

MAPPING SHRINKING CIVIC SPACE IN EUROPE

Authors: Giada Negri, Filip Pazderski¹

This analysis is the result of the review of the rich literature and 14 in-depth expert interviews (see full list of interlocutors in Annex 1). In the first chapter, we provide a brief overview of the drivers of the “shrinking civic space” phenomenon that are identified in the literature and the experts interviewed. In the second chapter, we present an overview of the major trends affecting civic space in the European Union and the challenges faced by civic organisations (CSOs) and social movements during and before the pandemic. In the third chapter, we take a closer look at some of the countries where shrinking civic space is most concerning. In the fourth chapter, we look at numerous promising actions taken by civil society actors to respond to them and preliminary observations and lessons learned that can enrich the reflection. Finally, based on these observations, we suggest what kind of support Civitates could provide to widen civic space in the European Union.

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About the authors:

Giada Negri is a research and advocacy officer at the European Civic Forum. She coordinates the [Civic Space Watch](#), an online tool for monitoring civic space in Europe.

Filip Pazderski is lawyer and sociologist, senior policy analyst and head of the Democracy and Civil Society Programme with the [Institute of Public Affairs](#), Warsaw-based think tank organisation. He is also one of the Vice-presidents of the European Civic Forum.

EXECUTIVE SUMMARY

1. Drivers

Most of the interviews, as well as the literature, agreed that the “shrinking civic space” phenomenon is a by-product of other processes. The effects also go beyond civil society only, also targeting actors such as journalists or National Human Rights Institutions/Ombudsman Institutions. Some of these are systemic and can be observed across Europe, if not globally.

When asked, many interviewees found the crisis of liberal democracy as a political model as one of the main drivers. The fragilities of the neo-liberal economic model by exacerbating economic and social inequalities, also contributed to creating large swaths of discontent and fear of being left behind inside societies. These societal tensions have often created fertile grounds for parties and governments that challenge democratic civil society from the “top” through legislation, policies and practices aiming to dismantle checks and balances in their countries, and for conservative civic organisations, quasi-GONGOs and extreme right movements that restrict civic space from the “bottom”. Additionally, the excessive power of the corporate sector also contributes to pressure on civic actors directly (for example through SLAPPs) or indirectly.

On top of these systemic factors, each country also has its own specific socio-political structure and historical context that interplay with the systemic drivers. They contribute to explain the manifestations and narratives of shrinking civic space and the capacities of the sector to respond.

The pre-existing vulnerabilities of civil society and limitations of civic space have been further intensified during the COVID-19 pandemic in 2020.

2. Six overarching trends

The report highlights six overarching trends:

- Citizens believe in democracy but resent political and economic elites for its failures
- Top-down understanding of openness hollows democratic participation
- Conservative civil society co-opts democratic voices’ languages and spaces
- Civic freedoms and civil society are shrunken by growing securitization
- New technological developments allow corporate interests to shape civic space
- The European dimension of civic space is growing

They manifest themselves in different forms depending on the countries and actors involved. In the report the manifestations are organised into the following categories: 1) constraints, 2) perpetrators, 3) mechanisms and 4) effects on civil society.

3. Countries of concern

In all EU member states there is some issue linked to civil society space but not all the countries present the phenomenon with the same intensity and pervasiveness. Based on the responses of interviewees, who were asked to name countries where the deterioration is most concerning, data from the literature and the authors’ expertise of the issue, the EU member states have been organised into four categories that reflect recent trend of developments in each of them:

- 1) **Countries where the deterioration of civic space is entrenched:** Hungary and Poland.
- 2) **Countries that have been characterized by a fast deterioration of civic space in the last year:** France, Slovenia, Hungary, Greece and Cyprus.
- 3) **Countries where a tipping point could lead to fast deterioration:** Bulgaria, Romania, Croatia, Italy, Spain, Slovakia and Czechia.
- 4) Countries where the civic space is open but any deterioration sends a worrying signal at the international level: Ireland, Germany, Denmark, Netherlands and Sweden.

4. Emerging responses to shrinking civic space

While being confronted with abovementioned manifold challenges, causing restrictions in their political, legislative, social and economic environment, CSOs around Europe have not remained passive. In contrary, the challenging context has pushed some CSOs to react and look for new solutions, sometimes of a quite innovative character. Report presents a sample of responses or solutions developed by individual organisations or networks.

- **Responses to political challenges, inter alia, the deterioration of institutional checks and balances at the national level**, that include: monitoring of shrinking civic space and democracy backsliding in order to observe and record progress of deteriorations to counteract the ‘frog boiling in a cold water’ effect as well as to advocate and litigate for change; national and local coalition building aiming to amplify civil society voice, work out own positions on the populist policies and trigger strategic thinking on the civil society needs as well as societal problems; citizens self-organising democratic processes when authorities capture and hollow down rule of law institutions and constrain the public dialogue; public protests organised by citizens when traditional participation avenues do not work properly and there are no other possibilities to influence public debate; showcasing the injustice by breaking the law as some groups decide not to abide the law in order to highlight its unlawfulness.
- **Responses to social challenges** that address the manifestations of shrinking civic space inside societies that sometimes interplay with the structural weaknesses of the sector, include: communication strategies aiming to develop different ways of communication addressing society at large to change the public opinion on selected matters that often trigger people fears, anger and resentment; Supporting civic engagement and building strong links with constituencies especially outside bigger cities; creating independent/civic journalism platforms to guarantee access to independent information at times when traditional media struggle and common spaces for public debates are missing, and activities counteracting online disinformation.
- **Europeanising civic strategies**, including: organising pressure from the European and international audience to visualise and counteract deterioration in particular country; European networks advocating for EU action on civic space and sharing of information and practices on a long-term basis in a form of monitoring platforms or international educational/knowledge-exchange efforts for civic leaders.

5. Recommendations

As conducted expert interviews stressed reversing the “shrinking civic space phenomenon” is a long-term process, and real change will require years of work. As current and potential Civitates’ grantees are dealing with a complex challenge that requires innovative thinking, they might have to experiment and adopt a trial-and-error approach to find meaningful

strategies for their context. As a result, it is crucial to trust grantees and allow them room for manoeuvre to adapt to a changing political and social landscape. Based on these observations the report suggest the following:

Recommendations on the thematic priorities of the funding programme: Funding coalition can be an effective strategy but there is no fit-all strategy. An important criterion to select which coalition to support is inclusiveness.

Recommendations on the type of activities supported: There should be flexibility as to the type of activities supported. As shrinking civic space is a European phenomenon, the European dimension should not be disregarded. There is a need to invest in foresight and enable reflections on the systemic and contextual drivers.

Recommendations related to the geographic focus: Civitates could concentrate a sizable part of its funding on the first three categories of countries listed above and should reflect on how to tailor its support to the level of deterioration in the different countries. Part of the financial allocation can be dedicated to an emergency fund, opened to all EU countries, rolled out in small, short-term grants to countries where rapid deterioration is suddenly observed. Civitates could consider opening funding streams to support European networks and cross-border cooperation or allow grantees to use the funding to engage inside European initiatives.

Recommendations related to the funding modalities: Civitates should reduce eligibility criteria to the minimum and increase the accessibility of the funding. Funding cycles for the support of coalitions should be long-term, at least four years and ideally six years, as suggested by one interviewee. Civitates could look into innovative ways of funding. The reporting effort should be proportionate to the amount funded and the emphasis should be on the learnings that can be drawn from successes and failures.

Recommendations on the positioning Civitates in the environment of other donors: Civitates should keep open the communication channels with other donors active in a similar area of work in Europe, including the European Commission and the EEA and Norway Grants. Given Civitates' presence in Brussels, it could assist with disseminating information on the threats faced by the Grantee, liaising with other organisations that are working on the issue and organising pan-Europe solidarity actions.

1. IDENTIFYING DRIVERS

Most of the interviews, as well as the literature, agreed that the “shrinking civic space” phenomenon² is a by-product of other processes. The effects also go beyond civil society only, also targeting actors such as journalists or National Human Rights Institutions/Ombudsman institutions. **Some of these are systemic and can be observed across Europe, if not globally.**

When asked, many interviewees found the **crisis of liberal democracy as a political model** as one of the main drivers. The rise of identity politics that altogether led to a wider decoupling of liberalism and democracy to produce the so-called ‘illiberal democracy’ or more technocratic ‘undemocratic liberalism’ that disempowers the electorate (Mounk, 2018) is a case in point. A moment of acceleration and deepening of this crisis was the 2008 financial crisis and the subsequent sovereign debt crisis of 2010–2012, which is when many anti-establishment or anti-mainstream, nationalist, or even far-right political parties were created or started gaining success in many countries in Europe (International IDEA, 2021: 18). In few EU member states (i.e. Hungary and Poland), these political actors were able to gain the parliamentary majority necessary to form a government and took advantage of it, starting a process of democratic ‘backsliding’ or ‘deconsolidation’ and ‘constitutional rot’ (Bermeo, 2016; Foa and Mounk, 2016; Balkin, 2018).

In retrospective, the financial crisis – and the austerity policies that followed, exposed the **fragilities of the neo-liberal economic model that has exacerbated economic and social inequalities** (Pikiety, 2014), creating large swaths of discontent and fear of being left behind inside societies (European Civic Forum, 2019). Long-term comparative data show that the increase of inequalities has often gone hand-in-hand with shrinking democratic space like in Croatia, Hungary, and Poland, or growth of extreme rights movements *like in Austria, France, Lithuania, and Sweden* (Lindberg, 2019). However, other available data show inequality and socio-economic deprivation, while definitely creating fertile grounds for the rise of authoritarian populism, nevertheless fail to be the only explanation of its political success in particular countries. For example, Poland improved economic indicators, including the Gini indicator, before 2015 when the democratic deterioration started (World Bank). Thus, we should read this economic indicators also through the process of cultural globalisation that has left many people insecure about losing the world they once knew and their livelihoods and starting to feel as ‘strangers in their own land’ (Hochschild 2016). This led some authors to explain raising authoritarianism also through ‘a cultural backlash in Western societies against long-term, ongoing social change’ (Norris, 2017; Norris and Inglehart, 2019). **These societal tensions have often created fertile grounds for parties and governments** that challenge democratic civil society from the “top” through legislation, policies and practices aiming to dismantle checks and balances in their countries, and for **conservative civic organisations, quasi-GONGOs³ and extreme right movements** that restrict civic space from the “bottom”.

