

## Joint Civil Society Contribution on Civic Space to the 2026 Annual Rule of Law Report

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### *Table of contents*

<b>1. Introduction and general recommendations</b>	<b>2</b>
<b>2. Key pan-European developments and trends affecting civic space in 2025</b>	<b>6</b>
a. Freedom of association	6
b. Freedom of assembly	6
c. Freedom of expression	7
d. Public participation	8
e. Access to funding	8
f. Other elements	9
<b>3. Snapshot of civic space and fundamental rights in 2025</b>	<b>11</b>
a. Countries with no or limited progress	12
b. Early warning countries	12
c. Countries with an escalation of attacks on civic space	15
d. Countries facing serious challenges	16
e. Countries with structural challenges	19
f. Countries under Article 7 procedure	23
<b>4. Country-specific recommendations on civic space and fundamental rights</b>	<b>25</b>

## 1. Introduction and general recommendations

Since the launch of the Rule of Law Mechanism, civil society organisations (CSOs) have actively contributed to the process through annual consultations and by offering recommendations to enhance the instrument. These organisations consistently underline the interconnectedness between the rule of law and the broader democratic ecosystem — including civil, political, and socio-economic rights — emphasizing that the rule of law cannot be addressed in isolation from the functioning of democracy, a thriving civic space and effective access to fundamental rights. Against this background, the present joint contribution focuses on civic space as an essential component of rule of law resilience.

In 2025, civic space across Europe deteriorated further, with restrictions on civil society actors becoming more institutionalised. The CIVICUS Monitor downgraded France, Germany, and Italy from “Narrowed” to “Obstructed,” and Serbia from “Obstructed” to “Repressed.” The assessment included in this joint contribution highlights structural challenges in Italy, France, Bulgaria, and Slovakia, while rapid deterioration of civic space is taking place in Czechia and Belgium. These trends point not only to isolated national developments but to a broader pattern of regression affecting the enabling environment for civil society across the Union.

As civic space narrows, protests have become an increasingly crucial avenue to express concerns and defend fundamental rights. Yet the criminalisation of protest is becoming normalised across Europe, raising serious rule-of-law concerns. Restrictions on peaceful assembly and expression not only weaken accountability and open government, but also reveal deeper deficiencies in checks and balances. In several Member States, courts have had to reaffirm the importance of these rights where public authorities failed to comply with international human rights standards, pointing to broader breaches of principles such as separation of powers and legal certainty.

Restrictive trends are not only spreading nationally but are also being reinforced at EU level. EU policies and national measures — such as restrictive migration laws, smear campaigns against civil society organisations, and “foreign agent”-style legislation — increasingly feed into one another, contributing to the normalisation of limitations on civic space. While recent initiatives, such as the Civil Society Strategy and the proposed Agora.EU programme under the next Multiannual Financial Framework, represent welcome steps, they coexist with measures that risk further constraining civic space. This tension raises questions about the overall coherence of the EU’s approach.

These developments unfold in a broader context marked by a significant escalation of attacks against the primacy and universality of international law, international human rights law and standards and the multilateral system that has governed international relations since the Second World War. In an open letter, nine EU member states called for

a reinterpretation of the European Convention on Human Rights (ECHR) to enable changes to migration policy, while Slovakia adopted a constitutional amendment asserting national sovereignty in a way that directly challenges the primacy of European Union law, international law, and human rights obligations. Meanwhile, although currently on hold due to presidential intervention, the Latvian Parliament's vote to withdraw from the Istanbul Convention marked a troubling first for an EU member state.

**In light of these profound and interconnected challenges, the credibility of the European Commission's commitment to strengthening the rule of law and civic space — as reflected, inter alia, in the European Civil Society Strategy — depends on its willingness to make full and effective use of its rule of law toolbox when Member States present serious, structural, or systemic challenges.** It also requires a significantly stronger integration of civic space considerations within the Rule of Law Cycle.

Two issues are of particular concern in this regard. First, **most of the country-specific recommendations issued by the European Commission are repeated annually with little or no change, suggesting that in practice they remain largely diagnostic rather than corrective.** While they identify rule-of-law deficiencies, they lack the necessary precision, follow-up, and enforcement to ensure meaningful implementation. According to the Liberties 2025 Gap Analysis, 93% of the 2025 recommendations were repetitions from previous years, while only 6% were fully implemented.<sup>1</sup>

Second, **the area of checks and balances — despite showing some of the most significant regressions — continues to receive less attention than the other three pillars in the European Commission's Rule of Law Report.** This is reflected in both the relatively small number of recommendations issued under this pillar and the limited coverage of critical issues such as freedom of association or freedom of peaceful assembly. The country-specific recommendations set out in the final chapter of this joint contribution illustrate the extent to which key aspects of fundamental rights and civic space remain insufficiently captured in the Commission's assessment.

We call on the European Commission to:

1. **Strengthen the involvement of civil society in the Rule of Law Cycle.** Civil society organisations, particularly those working with marginalised groups, should be involved in the Commission's rule of law country visits in a more systematic and timely way. This should include granted access to Member States' contributions in order to respond, verify, and contextualise the information provided. More broadly, the Rule of Law Cycle should facilitate regular and

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<sup>1</sup> Civil Liberties Union for Europe, "[2025 Gap Analysis: The EU Rule of Law Report Needs Serious Reform](#)".

structured interaction among all relevant actors — including the judiciary, independent bodies, media, academia, CSOs, EU institutions, and Member States — notably through thematic reviews.

