

The Shrinking Space for Civil Society and Human Rights Defenders in Europe

FIDH, meeting at its 42nd Congress in Bogotá, Colombia:

Reiterating its long-standing commitment to defending and promoting human rights, democratic principles and the rule of law, and to protecting and empowering civil society organisations (CSOs) and human rights defenders (HRDs) worldwide to act for change in response to today's challenges;

Recalling the essential role of civil society in upholding universal human rights standards, guaranteeing effective access to these rights for all, and ensuring democratic oversight and accountability for public action;

Alarmed by a growing trend of democratic backsliding and shrinking civic space across Europe, marked by attempts to undermine the rule of law, weaken independent institutions and democratic checks and balances, and curtail human rights and fundamental freedoms, including the rights to freedom of association, peaceful assembly, expression and the right to defend human rights;

Deeply concerned by:

- The adoption of laws and policies unduly restricting CSOs and HRDs' ability to operate and criminalising their activities;
- The increasing use of administrative and judicial harassment, including strategic lawsuits against public participation (SLAPPs) to target civil society actors and obstruct their work;
- The disproportionate use of force in policing peaceful assemblies, coupled with a widespread failure to promptly, thoroughly, effectively and independently investigate and prosecute abuse by law enforcement, fostering impunity;
- Hostile narratives and smear campaigns, including by public officials, aimed at delegitimising and stigmatising civil society and HRDs;
- The significant decrease in public funding for civil society, affecting civil society's capacity to act and threatening their organisational sustainability;
- Increasing restrictions to the right to public participation, limiting civil society's ability to access and input decision-making processes;
- The failure to ensure a safe and enabling environment for CSOs and HRDs, who are facing growing threats and attacks from both State and non-State actors;

Highlighting that these trends primarily target and disproportionately impact civil society actors and HRDs working on the rule of law, democracy and human rights, particularly migrants, asylum-seekers and refugees' rights, environmental rights, minority rights, anti-corruption and gender;

Further alarmed by the growing number of actors who, under the guise of promoting human rights, actively work to undermine the universality of human rights and the international protection framework, and who must not be recognised as legitimate civil society actors;

Concerned by the systematic and widespread erosion of democratic checks and balances, particularly judicial

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independence, across Europe, and by its consequences for the protection of human rights and civic space;

Noting that these developments are occurring across both new and long-established democracies, thereby undermining the universality of human rights and the credibility of European institutions, such as the European Union (EU) and the Council of Europe (CoE) in promoting human rights internally and abroad;

Emphasising that, under international law, States bear both the negative obligation to refrain from interfering with civil society and the positive obligation to protect and ensure a safe and enabling environment for CSOs and HRDs;

Recognising the need for a coordinated response that strengthens civil society resilience and holds States accountable for violating their regional and international human rights obligations;

Recalling the critical role played by civil society actors at national, regional and international level in denouncing and resisting these regressive trends, and in continuing to defend human rights for all, despite intensifying threats;

Stressing the urgent need for the EU to publicly recognise civil society's essential role in upholding the Union's core values – as enshrined in Article 2 of the Treaty on European Union (TEU) and in the Charter of Fundamental Rights of the EU –, and to develop an ambitious and comprehensive policy framework to protect and support civil society and HRDs within the EU and ensure their meaningful participation in decision-making. **Highlighting** the need for the EU to ensure coherence between its internal and external action and to align with its external commitments in this field;

Welcoming the European Commission's commitment to present a civil society strategy, as announced in its Political Guidelines 2024-2029 and reiterated in the mission letter to the Commissioner for Democracy, Justice and the Rule of Law and in its 2025 Work Programme, to counter these trends and strengthen civil society's resilience through renewed engagement, protection and support;

Firmly convinced that international solidarity, visibility and support – including through funding – are crucial to strengthening civil society's role and legitimacy and countering attacks on civic space;

[OR] **Firmly convinced** that only by uniting and building partnerships across sectors and borders can civil society withstand attacks and strengthen its resilience, and that empowering local actors through international solidarity, holistic support – including financial resources –, and by enhancing their visibility and leveraging international support for their work is key to increasing public recognition of their role, fostering an enabling environment and reinforcing their legitimacy;

Resolves to:

Condemn the shrinking of civic space across Europe **and call** on all European governments and regional and international human rights protection mechanisms to respect, protect and fulfil human rights and fundamental freedoms, uphold democratic standards and the RoL and recognise civil society's essential role in safeguarding them, and to refrain from adopting laws and policies that would further restrict civic space, in line with their obligations under international and European human rights law;

Call on National Governments to:

- **Refrain from adopting or repeal** laws and policies that unduly restrict civic space and the rights to freedom of association, peaceful assembly, expression and to defend human rights;
- **Immediately cease** the administrative and judicial harassment of CSOs and HRDs, including through SLAPPs;
- **Ensure a safe and enabling environment** for CSOs and HRDs, including by protecting them from attacks by both State and non-State actors;
- **Ensure that the use of force in policing assemblies** meets the necessity, proportionality, time limitation and

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non-discrimination criteria, and promptly, thoroughly, effectively and independently investigate and prosecute abuse by law enforcement;

- **Publicly recognise** the essential role of civil society and HRDs in upholding human rights and firmly condemn hostile rhetoric aimed at delegitimising them;
- **Ensure civil society's unhindered access to public and private funding, including foreign funding**, and budget resources to support civil society; **prioritise** core, flexible, unrestricted and long-term financial support to ensure sustainability of NGO work;
- **Safeguard civil society's right to public participation**, including access to information, involvement and meaningful contribution to law- and policy-making processes;
- **Uphold judicial independence and the integrity of democratic oversight institutions;**

Call on European and International Organisations and Human Rights Protection Mechanisms (EU, CoE, OSCE, UN) to:

- **Make the protection of civic space a political and funding priority**, including within the EU Multi-Annual Financial Framework (MFF) 2028-2034, which must include dedicated and accessible funding for CSOs and HRDs operating within the EU;
- **Ensure that the forthcoming EU Civil Society Strategy**, expected in 2025, sets out a comprehensive, transparent and accountable policy framework, developed in cooperation with civil society and including concrete measures to protect, support and engage civil society actors and adequate resources for implementation;
- **Condemn all attacks against CSOs and HRDs**, including smear campaigns and other delegitimation efforts, including when such attacks originate from within institutional settings, and oversee the EU Anti-SLAPP Directive's robust implementation;
- **Promote legal and policy frameworks** that safeguard the right to peaceful assembly and association and ensure civil society's meaningful public participation;
- **Strengthen monitoring and enforcement** of rule of law and fundamental rights standards related to civic space, including through infringement procedures, conditionality mechanisms and monitoring frameworks that integrate civic space indicators;
- **Enhance coordination and complementarity** between national, regional and international protection mechanisms, in order to strengthen the legal framework protecting civic space and its implementation, and encourage further standard-setting in this area;
- **Monitor and ensure compliance with judgments by the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU)** in civic space-related cases, and encourage both courts to apply interim measures to prevent irreparable harm when civic space actors are at imminent risk;
- **Mobilise UN mechanisms** - including UN Special Procedures, Universal Periodic Review (UPR) and Treaty Bodies – to scrutinise civic space restrictions in Europe, including through country visits and follow up on findings and recommendations;
- **Promote implementation of the OSCE/ODHIR-Venice Commission Guidelines on freedom of peaceful assembly and association**, and strengthen ODHIR's role in monitoring civic space across OSCE participating States.

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Call on International Donors to:

- **Prioritise civic space protection in Europe** as a strategic funding area and ensure sustained investment in civic space work, including when repression is subtle or legalistic;
- **Provide core, unrestricted, flexible and multi-year funding** to enable CSOs to respond to fast-changing threats and support their resilience and long-term strategic growth;
- **Adapt funding mechanisms to realities on the ground**, by simplifying application and reporting procedures, particularly for small, grassroots, non-formalised or racialised groups;
- **Support rapid-response mechanisms** by scaling up funding for emergency support for at-risk HRDs, and independent protection networks in Europe;
- **Support collective action and cross-border alliances** and fund joint research, advocacy and litigation by civil society networks;
- **Invest in strategic communication** to shift public narratives and reframe civic space as essential to democracy and human rights;
- **Leverage political support** to amplify civil society voices and protect civic space actors, and prevent donor-backed initiatives from being undermined by governments.

Encourage FIDH Member and Partners in Europe to:

- **Continue to monitor and report** on violations affecting civic space **and to support at-risk CSOs and HRDs at risk**, including those from marginalised communities, through both preventive and protection measures;
- **Engage in advocacy, strategic litigation and public mobilisation** to counter civic space restrictions and promote civic engagement;
- **Empower local civil society actors** through international solidarity, holistic support – including financial resources – enhanced visibility and public and political engagement, in order to increase public recognition for their role, foster an enabling environment and strengthen their legitimacy;
- **Strengthen transnational and cross-sectoral alliances** to further defend civic space and fundamental rights against mounting threats;
- **Reaffirm** FIDH's determination to stand with civil society across Europe and to further expand its strategic engagement to confront civic space restrictions and their structural causes, reinforce democratic resilience and ensure that civil society is protected, supported and empowered to play its vital role in protecting and promoting human rights across the region.