Additionally, **the excessive power of the corporate sector also contributes to pressure on civic actors directly** (for example through SLAPPs⁴) **or indirectly** (for example, by supporting

² There is a debate whether the terminology “shrinking civic space” is useful. Some author stress that while focusing on professionalised NGOs it risk excluding from the debate actors that are already marginalised and are not recognised in the civil society concept (see, for example, the [interview with Francesco Martone](#)). Others stress that it carries the risk of a negative self-fulfilling prophecy (See [Instead of shrinking space, let’s talk about humanity’s shared future | OpenGlobalRights](#)).

³ A government-organized non-governmental organization (GONGO) is a non-governmental organization that was set up or sponsored by a government in order to further its political interests and mimic the civic groups and civil society at home.

⁴ The term SLAPP stands for Strategic Lawsuits against public participation.

governments that restricts civic freedoms⁵) (Friends of the Earth, 2019). Already in 2016, a former UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, warned that “free market fundamentalism – the belief in the infallibility of free market economic policies – is an urgent threat” observing a trend of states prioritizing the freedom of the market over human rights (OHCHR, 2016). We can predict that the role of corporations in shaping civic space will increase in the future, if the internet, social media, artificial intelligence and surveillance industry continue to expand led by the unregulated private sector (see for example Hayes B. and Poonam J., 2020).

Each country also has its own specific socio-political structure and historical context that interplay with the systemic drivers. They contribute to explain the manifestations and narratives of shrinking civic space and the capacities of the sector to respond. It is important to note that **political actors challenging civic space often take advantage of civil society’ structural weaknesses.** For example, CSOs in the CEE area are characterised by higher dependency on public donors and lowers capacities to engage with the public. Due to the organisational development at the end of a Cold War CSOs based on the Western (primarily Anglo-Saxon) model of the non-governmental organisations acting as intermediaries, CSOs primarily focused on talking to the authorities with technical language and forgot about establishing links with society.

None of these factors provides a stand-alone explanation of the course of the events in a particular country. On the contrary, it is always a mixture of various factors overlapping and supporting one another in the individual countries. We will present some of these country-specificities in section three of this report.

The pre-existing **vulnerabilities of civil society and limitations of civic space have been further intensified during the COVID-19 pandemic in 2020.** The crisis has also made CSOs more vulnerable to policy measures by national governments, sometimes taking advantage of the pandemic to undermine the rule of law, freedom of association and assembly and the protection of individual rights (Liberties and Greenpeace, 2020; Vosyliūtė and Luk, 2020; European Civic Forum, 2020). But despite the additional obstacles to their daily activities, CSOs stepped up and responded to social needs and the challenges with sometimes very innovative ways. Although, the civic sector proved great resilience, it has often happened at a high price and with a heavy burden on individual activists and organisations. Many groups have not or will not be able to survive these struggles, even though it is hard to evaluate the real cost at this stage.

⁵ See, for example, the [support of German car industry for Viktor Orban’s government](#) in Hungary and in front of the German Government.

2.SIX OVERARCHING TRENDS

→ **Citizens believe in democracy but resent political and economic elites for its failures:**

Various surveys show that a vast majority of Europeans remain committed to democracy as a political system (Reynié, 2019: 46) and support its founding elements such as free and fair elections, free speech or independent judiciary (Eurobarometer, 2018: 73). However, persistent divisions remain between Western and Eastern as well as Northern and Southern parts of the EU in terms of the satisfaction with the way democracy functions in different Member States (Pew Research Center 2017:5; eadem 2019: 43). Citizens generally feel empowered by the democratic process, even if they resent some of its outcomes (Pew Research Center, 2019: 10). Thus, data show that people prefer democratic values to be upheld rather than replaced by some alternative values system, for example “illiberal democracy”. At the same time, Europeans expect democracy to work for the benefit of ordinary people, not just the political or economic elites (ibidem: 10). Their biggest discontent concerns political elites, which are often perceived (rightly or wrongly) as disconnected with their citizenry, often selfish if not corrupt (Reynié, 2019: 26-27). Such perception adheres to growing lack of trust towards representative in democratic institutions and elected officials. The negative assessment of the European political and opinion making elites contributes to the upsurge of support for populists parties and movements, which denounce the existing elites and promise to create a more direct relation between the rulers and the ruled, often by-passing ‘formal’ democratic procedures and rule of law institutions (Kucharczyk, Pazderski, 2020: 54-55).

→ **Top-down understanding of openness hollows democratic participation:**

One of the interviewee highlighted the emergence of a paradox: while an increased number of countries is pledging to expand openness and transparency of the policy-making through open government reforms, there is also an increase in crackdown on civil society actors. This incongruity underlines the development of “*narrow, top-down conception of openness that sidelines citizens’ rights to freedom of association, assembly, and expression*” (Brechenmacher, 2019). This narrowing understanding of participation is connected with the neoliberal individualisation of society focusing on individual citizens rather than collective struggles (Hayes et al., 2017). This is for example exemplified by the tendency at European and national level to praise consultation of individual citizens at the expenses of real dialogue with civic society (European Civic Forum, 2018). This trend manifests itself also through the belief that politics is only the realm of political parties and civic organisations should not be allowed to influence the political agenda (Hayes et al., 2017; European Civic Forum, 2019).

→ **Conservative civil society co-opts democratic voices’ languages and spaces:**

Over the last year we can observe worldwide a growing presence of alt-right and conservative organisations and movements (Youngs et al. 2018). They often maintain financial and organisational ties with large international business and conservative Churches, especially rooted in the Americas, but also benefit from the support from Russia and China. They are connected and strengthened through mutual support and knowledge-sharing networks of organisations that have co-opted the human rights language (Kurasinska, 2020; Suchanow, 2020). Locally, they also often find support and understanding from a few governments (i.e. Poland and Hungary) and parties (i.e. in Italy) whose agenda align. It includes limiting sexual and reproductive rights (inter alia by promoting a notion of so-called ‘gender ideology’), and fighting liberal values by associating them with the anxieties around the loss of traditional cultural norms that cultural globalisation exposed.

→ **Civic freedoms and civil society are shrunken by growing securitisation:** In the last decade, the strengthening of security policies and frameworks have been one of the main trends shrinking civic space globally through the proliferation of vaguely worded counterterrorism laws and disproportionate sanctions misused to target Muslim organisations and activists dealing with a wide range of issues (Hayes and Joshi, 2020). During COVID-19, in some countries these frameworks have repurposed while in others new security related measures have been introduced to enforce lockdowns and social distancing measures. Numerous allegations of abuse measures have emerged (Amnesty International, 2020) including their use to control and sanction critical voices (ECF, 2020). As a result of the expansion of security policies, **the interplay between shrinking civic space and discrimination is intensifying in many European countries, affecting many groups working on anti-discrimination issues such as migrants' rights, islamophobia and Roma-rights.** But these tools will be used also against other groups, including environmental activists.

→ **New technological developments allow corporate interests to shape civic space:** Despite the optimism of technologies widening opportunities for human rights and inclusion, **the proliferations of new technologies, including social media platforms and artificial intelligence is driven by profit in the context of a regulatory vacuum with little oversight of public authorities, citizens and civil society.** These technologies are shaping and contributing to restricting civic space in ways that are still under-researched but include surveillance, hate speech and corporation-driven censorship (Hayes and Joshi, 2020). For example, the growing role of the online sphere and social media is accompanied by a crisis of traditional media causing lack of a common space for a healthy public debate and creating a space for the proliferation of anti-rights narratives supported, also financially, by the authoritarian states (Snyder, 2018). Additionally, large private companies gained the power to decide where the limits of exercising some fundamental freedoms lay and under what commonly agreed rules and conditions they can be limited. Such developments feed the anxiety and deepen the feeling of losing control over surrounding reality in many people, which is being exploited by populist politicians. The COVID-19 pandemic accelerated these trends, with a great deal of activism moving online and the use of tracking apps and surveillance technologies finding purpose in the monitoring of the virus and respect of social distancing rules in the public space. This is an area that will become more and more relevant in the coming years.

→ **The European dimension of civic space is growing:** Civic actors across Europe are looking up to the EU institutions to take stronger actions to protect and support civil society. The European Parliament and European Commission are warming up to the issue of civic space but it lacks a comprehensive strategy. Nevertheless, the Justice, Rights and Values programme, amounting to €1.6 billion for the 2021-2027 period and foreseeing a branch to support organisations working on rule of law and democracy will be an important factor in the strengthening of civic space in the next five years. However, European policies like the Anti-Money Laundering Directive, GDPR (ECNL, 2020) and the Facilitation directive (Carrera et al., 2018), have contribute to shrinking civic space. Additionally, shrinking civic space at national level impacts the space for civil society at European level when CSOs spaces, like the European Economic and Social Committee, are co-opted by other actors with the support from national authorities (Civil Society Europe, 2020).

Manifestations

The overarching trends described above manifest in different forms depending on the countries and actors involved. The following table is built on the 2017 analysis [On "shrinking civic space": a framing paper](#) by Ben Hayes, Frank Barat and others, investigating 1)

constraints, 2) perpetrators, 3) mechanisms and 4) effects on civil society. Additionally, it is structured around the four areas of research used by the European Union Agency for Fundamental Rights (FRA) in the 2018 paper “[Challenges facing civil society organisations working on human rights in the EU](#)” and subsequent surveys to the sector. This categorisation is used for the sake of exposing the mechanisms of shrinking civic space and effects on civil society. Nevertheless, sometimes categories overlap (i.e. restrictions of freedom of association is often a mix of legal barriers and economic ones, while prosecution and criminalisation fall between the regulatory environment and the safe space) or happen in combination.

