

AMNESTY INTERNATIONAL SUBMISSION

Amnesty International submission to the consultation on the EU Civil Society Strategy 2026-2030

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With this submission, Amnesty International is sharing key principles and issues we believe should be addressed in the EU Civil Society Strategy 2026-2030. We appreciate the opportunity to provide input through the meetings that have been organised and the online consultation process.

Civil society organisations, such as citizens' associations, NGOs and public benefits foundations, and human rights defenders are instrumental in upholding the principles enshrined in Article 2 of the Treaty on European Union and the rights proclaimed by the Charter of Fundamental Rights of the EU, on a daily basis, both at European and national level.

However, recent years have seen a concerning [trend](#) across Europe evidenced by increased rights violations and diminished respect for the rule of law. HRDs and civil society organisations, have **faced increasing threats from smear campaigns**. Depending on the country and varying over time, [LGBTQI+ defenders](#), those [supporting refugees and migrants](#), [anti-racism activists](#), and environmental defenders are among the most targeted. Climate protesters were subject to **systematic attacks** stemming from increasingly restrictive laws and harsh penalties. Organisations and individuals showing [solidarity](#) with the Palestinian people have been singled out by governments, with many EU member states taking disproportionate measures to ban protests and single out individual HRDs. Our 2024 report [Under Protected and Over Restricted: the state of the right to protest in 21 European countries](#), revealed a continent-wide pattern of repressive laws, use of unnecessary or excessive force, arbitrary arrests and prosecutions, unwarranted or discriminatory restrictions as well as the increasing use of invasive [surveillance technology](#), resulting in a **systematic roll back of the right to protest**. We found that instead of respecting, protecting and facilitating people's right to peacefully assemble, authorities across Europe are deliberately stigmatising, impeding, deterring and punishing people who protest, with human rights defenders often particularly targeted for their role as organisers. The element of [transnational repression](#), where governments outside the EU are targeting their nationals exiled in the EU, is an increasing concern. Amnesty has also documented repeated and systematic civic space restrictions against those expressing **solidarity with the Palestinian people**. Governments across the EU have introduced unwarranted measures to [curtail and punish the expression of solidarity with Palestinians](#) despite mounting global condemnation and opposition to Israel's genocide against Palestinians in the occupied Gaza Strip. By imposing measures linking calls to end the genocide, and expressions of solidarity with Palestinians specifically with support for or encouragement of terrorism, states have moved beyond the already dubious assertion that protests may be a [threat to public order](#) and into claims that they could threaten national security. Authorities can thus try to claim an easy "out" regarding their obligations under international human rights law because the European Court of Human Rights affords states a wide "margin of appreciation" on national security issues.

In light of these concerns and at a critical moment for civic space in Europe, we welcomed the decision of the European Commission to include the development of an EU Civil Society Strategy in its 2025 Work Programme and hereby share some of our key recommendations.

SAFEGUARDING AN ENABLING ENVIRONMENT

The EU is uniquely positioned to establish a coherent, rights-based framework to safeguard civic space internally. It can act as both a standard-setter and enforcer, particularly where national governments fall short, and based on international human rights standards. This would also strengthen coherence with the EU's foreign policy action in support of civic space and HRDs.

Develop an enabling regulatory and political framework

Provide a framework or guidance for creating an enabling environment, grounded in standards from international and regional human rights bodies – particularly standards related to freedom of expression, access to information, peaceful assembly and association, and participation in public affairs. This guidance should place special emphasis on rights that are currently under attack, such as the right of CSOs to receive public funding to engage in critical advocacy. The guidance should also protect the right to protest as well as civil disobedience (see more below). Additionally, the guidance should look at civil society not as a monolith entity but as a diverse range of actors, experiencing intersectional forms of discrimination. The guidance should particularly seek to give visibility, recognition and protection to the movements and organisations representing discriminated groups, and to address the tactics used against them, including delegitimation, unfounded claims and the misuse of legislation. This includes in particular those working with migrants and refugees, those who are themselves undocumented or with precarious residence status, those working to combat racism, and those working to promote women's rights, sexual and reproductive health and rights, LGBTIQ+ rights and sex workers' rights.

