinformation campaigns	Forced conscription of dissident activists
Ban on unions activities	Arbitrary detention of non-governmental actors	Intentionally prevent or disrupt the access to, or the dissemination of, information online	Co-option of influential civil society members into government, particularly at grassroots levels
Bans on manifestations and right of associations and/or pre-authorisation for meetings, protests, and publications	Intense oversight and/or control over independent media sources and CSOs	Defamation and surveillance	NGOs bank account freezing
New laws and regulations governing online space, which include criminalisation and prosecution of online expression	Intimidation, harassment, threats, travel bans and (the most extreme cases) assassination	Use of “threat of false information” to crack down on civil society	Attacks on opposition parties and/or banning of their activities
Harsh sanctions to perceived violations	Discrediting, accusations of non-patriotism or support of armed groups	The spread of hateful, misogynistic, and discriminatory content	
Anti-foreign funding laws			
Anti-terrorism and national security laws			

Source: Afrobarometer 2022; OHCR 2023; EP 2017.

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