Constraint	By whom?	Mechanism	Effect on civil society
Regulatory environment			
Restrictions on freedom of association	Governments, funding agencies	<p>Laws on transparency (i.e., 2020 legislation on the registration and certification of Greek and foreign NGOs engaged in activities related to asylum, migration, and social inclusion in EL, 2020 amendments to law on the registration and functioning of civil society organisations in CY), anti-money laundering (i.e., transposition of the EU Directive in RO and LT), security (i.e., new law on Strengthening Republican values in FR) regulating CSO operations, including registration, licensing, reporting, and accountability. They usually entail:</p> <ul style="list-style-type: none"> • Burdensome reporting requirements; • Government approval or registration as precondition to operate / receive funding (i.e. in the case of EL); • Disproportionate sanctions in case of non-compliance, including dissolution or de-registration (i.e., deregistration of human rights organisations in CY) or lack of access to funding (i.e. in the case of FR); • Discrimination of CSOs vis-à-vis other entities (like private companies) that are not subject to the same requirements; • Increased interference by public authorities. • Reluctance to cooperate and obstruction by public institutions (i.e. CSOs face restrictions to access certain strategic locations where they work, incl. prisons in case of association providing support for prisoners, or detention 	<p>These restrictions create a complex legal environment that limits, restricts and controls civil society. They affect the sector’s capacity to operate and act. Burdensome legislation drains CSOs resources and capacities and contributes to negatively affecting their ability to focus on their mission. By doing so, it puts CSOs that advocate for the common good at a disadvantage with other groups lobbying for private interests. It often creates a negative stigma of the sector in the eyes of the public being perceived as entities that are corrupted, dangerous or to keep under control, especially when coupled with vilifying statements by public authorities. It increases the governments’ interference with the autonomy of CSOs. It also enables CSOs operations to be shut down for non-compliance.</p>

		centres for organisations working with migrants).	
Restrictions on freedom of expression, including online repression	Governments including through law enforcement authorities and intelligence services	<ul style="list-style-type: none"> Restrictions on “political” campaigning and action (i.e. tax authorities’ decisions to remove charitable status from certain NGOs involved in public campaigning in DE, Electoral Act in IE, clauses in public grants or other forms of pressure on CSOs requiring to abstain from advocacy). Laws and policies on disinformation and others (i.e. 2018 ‘Holocaust law’ in PL) that induce censorship as well as intimidation, including the use of criminal law to obstruct free speech (i.e., 2020 change to the criminal code in HU and ES). Restrictions to access to information. Restrictions to media pluralism and independent journalism and use of intimidating techniques by state authorities against certain campaigns and/or journalist investigations. 	<p>The ability of CSOs to spread information and raise awareness within society is weakened. There is a chilling effect on CSOs from raising certain sensitive issues that might make them a target for authorities or powerful individuals. NGOs or activists affected might face severe repercussions, including restitutions of funding (like in the case of laws restricting political campaigning), hefty fines and imprisonment.</p> <p>→ Fact #1: Restrictions on freedom of expression and access to information have greatly increased during COVID-19. Censorship is the second trend emerging most often on the CIVICUS Monitor in the European Union in 2020.</p>
Restriction of freedom of peaceful assembly and right to protest	Governments including through local authorities and law enforcement authorities	<ul style="list-style-type: none"> Legislations restricting the right to peaceful assembly on certain areas or topics, increasing discretionary powers of local authorities to ban assemblies or certain individuals from attending protests (i.e., 2019 Security decrees I and II in IT, 2019 Anti-rioters law in FR, 2018 Law on freedom of assembly in HU, 2016 Law public assemblies in PL (introducing ‘cyclical assemblies’), 2015 Gag Laws in ES). Additionally, during COVID-19, many EU countries banned public gathering and freedom of movement without making exceptions for the right to peaceful assembly. Administrative monetary sanctions (phenomenon known in Spain as “Bureau-repression”). Disproportionate or unjustified use of force, intimidation and humiliation of protesters (i.e. in FR, PL, ES). Detention, arrests and criminalisation of protesters. Prevention of or violent attack against journalists and citizens reporting on 	<p>These restrictions limit the capacity of civic actors to organise public demonstrations and mobilise people in the public space. The use of excessive and unjustified violence on protesters might lead to the radicalization of public demonstrations if citizens feel that it is dangerous to participate. All of these can lead to disengagement of people.</p> <p>→ Fact #2: Few interviewees identified this as a trend deemed to expand in the future. According to the European Civic Forum, in 2020, at least three EU countries announced or passed new legislation restricting the right to protest beyond COVID-19 (2020 Law on Public outdoor assemblies and 2021 bill for reform of universities in EL, draft package “Security for all Danes” in DK, draft Law on Global security in FR).</p> <p>→ Fact #3: Due to COVID-19 restrictions and expansion of police powers to police the pandemic, many protesters have been fined, detained and arrested on the basis of breaking COVID-19 rules and other laws.</p>

		protests and police operations (i.e. Law on the Protection of citizens security in ES , New law on Global security in FR).	According to the CIVICUS Monitor, detention of protesters and excessive force were respectively the first and fifth most frequent trend reported during COVID-19.
Prosecution and criminalisation	Governments including through public prosecutors, politicians, private corporations and oligarchs	<p>The use of legal frameworks, strategies and political and legal actions with the intention of treating actions for human rights as illegitimate and illegal. It includes:</p> <ul style="list-style-type: none"> • Legislation criminalising specific actions (i.e., 2018 “Stop Soros” Law in HU, 2019 Security decrees I and II in IT) • Prosecution of NGOs or people associated with them for their actions (i.e. criminalisation of solidarity to migrants), words or organising peaceful demonstration (i.e. criminal charges against leader of the anti-abortion movement in PL, conviction for sedition for two leaders of civic organisations in SP). • Lawsuits against public participation (also known as SLAPPs): malicious civil lawsuits abusing the judicial system with the aim of draining the target through long Court processes. <p>→Fact #4: According to a forthcoming research by Greenpeace in SLAPPs in the European Union, NGOs are the second main target of SLAPPs after journalists. One reason for this data is that journalists are able to raise the profile of these cases and there is less awareness of SLAPPs as a civic space issue among NGOs and activists in Europe. The most concerned countries are IT, FR, HR and PL.</p>	<p>These legal proceedings often do not lead (or even aim to lead) to a conviction and many complaints often end in acquittal or dismissal. Nevertheless, these proceedings have huge material and symbolic costs:</p> <ul style="list-style-type: none"> • Attack to reputation; • Diverting resources away from the mission to defend itself in Court and in the public; • Draining the financial resources for legal defence and advice; • Continuous mobilisation on the process over extended time taking away public attention from the cause of the group. <p>These proceedings may also encourage the tendency of other associations to self-censor for fear of punishment or refrain themselves from pursuing certain actions (i.e. search and rescue) for fear of reprisal.</p> <p>Finally, in case of conviction, the consequences are assessed in terms of fines or prison sentences.</p>
Finance and funding			
Obstacles accessing funding	Private and public donors	<ul style="list-style-type: none"> • Obstacles to finding and accessing available funding, including burdensome, complex, not always transparent procedures and challenging eligibility criteria; • Cumbersome reporting procedures. 	CSOs have less means and resources to dedicate to their mission. Reduced sources of funding also increase competition for same funding and make it more difficult to diversifying funding, thus making organisations dependent on few donors and

<p>Reduced availability of funding</p>	<p>Public and private donors</p>	<p>Long established challenges include:</p> <ul style="list-style-type: none"> • Overall reduction of public funding due to budgetary cuts; • Funding cuts for some CSOs or certain activities, and a tendency to shift support away from watchdog functions towards service provision; • Short-term project funding over core funding. <p>The COVID-19 pandemic amplified these tendencies and resulted in huge economic pressure on the sector because:</p> <ul style="list-style-type: none"> • civic organisations were not being able to run fundraising or economic activities to support their operations; • in some countries, public funding for service provision was prioritised; • in many countries, only a part of civic organisations was eligible for public measures supporting employers and businesses; • donations from individuals and companies have dropped or moved to support hospitals or direct support to reduce the COVID-19 impact on society; • civic organisations in some fields (i.e. LGBTI+ rights) had to shift their focus and redirect their limited resources to provide humanitarian assistance to their beneficiaries and the wider population, thus weakening their capacity to carry out their regular mission, including policy and advocacy work. 	<p>susceptible to influence. As a result, these challenges put at risk the existence, effectiveness and independence of civic organisations.</p> <p>The economic and financial impact of COVID-19 crisis is weakening or threatening long-term sustainability of the sector. This issue has a short-term impact, with many organisations being forced to stop or downscale their operations. It also has long-term consequences: the landscape of civic organisations is undergoing a fast and profound change as many will stop existing or completely change their activities, in the absence of meaningful support from public institutions and shifting of priorities for donors.</p> <p>→ Fact #5: According to a survey carried out by FRA on challenges for civil society in 2020 (thereafter 2020 FRA survey):</p> <ul style="list-style-type: none"> • 42% of respondents had financial difficulties; • 38% of respondents had difficulties keeping current staff employed; • 48% faced lack of State support in connection with COVID-19 related measures. <p>→ Fact #6: A survey from the European Fundraising Association and salesforce.org found that:</p> <ul style="list-style-type: none"> • The majority of respondents have had to cancel fundraising activities and around half have struggled to reach beneficiaries or deliver services in lockdown.
<p>Restrictions to access to funding</p>	<p>Public and private donors and banks (indirectly through government policies)</p>	<ul style="list-style-type: none"> • Laws restricting (i.e. Electoral Act in IE) or over-regulating funding from abroad (i.e. 2017 Law on the transparency of organisations supported from abroad in HU, draft Transparency Act in NL, draft NGO law in BG); • Counter terrorism and anti-money laundering laws leading to refusal to provide funding to certain organisations (i.e. organisations led by Muslims in SE) 	<ul style="list-style-type: none"> • More than 1 in 6 predicted lower revenue during 2020 than expected at the beginning of the year, especially small organisations. • More than 1 in 3 report that income from individual donations and services fell during the pandemic, and that their capacity was reduced (with a drop in staff or volunteers); • 1 in 3 saw a drop in donors' numbers.

		or asset freezing and/or seizure, as well as financial controls.	
Other material barriers		This category concerns all practices that restrict access to places and tools necessary for the action of civic organisations and groups, including evictions (i.e., FR, SI, IT) and deprivation of public meeting spaces, as well as refusals to lend rooms and equipment.	
Controlling CSO activities through funding policies	Governments through funding agencies	<p>This category overlaps with “Restrictions to freedom of expression” to the extent that public funding agencies put pressure on CSOs in order to refrain from expressing criticism towards the Government (i.e. in SE, IE, FI, DE) or sanction civic organisations for their work through cut of funding (i.e. cases collected in FR).</p> <p>In some countries, Governments have made moves to starve economically critical civic organization, including though:</p> <ul style="list-style-type: none"> • Funding cuts for some CSOs or certain activities (i.e. cuts for anti-corruption NGOs in CZ); • Centralisation of distribution of funding (i.e. ; National Cooperation Fund in HU, National Institute of Freedom – the Centre of Civil Society Development in PL); • Favouring the establishment and financing of parallel organisations (quasi GONGOs) while divert funding away from the legitimate CSO sector (i.e. in PL + here and HU). 	<p>In the short-term, civic organisations targeted by funding cuts are destabilised and their sustainability is put at risk, especially as one cut in subsidies can lead to another. In many cases, and especially for small associations whose first budget item is salaries, it is the salaried positions that disappear first, placing a heavy burden on the association's capacity for action.</p> <p>These moves lead to the self-censorship and de-politicisation of organisations in order to preserve access to funding. Other organisations opt for financial precariousness in order to preserve a certain autonomy, which nevertheless weakens their ability to act.</p>
Right to participation			
Restrictions to the right to participation	Government and public bodies	<ul style="list-style-type: none"> • Lack of minimum standards or clear rules on implementing the right to participation, or inconsistent implementation; • ‘Box ticking’ approach; • Opaque consultation; • Reduced ability to engage due to reduced resources; 	Reduced ability to influence the policy-making.