Linking monitoring to action

Monitoring must not be a static reporting exercise – it should actively trigger early intervention. Alerts gathered through the monitoring and alert mechanism should feed into a fast-track process within the Rule of Law framework, enabling swift EU response, including recommendations, dialogue, and legal action. To ensure consistency and predictability, the system should be accompanied by clear guidelines outlining the actions that the EU will take in response to varying levels of civic space deterioration. The European Commission, and particularly the Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection, must be mandated to not only acknowledge the receipt, but also follow up with Member States on complaints, seek clarification on government actions, and apply the full Rule of Law toolbox where necessary. The Rule of Law Report should include a standalone civic space chapter with country-specific recommendations and follow-up mechanisms, making it an effective accountability and prevention tool.

The European Commission should further ensure a more **strategic approach to infringement proceedings**. This should include:

- The prioritisation of rights-based cases, including an expedited procedure and request for interim measures. Systemic breaches of fundamental rights should be regarded as extremely difficult to repair, justifying these steps.
- Launching systemic infringement actions when a series of violations show a pattern of unlawful activity. In these instances, several violations should be grouped in a single infringement action. There should be a formal and systematic process engaging rights holders and CSOs.
- Adapting the infringement process to ensure the built-in period of dialogue with the concerned Member State – is mirrored by a corresponding process with affected rights holders and CSOs.
- Infringement proceedings should be depoliticised and made more transparent to enable civil society to monitor the process at all stages.

Political support and promotion of positive narratives

EU institutions, particularly the European Commission, must take a proactive role in safeguarding civic space and supporting civil society actors under pressure. The Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection should lead in publicly recognising the essential role of civil society actors in upholding democratic values, addressing threats to civic space, promoting Member State compliance with EU fundamental rights obligations, championing funding for CSOs, and regularly meeting with their representatives. This includes systematically addressing violations identified through both proactive monitoring of the European Commission and alerts sent by civil society, ensuring timely follow-up to country-specific concerns, and integrating civic space indicators across EU monitoring and enforcement tools. Clear political messaging, both in public discourse and in bilateral engagement with Member States, is essential to counter the growing delegitimation of CSOs. Clear political

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Strengthening the overall environment to support civil society actors requires not only political, legal and financial support but also a shift in public narratives and greater societal recognition of the role of CSOs. Our 2024 report on the right to protest showed that harmful rhetoric from state officials across the 21 countries was commonplace and often stigmatized peaceful protests and the aims and identities of their participants, demonizing protesters by likening them to “terrorists”, “criminals”, “foreign agents”, “anarchists” and “extremists”, among numerous other stigmatizing terms. The groups on the receiving end of such harmful statements include people who mobilized for Palestinian solidarity, for climate justice, women’s rights, LGBTIQ+ activism and rights, the rights of migrants, refugees and asylum seekers, and against racism and discrimination of minorities.

Promoting positive narratives about civil society is essential to counter misinformation, stigmatisation and hostile rhetoric, particularly against organisations working on rights-based or advocacy issues. Awareness-raising campaigns should highlight the contribution of CSOs to the rule of law, social cohesion, and public interest. EU institutions should actively promote communication strategies aimed at creating a more informed and supportive public discourse, and closely liaise with Member States in doing so.

Actions against Strategic Lawsuits Against Public Participation (SLAPPs)

The adoption of the AntiSLAPP Directive (EU 2024/1069) marked an important step toward protecting civic space and safeguarding public participation. The Directive introduces crucial protections, including early dismissal of manifestly unfounded claims, cost-shifting measures making those who file abusive lawsuits to pay the legal costs, and safeguards against enforcement of SLAPP judgments issued outside the EU. It also encourages support mechanisms such as legal aid and assistance for those targeted. To ensure its effectiveness, the European Commission should prioritise consistent and timely transposition across Member States by the 2026 deadline, provide clear implementation guidance, and support awareness-raising, capacity-building, and judicial training.