2. **Include a stand-alone chapter on civic space in the annual Rule of Law Reports** and strengthen the coverage of civic space and fundamental rights elements, as repeatedly called for by civil society and the European Parliament. This should include issues such as restrictions on peaceful assemblies and repression of organisations representing marginalised groups.
3. **Provide clearer, more specific and time-bound recommendations.** Country-specific recommendations should include specific targets, concrete actions to be taken by Member States, and deadlines for implementation. Input from civil society and other stakeholders should be systematically taken into account to help identify the most relevant and urgent priorities.
4. **Guarantee a transparent assessment of progress.** The report should assess more comprehensively the effectiveness of reforms going beyond Member States' reporting, and include benchmarks aiming at assessing the visible and measurable impact (outputs) of legislation or reforms adopted or started (inputs), in strengthened cooperation with CSOs, independent experts and NHRIs. The role of the EU Fundamental Rights Agency (FRA) should be strengthened to allow for comprehensive assessment of civic space developments in Member States.
5. **Ensure continuity between recommendations and sanctions.** Persistent non-compliance with country-specific recommendations (CSRs) should trigger the use of instruments from the Rule of Law toolbox through a clear and predictable mechanism, whereby defined thresholds lead to appropriate follow-up action. Particular priority should be given to addressing the most serious and time-sensitive violations, ensuring responses are both proportional and timely.
6. **Establish a mechanism for civil society, media, and human rights defenders to continuously report violations on the ground** and develop a fast-track process at EU level to respond early and consistently when the backsliding of rule of law and democracy escalates in a country.
7. **Develop EU guidelines for preventive and responsive action within the Rule of Law Toolbox to address emerging risks to civic space.** These should outline preventive actions that can be triggered by early warning signs or before new legislation is adopted, and both legal and non-legal EU measures to address civic space deterioration, including structured engagement with national authorities.

8. **Strengthen the Rule of Law conditionality mechanism in the next Multiannual Financial Framework 2028–2034.** Reinforce the link between the implementation of country-specific recommendations in the annual Rule of Law Report and the allocation of financial support under the EU budget. This strengthened conditionality should include safeguards to ensure that legitimate final recipients and beneficiaries are not penalised by the suspension of EU funds to national governments due to rule of law breaches.
9. To strengthen its commitment to upholding the rule of law, **the EU should implement systematic human rights and civic space impact assessment for all legislative and regulatory proposals** put forward by the European Commission.

## 2. Key pan-European developments and trends affecting civic space in 2025

We have identified multiple pan-European, horizontal trends regarding civic space in 2025 that should be included and addressed in the European Commission's 2026 Rule of Law Report. We have organised them according to the following elements of civic space: **a) freedom of association; b) freedom of assembly; c) freedom of expression; d) public participation; e) access to funding; and f) other elements.**

### a. Freedom of association

2025 saw a concerning trend of increasing legal and administrative restrictions on civil society organisations (CSOs), including obstacles to funding, burdensome reporting requirements, and attempts to expand state control. Notably, **Slovakia** attempted to introduce extensive reporting obligations for NGOs, including the mandatory public disclosure of donor information. At the same time, draft laws in **Belgium, Bulgaria, and the Netherlands** raised serious concerns due to their potential to stigmatise, restrict, or sanction civil society actors, including through broad and vague provisions targeting “extremism,” “foreign influence,” or transparency requirements. In **Bulgaria**, a Foreign Agents Registration Act was proposed to stigmatise individuals and organisations receiving foreign funding and restrict their access to public life; although rejected by parliament, it may be reintroduced in a similar form.<sup>2</sup>

These developments reflect a broader pattern of shrinking civic space, characterised by the stigmatisation of civil society and the normalisation of restrictive frameworks at both national and EU level. Combined with an increasingly challenging funding environment, including conditional funding and reduced access to resources, these trends significantly undermine the ability of civil society to operate and fulfil its watchdog role across the Union.

### b. Freedom of assembly

The European Commission has never made an explicit recommendation related to freedom of assembly, yet it remains an urgent issue in most Member States with a clear pattern of violations, from restricting individual protests and stigmatising protesters to the excessive use of force and new legislation limiting the right to protest.<sup>3</sup>

2025 saw an alarming trend of normalisation of repressive laws, strategies and practices to criminalise peaceful protest movements. Several governments have not only maintained existing restrictive legislation but also introduced new laws that further

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<sup>2</sup> Civil Liberties Union for Europe, “[Liberties Rule of Law Report 2026](#)”.

<sup>3</sup> Civil Liberties Union for Europe, “[Liberties Rule of Law Report 2026](#)”.

constrain peaceful assembly, ranging from bans on LGBTQIA+ events in **Hungary, Romania, Estonia and Turkey**, to the use of emergency orders and tougher security measures in the **Netherlands, Italy and Spain**.<sup>4</sup>

The use of excessive force, arbitrary detentions, harassment, surveillance and intrusive police practices has been documented in several states such as **Austria, Belgium, Bulgaria, Cyprus, Denmark, France, Italy, Netherlands, Portugal, Serbia, and Spain**. In particular, the Palestine solidarity, climate justice and other social justice movements have faced disproportionate restrictions on the right to protest.<sup>5</sup>

### c. Freedom of expression

#### *Censorship*

Laws censoring LGBTI content are still in application in **Hungary and Bulgaria**, while similar provisions have been considered in **Albania and Turkey** in 2026.

#### *Access to information*

In 2025, access to information continues to be restricted in many Member States through delays, weak enforcement, or institutional practices, as well as through a failure to comply with access to information requests, particularly from journalists.

A particularly concerning trend is the extension of freedom of information obligations to NGOs receiving public funding. Under this approach, adopted in **Slovakia** and proposed in **Romania's** draft Administrative Procedure Code, organisations are required to respond to information requests in the same way as public authorities. This creates significant administrative burdens, enables targeted harassment of watchdog organisations, and risks restricting freedom of association.

#### *Attacks on journalists*

Of key concern is the uptick in harassment and physical attacks against journalists, with increased levels of incidents reported in **Bulgaria, Croatia, Italy, Slovakia and the Netherlands**.<sup>6</sup> Strategic Lawsuits Against Public Participation (SLAPPs) are widely used across the bloc (see the section on public participation).

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<sup>4</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>5</sup> European Civic Forum, "[Civic Space Report 2026](#)".