		<ul style="list-style-type: none"> •Short deadlines or even pressure to and constrains to take participation in the processes. <p>COVID-19 exacerbated these obstacles as policy-making processes were accelerate and a general shift of power toward the Executive happened.</p> <p>Two interviewees identified the restriction of participation of environmental NGOs (i.e., in IE and SI, but also reported for PL, AT, DE and BG) as a trend that is expected to become more prominent in the future.</p>	
Spaces for CSOs reduced as they are captured and co-opted by other actors	Private interest groups, lobbyists, GONGOs, and CSR initiatives	<p>CSOs spaces are co-opted by quasi-GONGOs or Government representatives (i.e. 2020 changes to the Council for Civil Society Development in HR) or marginalized in the policy-making (i.e. 2020 proposal of amendments to the CSO law in BG – currently stalled), while critical NGOs are unable to access political spaces.</p> <p>Notably in the area of migration (service provision such as legal advice shelter etc.) in a number of countries, public agencies are taking over former CSO roles and tasks (i.e. BE, FR, EL).</p>	
Safe space for civil society			
Negative public discourse and smear campaigns, labelling	Far right groups, government, politicians, news portal and media affiliated with political parties, oligarchs or corporations	<p>Discrediting the work and framing targeted individual and groups as illegitimate or dangerous through negative coverage on the media and smear campaigns, including on social media. Often these narratives divide between “good” and “bad” NGOs, accusing civic actors for being “politicised”, connected to political opposition or “foreign mercenaries”. Reputational attacks often create the impression that critical voices are ‘legitimate targets’ for other measures and often anticipate the deployment of other legal, judicial or financial obstacles.</p>	<p>These consequences are undoubtedly the most difficult to identify. First of all, it can be costly to respond to such attacks, draining resources from other activities. Lower public trust in CSOs can lead to drops in support, donations and engagement. Damage to the reputation can also make it more difficult to form alliances or coalitions, as some actors are perceived or presented as "controversial". It can create stressful working conditions and lead to chilling effect and self-censorship.</p>
Physical attacks and threats	Far right groups	<p>Direct threats, blackmail, confrontations, online and offline. In some cases, (i.e. on the Greek Islands) violence, attacks or raids to premises (i.e. in IT), aggressions</p>	<p>It disrupts activities and can lead to self-censorship. There are also repercussions on mental health linked to feeling unsafe. In some cases, it can lead to traumatic physical</p>

		during counter-demonstrations (i.e., in PL).	and emotional experiences. In the long run, it becomes a question on the sustainability of the staff of civic organisations.
Intimidation and harassment	Government through law enforcement bodies and tax authorities	Intimidatory acts including raids of premises and fiscal audits of critical NGOs.	<p>→Fact #7: The data from the FRA survey in 2019 and for 2020 found that about 1 in 5 respondents said an employee/volunteer in their organisation experienced a physical attack in the past 12 months. According to the 2020 FRA survey, 10.1% of the respondents say they experienced ‘harassment in the form of excessive administrative controls or audits or legal action’ in the last year.</p> <p>→Fact #8: According to the 2020 FRA survey, almost half of the organisations targeted by attacks say this is an issue for psycho-social wellbeing. More broadly, 74% of the respondents to the survey reported psychological impact on staff and volunteers conducting their work as one of the difficulties in 2020. The psycho-social impact of shrinking civic space (beyond episodes of harassment) are expanding also due to COVID-19 but are currently under-researched.</p> <p>→Fact #9: According to the CIVICUS Monitor, intimidation was the third most frequent trend reported during 2020.</p>
Data gathering and surveillance	Government through police and intelligence agencies	This category includes expanded surveillance powers, tracking activities of NGOs, activists and protesters. COVID-19 has seen an expansions of mass-surveillance technologies used to monitor public space and expansion of police’s ID checks, photos and video of people in the public space, including during demonstration. This is a trend that is expected to increase in the future.	Being identified while exercising civic activism can have a deterrent effect on public participation, especially for communities that are most at risk of marginalisation. Often these tactics are used as a form of intimidation and harassment. Additionally, these data are also used to impose sanction, prosecute and criminalise civic actors.
Duty to protect	Police, courts and human rights bodies	Lack of action from the authorities to respond to violations of rights, to support NGOs, etc.; Unresponsive human rights bodies locally (i.e. ombudspersons); Unfavourable court decisions in cases of violence or hate speech against HRDs or prosecution of NGOs.	Investigations and legal procedures are often long and costly. If targeted groups and individuals fear lack of action or even reprisal for seeking justice, they might be discouraged from doing so.

3. COUNTRIES OF CONCERN

In all European country there is some issue linked to civil society space but not all the countries present the phenomenon with the same intensity and pervasiveness. The following list is based on the responses of interviewees, who were asked to name countries where the deterioration is most concerning, data from the literature and the authors' expertise of the issue. We have organised the countries into four categories that reflect recent trend of developments in each of them:

- 5) **Countries where the deterioration of civic space is entrenched:** these are countries where there is a general agreement among experts that the attack on civic actors and civic freedoms has been permanent and systematic in the last years, although with phases of acceleration and deceleration.
- 6) **Countries that have been characterized by a fast deterioration of civic space in the last year:** these are countries that have seen a rapid deterioration of civic space in the last year. COVID-19 contributed to further shrink civil liberties, but it is not the main driver of the deterioration.
- 7) **Countries where a tipping point could lead to fast deterioration:** These are countries where the attack to civic actors and civic freedoms has slowed down in the last year but the political landscape is such that a minor change in the balance of power could lead to a fast deterioration of civic space.
- 8) **Countries where the civic space is open but any deterioration sends a worrying signal at the international level:** these are countries that are traditionally important donors and supporters of civil society at the international level. Civic space is open, although some signs of deterioration are emerging. It is crucial to respond strongly due to their role internationally

This is a subjective categorisation and does not reflect the overall level of stability and development of the civil sector or democratic institutions, although we try to add these elements in the analysis below.

Countries where the deterioration of civic space is long-term and systematic

Hungary is considered a *transitional or hybrid regime* according to the Freedom House report Nations in Transit 2020. International IDEA evaluates it as backsliding democracy (IDEA 2019). Over the last decade, the right-wing alliance of Fidesz and Christian Democratic People's Party (KDNP) has taken advantage of its parliamentary majority to consolidate political control over the judiciary, media, cultural and education institutions. At the same time, it weakened all critical voices, including local authorities, civic organisations and independent media through restrictive legislation, cuts of funding and aggressive rhetoric (Filippov, 2020). As a result, it is the only EU country whose civic space is rated "Obstructed" according to the CIVICUS Monitor. The strategy of the government relies on using the fear of sanctions against critical voices and challenging the access to funding of critical civic organisations, while organisations aligned with the Government receive strong support from public organisations and companies close to the ruling Party (Pardavi et al., 2020; Hungarian Spectrum, 2017). Hungary was identified in the EC Rule of Law report as a country where civil society faces "serious challenges" due to the 2017 law on transparency of foreign funded NGOs (European Commission, 2020). Recently, public foundations have started enacting this law and impeding access to funding to organisations that receive foreign funding but refuse

to declare themselves foreign funded organisations (Sárosi, 2020), despite a ruling of the ECJ from June 2020 that found this legislation is contrary to EU law. As a result of these political pressures and historical structural weaknesses, Hungarian civil society's capacities and sustainability is ranked lowest for several years in a row in the CSO Sustainability index (2019 CSO Sustainability index rating: 3.9⁶), especially in the field of advocacy and financial viability (Mora et al., 2020). The COVID-19 pandemic further deteriorated CSOs' capacities as a consequence of the loss of income and increased powers of the public authorities (European Civic Forum, 2020). **In the run-up to the 2022 elections, we can expect an increase of attacks on critical voices by the Government, and we already observe the targeting of the LGBTI+ community since 2019, including through a constitutional amendment in November 2020** (Walker, 2020). To date, no alternative party seems strong enough to defeat the current coalition, although the 2019 local elections that saw the victory of opposition parties that had come together is a sign of hope (Mora et al., 2020).

Poland is a *semi-consolidated democracy* according to the Freedom House report Nations in Transit 2020 (Wójcik and Wiatrowski, 2020). Similarly to Hungary, since 2015, when the Law and Justice government took power, democracy and the rule of law have gravely backslided (IDEA 2019). As a consequence, the conditions for Polish civil society organisations have greatly deteriorated (Pazderski, 2019). Civic space is rated as "Narrowed" on the CIVICUS Monitor. The Government has sidelined critical organisations from access to funding and policy-making processes, while favoring the flourishing of conservative civic organisations (Pardavi et al., 2020; Pazderski, 2019). The country was identified in the EU Rule of Law report as a country where civil society faces "serious challenges" due to unfavourable statements on public authorities against representatives of civil society, especially dealing with LGBTI+ rights (European Commission, 2020). Nevertheless, in comparison with other countries in Eastern Europe, Polish civic organisations are numerous and mature and the overall capacities of the sector are relatively strong (2019 CSO Sustainability index rating: 2.7) (Pazderski, 2020 a). The negative political environment brought CSOs to react and look for new, innovative solutions to sustain their activities. Moreover, a growing number of Poles engage informally, through protests and non-statutory associations (ibidem). **During the last years, there has been a convergence between civic organisations in different fields, social actors and protest movements that, despite the strong repression of state authorities, has the potential to create political change in the long-term.** The last year has seen an expansion of the law enforcement apparatus of the state deployed to police the pandemic and repress massive protests against the near total ban on abortion (Pazderski, 2020 b). Also repression of the LGBTI activists and smear campaigns against members of this community have increased in 2020.

