

CSE Contribution to EC Citizenship report 2023

1. Enhancing freedom of movement and solidarity for a more inclusive European society

Where we stand

The macro-topic of **freedom of movement** has been at the top of the European agenda since the establishment of the Single Market. Many of the European Citizens' Panels within the CoFoE unanimously acclaimed it as one of the most progressive, useful and life-changing features of the EU.

Freedom of movement, as implemented under the [Citizenship Directive \(Directive 2004/38\)](#), remains predicated on an **outdated concept of mobility**, involving only the movement from one EU Member State to settle in another, rather than multiple movements between multiple Member States. Adding to that, little attention is paid to second-generation movers, i.e. the children of those who have used their free movement rights.

In addition, **freedom of movement remains unattainable for many EU citizens**. This is the case for instance for **many persons with disabilities**, whose disability assessment is not automatically recognised when crossing internal EU borders. This means that persons with disabilities moving to another Member State must wait to be reassessed and have their disability status affirmed before accessing the support services they require. The EC has addressed this issue through a proposal for an [EU Disability Card](#), as part of the [Strategy for the rights of persons with disabilities 2021-2030](#), although the scope of this proposal is yet to be determined.

Although many EU citizens move for family reasons, freedom of movement in the EU's most impressive manifestation has undoubtedly been coupled with **learning and working mobility**, and often under the [Erasmus+ Programme](#).

However, beyond the limitations of the current learning mobility framework and the Erasmus+ programme, the **freedom of movement to learn is still confronted with significant barriers**—for instance, the freedom of movement to learn is not guaranteed for students from outside the European Economic Area (EEA). This is not only due to burdensome study visa procedures, but also to the disparity of treatment in terms of access to student support and in the **charging of tuition fees**—students from outside the EEA are typically charged higher tuition fees than EU students. After the end of the CoFoE, and in the planned action for the European Year of Skills, the need to facilitate the recognition of third-country nationals' qualifications was set out—but only for selected fields where there is a labour and skill shortage in the EU—as an element of the [EU Talent Pool](#) and [the Talent Partnerships](#). Further measures are needed in this regard to fully develop barrier-free learning mobility in the EU.

Furthermore, since the formal end of the CoFoE, the EC has acknowledged the importance of the topic of education for European citizens and for all people living in the EU, and committed to: a) delivering a proposal for a Council Recommendation on a Learning Mobility Framework, which is planned for Q3 in

2023; and b) keeping up the discussion in a bottom-up fashion with a dedicated European Citizens' Panel on learning mobility.

At the same time, citizens continue to experience setbacks and distress in mobile situations; this is particularly true for groups in vulnerable situations. The **inclusion of all citizens in mobility** is not a reality at all, while [suggestions from the EC consider expanding inclusion through virtual exchanges](#). This can certainly not be considered as a form of mobility; it can only complement actual learning mobility activities.

Additionally, there is no benchmark to measure the EU's progress in “making learning mobility a reality for all”—a key objective of the learning mobility framework and the EEA, as well as one of the main requests made by citizens through the CoFoE. This topic is particularly critical since a key target of the previous strategy—[20% of mobile higher education graduates](#)—was not met, while other types of learners beyond higher education lacked such a target.

As we move towards the EU elections, it is important to note that mobile citizens, as well as persons with disabilities, elderly people, or other disadvantaged groups and people in prisons face obstacles in participation in European elections. Also access to elections of residents from third countries remains patchy across the EU. EU institutions and Member States need to safeguard elections across the Union, i.e. make sure that elections are free and fair. To achieve this, they need to ensure equality, inclusiveness, representativity and transparency, including in near year's European elections.

Altogether, [when it comes to] people's free movement across the EU, there are still some barriers to full and inclusive access. Thus, urgent developments are deemed necessary, as described in the recommendations below.

Recommendations

1.1. Breaking down the barriers to the free movement of people in the EU

In light of the importance of this topic and the flagship role and ideological value that the freedom of movement constitutes for the EU, we urge EU institutions and Member States to:

1.1.1. Protecting mobile individuals, especially those within vulnerable groups, and ensuring the portability of social and individual rights across EU Member States

1. Ensure the **harmonised, consistent and rigorous implementation of the [Citizenship Directive](#) across Member States**, rather than the inadequate, uneven and inconsistent implementation that is currently in place. To achieve this, the EC should demand that Member States provide better data on the Directive's implementation at the national level.
2. Member States should **clarify the role of local authorities** to enable a better implementation of the Citizenship Directive, as well as streamline registration processes (where applicable) upon arrival in the host Member State.
3. **Make freedom of movement in the EU resilient to future unforeseen shocks** by strengthening EU competences in relevant areas, such as cross-border health.