<sup>6</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

#### d. Public participation

##### *Strategic Lawsuits Against Public Participation (SLAPPs)*

Strategic Lawsuits Against Public Participation (SLAPPs) continue to threaten journalists and media outlets, civil society organisations, individual activists, and human rights defenders, despite the requirement for Member States to transpose the EU Anti-SLAPP Directive by May 2026. Progress in transposing the Directive has been slow and rarely goes beyond the minimum EU safeguards, with domestic cases often not included. As a result, the use of SLAPPs is still widespread in a significant number of Member States, with cases reported especially in **Croatia, Greece, Ireland, Italy, Malta, Poland, Romania, Slovakia and Slovenia**. Despite the scale of the problem, the European Commission issued only one recommendation on SLAPPs in 2025. On a positive note, SLAPP cases from public entities have decreased in **Poland**.<sup>7</sup>

##### *Participation and structured involvement of organised civil society*

In 2025, participation through public consultation and structured dialogue remained uneven across Europe, with shrinking opportunities to engage in decision-making processes. Evidence from several countries shows that participation is often inconsistent, time-constrained, and in some cases effectively limited rather than systematically guaranteed. In some cases, ongoing attacks against CSOs discourage their active participation.<sup>8</sup>

Fast-track legislative processes have been commonly used and increasingly normalised in many Member States, including **Bulgaria, Croatia, the Czech Republic, Denmark, France, Estonia, Greece, Hungary, Italy, Malta, Slovakia and the Netherlands**, further limiting opportunities for engagement and undermining the transparency of the lawmaking process.<sup>9</sup>

There are also growing concerns regarding the right to participation at the EU level. Civil society has expressed serious concerns about the EU's deregulation agenda and its impact on participation in EU policymaking processes.<sup>10</sup>

#### e. Access to funding

2024 saw a significant deterioration in the funding environment for CSOs across the Union, partly as a consequence of funding cuts to the U.S. humanitarian assistance and

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<sup>7</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>8</sup> European Civic Forum, "[Civic Space Report 2026](#)".

<sup>9</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>10</sup> European Civic Forum, "[Civic Space Report 2026](#)".

development support under the Trump administration. This was echoed in the European Union Agency for Fundamental Rights civic space consultation, where 85% of respondents reported that funding concerns threaten some, most, or all of their work, and 44% experienced unexpected funding cuts in 2024.<sup>11</sup>

This trend continued in 2025, with changes to funding rules, restrictive legislative proposals, and instances of funding withdrawals documented in several states, including **Belgium, Czech Republic, Denmark, France, Hungary, Spain, and at EU level**. In several countries, including **Bulgaria, Czech Republic, Hungary, Netherlands, Slovakia** and the **Western Balkans**, foreign funding of civil society was increasingly targeted under the guise of transparency, either through negative rhetoric portraying organisations as “foreign agents” or through legislative proposals commonly referred to as Foreign Agents laws. Restricting, conditioning, or withdrawing public funding of CSOs has particularly affected organisations engaged in advocacy, especially where such work is critical of government policy or addresses politically sensitive issues.<sup>12</sup>

At the EU level, the legitimacy of EU funding for NGOs engaged in advocacy has been increasingly questioned, reinforced by narratives promoted by right and far-right groups that foster an atmosphere of unwarranted suspicion towards civil society actors. In 2025, a dedicated Scrutiny Working Group (SWG) was established within the CONT Committee of the European Parliament. While the SWG is officially aiming to address supposed issues relating to the transparency of EU funding to NGOs, its goal to fuel a ‘witch-hunt’ against watchdog NGOs has increasingly become evident.<sup>13</sup>

## f. Other elements

### *Criminalisation of migration and solidarity*

In 2025, at least 110 individuals faced judicial proceedings for acting in solidarity with migrants in the EU. In addition to these cases, at least 11 CSOs and other entities have been subject to administrative fines and sanctions. Moreover, in 2025, at least 33 cases of non-judicial harassment - such as intimidation and smear campaigns that targeted both individuals and civil society actors - were documented.<sup>14</sup>

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<sup>11</sup> European Union Agency for Fundamental Rights, “[Summary of key findings from FRA's civic space consultation covering 2024](#)”.

<sup>12</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>13</sup> Euobserver, “[Why rightwing inquiry into Europe's NGOs was never about transparency](#)”.

<sup>14</sup> Platform for International Cooperation on Undocumented Migrants, “[Criminalisation of solidarity with migrants in the EU - 2025 report](#)”.

### *Surveillance and data gathering*

Across Europe, governments are expanding monitoring and data gathering powers – often facilitated by surveillance technologies - which are increasingly shaping the environment in which civic actors operate. Documented cases across countries, including **Estonia, France, Finland, Netherlands, North Macedonia, Italy, Romania, Serbia, Spain**, show that such tools have been used to monitor civic activism, watchdog organisations, investigative journalism, and public dissent. Another concerning form of surveillance impacting civil society regards police infiltrations.<sup>15</sup>

### *Ombudspersons, national human rights institutions (NHRIs), equality bodies*

Ombudspersons, national human rights institutions (NHRIs), equality bodies and other independent authorities that exercise non-judicial legal oversight over the political branches play an important role in defending the rule of law and ensuring a strong civic space. While in its recommendations the Commission has been focusing on the absence of independent human rights and ombudsman institutions in several Member States, namely **Italy, Malta and Romania**, it failed to address actions that undermined existing institutions, such as funding cuts or irregular appointment procedures.<sup>16</sup>

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<sup>15</sup> European Civic Forum, "[Civic Space Report 2026](#)".

<sup>16</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

### 3. Snapshot of civic space and fundamental rights in 2025

Civic space across Europe continued to deteriorate in 2025, with increasing signs that restrictions on civil society actors are becoming more structural and embedded in law and practice. Rather than isolated developments, these trends reflect a broader and sustained narrowing of the enabling environment for civil society, human rights defenders, and civic participation across the Union.