Countries where the deterioration of civic space is happening fast

France is characterised by an associative sector that is strong, mature and growing. A sizable part of associations deals with human rights and civil liberties issues. Associations are quite vocal on rights' violations, and active in advocacy towards policy-makers. France also has a strong associative and mobilisation culture, with thousands of assemblies and protests, carried out peacefully every year, most often led by associations and trade unions. While fundamental freedoms are protected by the law and generally respected, civil society and civil liberties have been put under increasing pressure since 2015, when the state of emergency

⁶ The USAID CSO Sustainability index rates the capacities of the sector from 1 to 7, 1 being the best score and 7 being the worst one.

was introduced in response to the terrorist attacks (European Civic Forum, 2019). Types of pressures on associations include attacks to the reputation of organisations, financial and regulatory constraints, SLAPPs, and, more rarely, physical harassment by police officers. These often target working on environmental issues, migration and anti-discrimination/anti-racism issues and issues linked to housing and urban development (Observatoire des libertés associatives, 2020). As a result, civic space is rated “Narrowed” on the CIVICUS Monitor. After the terrorist attacks in 2020, a leading civic organization in the field of anti-islamophobia was dissolved (European Civic Forum, 2020) and at least two legislative proposals on “Strengthening republican values” and “Global security” respectively restricting freedom of association (ECNL 2020), assembly and expression and expanding surveillance powers of the police (Amnesty International, 2020) were proposed by the Government. Nevertheless, civic organisations have responded collectively, bringing together also trade unions, journalists, opposition parties and citizens mobilizing in the streets. **As 2022 will be an election-year, we can expect an increase of attacks on critical voices by the Government in place and the extreme right opposition.**

Slovenia is a *consolidated democracy* according to the Freedom House report Nations in Transit 2020. The CSO sector here had seen an improvement of capacities in the last years according to the CSO sustainability index (2019 CSO Sustainability index rating: 3.0) (CNVOS, 2020). While political figures occasionally targeted individual civic actors, particularly in the field of environment and migration, including through the use of fake news portals close to them, the legislative environment significantly improved in recent years. In spring 2018, an NGO Law - among other things - created an NGO fund to strengthen the sector, especially in the field of advocacy (European Civic Forum, 2020; CIVICUS Monitor, 2018 a). For this reason, the country was identified in the EU 2020 Rule of Law report as a positive example (European Commission 2020). Nevertheless, a rapid deterioration of civic space and rule of law has characterised 2020, after the formation of a new right-wing Government coinciding with the declaration of the pandemic in the country. Since March 2020, the Government has repeatedly attempted to change democratic rules to limit the participation of the sector and reduce economic support. The conservative SDS Party took advantage of the position in the government to consolidate its grip on the media landscape, with the support of Hungarian oligarchs close to Viktor Orban that are financing SDS’ media network through Hungarian KESMA foundation (Reporters Without Borders 2020), and use it to target critical voices (European Civic Forum, 2020). At the same time, the long-term privatization of public spaces housing NGOs has picked up in the last months with the eviction of two emblematic areas in Ljubljana: Rog and Metelkova. These moves found the opposition of civil society and citizens protesting through aggressive advocacy strategies and street mobilisations revitalising Slovenian civic culture (CIVICUS Monitor, 2020). Civic space downgraded to “Narrowed” on the CIVICUS Monitor in December 2020. **Elections in 2022 could be a turning point that would potentially bring a more CSO-friendly government back in power. However, the electoral campaign can also bring increased pressure on critical CSOs, journalists and artists as already observed in the 2018 elections** (CIVICUS Monitor, 2018 b).

Greece’s organised civil society has been historically weak, in terms of low numbers of professional CSOs due to the ‘top-down’ organisation of the sector encouraged by EU funding and the strength of political parties that did not allow for the development of an active civil society. Nevertheless, the pauperisation of the population produced by the harsh austerity policies during and after the bailout period – with over one third of the population at risk of poverty or social exclusion in 2017 (Eurostat 2020 a) and the highest unemployment rate in the European Union (Eurostat 2020 b) – and the migration crisis that worsened in 2016 has led to the emergence of many informal initiatives that are not captured by the existing data (Vathakou, 2019). The bitterness towards EU-imposed measures as well as the outrage at

perceived EU neglect on migration issues explain the electoral victory of a Party New Democracy campaigning for “law and order”. Since its coming to power in summer 2019, the right-wing New Democracy Government has restricted civil society space, especially for groups acting for migrants’ rights, in a context that was already challenging for civic groups (Spyratou, 2020). This was also highlighted by the European Commission 2020 Rule of Law report (European Commission, 2020). Civic space is rated “Narrowed” on the CIVICUS Monitor. The coronavirus outbreak in 2020 became the third major crisis of the country in the last 12 years providing the Greek government with an additional justification to crack down on civil society through at least three new laws restricting freedom of association for organisations working with migrants, and freedom of assembly (Spyratou, 2020), particularly for students’ groups. The aggressive Government narratives that have accompanied these measures have also led to phases of increased violence against migrants, volunteers and NGOs at hand of far-right groups (European Civic Forum, 2020).

Cyprus’ civil society is deeply influenced by the recent colonial past, the turbulent history and internal division between the Greek and Turkish community. As a result of the complex socio-political context in Cyprus, as well as unsupportive legislative and limited funding sources, civil society is underdeveloped and civic participation is dominated by political parties. CSOs tend to have little influence in society and in policy-making. Nevertheless, a number of human rights organisations have been established after the country joined the EU in 2004 (CIVICUS, 2011). Civic space is rated “open” on the CIVICUS Monitor but the country’s page has not been updated since 2016. In 2017 parliament adopted a new law on the registration and functioning of civil society organisations that was amended three times since then. This law brought significant changes to the registration and operation of civil society organisations, increasing the burden on organisations and interference of public authorities. Especially worrying is that the amendments passed in July 2020 allow authorities to trigger a procedure for dissolution as ‘default’ procedure with a short notice in case of failing to comply with some technical requirements of the law (KISA, 2020a). At the end of the summer, 2,826 organisations were included in a list of NGOs ‘to be dissolved’, but the organisations were not informed by the Government. NGOs who were struck off the register through this procedure are left in a limbo as to their funding. Among these, a leading NGO working to support migrants believe that the reason for this move is to silence critical NGOs as the organization was included in the list following a strong smear campaign by the Government (KISA, 2020b). The NGO is, among others, in the process of recourse. COVID-19 impacted civil society greatly as in late February the checkpoints separating the Republic of Cyprus from the area controlled by the Turkish Cypriot administration were closed thus stopping bi-communal activities in the public sphere (Trimikliniotis and Demetriou, 2020). The State also did not include NGOs in the support schemes developed for the private sector impacting the financial sustainability of many NGOs.

Countries where a tipping point could lead to fast deterioration

Bulgaria, Romania, Croatia are *Semi-consolidated democracies* according to the Freedom House report Nations in Transit 2020 (Csaky, 2020) and their Civic space is rated “Narrowed” on the CIVICUS Monitor. Civil society in the three countries is characterized by weak capacities in the context of fragile democracies. In the 2019 CSO sustainability Index, these are the three higher ranking countries lower only to Hungary: Croatia 3.4, Bulgaria 3.5, Romania 3.7. Most CSOs in these countries struggle to have a stable income in order to secure their organisational capacity and, in particular, their ability to maintain permanent paid staff

(USAID, 2020). The deterioration of relationship with respective Governments has also contributed to the weakening of the sector in the three countries. The low public trust in the sectors has been fuelled also by smear campaigns by leading politicians. Additionally, in the three countries, participation of NGOs in the decision-making processes has been weakened by changes in the civil society bodies in dialogue with institutions (in Bulgaria, proposed changes to the Civil Society Development Council in 2020, currently stalled; in Croatia, changes to the functioning and representation in Council for Civil Society Development in 2020) (Negri, 2020; Pardavi et al. 2020). All three countries are also characterized by a surge in conservative civil society. In Romania, democracy was backsliding according to International IDEA (IDEA 2019), but the results of last parliamentary elections may show that an opposite trend emerged as one interviewee stated that *“much more favourable atmosphere has emerged within the government for cooperation with CSOs”*. Also, one of the biggest developments of recent years in the country is the increase of civic participation in more informal ways, with a strong focus on community development, social issues, environmental protection and anti-corruption (Pop, 2019). Croatia was mistakenly identified in the EU 2020 Rule of Law report as a positive example due to a forthcoming National plan for the development of civil society (European Commission, 2020). However, the Government has been stalling its development since 2016 leading to the financial exhaustion of civic organisations, taking away from their capacities to carry out advocacy (Jašić, 2020). Bulgaria was also identified in the Rule of Law report as a country where civil society faces “serious challenges” due to the draft rules on transparency of foreign funding for NGOs (European Commission, 2020). **Elections in Bulgaria in April 2021 may lead to the creation of a fragmented Parliament unable to work as many new political actors emerged from 2020 anti-corruption manifestations. Because of that it is hard to predict what kind of governmental majority can emerge.**

Italy and Spain have a “Narrowed” civic space according to the CIVICUS Monitor. In the last decade, the two countries have seen an increased use of security legislation, often passed in emergency mode with little opportunity for debate and consultation, to increase the powers of law enforcement, repress the right to protest (Bonilla and Vigara, 2019) and criminalise civic organisations and citizens supporting migrants, especially search and rescue activities (Romeo, 2019). For this reason, Italy was identified in the European Commission 2020 Rule of Law report as a negative example (European Commission, 2020). The two countries also have aggressive fascist movements and popular radical right parties that regularly target civic actors and that have successfully shifted the mainstream political discourse towards the right (European Civic Forum, 2018). If in power, the parties could rapidly restrict civic space, as it was already observed in Italy during the League’s Government in 2018-2019 (Romeo G., 2019). During that time, Italy also hosted the World Congress of Families which is an international gathering of conservative organisations and parties promoting an agenda opposed to sexual and reproductive rights (Leofreddi, 2020). The current Government in Italy is supported by a diverse coalition of parties (including the League) so we can expect political instability. Spain is characterised by the strength of social movements, in particular in the field of social justice, environmental protection and women’s rights. In Italy, the resistance has particularly developed around the migration issue both in the form of organised civil society and informal mobilisations of citizens.