4. **Clarify the definition of family member and extended family member to ensure harmonised implementation**, so that rainbow families, as well as people in long-term relationships who are not married, can always benefit from the right to free movement.
5. Allow **access to social benefits and services** that are not only conditional on having the right to reside in the Member State.
6. **Implement and better define the scope of the proposed [EU Disability Card](#)** at the end of the current legislature in order to grant access to benefits linked to public social policies and/or national social security systems on a temporary basis when a person with a disability moves to a different Member State to study or work.
7. Ensure **synergy and monitoring between the EPSR Action Plan and a diversity of other action plans and strategies**, including the [Anti-Racism Action Plan](#), [the Roma Strategy](#), and [the LGBTIQ Equality Strategy](#).
8. Expand the final [Directive on combatting violence against women and domestic violence](#) to make it highly ambitious.
9. **Monitor the implementation of the recently ratified [Istanbul Convention](#)** and protect it against the worrying backtracking on LGBTQIA+ people and women's rights globally.
10. Unblock and conclude negotiations in the Council on the [EU Horizontal Non-Discrimination Directive](#), modernising the text so that it adequately captures the realities of marginalised groups and protects people from all forms of discrimination.
11. **Implement comprehensively the [EU Gender Equality Strategy 2020-25](#)**.
12. Elaborate a **European anti-poverty strategy**, with ambitious targets and concrete indicators to monitor progress by EU institutions, backed in synergy by thematic strategies for key vulnerable groups.
13. Implement the **EU Anti-Racism Action Plan and the EU Strategic Framework for Roma Equality, Inclusion and Participation** and ensure strong synergies with the delivery of the EPSR Action Plan.
14. Establish an '[EU Youth Test](#)', an impact assessment tool that would see all EU policies through a youth lens, including: a specific consultation with youth experts as part of the process; an assessment of the impact of all policies beyond traditional 'youth topics' by every EC's DG; and the introduction of mitigation measures if a negative impact is identified. This should be adopted at EU level through the amendment of [Better Regulation](#).

1.1.2. Strengthening mobile citizens' political participation

1. Establish effective mechanisms to ensure that no individual is denied direct national political representation in their host country nor loses political rights in their country of origin when moving to another EU Member State, since this restricts freedom of movement.
2. **Make sure relevant information** (i.e. registration formalities) **is easily accessible and available in multiple languages** (e.g. English, French and German) within the European mobile citizens' community in the Member State concerned.
3. **Widen the scope and expand the structures of political participation for mobile citizens**, both in the host country and in the country of origin.
4. **Harmonise the process for registration on the electoral roll for mobile citizens** in the host Member State.

5. Always ensure that marginalised groups (including persons with disabilities) can participate in the EU's political life as much as non-marginalised groups. This can be achieved by implementing measures like the ones included in the [European Disability Forum's Manifesto on the European Elections 2024](#).

1.1.3. Ensuring that physical learning mobility is a reality for all

1. Encompass learners' demands as a core part of the policymaking process on learning mobility policies.
2. Promote equal treatment and access to education for third-country nationals, avoiding any discrimination compared to EU citizens (e.g. in tuition fees or student support) and simplifying the procedures to obtain a study visa.
3. Promote the ratification of [UNESCO's Global Convention on the Recognition of Qualifications Concerning Higher Education](#) by EU Member States.
4. Expand the work on the recognition of qualifications of third-country nationals to the majority of degrees and countries, and enact equivalence between professional qualifications.
5. Make automatic mutual recognition of learning mobility experiences a reality.
6. Implement the [Research and Studies \(REST\) Directive](#) in all EU Member States, without exception, to allow a more inclusive participation of third-country nationals in mobility programs.

2. Strengthening democracy, fundamental rights and civic participation

Where we stand

Defending and strengthening democracy and the rule of law in the European Union (EU) have taken centre stage in EU institutions' narratives and agendas in recent years. [The Conference on the Future of Europe](#) (CoFoE) was meant to contribute to this objective, alongside other policy processes such as the [European Democracy Action Plan](#) (EDAP), the [European Commission \(EC\)'s annual Rule of Law Reports](#) and the recent [Defence of Democracy \(DoD\) Package](#).