These dynamics are reinforced by the interaction between national and EU-level developments, where measures across different policy areas risk compounding one another and normalising constraints on civil society activity. While the EU has taken steps to strengthen engagement with civil society, these coexist with policy choices that may inadvertently reinforce restrictive trends, underscoring the need for a more coherent and consistent approach to protecting civic space across all areas of EU action.

The following sections present a non-exhaustive overview of countries where relevant new or persistent issues related to civic space have been identified, based on the collective assessment of the report contributors. The overview is organised as follows:

- a. **Countries with no or limited progress.** Countries where core issues remain unaddressed or have been addressed only to a limited extent.
- b. **Early warning countries.** Countries where emerging risks to civic space have been identified, including early signs of legal, political, or administrative developments that could have a negative impact if left unaddressed. While these developments have not yet led to sustained deterioration, they indicate a potential downward trend requiring close monitoring and preventive action.
- c. **Countries with an escalation of attacks on civic space.** Countries where there is a rapid intensification of restrictive measures, including increased pressure on civil society organisations, human rights defenders, journalists, or peaceful protesters. These developments reflect an accelerating deterioration of the enabling environment for civic participation, fundamental rights and the rule of law.
- d. **Countries facing serious challenges.** Countries experiencing significant and/or sustained restrictions on civic freedoms, including limitations on the right to peaceful protest and the defunding or delegitimisation of critical civil society organisations, without reaching systemic levels.
- e. **Countries with structural challenges.** Countries facing deep-rooted and compounded threats to civic space, embedded in cumulative, interacting legal,

policy, and institutional frameworks, affecting multiple dimensions of civic space. In these countries, civic space is actively being dismantled.

- f. **Countries under Article 7 procedure.** This is a country where Article 7 of the Treaty on European Union has been triggered due to systemic and persistent breaches of EU values, including rule of law and democracy, with civic space subject to severe and ongoing restrictions.

### a. Countries with no or limited progress

#### *Poland*

In Poland, the government has tried to restore key elements of the rule of law; however, the limited progress so far shows how challenging and fragile it can be to restore compromised institutional independence.<sup>17</sup>

Legal frameworks in Poland formally protect civic space, but in practice shortcomings persist, partly reflecting the legacy of political pressure in previous years. While most civil society organisations (CSOs) report no direct or unlawful interference with their work, certain sectors continue to face significant constraints. This is particularly the case for organisations providing legal and humanitarian assistance to migrants at the Polish–Belarusian border, where restrictive conditions and the risk of criminal sanctions against activists have a chilling effect on their operations. Concerns also remain regarding the proportionality of law enforcement responses to protests, especially those linked to climate activism and acts of civil disobedience such as road blockades.

At the same time, some positive developments were recorded. On 20 April 2025, the last remaining “LGBT-free zone” in Łańcut was abolished, marking the end of a practice that had seen around 100 local authorities adopt such declarations between 2019 and 2023 before courts deemed them unconstitutional.<sup>18</sup>

### b. Early warning countries

#### *Austria*

In 2025, civic space in Austria showed signs of increasing pressure despite a generally stable institutional framework. Civil society organisations highlighted a more hostile political climate, including rhetoric portraying NGOs as partisan or externally influenced

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<sup>17</sup> Civil Liberties Union for Europe, “[Liberties Rule of Law Report 2026](#)”.

<sup>18</sup> Human Rights Watch, “[Poland Ends ‘LGBT Free’ Zones](#)”.

actors, contributing to declining trust and polarisation. Concerns were also raised about restrictions affecting certain groups, including legislative measures seen as discriminatory and stigmatising, such as policies impacting religious expression. At the same time, structural issues persisted, notably limited transparency and longstanding barriers to access to information, although reforms - including the entry into force of a new Freedom of Information Act - aimed to address these shortcomings.

Civil society further pointed to challenges in participation, including insufficient involvement in policymaking processes and constraints linked to funding and administrative burdens. Overall, while fundamental freedoms remained protected, the environment for civil society became more contested and uneven.

### *Denmark*

In 2025, pressure on civic space was driven by political discourse and administrative practices rather than formal legal restrictions. Certain civil society organisations, especially those working on minority rights, climate activism, and Palestine solidarity, were portrayed as illegitimate or “anti-democratic”. Policing of demonstrations which are deemed “politically sensitive” also raised concerns, with several incidents of excessive force or large-scale detentions.

Civil society funding is unstable, and some organisations who have taken critical stances against the government faced threats of being defunded. For example, a coalition of right-wing political parties called for the public funding of ActionAid Denmark to be revoked for its work on Gaza. Online harassment and smear campaigns targeted activists working on climate, gender, and Palestine-related issues, thereby contributing to a more hostile public climate.<sup>19</sup>

Despite strong formal structures and several positive examples, civil society participation in decision-making has also been subjected to formal restrictions, untransparent systems, and discursive marginalisation.

### *Latvia*

Civic space in Latvia remained formally open in 2025, with small improvements in civic participation and access to funding, but was marked by growing political polarisation and repeated pressure on civil society, journalists and independent media. The year saw significant mobilisation in response to attempts to restrict rights and weaken democratic

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<sup>19</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

safeguards, most notably mass protests against a proposed withdrawal from the Istanbul Convention, which was ultimately halted following strong public pressure. Civil society also pushed back successfully against proposals to liquidate the Society Integration Foundation, a key support mechanism for civil society. However, the proposal itself marked a dangerous trend in which cuts to civil society funding are used against critical CSOs.<sup>20</sup>

Structural concerns persisted around civic participation, safety of civic actors and freedom of expression. There has been an increase in hate speech, smear campaigns against CSOs, and signs of self-censorship risks for activists and journalists, even as civic engagement expanded through protests, dialogue mechanisms and a growing civil society sector. Overall, Latvia's civic space remained stable but fragile: the formal legal framework protects civic freedoms, but in practice growing political polarisation, administrative obstacles, and fragile and unstable financial landscape for civil society persist.<sup>21</sup>

Among the positive developments, in 2025 the government approved the draft 'Law on the Protection of Persons Engaged in Activities in the Public Interest', aimed at strengthening the protection of journalists, researchers, civil society organisations and activists against strategic lawsuits. The draft law requires adoption by the Parliament.<sup>22</sup>

### *Portugal*

Despite its "open" rating,<sup>23</sup> there has been a substantial deterioration in civic freedoms in Portugal, warranting the need for early intervention. Freedom of association is increasingly constrained by restrictive migration and nationality reforms, administrative dysfunction, and systemic funding insecurity. These structural barriers disproportionately affect migrants, racialised communities, grassroots groups, and organisations working closely with vulnerable people.