Slovakia and Czechia are *consolidated democracies* according to the Freedom House report Nations in Transit 2020 (Csaky, 2020). Civic space rated “Open” in Czechia and “Narrowed” in Slovakia on the CIVICUS Monitor. Civil society in the two countries is characterised by relative high capacities compared to other countries in the region (the 2019 CSO Sustainability index rates capacities in the sector 2.9 in Slovakia and 2.6 in Czechia) (United States Agency for International Development, 2020). While civic organisations working on advocacy and human rights have been the target of aggressive attacks by the

Government and leading politicians (including president Milos Zeman of Czech Republic), especially in the aftermath of mass mobilisations against corruption, these worrying developments have not so far affected the overall sustainability and resilience of the CSOs, that have been able to push back on restrictive legislation that have been proposed in recent years (Kohutková, 2020; Havlicek, 2020). While open attacks have been targeted to specific organisations and not as systematic as those in Hungary or Poland, the Governments in the two countries tend to side-line critical organisations from policy-processes and access to funding. Additionally, the executive power in the two countries are not friendly to critical civic organisations and the public trust in NGOs is low thus the situation could rapidly change. Slovakia was identified in the EU 2020 Rule of Law report as a positive example due to the robust reaction of civil society to the assassination of investigative journalist Ján Kuciak and his fiancée (European Commission, 2020). However, the question of responsibility for ordering this murder remains unresolved after in September 2020 a court was unable to prove guilt to one of the more prominent members of the country's business elite (with some alleged ties to the special services) (BBC, 2020). On a more positive note, in October 2020 Slovakia's most popular far-right politician, whose party has seats in parliament, was convicted in the first instance of the illegal use of neo-Nazi symbols (Deutsche Welle, 2020).

Countries where the civic space is open, but any deterioration sends a worrying signal at the international level

Civic space in **Ireland, Germany, Denmark, Netherlands and Sweden** is rated “open” on the CIVICUS Monitor. The legal, fiscal, and administrative frameworks for civil society are reasonably good. Civil society plays an important role in the welfare system, as well as in public debate engaging in advocacy, watchdog, and deliberative democracy functions. Nevertheless, hindrances to the work of civil society have emerged. For example, counter-terrorism policies have impacted specific organisations' reputation (i.e. in the Netherlands) and access to funding (i.e. in Sweden). State funding has often prioritised (and has sometimes been restricted to) service provision over advocacy work (i.e. in Ireland) while service provision NGOs have been pressured not to engage with public advocacy or self-censored themselves from criticising public authorities and agencies (i.e. in Ireland, Finland, Germany and Sweden). A surge in far-right movements in these countries has also created worries amidst democratic civil society for their influence on the public debate and political agenda and for the direct attacks against civic actors and minorities. While the pressures are not comparable to those experienced by civil society in other countries, the deterioration of civic space in these countries is extremely worrisome for the role these countries play in support of civil society globally.

4. EMERGING RESPONSES TO SHRINKING CIVIC SPACE

While being confronted with the abovementioned manifold challenges, causing restrictions in their political, legislative, social and economic environment, CSOs around Europe have not remained passive. On the contrary, the challenging context has pushed some CSOs to react and look for new solutions, sometimes of a quite innovative character. In this section, we present a sample of responses developed by individual organisations or networks of CSOs. They can be divided depending on the areas of challenges they address, and the type of activities developed to respond to shrinking civic space. Wherever possible, we also provide observations and lessons learned from the expert interviews and the authors' expertise.

Responses to political challenges, inter alia, the deterioration of institutional checks and balances at the national level

These strategies are developed to target the challenges coming from the side of public authorities or, in few cases, powerful corporations, as described in the second section.

Monitoring shrinking civic space and democratic backsliding to observe and record the progress of deteriorations to counteract the 'frog boiling in a cold water' effect and **advocate and litigate for change** are central. For example, the [Citizens Observatory of Democracy](#) and [Rule of Law](#) portals monitor checks and balances deterioration in Poland, the [Választásirendszer.hu](#) of the Hungarian Political Capital and Social Development Institute monitors effects of the election law amendments in Hungary; [Osservatorio Repressione](#) in Italy, which collects analysis on the repression of different forms of contestations to do research and advocacy. Anchor organisations that are broadly recognised in particular countries and beyond carry out crucial work in advocacy and strategic litigation ([Helsinki Foundation for Human Rights](#), [Hungarian Helsinki Committee](#), [Ligue des droits de l'Homme - LDH](#), [Netherlands Helsinki Committee](#), [NOVACT](#), [Right International Spain](#), etc.), but there are also much smaller platforms (like i.e. [No Callarem](#) and [Stop Balas de Goma](#) that work in advocacy, especially emphasising the impact on fundamental rights of security legislation).

Food for thought: *There is a need to support civil society's capacity more broadly to recognise and address civic space issues, especially on emerging topics like SLAPPs and artificial intelligence. Litigation is sometimes a last-resort option for civil society to defend civic freedom, and there is little funding available for this. Nevertheless, as one of the interviewees observed, strategic litigation is a long-term process requiring long funding cycles to be provided in a core funding model so that it is left to the organisation to decide on the allocation of funding to the needed component of a particular litigation case (legal, communication, engagement).*

National and local coalition-building is increasingly used in order to amplify civil society voice, react collectively to restrictive policies and civil society needs. Sometimes they can help reach out to different stakeholders, also outside the largest cities. An important example is the Hungarian [Civilizáció coalition](#) created to lead strategic thinking about the civic sector's current and future challenges. Several national organisations are currently Civitates grantees. Some deal with broader topics, like "[Not in Our Town](#)" - [NIOT](#) network in Slovakia acting as a platform for people and organisations to promote and develop tolerance and human rights in the city of Banská Bystrica with a strong presence of local right-wing movements (related to Marian Kotleba and his People's Party Our Slovakia). There are also more topic-specific alliances: the [Coalition for Civil Society Freedom](#) pushes for electoral

reform in Ireland; the German [Allianz Rechtssicherheit für politische Willensbildung](#) (Alliance for Legal Certainty for Political Decision-making) calls for a [change](#) in the German tax law on charities so that civic organizations would not be stripped of tax advantages for speaking out on political issues; in France, the coalition [On Ne Se Taira Pas!](#) (We Will Not Be Silenced!) coordinates actions against lawsuits that target civic actors and journalists. Additionally, there are temporary, ad-hoc coalitions responding to specific threats, for example, the informal [coalition of French civic organisations and media led by the Ligue des Droits de l'Homme](#) combining advocacy, communication, strategic litigation and organising protests to oppose new draft bill extending police's surveillance competencies.

Food for thought: *In some countries (i.e. in Central-Eastern Europe), it can also help to counteract certain entrenched internal structural deficiencies of the sector, where individual organisations are characterised by a high level of mutual distrust, compounded by the need to compete for a limited pool of public funds.*

Self-organising democratic processes: As authorities capture and hollow down the rule of law institutions and constrain public dialogue channels, in some cases, citizens have stepped up and led alternative processes in their own hands. For example, in Poland, a joint CSO campaign appointed a civic candidate for a new ombudsman person under the name [“Our Ombudsman”](#) and the [Civic Public Hearings](#) self-organising public consultation processes around the draft bills concerning issues important for citizens and supporting the implementation of various public participation mechanisms at the local level, often in cooperation with self-administration authorities aiming to shape public policies and keep up civic energy.

A promising practice: Defender a Quien Defiende (Defend who defends)

In order to succeed, there is a need to combine several strategies and work both at the political and social level. A good example is *Defender a quien Defiende*, which is a coalition of civic organisations, journalists, psychologists, legal experts and social movements formed in 2014 in Spain to fight against the restrictions of the right to protest in the country. To do so, on the one hand, they engage in work to improve the capacities, actions and coordination of civil society organisations to change the legislation; on the other hand, they support the development of public policies and social practices that work for a ‘Human security’ concept. They also work with social movements that are resisting repression through a network of territorial nodes across the country that monitors restrictions of the right to protest (collected on the online portal [Red Malla](#)). The local nodes offer psychological, legal and economic support as well as capacity- building to the movements that face repression. The data of abuses collected and analysed by the coalition are used to campaign, advocate and challenge in court the unjust laws.

Public protests: In situations where traditional participation avenues are not working properly and when other possibilities to influence decision making are challenged, citizens more and more often turn to mass demonstrations, which have been growing recently all around Europe despite the COVID-19 restrictions. Just to mention recent examples: in [Slovenia](#), various stakeholders mobilised against the illiberal government, including against the attempt to restrain environmental CSOs out of oversight of development projects; the civic movement [“Milion chvilek pro demokracii”/“A Million Moments for Democracy”](#) in the Czech Republic started around anti-corruption demands; having similar aims [demonstrations in Bulgaria](#); protest against new security bill [in France](#) and [demonstrations against an almost total ban on abortion](#) organised by Polish Women Strike, and the Black Lives Matter protests in many cities across Europe.

Food for thought: *Public demonstrations can send a powerful message to policy-makers that there is a critical mass behind civil society. Participating in public demonstrations is becoming a more and more popular way for citizens to engage civically and politically. However, restrictions to the right to protest are increasing and this is expected to continue in the future.*

Showcasing the injustice by breaking the law: Some groups decide not to abide by the law in order to make clear that it is unjust. For example, in Hungary, many civic organisations have decided not to respect the “Lex NGO” and not register as NGOs funded from abroad. Some initiatives are also created with this purpose. In Italy, when the Government started to prosecute search and rescue organisations in the Mediterranean, a group of national and local associations created [Mediterranea—Saving Humans](#), as an act of “moral” disobedience to the trend of criminalisation of solidarity. In Poland, the civic movement [Obywatele RP](#) (Citizens of Poland) has engaged in civil disobedience against the government’s restrictions on the freedom of assembly. They have also formed a mutual support initiative, [ObyPomoc](#), which helps convicted protesters to get pro bono legal support from lawyers. In Spain, the movement [No Somos Delito](#) (We Are Not a Crime) used some innovative methods, i.e. a virtual [hologram protest](#) against the Gag Laws or artificial intelligence to create a [vocal performance](#) of songs by jailed artists to denounce state censorship.

Food for thought: *The massive mobilisations in the streets observed in the last years are the most visible manifestation of a revival of ad hoc activism and community engagement. All these forms of more informal ways of association and mobilisations we witness present an opportunity for the sector as well as raise new challenges. For example, there is an increasing trend towards ad hoc participation and pop-up activism in place of more permanent volunteer positions. One question for the sector is then how to channel this civic energy in an organised and permanent involvement to ensure both the mobilisation capacity of CSOs and the long-term sustainability of the actions led and the demands raised by these civic groups and movements. Another issue is how to bridge two souls of civic activism. Some movements show a “disruptive nature” that CSOs are sometimes unprepared to dialogue with. This approach often roots in the fact that newborn activists feel that there are no existing channels for their voices to be heard. Another reason is that the emergency of the situation they deal with has to be expressed in the most striking way possible to wake up consciences. At the same time, facing similar pressures creates an opportunity for solidarity and new alliances between diverse actors that form the civic space.*

Responses to social challenges

These strategies address the manifestations of shrinking civic space inside societies that sometimes interplay with the structural weaknesses of the sector.