For us, as civil society organisations (CSOs), strengthening democracy requires first and foremost tackling internal challenges and building resilience. **Democratic resilience** requires both good *inputs* for decision-making and good policy *outputs* that answer people's needs, in line with the values and objectives set out in the EU Treaties. **Participatory mechanisms** enabling informed and evidence-based decision-making are key tools to design effective policies. However, beyond these necessary *inputs*, it is crucial to understand that people evaluate the relevance of democracy based on the latter's *outputs*—the capacity of **designed policies** to address people's needs, putting the common good of people and the planet before economic and financial interests.

Declining trust in democracy is a well-documented and worrying trend all over the world and the EU is no exception. Today, democracy is challenged both in its functioning and its policymaking structures

(inputs) and in its outputs, as social, economic and environmental insecurities fuel distrust in **institutions' ability to deliver policies that will protect people and the planet**. Many people are disillusioned with—and even averse to—current policies that often put people in competition for rights and services, while many countries race to the bottom regarding social welfare for the sake of competitiveness. According to a recent [Eurobarometer](#), only 32% of Europeans trust their national government; respectively, 47% of Europeans trust the EU.

The backsliding of democracy and the rule of law—observed as systemic in some EU Member States, and on the rise in many others—falls within this context. This development provides fertile ground for the expansion of political illiberalism, the weakening of democratic standards and the **increase in restrictions on rights and freedoms**. Those **most affected** are marginalised groups whose access to rights is most difficult or even denied, including **racialised people, women, LGBTQIA+ people, youth, children, persons with disabilities, migrants and displaced people (especially if undocumented), ethnic and religious minorities** and people with **low socio-economic status**.

Alongside a growing strain on civic freedoms—extensively documented both by civil society and institutions—**structures for civic participation in policymaking are weak** both at national and EU levels. Moreover, institutions tend to engage in [“less challenging forms of dialogue, opposing direct participation of citizens, addressed as individuals, with collective forms of mobilisation”](#) such as **intermediary bodies or social movements**, which are perceived as more able to challenge political decisions.

The **CoFoE** is a case in point. Among [its final recommendations](#), several of which require changes to the EU Treaties, the need to strengthen deliberative and participatory democracy at EU, national and local levels is of the utmost importance. True participation means that citizens' and civil society's concerns are listened to and addressed through policymaking. This involves several levels of engagement, from access to information and consultation—which is rather top-down in nature—to structured civil dialogue and partnership—both of which involve shared responsibilities in the negotiations, are results-oriented and lead to shared outcomes in terms of policies and strategies. The participatory approach also brings about a co-creation of policies that generates more opportunities and solutions for communities.

In its [follow-up Communication on the CoFoE](#), the EC expressed its intention to table proposals on “Organising smaller targeted deliberative or co-creation/co-design processes, run on a smaller scale, to address specific policy issues more cost-effectively and in a timelier way.” So far, the launch of [European citizens' panels on food waste, learning mobility and virtual worlds](#) is a welcome first step but it addresses a very limited part of the CoFoE conclusions. We put forward several recommendations to improve European citizens' panels and potential European citizens' assemblies in section 2.1.2 (page 9) of this paper.

The CoFoE conclusions call for stronger **involvement of organised civil society** (as well as social partners) in the EU decision-making process, so as to [“utilise the link between decision-makers and citizens which \[CSOs\] constitute.”](#) They also call for [“proper civil and social dialogue mechanisms and processes at every step of EU decision-making, from impact assessment to policy design and implementation.”](#)

Beyond consultations and citizens' panels, **civil dialogue**, i.e. dialogue between CSOs and EU and national institutions, **must be recognised, organised and resourced on an equal footing with social dialogue in the EU's policymaking cycle** on all areas of EU action. This would ensure that EU legislation's social and environmental impacts are better balanced with economic aims, and that fundamental rights are taken into account more adequately when designing legislation and policies. **Better and fairer policies would create more fertile ground for trust in democratic institutions.**

Regrettably, the EC's recent proposal towards a **DoD package**, and more specifically, the [Directive on foreign covert interference](#) that is part of the proposed package [threatens to undermine existing and future democratic efforts](#), as it risks being weaponised by governments to further restrict the space for civil society, particularly critical voices.