Selective enforcement of laws on peaceful assembly, disproportionate fines, excessive police force, and repeated data-protection violations against protesters have restricted protest rights and created a chilling effect on civic mobilisation, especially for climate, anti-racism and Palestine solidarity movements. This occurs within a context of rising

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<sup>20</sup> European Civic Forum, "[Civic Alliance Latvia: Latvia's Civil Society Under Threat Amid Attempts to Undermine Democratic Processes](#)".

<sup>21</sup> Latvijas Pilsoniska Alianse, "[Latvijas pilsoniskās sabiedrības monitoringa un pilsoniskās telpas ziņojums](#)".

<sup>22</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>23</sup> Civicus Monitor, [Portugal](#).

far-right influence, disinformation campaigns, and increased hate crimes, weakening civic action, collective organisation, state accountability, and public participation.<sup>24</sup>

### c. Countries with an escalation of attacks on civic space

#### *Belgium*

In Belgium, 2025 marked a turning point in the deterioration of the environment in which civil society can operate, following the formation of a new federal government and the introduction of several measures restricting freedom of association.

Particularly concerning is the “Draft Bill on the administrative prohibition of associations or de facto groups constituting a serious and present threat to national security or the sustainability of the democratic and constitutional order”. If adopted, it would allow the executive to administratively dissolve associations or collectives on the basis of intelligence reports and without judicial oversight, drawing on a model similar to France’s so-called “separatism law”. In September 2025, the Federal Institute for Human Rights warned that the draft would have a disproportionate impact on freedom of expression and association and could create a chilling effect on civil society. Earlier, in June 2025, the Institute already highlighted “the gradual reduction of the space available to people in Belgium to express themselves freely, demonstrate and participate fully in democratic life”.<sup>25</sup>

Increasing hostility towards civil society has translated into restrictions on public funding. In the Dutch-speaking region, CSOs critical of government policy faced budget cuts despite positive prior assessments by relevant authorities.<sup>26</sup> In the Wallonia-Brussels Federation, subsidies were withdrawn from organisations considered close to political parties,<sup>27</sup> reflecting a broader trend of imposing neutrality on civil society and equating civic engagement with partisan activity, which raises concerns for pluralism as a cornerstone of democratic life. Moreover, the federal government’s decision to reduce the tax deductibility of donations to non-profit organizations may lead to a decrease in private contributions, potentially exacerbating the financial strain on organizations

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<sup>24</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>25</sup> Federal Institute for the protection and promotion of Human Rights, “[FIRM sounds the alarm in its annual report: the right to protest under pressure](#)”.

<sup>26</sup> De Standaard, [Flemish government cuts subsidies to left-wing non-profit organisations due to ‘violent extremism’](#); MO, “[Six organisations appeal to the Council of State against subsidy cuts](#)”.

<sup>27</sup> Federation of Employers in the Continuing Education and Adult Training Sectors, “[In a democracy worthy of the name, no authority can decide which voices can be silenced!](#)”.

already operating with limited resources.<sup>28</sup>

### *Czechia*

The first months of Andrej Babiš's new government, in power since January 2026, indicate a systematic weakening of the rule of law. The Prime Minister downplayed his conflict of interest, while his immunity was prioritised over legitimate criminal proceedings. At the same time, proposals to dismantle public media were introduced, accompanied by verbal attacks on journalists, and standard legislative procedures were bypassed through individual parliamentary initiatives.

The coalition programme also includes several concerning measures affecting civil society organisations, such as monitoring foreign funding, restricting political activities, and increasing administrative burdens. A draft law on the “registration of entities with foreign ties” drew significant criticism and, although not formally submitted, has been shelved following internal tensions and public criticism.<sup>29,30</sup> These recent developments signal early warning signs of an escalation of attacks on civic space and the rule of law. Without proactive intervention, the government's announced plans risk leading to a rapid deterioration of the rule of law.<sup>31</sup>

While some positive steps were taken in 2025 to enhance participation, including guidelines for CSO involvement, these remain non-binding. The funding environment continues to be unstable, administratively burdensome, and largely dependent on short-term grants.<sup>32</sup>

## **d. Countries facing serious challenges**

### *Germany*

In December 2025, CIVICUS Monitor downgraded Germany's civic space rating from “Narrowed” to “Obstructed”, citing the ongoing, widespread crackdown on the Palestine solidarity movement as one of the main reasons.<sup>33</sup> Police have repeatedly used excessive force against Palestine solidarity protesters, while CSOs have been subject to raids and

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<sup>28</sup> Mon ASBL, “[Coup dur pour les ASBL : la déductibilité des dons réduite à 30 %](#)”.

<sup>29</sup> Denik, “[Koalice tvoří zákon proti neziskovkám. Podílí se na něm Babišova poradkyně s proruskými názory](#)”.

<sup>30</sup> Novinky, “[„Ruský“ zákon proti neziskovým organizacím skončil pod stolem](#)”.

<sup>31</sup> Civic Space Watch, “[CZECH REPUBLIC: Draft “foreign agents” law shelved, but pressure on civil society remains](#)”.