Addressing harmful impact of EU law and closing legal loopholes

EU laws must not inadvertently criminalise solidarity or CSOs and HRDs. The proposed Civil Society Strategy should trigger a review of legislation and national transpositions in areas such as migration, anti-money laundering, counter-terrorism, and foreign influence to assess their impact on fundamental rights and those defending them. Harmful initiatives – such as the proposed [Directive on interest representation services on behalf of third countries](#) and aspects of the Asylum and Migration Pact – should be withdrawn. Furthermore, loopholes in the AI Act and EU Media Freedom Act that allow state abuse of national security exemptions must be closed. The use of spyware against CSOs, journalists, lawyers and HRDs must be explicitly prohibited under EU law, and reforms such as the Facilitation Directive must be rescinded or significantly revised to avoid systemic rights violations.

Supporting the establishment of an effective protection ecosystem

Together with a wide range of other organisations, Amnesty International has been calling for the development of a [protection mechanism for human rights defenders](#) within the EU. While the EU has a range of instruments at its disposal to support HRDs outside the EU, most notably the EU Guidelines on Human Rights Defenders, no such thing exists within the EU. A holistic protection ecosystem must combine two key elements: (1) strengthening institutional protection duties across governance levels, and (2) enhancing civil society resilience and solidarity mechanisms.

The EU and its Member States must establish a **structured, coordinated, and adequately resourced system** to ensure the safety, well-being, and operational capacity of civil society actors. This requires both urgent, rapid response measures and sustained, long-term support. Legal assistance to defend against smear campaigns, criminalisation, and arbitrary restrictions must be readily available, alongside secure, independent, and sustainable funding to maintain operations free from political interference.

Protection must be holistic. In addition to legal and financial support, CSOs and HRDs urgently need psychosocial services to address burnout, trauma, and mental health impacts from ongoing harassment or violence. Capacity-building - particularly in physical and digital security, advocacy, and organisational resilience - is essential to bolster civil society’s ability to respond to threats. Protection measures must also explicitly address gendered and intersectional vulnerabilities. Defenders from racialised groups, environmental movements, migrant and LGBTIQ+

communities, and women are disproportionately targeted, face specific risks, and require tailored, context-sensitive and nuanced responses. This includes HRDs with disabilities, who often encounter unique barriers and necessitate inclusive and adapted protection strategies. Tailored measures should be put in place for people who are undocumented or with precarious status, with reporting mechanisms adapted to ensure confidentiality and protection from disclosure to migration enforcement authorities. Support systems are often concentrated in urban centres, leaving remote and rural defenders more exposed.

The EU should:

- Provide financial support for sustaining and expanding protection services, especially at national and local level, and establishing coherent protection infrastructure with the aim to unify fragmented efforts, creating a structured and comprehensive support system for CSOs and HRDs.
- Support the development of national protection hubs: These hubs would serve as centralized points offering legal aid, financial assistance, capacity building, and psychosocial support, tailored to the specific needs of each country.
- Develop a EU-wide protection and rapid response mechanism: By facilitating quick mobilization of resources and support, the mechanism should address immediate threats and emergencies faced by HRDs and CSOs. The protection mechanism should be established by consortiums of diverse CSOs. A mechanism should enable rapid response to support HRDs and CSOs that face immediate risk. A 24/7 hotline, run by independent civil society organisations financed by the EU institutions, could disburse emergency funding and provide CSOs and HRDs under attack a wide range of measures, including legal representation, medical costs, physical and digital protection measures, communication and psychological support, and relocation. It is crucial that this action, whether through a mechanism or protection hubs, is completely independent from interference from Member States and EU institutions and not subject to a restrictive understanding of who can benefit from such protection on the basis of vague notions of “national security” or “European values”.
- Warrant systemic approach to the inclusion of exiled HRDs and CSOs within the enabling environment for HRDs and civil society within the EU: Exiled HRDs and CSOs from third countries often stay and work within the EU long-term, or permanently, and need sustainable and equal access to support. Their concerns and threats – in particular retaliation by the third countries they escaped from – should be structurally reflected within the EU policy for HRDs and CSOs based within the EU territory. In particular, the European Commission should ensure uniform implementation of the [2024 Implementing Decision about the EU Visa Code Handbook](#), spelling out flexible and supportive procedures for HRDs, allowing them to apply outside their habitual place of residence, including from the EU Member States. Specific solutions should be found for non-EU HRDs who are in need of long-term protection, undocumented or with precarious residence status, including support in accessing available permits - for example on the basis of their status as victims of crime.
- Work with EC teams responsible for equality, anti-racism, social policy and climate to build this protection mechanism for human rights defenders; and ensure this mechanism, as well as the Civil Society Strategy as a whole, effectively addresses the specific protection needs of women human rights defenders and defenders of gender, racial, social and climate justice and of sexual and reproductive health and rights.