We acknowledge the EC's decision to postpone the process and undertake an impact assessment after strong [opposition](#) and [concerns](#) were expressed by civil society, as the initial proposal appeared to mirror so-called 'foreign agents legislation' while also emboldening repressive leaders and **undercutting the EU's credibility to speak out about restrictive laws in non-EU countries**²². Indeed, these 'foreign agents' laws have significantly **curtailed the space for independent civil society and been deployed as a tool to silence critical voices**. This approach is very risky as it can lead to significant restrictions on civic space in the EU and globally.

The CoFoE demonstrated that citizens care about the values enshrined in the EU Treaties while also appealing for changes that entail Treaty reforms in service of democratic legitimacy and efficiency. With regard to voting systems, the CoFoE's European citizens' panel 2 on European democracy stressed in its recommendations that the ["European \[T\]reaties should change to address the issue of unanimity."](#)¹³ The European Parliament (EP) has shown its responsiveness to these calls, for instance by finding an agreement on a [European Electoral Act](#)—which includes transnational lists—and on the activation of Article 48 TEU to call for a [Convention to reform the EU Treaties](#). These initiatives have also received the EC's support. However, we regret the unresponsive and opaque approach of the Council. Therefore, we have prepared a series of recommendations on EU institutional democracy and reforms. In this time of uncertainty and crises, when citizens are calling for EU reforms and the case for enlargement is being reinvigorated, only Treaty change can truly enable the EU to change into the more transparent, accountable, democratic and rule of law-abiding community that citizens are asking for, and into a Union that can fully support civic spaces in the EU.

E-Democracy

Digitalisation is becoming ever more ubiquitous and indeed, it is now a necessity in everyday life. EU citizens are constantly part of **digital democracy** by using online public services, receiving important information through the internet and often having the opportunity to engage in democratic life through e-participation channels. Over the last decade, the EU has focused its e-government and e-transparency efforts on technological solutions for public administrations, businesses and people (e.g. electronic identity). For e-participation, a few channels currently play an important role in citizens' engagement, such as the [European Citizens' Initiative](#). However, these channels are not sufficient for the meaningful involvement of EU citizens. **E-participation tools, including e-voting, need to be more inclusive, used in a structured way, accessible for everyone and, in particular, more impactful.**

Digitalisation will only advance European societies if we **can safeguard and strengthen our democracies in the process**. To this end, several digital policies are still needed at the EU level to ensure that all digital technologies developed and used respect human rights and democratic principles. Especially in 2023, various EU legislative processes have already put in place safeguards for human rights while stimulating innovation and market integration (e.g. the [Artificial Intelligence \(AI\) Act](#), the DSA and the DMA). There is great potential for the EU to be an ambitious rights-driven leader in tech policy, but this will **only be possible if it places human rights and democratic principles at the centre of these legislative processes, alongside innovation and competition concerns**. For example, developing AI that respects fundamental rights should not be constrained in the EU or it will be developed in other parts of the world with far fewer safeguards.

European digital policies need to enhance the protection of citizens' rights and online freedom. Platform regulations are going in the right direction and are starting to limit the power that big tech platforms have over our democracies and societies. However, the EU's efforts are not enough. CSOs are raising concerns regarding: privacy issues; the surveillance of people such as asylum seekers; racism, ableism and sexism in AI and biometric mass surveillance technologies; as well as lack of access to new technologies. It is crucial **to put human rights first and enable a digital transformation in the EU that is shaped by the people for the people**.

Resetting education and training for the digital age: the digital divide must be addressed not only through the accessibility and availability of infrastructures and technologies but also through the possibility of digital education for all.

Recommendations

2.1. A vibrant civic space that makes democracy alive and resilient

Strong democracies with a functioning rule of law depend on a vibrant civic space. It is crucial that civil society actors are supported, protected and empowered and that their inputs are considered to be fundamental for policymaking. A vibrant civil society that can act independently and at its full capacity is an integral part and cornerstone of a resilient democracy. Civil society is a crucial ally in developing and implementing people-centred and human rights-based policies. Civil society actors also hold policymakers accountable when public policies have a negative impact on people and the planet. Civil dialogue should be organised on an equal footing with social dialogue along the entire EU policymaking cycle and treated as distinct and complementary to forms of citizens' engagement.