Communication strategies: This approach develops different ways of communication addressing society at large to change the public opinion and perception on selected matters that often trigger people fears, anger and resentment by adopting narratives that focus on positive emotions. This includes using hope or values-based narratives that shape the narrative on the reality instead of reacting to narratives by those that restrict civic space as presented in a booklet on “How to talk about human rights during COVID-19” by Liberties (Butler, 2020) and framing work by [JustLabs](#), as well as several other actors working on human rights communication through narratives building (ECNL, et al. 2020; Shenker-Osorio, 2020; Gomez and Coombes, 2019). Another approach is campaigning to raise the profile of positive examples of CSOs’ work and resilience, such as the European Civic Forum’s Civic Pride campaign and in its national versions, like Slovenian [“Mar Nam Je”](#) or Czech [“Posilujeme Česko”](#) and the Polish campaign [“Social organisations. It works!”](#).

Food for thought: *These activities help to answer at least two challenges that CSOs face. First, the lack of understanding within the society of the role CSOs play and the added value their activities bring to the common good. In such conditions, it is much easier for both governments and large private companies to discredit the CSOs and create the conditions to target the CSOs in question (in the words of interviewee “it is much easier to sue ‘ecoterrorists’ than ‘fighters for a healthy climate for all’”).*

Second, research shows that even in communities with strong support for populist politicians who restrict civic space (i.e. Hungary, Italy or Poland), the majority of the population supports open society values, but also share contradicting attitudes due to underlying fears (Eichorn, Mohr, 2019; More in Common 2020). To strengthen these people's understanding of and commitment to open society values, we have to remember not to reinforce their anxieties. In this respect, using hope-based language can be useful. Such narratives, to be effective, need to be grounded in the local population customs and culture (use the messages/tools to which local people are receptive).

Moreover, populist politicians got in power in the EU member states through a democratic process (although with the limitations that democratic elections have faced in recent years). Thus, while civil society often looks outside for external pressure on their governments, there is still an issue of (re)capturing citizens hearts, as one of the interviewees underlined. In this respect, campaigns aiming to change public demand on certain matter can be a powerful political tool. Ruling parties tend to change their political decisions when they see that a majority of society wants something.

Nevertheless, it is important to stress that better narratives should go hand in hand with a work of engagement and mutual listening with communities that are beneficiaries. Building trust is a long process that requires time.

Supporting civic engagement and building strong links with constituencies is crucial, especially in the Eastern part of Europe due to historical factors. Examples include the Hungarian [Ökotárs Alapítvány](#) or [CeRe: Resource Center for Public Participation](#) in Romania that carry out organising work outside main cities to build strong constituencies. Sometimes adopting new strategy aiming at constituency building is also related to adopting new funding mechanisms based on crowdfunding and private donations as it is in case of the [Citizens Network Watchdog Poland](#), [Calala women's fund](#) providing grants to grassroots women's organizations, the [Dian Fossey Gorilla Fund](#) or [Red Umbrella Fund established by MamaCash](#).

A promising practice: Civic Europe

[MitOst e.V.](#) and [Sofia Platform Foundation](#) in their programme “Civic Europe”, implemented in cooperation with [Stiftung Mercator](#), support locally rooted CSOs and activists from remote areas in the CEE region (in Bulgaria, Hungary, Poland and Romania) – called ‘civic deserts’ - in undertaking activities aiming to support civic education. Support here is not provided only to particular activities from the area of non-formal or informal civic education, but instead much work is devoted to supporting carefully selected local activists in capacity building, identifying local diversified partners and create civic infrastructure. They invest significant amount of work assisting local activist in becoming more sustainable in their endeavours by getting rooted in networks of local partners.

Food for thoughts: *Community engagement activities and work with CSO's constituencies require specific skills and long-term time investment. Cooperation with various local stakeholders a tangible change can happen. CSOs involved in such work sometimes need training to learn how to identify and retain local partners. Connecting local activists to a*

network where they can support each other can make them feel more empowered and help sustain engagement. Another area where civil society needs to develop skills in fundraising and crowdfunding, which can also support the strengthening of bonds and accountability with its constituencies. In this context, civil society also needs to engage in difficult conversations on the fact that sometimes civil society leadership (Johansson, 2020) and organisational culture (CIVICUS, 2020) reproduces existing power structures and elites. How to change this is an emerging debate that is important to encourage.

Creating independent/civic journalism platforms when the traditional media are under attack and the entire media ecosystem is struggling with economic hurdles (i.e. Direkt26, Atlatzo.hu, index portals in Hungary and OKO.Press in Poland). Additionally, there are various activities against fake news and online disinformation (i.e. [#Pošli Babičce](#)/"Send It to Your Grandma" campaign in the Czech Republic with information to debunk fake news regarding the coronavirus (more civil society responses of similar kind – see: [Bradshaw and Neudert, 2021](#)).

Food for thought: *In the face of a changing media landscape, we need new initiatives that guarantee citizens' access to independent information. Citizens' initiatives, based on investigative journalism and counteracting disinformation, are promising strategies, also allowing to counteract high-level corruption and online manipulations. They can also help to showcase the negative impact of far-right or populist parties narratives on democracy. Moreover, as in times of political tensions, people can get very discouraged, it is crucial to support initiatives that keep people interested and mobilised, as one of the interviewees stressed.*

Europeanising civic strategies

Advocacy, litigation and coordination efforts have gained momentum not only nationally but also at the European level.

Organising pressure from the European and international audience: In the last several years, CSOs have increasingly been using international and European channels like the Venice Commission (an advisory body of the Council of Europe), United Nations' special rapporteurs, and the European Court of Justice to hold governments accountable for upholding their democratic commitments, using advocacy and strategic litigation. One virtuous example is ECNL [Handbook on how to use EU law to protect civic space](#) that provides practical guidance for CSOs on how to advocate and litigate to protect their rights and civic space based on EU law. Another interesting example is the [International Trial Watch](#) - created to manage and facilitate the presence of national and international human rights observers during the trial at the Supreme Court against Catalan politicians and civic leaders during the so-called "Catalan case".

Food for thought: *The use of EU law to build arguments and EU venues to protect civic space have been identified as areas to be developed further. There is sometimes a disconnection between groups of 'big players' and CSOs working on the ground in particular countries. It is important to support the development of channels of dialogue between them.*

European networks advocating for EU action on civic space: There are a few European networks and organisations that are created to work specifically on human rights and citizenship that naturally started working on civic space issues at EU level, like [Civil Liberties Union for Europe](#), the [European Civic Forum](#), [European Center for Non-for-Profit Law](#). Additionally, pan-European networks working on other fields have become much more assertive and proactive in pressing EU institutions to get involved in defending civic and democratic spaces, like [ILGA](#), Friends of the Earth, Greenpeace, ENAR and EDRI with its

[“Reclaim your face”](#) awareness raising campaign against the use of facial recognition in public spaces. An interesting development is the creation of [Civil Society Europe](#) as a trans-sector coordination body for CSO networks in Brussels. Together they aim to strengthen pan-European actions and advocacy efforts on civic space and democracy more generally. There are also more informal coalitions at the European level like the ‘Europe we want’ group creating a space to discuss democratic reforms of the EU to make it more socially and environmentally sustainable, and the [anti-SLAPPs coalition](#) of 60 European organisations calling for a European directive against SLAPPs and supporting organisations that are targeted. Additionally, there are initiatives self-organising in the framework of the EU Conference on the Future of Europe, like [Citizens take over Europe](#) or [Civil Society Convention on the Future of Europe](#).

Food for thought: *There is a need for increasing capacities for CSOs operating on the local, national and regional levels to engage in dialogue with the EU institutions and civil society. Civic organisations at national level need support to engage inside European networks, while European networks need support to better involve their members on the ground.*

Sharing of information and practices: Because shrinking civic space follows similar patterns across Europe, there is need to learn from each other how to respond. Civil society has begun to seek out opportunities to learn lessons across national boundaries and brainstorm with associations in other countries, build transnational solidarity and support for organizations under threat. An example of initiative aimed at improving the sharing of information among civil society is the [Civic Space Watch](#). Other cross-border initiatives have also been created to share reciprocal learning, strengthen advocacy at European institutions and counteract challenges that cross borders, like the [“Reclaim civic space” initiative](#) by Hungarian, Polish and Romanian Human Rights foundations, and [“Recharging advocacy for Rights in Europe”](#) aiming to strengthen civil society advocacy in both illiberal countries and liberal democracies. There are also various activities dedicated to extend CSOs activists skills in various areas of work – including [NGO academy](#), [Justice and Peace](#) and [Ulex](#); [Civic Europe programme](#) by [Stiftung Mercator](#) (mentioned above).

Food for thought: *It is important to involve in these activities civil society from both countries where deterioration is already occurring and those where it is not. In the latter countries, it is useful to know the stages of how the process of transition to an illiberal state already took place elsewhere, so that CSOs can better prepare themselves and counteract a potential deterioration. Also they can support the pressure on Governments that in their international activities present themselves as civil society champions to engage in diplomacy with countries that restrict civic freedoms – a strategy that is under-explored according to one of experts interviewed.*

5. RECOMMENDATIONS

Many interviews stressed that reversing the “shrinking civic space phenomenon” is a long-term process, and real change will require years of work. As grantees are dealing with a complex challenge that requires innovative thinking, they might have to experiment and adopt a trial-and-error approach to find meaningful strategies for their context. As a result, it is crucial to trust grantees and allow them room for manoeuvre to adapt to a changing political and social landscape.