<sup>32</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>33</sup> Civicus Monitor, [Germany](#).

funding cuts. This rating indicates that civic space in Germany is now heavily contested, with authorities imposing legal and practical constraints that limit the full enjoyment of fundamental rights.

The German government has failed to act on repeated recommendations by the European Commission since 2022 to adapt the tax-exempt status framework for non-profit organisations to address practical challenges posed by currently applicable rules. As a result, the legal framework governing “occasional political activities” by non-profit organisations remains unclear. This ambiguity has been instrumentalised by far-right actors such as the Alternative for Germany (AfD), which continues to report CSOs to tax authorities for alleged non-compliance with their non-profit status.

A draft law by the AfD parliamentary group “to prohibit the financing of political non-governmental organizations with public funds” was rejected. However, the proposal was subsequently referred to the lead Budget Committee for further consideration.<sup>34</sup> In addition, the CDU/CSU alliance has launched a parliamentary inquiry questioning CSOs' right to political activity.

### *The Netherlands*

2025 marked a further deterioration of civic space in the Netherlands, accelerating a trend of democratic backsliding already identified in previous years. Although the country has a generally enabling legal framework for civil society, 86% of CSOs surveyed in research commissioned by the National Human Rights Institute reported that conditions for their work have worsened over the past two years.<sup>35</sup>

Pressures on freedom of expression and peaceful assembly have intensified. Protest restrictions, law enforcement interventions, and narratives portraying environmental and other forms of activism as disruptive point to a more restrictive environment for civic mobilisation. Proposed measures include expanded surveillance powers, criminalisation of roadblocks, and the use of facial recognition technologies at protests.

Increasingly, political discourse has framed critical CSOs not as democratic actors and watchdogs, but as extremist or destabilising. Lobbying and public interest litigation are increasingly viewed as undesirable and are being constrained through funding frameworks, contributing to a more hostile environment marked by stigmatisation and rising online and offline intimidation.

Several legislative initiatives have further raised concerns. The draft Transparency Act, aimed at countering alleged foreign influence, was adopted by Parliament in April 2025,

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<sup>34</sup> Deutscher Bundestag, [“Umstrittene Staatsgel-der für Nichtregierungs-organisationen”](#).

<sup>35</sup> College voor de Rechten van de Mens, [“Jaarrapportage 2024-2025: Tegenspraak onder druk”](#).

raising concerns regarding vague definitions, discretionary powers, and risks of self-censorship. The Act was later rejected by the Senate in March 2026. However, the minister has announced it will explore a new instrument to counter malign foreign influence. Other pending proposals include legislation on removal of online content that raises concerns about legal uncertainty, proportionality, and potential discriminatory application.

Despite these negative trends, some positive developments can be noted. Since 2023, the Dutch government has sought to reduce the regulatory burden on non-profits. In 2025, Parliament extended administrative impact assessments for new legislation to include non-profits and volunteers, helping to limit future burdens.<sup>36</sup>

Following the November 2025 elections, a new government took office in February 2026, potentially signalling a more enabling environment. In December 2025, Parliament adopted a motion calling for the inclusion of dialogue and information-sharing with policymakers as eligible activities under a forthcoming subsidy framework on clean and fair trade under the development cooperation budget.<sup>37</sup>

### *Spain*

Civic space in Spain in 2025 is rated as “Narrowed” by the CIVICUS Monitor.<sup>38</sup> Civic space has continued to deteriorate, driven by the persistent securitisation of activism, disproportionate policing, and the ongoing application of the Citizen Security Law (“Gag Law”). Despite a draft law to reform the Gag Law was put forward in 2024 to address civil society concerns, no reform took place in 2025. Grassroots, youth-led and rights-based movements, particularly those engaged in Palestinian solidarity, housing rights, and climate justice, have been disproportionately affected by police raids, judicial harassment, surveillance, and public stigmatisation. The normalisation of repression on protests, through police infiltrations and detentions, has generated a profound chilling effect on participation in social movements, and collective organising.

Of particular concern were three newly uncovered cases of police infiltration and covert surveillance in 2025, adding to at least nine similar cases documented since 2022. These recent cases involved officers using false identities to infiltrate environmental

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<sup>36</sup> Goede Doelen Nederland, [“Tweede Kamer stemt unaniem in met toets regeldruk voor goede doelen en vrijwilligers”](#).

<sup>37</sup> Tweede Kamer der Staten-Generaal, [“Motie van het lid Kröger c.s. over dialoog en informatiedeling met politici en andere beleidsmakers niet uitsluiten als subsidiabele activiteit”](#).

<sup>38</sup> Civicus Monitor, [Spain](#).

movements in Madrid,<sup>39</sup> Palestinian solidarity and independence-related movements in Barcelona,<sup>40</sup> and pro-independence activism in Lleida.<sup>41</sup>

Structural barriers continue to undermine the financial sustainability of civil society. Public funding remains short-term, project-based, burdensome, and inaccessible to small, grassroots organisations, reinforcing inequalities within the sector. Political contestation around the legitimacy of human rights, international solidarity, and advocacy work by civil society has further contributed to funding insecurity, defunding risks and self-censorship.

Although Spain has numerous participatory decision-making mechanisms on national and local levels, these remain formal rather than substantive, with marginal impact of civil society on decision-making processes.<sup>42</sup>

## e. Countries with structural challenges

### *Bulgaria*

In 2025, the Bulgarian legal framework for civil society maintained a formal alignment with European standards, yet the operational environment deteriorated into a state of acute institutional hostility. This regression was characterised by a persistent cycle of restrictive legislative initiatives, aggressive political rhetoric against minority groups and independent media, and a systemic breakdown in cooperation between state bodies and the non-profit sector.<sup>43</sup>

A primary driver of this tension was the repeated introduction of a Russian-style Foreign Agents Registration Act by the Revival Party (Vazrajhdane).<sup>44</sup> This proposal sought to stigmatise any individual or entity receiving more than €500 in cumulative foreign funding within a year by barring them from implementing activities in public institutions. In addition, it imposed restrictions on political rights and freedom of expression, prohibiting state-labelled “agents” from participating in political activities or actions which might influence the domestic or foreign policy of the country. Despite being

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<sup>39</sup> El Salto, “[Nieves, otra policía infiltrada en el movimiento ecologista de Madrid](#)”.