Unfortunately, evidence from the field shows growing obstacles and attacks affecting civil society's ability to exercise its full capacities and act independently; research and the findings of the [EC's Rule of Law Reports](#) confirm this. As a result of these attacks, European democracy is endangered.

2.1.1. Adopting a European Civil Society Strategy

EU institutions and Member States need to **protect civic space**, including freedom of association, freedom of peaceful assembly, freedom of expression, access to information and the right to privacy. We call on the EU to defend a safe and enabling environment for civil society by:

1. **Protecting and supporting CSOs and human rights defenders (HRDs)** through different regulatory and policy measures, including by adopting the EC's original proposal for an anti-SLAPP (Strategic Lawsuits Against Public Participation) law and making it even more effective, ambitious and comprehensive using the [Coalition Against SLAPPs in Europe's recommendations](#).
2. Ensuring that all EU institutions and Member States' policies and practices impacting the civil society sector are in line with the **fundamental rights guaranteed by international and EU law**, including freedoms of association, peaceful assembly, expression, the right to privacy and participation in decision-making.
3. Adopt the EC's proposal for a European Cross Border Association so as to encourage and foster citizens' collective engagement across borders. **By creating a new legal form of non-profit association that can be recognised by all Member States, we can further unlock the potential and support the essential contribution of civil society organisations of all sizes to our society.** It can be a crucial tool that can mobilise citizens collective engagement, notably through associations and foundations to do more public-benefit work and collaborate in all different societal areas. In addition, associations and foundations in cross-border regions will be able to further cooperate, building an ever deeper sense of European spirit and citizenship in these unique areas.
4. Adding a **standalone pillar on an enabling environment for civil society and HRDs** in the EC's annual Rule of Law Reports. The methodology for assessing civic space should be co-created with civil society and build on benchmarking mechanisms already used by the EC (e.g. in the accession or Eastern Partnership countries) and the work of the European Union Agency for Fundamental Rights (FRA).

We call on the EU to adopt a protection mechanism for civil society and rights defenders so that:

5. CSOs' staff and volunteers, human rights and environmental activists and defenders, as well as the communities they represent, are **protected from all forms of discrimination** on any ground, **and from judicial or other forms of harassment, violence or ill-treatment**.
6. **Special attention** is placed, using an intersectional approach, on **racialised people, women, LGBTQIA+ people, youth, children, persons with disabilities, migrants and displaced people (especially if undocumented), ethnic and religious minorities**, people with **low socio-economic status**, and those who defend them, since they are more frequently under attack.
7. CSOs, activists and defenders can **report on an ongoing basis** all forms of attacks, threats, smear campaigns and limitations of civic space, and for these reports to be **addressed in a timely manner**. This protection mechanism should include an **early warning system** to help prevent such threats from arising.

2.1.2. Fostering real dialogue and meaningful participation

We call on EU institutions to conclude an inter-institutional civil dialogue agreement recognising civil dialogue as an essential element of European participatory democracy, in accordance with [Article 11 TEU](#), and including the following measures:

1. **Harmonise [standards for civil dialogue](#)**, i.e. dialogue between CSOs and EU and national institutions, **across EU institutions and Member States**, so that every opportunity for civil dialogue leads to quality engagement. Space should also be provided for cross-sectoral dialogue on transversal developments and strategic priorities.
2. **Organise citizens' panels and assemblies in cooperation with civil society**, ensuring the inclusion of underrepresented groups to have more diverse citizens' panels/assemblies, co-creation (with CSOs) of the agenda and process from the beginning of the panels/assemblies' preparation, and open and transparent selection of experts with diverse background and viewpoints. All of this should be done to ensure a pluralistic expression of voices and for these to be reflected in EU policies and initiatives. Moreover, EU institutions should ensure that the costs of all of the citizens participating in panels/assemblies are covered, as well as personal assistants for persons with disabilities, so as to ensure that all participants are on an equal basis. Planning ahead and foreseeing sufficient staff is also essential.
3. **Promote and support all levels of citizens' engagement**, at the European, national and local levels.
4. **Ensure wide participation of environmental defenders in critical climate-related meetings** globally, including during the [Conference of the Parties](#) to the United Nations Framework Convention on Climate Change (UNFCCC).
5. **Recognise the role of civil dialogue in improving social inclusion** of the most marginalised people and ensure the structural and meaningful involvement of civil society in the whole policymaking cycle. Encourage the collaboration between social partners and civil society by establishing civil dialogue as a transparent and regular mechanism for consultation of organised civil society and aimed at reinforcing social dialogue.

