

Civil Society Europe's contribution to the European Commission's call for evidence on Better Regulation

February 2026

Simplification cannot be pursued at all costs and must remain aligned with fundamental rights, sustainable development and democratic principles. Given the current threats of spreading disinformation and foreign influence, it is crucial that the EU bases its regulation system on solid evidence-based policy making with independent scientific input and strong mechanisms of participation, as part of the democratic resilience that the EU wants to achieve.

1. Effective policymaking requires meaningful involvement of citizens and civil society

Consulting citizens and stakeholders is at the heart of Better Regulation and a precondition for effective policymaking. Any reform should therefore strengthen – not dilute – structured and inclusive democratic participation, openness and transparency, which are core values enshrined in Art. 10 and 11 TEU and international standards.

Representative civil society organisations (CSOs) play a key role, providing evidence rooted in lived experience, monitoring implementation and ensuring accountability.

The Commission Recommendation (EU) 2023/2836 on promoting the engagement and effective participation of citizens and CSOs provides a clear benchmark.

2. Smarter public consultations should mean better quality, not fewer voices

A “once-only” or overly streamlined approach risks marginalising civil society perspectives, particularly those representing smaller or underrepresented groups. Efficiency should be achieved through better coordination, clearer objectives, and predictable timelines, not by reducing opportunities for participation.

EU-wide civil society networks should be systematically recognised as entry points for diverse expertise, in line with existing Better Regulation guidance. Targeted consultations must complement, not replace, open public consultations. Consultations with citizens should be differentiated from those with civil society or industry.

3. An open, regular and structured civil dialogue

The Commission reiterated its commitment to reinforce civil dialogue in the Civil Society Strategy, notably by setting out 10 guiding principles for dialogue with civil society.

The revised Better Regulation framework should operationalise Recommendation (EU) 2023/2836 and the 10 principles by improving standards for participation, including early involvement, adequate timeframes and accessible consultation formats, and by preparing concrete guidelines for civil dialogue alongside the existing ones on public consultation.

4. “Simplicity by design” must not undermine participation or rights

Simplification should enhance clarity, accessibility and enforceability of EU law. However, it must not entail weakening safeguards, limiting scrutiny, or expanding the use of emergency procedures without appropriate democratic checks.

All legislative proposals should be accompanied by an impact assessment. Where urgency justifies accelerated procedures, it must be clearly defined and based on necessity and proportionality. Moreover, alternative safeguards for transparent, evidence-based and inclusive law-making should be ensured, as recalled by the Ombudsman in its recommendation of 25/11/2025.

5. Civic space impact assessments must be integrated into Better Regulation

The review offers a crucial opportunity to integrate civic space considerations into impact assessments, ensuring that EU policies support rather than restrict civic space and preventing unintended negative effects on civil society.

Building on existing fundamental rights checks, the Commission should introduce a dedicated civic space lens to assess impacts on freedoms of association, peaceful assembly and expression, as well as access to funding, administrative burdens, and CSOs’ ability to participate in policymaking.

The Regulatory Scrutiny Board should reinforce its capacity to assess fundamental rights impacts by ensuring relevant expertise among its members and systematically consulting the Fundamental Rights Agency and relevant stakeholders.