Additionally, there is a need to think on two levels:

- ⇒ **Short-term reactive strategies:** *civil society needs to be equipped to respond to emerging threats (i.e. a new law) and opportunities (i.e. massive mobilisations of citizens on democratic issues) that require shift actions and responses. Doing so, depending on the context, might require supporting the sector to develop: 1) advocacy and litigation capacities at national and European level; 2) communication and campaigning skills; 3) expertise of new trends (i.e. artificial intelligence, SLAPPs and restrictions to the right to protest); 4) online and physical safety.*
- ⇒ **Long-term proactive strategies:** *tackling shrinking civic space requires addressing structural weaknesses of the sector (i.e. strengthening civic organisations’ rooting in communities, combating fragmentation inside the sector and ensuring its financial sustainability through diversified funding sources), more subtle effects of the phenomenon (i.e. re-engaging citizens that have lost hope and healing the psycho-social consequences) and underline drivers (i.e. democratise economic models and reclaim a concept of human security⁷).*

The following recommendations address the Civitates program and were drawn on the knowledge we have gathered in the course of working on this report.

Recommendations on the thematic priorities of the funding programme

Funding coalition can be an effective strategy. As mentioned by numerous interviewees, each donor should recognise its strengths and identify its unique place on the map of other actors to be complementary and not overlap with them, and at the same time answer the needs that are not already dealt with. From this perspective, Civitates decision to fund coalitions of civic organisations is evaluated positively by the authors as several interviewees pointed it out as an underfunded area. Coalitions were identified as spaces allowing civic actors to think collectively rather than as individual organisations and to divide tasks among different actors. Coalitions also offer opportunities for peer-learning, coordination and convergence, which are key to reclaim civic space.

There is no one-fits-all strategy that can be applied to all countries. On the contrary, the support should be tailored to local circumstances and needs. Depending on the local landscape, sometimes there is a need to build new ad-hoc networks that deal with shrinking civic space or specific manifestations. In other circumstances, it is better to support coalitions that are already operative in order to ensure their sustainability instead of building new ones more artificially. Additionally, already existing coalitions can be operational much

⁷ See UN General Assembly resolution 66/290.

quicker, as in terms of organisational development, it usually takes a long time for a new coalition to become fully functional. At the same time, Civitates should be opened to support anchor organisations if it can help solve the specific problems faced by the civic sector in the respective country. For example, an organisation working on a thematic area that intersects with shrinking civic space in the country (i.e. criminalisation of solidarity, targeting of environmental, women or racialised activists) could be best placed to develop a civic space programme to support endangered organisations, movements or communities in that field. Nevertheless, these anchor organisations should be rooted in the civic sector, have meaningful connections with other civic actors (including those operating outside the largest cities or informal groups and movements) and have the propensity to work collectively with others rather than individually.

An important criterion to select which coalition to support is inclusiveness, as in order to overcome the current challenges, there is a need to build broad alliances. Inclusiveness can be understood as meaningful cooperation with actors working on different thematic fields or having constituencies outside the largest cities or engaging diverse communities, i.e. minorities. Additionally, coalitions can also foresee the involvement of different stakeholders – inter alia CSOs, journalists, local activists, informal movements' representatives, entrepreneurs, psychologists, academics, legal experts etc.

Recommendations on the type of activities supported

There should be flexibility as to the type of activities supported. Outwards activities (like communication and strategic litigation) are as important as those focused inwards to sustain the sector (i.e. solidarity and self-care against the psychological repercussions of shrinking civic space). Interviewees highlighted a number of areas that are currently under-funded and where civil society needs to build capacities: 1) strategic litigation; 2) psychological support and safety; 3) community engagement as part of civil society's work with its beneficiaries and support base; 4) theory of change and work on complexities; 5) peer-learning.

Support against mental health challenges, including burnout and PTSD for civic actors, was identified by one interviewee as an under-researched and under-funded area and it could be one of the activities that can be supported as part of the coalition work. The interviewee also suggested that donors should require in their funding applications proof from applicants of how they are ensuring and supporting their staff and volunteers' psycho-social wellbeing.

As shrinking civic space is a European phenomenon, the European dimension should not be disregarded. Several interviewees found it crucial sharing information, experiences and lessons learned among different initiatives and different countries. Grantees could also be encouraged and supported to share their learnings within and beyond the network of Civitates' recipients in other countries, for example, also through mentoring and exchanges programmes. Additionally, national coalitions' advocacy activities at the European and UN institutions level could be supported both through specific funding for these activities or by liaising grantees with organisations that work already in this field.

There is a need to invest in foresight and enable reflections on the systemic and contextual drivers described above and assist in developing the capacities of the sector think beyond the trends and manifestations of shrinking civic space. To do so, there is a need to create opportunities to take a step back from everyday emergencies and look at the bigger picture, connecting with other actors that are

doing the same, like academics and journalists. Systemic challenges require civic actors to develop the capacity to analyse the issues at stake beyond the silos and build alternative visions to democratise economies and law enforcement apparatus.

Recommendations related to the geographic focus

Civitates could focus a sizable part of its funding on the first three categories of countries listed above (see Sub-chapter 3 “Countries of concern”) and should reflect on how to tailor its support to the level of deterioration in the different countries. For example, in countries where the deterioration of civic space is entrenched, Hungary and Poland, there is a need invest copiously and in a variety of activities that target both the short-term reactivity of the sector to emerging challenges as well as the social challenges and structural weaknesses. In countries where a fast deterioration of civic space is taking place now (France, Slovenia, Greece and Cyprus) or where we can foresee a potential fast deterioration (i.e. due to elections coming up during the funding cycle like in the Czech Republic or due to Government instability like in Italy and potentially Bulgaria) Civitates might want to sustain and expand the sector’s ability to respond to emerging threats by identifying those actors that are already doing so. In countries where the attack on the sector slowed down, but the guard should not be lowered, Civitates could specifically support more long-term strategies.

Part of the financial allocation can be dedicated to an emergency fund, opened to all EU countries, rolled out in small, short-term grants to countries where rapid deterioration is suddenly observed. The recent years have already shown that the situation can change very fast and in a previously unpredictable direction. Since, to our knowledge, there is no other emergency funding devoted to civic space specifically for Europe, adopting such measure within Civitates would be an asset. Such grants could, for example, support the building of ad-hoc coalitions or strengthen the capacities of existing networks to tackle a specific emerging threat (i.e. adoption of a new law).

Civitates should consider opening funding streams to support European networks and cross-border cooperation or allow grantees to use the funding to engage inside European initiatives. For example, in the survey carried out by the European Civic Forum to its members, it was found that the limited funding and capacities are the main barriers to the members’ active engagement in activities in the network. One possible model is the EEA and Norway Grants that allow national Fund Operators to use part of their funding to foster cross-border operations.

Recommendations related to the funding modalities

Reduce eligibility criteria to the minimum and increase the accessibility of the funding. As one interviewee stated, “*the funding should fit a need instead of the project proposal fitting to requirements of the funding*”. The calls for proposals should be as flexible as possible. The funds should be distributed in an agile manner and easily accessible. Additionally, as informal activism and social movements are becoming important actors to dynamise and broaden civic space, the funding should be open also to smaller, grass-root organisations, informal local groups of activists and movements or organisations that governments have dissolved.

Funding cycles for the support of coalitions should be long-term. For example, one interviewee recommended at least four years and ideally six years.

Civitates could look into innovative ways of funding. For example, one interviewee recommended that funding programmes could be elaborated in a

participatory manner in a process where Civitates grantees would be involved alongside the fund operator's representatives and other stakeholders in co-developing funding priorities and goals. As a result, Civitates unique position in the donors' ecosystem could be to become a centre for excellence and innovation in methods and strategies dedicated to counteracting 'shrinking civic space' and, in a broader sense, also democracy backsliding.

The reporting effort should be proportionate to the amount funded and the emphasis should be on the learnings that can be drawn from successes and failures. There is a need to move away from the performance logic and way of reporting. In order to foster innovation, organisations should be granted the “right to failure”. With a relatively small group of grantees, it is possible to develop a peer learning process among them, with regular (professionally moderated) peer learning meetings as well as a co-learning process between funder and grantees to learn *together* from a current funding cycle for future ones.

Recommendations on the positioning Civitates in the environment of other donors

Civitates should keep open the communication channels with other donors active in a similar area of work in Europe, including the European Commission and the EEA and Norway Grants – in order to exchange knowledge on successful strategies and discuss further directions of intervention that will be complementary instead of overlapping with each other. For example, during the interview with donors, including the European Commission, we have been positively surprised to see the interest to exchange and hear from Civitates experiences, including sharing the present study's findings.

Advocacy support. Some experts also pointed out that the ideal donor should not remain passive when those supported on the ground are smeared, harassed or attacked. On the contrary, given Civitates' presence in Brussels, it could assist with disseminating information on the threats faced by the Grantee, liaising with other organisations that are working on the issue and organising pan-Europe solidarity actions.

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ANNEX 1 – LIST OF INTERVIEWEES

Lp.	Organisation/Institution	Name of person
1.	European Union Agency for Fundamental rights (FRA)	Waltraud Heller, Programme Officer - Cooperation with Civil Society, Institutional Cooperation and Networks Unit
2.	CIVICUS	Aarti Narsee, Civic Space Research Officer and Inés Pousadela, Research Specialist
3.	European Partnership for Democracy	Ruth-Marie Henckes, Advocacy and Communications Officer
4.	EEA grants and Norway Grants	Anna Gabriele Striethorst, Senior Sector Officer - Civil Society
5.	Sigrid Rausing Trust	Janek Lasocki, Human Rights Programme Officer
6.	OECD Civic Space Observatory	Claire Mc Evoy, Policy Analyst, Open and Innovative Governance Division, Public Governance Directorate
7.	European Commission	Niovi Ringou, Head of Unit, Directorate-General for Justice and Consumers, Justice Policy and Rule of Law, and other policy officers from UNIT C1 and C2
8.	Civil Liberties Union for Europe	Linda Ravo, Senior Advocacy Consultant and Orsolya Reich, Senior Advocacy Officer
9.	European Center for Not-for-Profit Law (ECNL)	Vanja Skoric, Program Director and Simona Ognenovska, Research and monitoring advisor
10.	VUKA! Coalition for Civic Action	Tor Hodenfield, UN Advisor & VUKA Coordinator
11.	Greenpeace	Charlie Holt, Legal Counsel, Campaigns and Action
12.	Södertörn University	dr Elżbieta Korolczuk, Associate professor in sociology https://www.sh.se/english/sodertorn-university/contact/researchers/elzbieta-korolczuk , expert on conservative civil society especially in Poland and other Eastern countries, member of the Board of Akcja Demokracja Foundation
13.	Centre for Information Service, Cooperation and Development of NGOs (CNVOS)	Tina Divjak, Head of advocacy
14.	Sofia Platform Foundation	Louisa Slavkova, Executive Director, “Civic Europe” - co-head of Capacity Building Program