2.2. EU institutional democracy and reforms

European civil society continues to play a leading role in listening to and strengthening the voices of citizens. Decisions for the benefit of all can only exist in structures of good governance that put these voices in focus. The type of decision-making we exercise and the institutions we create and uphold play a significant role in the level of success in making democracy and the well-being of citizens thrive.

The European project is at a point in its development where thorough reforms to its structures are necessary and urgent. Civil society has been contributing to the development of our democratic structures with constructive feedback and calling for change for a long time. It is also evident that the CoFoE recommendations cannot be fully implemented without reforming our institutions. We need an EU that is willing to evolve into a more comprehensible, more transparent, more accountable and more democratic community of people.

2.2.1. More representative and decisive elections

We call for the EU elections to give all citizens and permanent residents an equal opportunity to vote, without any barriers, and for citizens and permanent residents to be given more weight in EU elections.

1. European citizens and permanent residents must have more information about and a greater role in the **election of the President of the EC**. This should be achieved through an enhanced lead candidate system ("Spitzenkandidaten") or through a direct election.
2. There should be an **EU electoral authority and transnational lists**; the latter would enable citizens and permanent residents to vote for representatives from electoral lists that include candidates from all EU countries.
3. Every citizen and permanent resident should, without exception, have the **right and ability to participate in elections** as a voter and candidate. The EU should commit to further breaking down barriers and taking measures to make democratic participation more accessible.
4. The EU should **ensure parity, diversity and representation of all categories of the EU's population** among candidates to and voters in the elections.
5. European citizens and permanent residents should have the right to vote in the Member State where they reside and pay taxes beyond local and European elections.

2.2.2. More transparent and accountable European institutions

1. **Transparency should be included in all phases of the co-decision procedure**, including in the trilogues.
2. The EC offices and the European Liaison offices should **organise regular dialogues with CSOs at national level**. Moreover, there should be trainings and tools to ensure the inclusiveness and accessibility of EU decision-making processes, and there should be capacity building for CSOs to participate in monitoring processes, including for the use of EU funds. The principles listed in section 2.1.2. (page 9) should also apply to this level of civil dialogue.
3. Successful [European Citizens' Initiatives](#) that are in line with EU values and the [EU Charter of Fundamental Rights](#) should be given proper follow-up, through legislation and public debates in the EP.
4. Member States' governments must **inform and consult the public** about their positions and aims, with deliberations and votes in the open.
5. The Council should proactively **introduce citizen-friendly websites** that would grant citizens access to legislative documents, web stream Council meetings, and also entail open data and proactive publications.
6. The European Commission must **create an open and transparent environment where access to information is made public** as an essential pre-requisite for meaningful civil dialogue and democratic participation. We call on the EC to at least **restore the details of civil servants that were made available before** the latest changes in the official EU directory "Whoiswho".
7. EU institutions should take steps to **strengthen the ethical norms and rules for decision-makers and therefore strengthen public integrity**. Civil society's role in engaging citizens and monitoring breaches of citizens' rights should be supported with standards that ensure fairness between sectors and protection from attempts to weaponise laws.

8. The [EU Transparency Register](#) should have equal reporting requirements for all “ ‘interest representatives’ (organisations, associations, groups and self-employed individuals) who carry out activities to influence the EU policy and decision-making process.”

2.3. E-democracy and digital education, safeguards and rights

2.3.1. E-participation

1. EU institutions and Member States should actively promote e-participation in decision-making and **provide citizens with a realistic opportunity to impact policymaking and legislative processes.**
2. European citizens' capacity to engage in **e-participation** should be strengthened, as well as the impact their contributions make on policymaking. They should always receive feedback on the extent to which their inputs to decision-making were taken into account and why (or why not).
3. EU institutions and Member States should **ensure the accessibility of digital means** (secure and quality internet connection) **to citizens everywhere**, in order to reduce the digital divide and allow for equal access to e-voting and online participation across the EU.

