

# Q&A: The proposed Directive on third-country interest representation

## About this document

This Q&A document aims to **answer key questions about the scope of the proposed [Directive on third-country interest representation 2023/0463 \(COD\)](#)** (the “Directive”) concerning:

1. Foreign interference in Europe
2. Foreign interest representation legislation outside of the EU
3. Disinformation, media and social media
4. Civic space and freedoms of association and expression
5. Research and academic freedom.

For a more detailed version of this document, please visit [here](#).

## Civil society’s position

Civil society considers that the Directive:

- Is incompatible with Article 114
- Represents an unjustified restriction of the right to freedom of association
- Will result in shrinking civic space
- Will cause geopolitical damage to the EU’s external actions promoting democracy and human rights.

Civil society requests the rejection of the Directive in its current form and the conduction of an impact assessment to analyse alternative policy options based on their effects on fundamental rights and civic space.

## a) Foreign interference in Europe

**Would the Directive have prevented corruption cases that involved MEPs, such as Qatargate and Russiagate?**

**No, the Directive would not have covered these instances**, as it targets official authorities (or third parties funded by them) to act as interest representation service providers on their behalf. In contrast, Qatargate and Russiagate involved middlemen who operated covertly, which is beyond what a register could detect.

**No, the Directive does not cover political parties**, as it only applies to interest representation activities and services. National parties’ funding rules are decided at the national level, while a European legislative regime exists only for European political parties and foundations.

**Does the Directive cover foreign funding for political parties?**

**Would the Directive have revealed the Russian attempts to influence the Catalan independence process in 2017?**

No, as the alleged contacts with the Russian authorities would have occurred between Russian intermediaries and members of the Catalan regional government, which **the Directive would not have been able to detect**. This reiterates how such attempts at foreign interference occur via middlemen and personal contacts with people in power, which calls for strengthening the European intelligence system, the anti-corruption culture and rules within the different power levels.

## b) Foreign interest representation legislation outside of the EU

Is there a good **model of foreign interest legislation outside of the EU?**

**No, there is not.** A 2023 [report by the Good Lobby](#) found that foreign interest legislations in OECD countries and Russia share vague and unclear definitions, legal loopholes exploited by foreign actors, and unpredictable enforcement. This makes them susceptible to misuse from governments to target and prevent specific media from acting as checks and balances to the rule of law, while there is little evidence these laws effectively prevent malign foreign influence.

The Directive risks undermining the EU's credibility in opposing so-called 'transparency laws' in other regions, used as a pretext to limit civic space and silence dissent. This concern is evident with the Georgian foreign influence bill, which [reflects the language of the Directive](#) and triggered mass demonstrations in Georgia and condemnation from the [UN](#) and the [EU](#).

How does the Directive impact the EU's stance towards third countries' foreign influence laws?

## c) Disinformation, media and social media

Does the Directive tackle **disinformation?**

**No, disinformation is completely outside of the Directive's scope.** The EU already addresses disinformation through an Action Plan, voluntary Codes of Practice against Disinformation which have become binding under the Digital Services Act (DSA), and a dedicated [EUvsDisinfo](#) unit within the European External Action Service (EEAS).

It is unclear whether the media is fully outside of the scope of the Directive. In practice, many NGOs in the EU serve a media function by informing the public on issues of public interest. The Directive's registration and public disclosure requirements will inevitably affect these civil society actors, creating a **chilling effect on journalism**. Better alternatives, like the European Media Freedom Act, exist to address attempts at state interference in the media both within and outside the EU.

Does the Directive tackle **governmental attempts to influence public opinion via media?**

Does the Directive address the concerns over the **power of third-country social media platforms?**

**No, social media platforms and their influence on public opinion are in principle outside the Directive's scope.** Online platforms and, more specifically, social media platforms, fall within the Digital Markets Act (DMA) and the Digital Services Act (DSA), which regulate third-country social media platforms.

## d) Civic space: freedoms of association and expression

The Directive will **negatively impact civic space in the EU by creating a chilling effect on CSOs' engagement with non-EU state donors**, limiting their funding opportunities, while its burdensome administrative requirements would disrupt NGOs' normal operations. Its provisions are therefore not compatible with international human rights legislation, as underlined by the letter four UN Special Rapporteurs sent to the European Union.

How will the Directive impact **civic space and freedom of association** in the EU?

## e) Research and academic freedom

What impact would the Directive have on the debate on **foreign interference in research and education and on academic freedom**?

Unlike the Council Recommendations on Research Security, the Directive **does not effectively address risks in academic cooperation**. Its unclear and potentially stigmatising rules would harm international cooperation and academic freedom by casting suspicion on any collaboration outside the EU, delegitimising its outcomes and prompting unnecessary self-censorship. This would disrupt the careful work of universities, research sectors and EU institutions in securing education, research and innovation while upholding international academic and research collaboration.

### About the authors

This Q&A document has been prepared by the informal coalition on the Defence of Democracy Package coordinated by [Civil Society Europe](#) with contributions from [Article 19](#), the [European Civic Forum](#), the [European Partnership for Democracy](#) and the [European University Association](#).

### Other documents about the Directive

[CSOs' briefing paper: the Defence of Democracy Package' Directive on foreign interest representation](#)

[Joint statement: The Foreign Interference Directive poses risks to freedom of expression in the EU](#)

[Open letter: Universities and civil society express concerns about the EC's Defence of Democracy Package](#)