<sup>40</sup> Directa, “[Una policía española s’infiltra durant dos anys al moviment per Palestina i a l’esquerra independentista](#)”.

<sup>41</sup> Directa, “[Un policía español s’infiltra dos anys en l’activisme de Lleida](#)”.

<sup>42</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>43</sup> Civil Liberties Union for Europe, “[Liberties Rule of Law Report 2026](#)”.

<sup>44</sup> National Assembly of the Republic of Bulgaria, <https://www.parliament.bg/bg/bills/ID/165804>.

rejected in plenary sessions twice, the bill's frequent resurfacing created a permanent state of legal uncertainty for the civil society organisations.

In a further escalation, the Revival Party proposed amendments to the Pre-School and School Education Act introducing fines between €5,000 and €10,000 for foreign-funded CSOs engaging with students or faculty. These measures threaten EU-guaranteed freedom of association and risk breaching rules on the free movement of services and capital by stigmatising civil society based on funding sources. The bill did not reach a second reading during the reporting period.

Institutional harassment of civil society organisations peaked in November 2025 with the creation of an ad hoc parliamentary committee to investigate the foundations of George and Alexander Soros (Open Society Foundations), effectively using parliamentary mechanisms to intimidate independent actors.<sup>45</sup>

Following an August 2024 anti-LGBT propaganda law, a December 2024 bill further restricts trans people's rights by banning "non-conforming" gender content in schools and public spaces, penalising related speech, and criminalising gender-affirming care for minors. Still under parliamentary review in 2025, the proposal introduces vague definitions that risk arbitrary enforcement, censorship, and discrimination, potentially violating freedom of expression, equality, and broader human rights protections.

Media freedom remains under threat. After a slight improvement in 2024, Bulgaria once again ranked among the lowest EU countries in the Reporters Without Borders World Press Freedom Index in 2025.

### *France*

Civil society has documented a continued and systemic deterioration of the rule of law and civic space in recent years in France, which led to its civic space rating being downgraded from "Narrowed" to "Obstructed" by the CIVICUS Monitor in 2025.<sup>46</sup> While the European Commission's 2025 Rule of Law report noted some concerns raised by civil society, it failed to make recommendations on civic space. Specific actors, such as those working on anti-discrimination, migration, the environment, and Palestine solidarity, are facing hostile narratives – including from public authorities – as well as targeted and concerning attacks.

Concerns persist over the refusal or withdrawal of public funding, notably in connection with the "*Contrat d'engagement républicain*" (CER), which has been used to defund organisations deemed "too critical" or taking part in civil disobedience. More broadly,

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<sup>45</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>46</sup> Civicus Monitor, [France](#).

funding is increasingly used as a tool of political regulation, with subsidies withdrawn when associations challenge public authorities or engage in litigation. Civil society organisations have also reported new forms of financial pressure, including asset freezes and bank account closures.<sup>47</sup>

In parallel, the continued and expansive application of the so-called “separatism law” — which introduced new grounds for administrative dissolution of CSOs and collectives — contributes to a chilling effect on civil society. Demonstrations considered sensitive, such as those in solidarity with Palestine, feminist marches, and Pride events, have faced partial or total bans on public order grounds, some of which were later suspended by courts, reflecting the growing prioritisation of security imperatives over democratic pluralism.

Moreover, practices that were once rare are becoming more frequent, including instances where elected or administrative authorities openly signal their intention to disregard court rulings. These developments contribute to a broader shift towards a political environment in which proposals that risk breaching rule of law and fundamental rights standards are becoming increasingly normalised, undermining public trust in institutions in France and across the EU.<sup>48</sup>

### *Italy*

Italy’s civic space rating was downgraded from “Narrowed” to “Obstructed” by the CIVICUS Monitor in December 2025, due to a crackdown on protest rights and the state’s deployment of surveillance against civic actors.<sup>49</sup> The Italian landscape continues to be marked by an increased shrinking of civic space, in particular against activists, human rights defenders and civil society organisations committed to human rights, environmental and climate justice, LGBTQI+ rights, Palestine solidarity, and the right to housing. These actors have been subject to criminalisation, preventive measures, and legal proceedings within an increasingly repressive political climate.<sup>50</sup>

A central driver of this deterioration has been the series of so-called “security decrees”, which have progressively expanded throughout 2024–2026. Initially introduced as an ordinary bill and subsequently converted into an emergency decree — bypassing full parliamentary scrutiny — the first security decree introduced new criminal offences and significantly broadened police powers to restrict assemblies and public protest. This was

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<sup>47</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>48</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>49</sup> Civicus Monitor, [Italy](#).

<sup>50</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

followed in 2026 by additional decree amendments currently in force and further proposals under discussion that would extend penalties for participation in unauthorised demonstrations, increase administrative bans on protests in sensitive areas, and further expand preventive policing tools, including digital monitoring of organisers. Taken together, these measures have significantly lowered the threshold for intervention against peaceful protest and reinforced a preventive approach to dissent.