2.3.2. E-government

1. EU institutions and Member States must **provide alternatives to e-government services** to ensure that those who do not have the possibility to use digital tools, and persons with disabilities or with low digital literacy can still be adequately engaged and served appropriately.
2. Access to **free, equal and affordable internet as a fundamental right** of every EU citizen: given the importance today of having access to the internet for a significant number of vital tasks, access to the internet should be guaranteed for everyone. In this respect, specific EU- and nationally-funded programmes could be allocated for vulnerable groups and people at risk of poverty or social exclusion to ensure they can afford to use the internet.
3. The EU should **provide public services that are fully accessible** for hard-to-reach segments of the population, by: a) **funding and collaborating with CSOs** which currently support those excluded from the digital transition; b) expanding initiatives that support and guide citizens in the digital transition (such as France's *'conseillers numériques'*), adapting them if needed and learning from both their failures and successes.

2.3.3. Media literacy and digital learning

1. The EU should **strengthen civic education and confidence-building** in the areas of active citizenship, democracy, EU and national competences, populism, online and offline disinformation, news, media and digital literacy, EU fundamental rights and values, and respect for marginalised groups.
2. **Privacy and data-protection knowledge, as well as data literacy**, should also be developed through dedicated programmes—tailor-made for specific target groups, including **young people and elderly people.**

3. Digital knowledge, skills and competency building should be **incorporated into formal education curricula** as well as part of the large-scale objective of bringing education into the 21st century (including **lifelong learning and informal education**).
4. Make publicly funded, easily accessible and free-of-charge **public education about cyber security** available to all European citizens to help protect them from harm.

2.3.4. Online disinformation, integrity of elections, terrorist content, online hate speech, illegal content online

1. **Online content moderation** should ultimately always require a form of human review and intervention. The appropriate type, form and moment of this human intervention should be considered on a case-by-case basis, taking into account the impact of AI automated decision-making on individual rights, duties and liberties. To counter disinformation, illegal content and hate speech online, **EU institutions and Member States must combine their financial instruments in support of civil society and the media, with legislative instruments holding online platforms accountable, while safeguarding fundamental freedoms**. Social media platforms must be encouraged to take measures to prevent smear campaigns which spread disinformation, online harassment and abuse against civil society, journalists, women, non-binary people, racialised people, LGBTQIA+ people, persons with disabilities, children and all others at risk of cyberbullying. Yet such measures must always serve to defend people's freedom of expression and association, as well as media pluralism and editorial independence.

2.3.5. Online privacy and data (protection and retention)

1. EU institutions should **ensure enforcement** of existing legal frameworks—such as the [General Data Protection Regulation](#) (GDPR), the [DSA](#) and the [EU Code of Conduct on Disinformation](#)—and **update the ePrivacy Directive with a strong ePrivacy Regulation**.
2. **Sound implementation and enforcement of legislation** in an inclusive, transparent manner that enhances the protection of fundamental rights, civic discourse and electoral processes.
3. The EU should **ensure the privacy of disability and health-related sensitive data**, since this is vital. Many websites can detect if a person is using assistive technology (e.g. screen reader) to access them. This means a person's disability can be revealed against their will, which can lead to algorithmic discrimination (e.g. targeted ads about vacancies, services, avoiding persons with disabilities) or discrimination and harassment by entities and individuals possessing that data.

2.3.6. Protecting fundamental rights in digital media

1. The **EU's digital policy** should undergo an overarching reform in order to strengthen the EU's accountability and transparency in digital technology markets and to protect fundamental freedoms and human rights. Strong regulation should be implemented by well-resourced and independent enforcement agencies, while encouraging and supporting authentic, innovative EU alternative solutions.
2. Protecting **encryption** as a means of self-protection is a fundamental aspect of private

communicators' rights (especially for human rights defenders and marginalised groups) and must not be unduly restricted. This includes the right not to supply any authority with passwords or encryption keys, and current attempts to undermine encryption in the [proposed Regulation to prevent and combat child sexual abuse](#).

3. The EU should **build public digital infrastructure** (such as internet connection) and **ensure its financial sustainability**, especially with regard to access to equipment for people facing material deprivation (e.g. homeless people and low-income households).
4. The EU should **ban mass surveillance and facial recognition technologies** as they fundamentally undermine an enabling environment for democratic societies by threatening political pluralism and civil and political rights.

The excerpts found above are taken from various chapters within our [Civil Society SOTEU 2023 report](#).