CONCLUSION

The EU Civil Society Strategy comes at a critical moment and represents a key opportunity to reverse the trend of increasing pressure on civil society actors. The Strategy has the potential to provide a coherent, long-term framework to safeguard and expand civic space, ensure increased and better access to EU and private funding in a consistent manner across policy areas, and strengthen meaningful dialogue between institutions and civil society. Crucially, it presents an opportunity to reaffirm civil society as an essential partner in shaping and implementing EU policies that respond to people’s needs.

The upcoming EU Civil Society Strategy should be grounded in the Charter of Fundamental Rights and respond to the challenges identified in the Rule of Law Reports and reports from the Fundamental Rights Agency, other regional and international organisations and civil society, seizing the opportunity to move from ad-hoc initiatives to a comprehensive, binding framework that guarantees an enabling environment for civil society across all Member States and at the EU level. The strategy should be properly resourced, both within the European institutions and for civil society working on these issues.

A feminist and intersectional perspective must be integrated across all EU policy areas, including those within the Union of Equality Agenda (e.g. LGBTIQ, Anti-Racism, Child Rights, Disability, Roma Rights), as well as areas such as migration, victims' rights, social inclusion, civic space, health, long-term care, early childhood education, digital rights, employment, education, disinformation, and foreign policy. While developing the Civil Society Strategy, we urge you to work closely with those developing other relevant strategies, in particular those on Anti-Racism, on LGBTIQ, on Gender Equality, as well as the European Pillar of Social Rights. All strategies should be created coherently, ensuring a truly intersectional approach.

Our key recommendations:

- Carry out a **systematic civic space impact assessment across all legislative and regulatory proposals**, to ensure that all EU policies support rather than restrict civic space.
- **EU-wide Monitoring and Alert Mechanism:** A coordinated, evidence-based system to monitor civic space restrictions, identify early warning signs, and trigger a fast-track EU response. It should build on and complement civil society and FRA monitoring and include a clear mandate for EU institutions to follow-up on registered complaints. The findings should be collected in a standalone civic space chapter within the Rule of Law Report, with country-specific recommendations.
- **Clear mandate for the Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection to engage with** – and, where appropriate, trigger legal measures against – **Member States on alerts and complaints** collected through the monitoring mechanism; the Commissioner should also speak out in case of severe [attacks](#) on individual HRDs in EU member states.
- **EU guidelines for preventive action and response to civic space deterioration:** Define clear guidelines systematising EU legal and non-legal actions against civic space restrictions and violations, including the role of European Commission representations in Member States and structured engagement with national authorities, like that of EU External Action Service's Guidelines on Human Rights Defenders. The guidelines should look at EU actions in different scenarios of deterioration (from strong rule of law ecosystem to systemic challenges) and different stages of new restrictions, including preventive actions that can be triggered by early signs of escalation or before a new legislation is adopted. The guidelines should clearly highlight indicators against which the appropriate actions will be triggered.
- **Support the establishment of a Protection Mechanism for HRDs and CSOs within the EU:** A flexible instrument offering emergency financial, legal and psycho-social support to defenders and organisations under attack, and coordinating national and EU-level protection efforts – including civil society protection hubs and solidarity networks (more detailed recommendations above).
- **Adopt a binding Interinstitutional Agreement on Civil Dialogue** between the European Parliament, the Council of the European Union and the European Commission to establish **structured engagement across all stages of the policy cycle**, clearly defining roles, standards, and procedures for civil society engagement.
- **Continue support to CSOs**, particularly those working in hostile environments, through funds under direct management by the European Commission. This should include core funding and funding for strategic litigation.
- **Increase accessibility of EU funding for grassroots and community-based organisations;** notably through regranteeing schemes that alleviate financial and administrative burdens on smaller organisations.