These developments have been the subject of concern in assessments by international and regional organisations, including within the Council of Europe framework as well as UN Special Procedures, which have highlighted risks relating to proportionality, legal certainty, and safeguards for freedom of assembly under the ECHR. The European Commission's 2025 Rule of Law Report noted concerns raised by civil society over the new security law, but made no recommendations to repeal or amend it.<sup>51</sup>

Additionally, existing restrictive measures, including the NGO decree (2023) and the evolving Flows Decree framework (2026–2028) continue to hamper CSOs working on migrant rights and sea rescue operations. The 2024 “eco-vandalism” law has also had a sustained chilling effect on non-violent climate justice movements. Serious concerns also persist regarding the right to privacy following the Paragon spyware revelations, which exposed unlawful surveillance of activists and journalists.<sup>52</sup>

### *Slovakia*

Following the return to power of the coalition led by Prime Minister Robert Fico in late 2023, the government has progressively moved into a phase of structural deconstruction of the checks and balances that underpin a liberal democracy. As a result, the rule of law environment in Slovakia throughout 2025 has undergone an intentional and systematic transformation.<sup>53</sup>

The most critical development was the adoption of the 23rd Amendment package to the Constitution in September 2025. Among its provisions, the amendment to Article 7 asserted national sovereignty in a manner that directly challenges the primacy of European Union and international law and human rights obligations. The amendment package also introduced provisions that limit rights and equality for LGBTI persons, which run contrary to international standards and CJEU and ECtHR jurisprudence.<sup>54</sup>

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<sup>51</sup> European Commission, “[Rule of Law Report 2025](#)”.

<sup>52</sup> European Civic Forum, “[Civic Space Report 2026](#)”.

<sup>53</sup> Civil Liberties Union for Europe, “[Liberties Rule of Law Report 2026](#)”.

<sup>54</sup> ILGA Europe, Slovakia chapter, “[Our submission to the EC 2026 Rule of Law report](#)”.

Following its adoption, the European Commission opened an infringement procedure in November 2025 concerning the amended Article 7.

The government's rhetoric has increasingly portrayed independent institutions and NGOs as "foreign-funded political actors" obstructing the "sovereign will of the majority," reinforcing a hostile environment for civil society. This narrative was reflected in the legal framework in 2025, notably through the implementation in June of amendments to the law on non-profit organisations (the so-called "Russian law"), which introduced discriminatory transparency obligations, creating a pretext for administrative harassment by the public. Under these provisions, regulatory authorities were granted broad powers to audit organisations and impose heavy fines or even initiate dissolution based on vaguely defined requirements. In December 2025, however, the Constitutional Court declared the law unconstitutional.<sup>55</sup> In the same month, the Constitutional Court also suspended a law abolishing the independent Whistleblower Protection Office and a plan to replace it with a body under direct government control. In March 2026 the government pledged to repeal the fast-tracked law.

The persistent and unjustified reliance on fast-track legislative procedures, which limit opportunities for meaningful public and expert consultation, continued in 2025. Notably, 20% of laws adopted by parliament that year were processed under such expedited procedures.<sup>56</sup>

## **f. Countries under Article 7 procedure**

### *Hungary*

Hungary continued to pursue ever more regressive laws and policies, without any sign of change and despite increased scrutiny and the suspension of EU funds. From an already severely degraded baseline, further steps were taken to entrench the ongoing decline of the rule of law.

Regression was most pronounced in the media environment and in the system of checks and balances. Pressure on civil society intensified through the continued application of Act LXXXVIII of 2023 (the Sovereignty Protection Act), the proposed new transparency legislation, expanded biometric surveillance, and the 15th amendment to the Fundamental Law. This amendment introduced content-based restrictions on freedom of

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<sup>55</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

<sup>56</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

expression and facilitated broad limitations on freedom of assembly, including the systematic banning of LGBTI-related demonstrations.

The bans on Budapest and Pécs Pride were upheld by Hungary's highest court. Despite this, both events took place, leading to criminal investigations against the Mayor of Budapest and the organiser of the Pécs Pride. Despite calls from civil society, the European Commission has not taken legal action on the laws banning assemblies, nor did it request interim measures in the case of the 'Propaganda Law' (on which the assembly amendments were based), which would have prevented the government from utilising the law and adopting related legislation.

The state of danger regime was extended during 2025, allowing the continued use of fast-track law-making with minimal consultation.

The outcome of the April 2026 elections may lead to significant changes and a gradual restoration of the rule of law. However, given the consolidated decline over more than a decade, steps to undo the damage in a rule of law compliant manner will remain a major challenge.

On 21 April 2026, in a landmark CJEU judgment (C-769/22) in the infringement case concerning Hungary's anti-LGBTI amendments to its Child Protection Act, the Court found Hungary in violation of Article 2 TEU and several provisions of the EU Charter of Fundamental Rights, recognising that the breaches of EU law stemmed from systemic discrimination against LGBTI persons. It is therefore expected that the incoming government will implement this judgment by removing the discriminatory amendments from the Child Protection Act, as well as the related amendments to the Assembly Act restricting LGBTI-related public assemblies, which rely on the same legal basis.

#### 4. Country-specific recommendations on civic space and fundamental rights

The following section presents civil society proposals for country-specific recommendations on civic space and fundamental rights, addressed to the authorities of the Member States concerned. These proposals aim in particular to address key aspects of civic space and fundamental rights that are not covered in the European Commission's country-specific recommendations.

While some recommendations are newly introduced in response to recent developments, the majority have been repeatedly put forward by civil society over several years. This reflects both the persistence of underlying issues that remain insufficiently addressed and a continuing gap between civil society assessments and the recommendations issued by the European Commission.<sup>57</sup> This pattern mirrors a broader and concerning trend in the Rule of Law Cycle: despite several years of Commission recommendations, Member States have largely failed to translate them into tangible reforms.

This lack of progress has also been highlighted in resolutions adopted by the European Parliament on the Commission's annual reports, as well as in civil society evaluations of their implementation.<sup>58</sup> According to the Civil Liberties Union for Europe (Liberties), which assessed 100 country-specific recommendations issued by the European Commission in 2025, 61% showed no or limited progress, 13% indicated backsliding, and none were found to have been fully implemented.<sup>59</sup> Together, these findings point to structural shortcomings in the effectiveness of the current approach to addressing rule of law and civic space challenges.

A cross-cutting recommendation for all Member States concerns the timely and effective transposition of the EU Anti-SLAPP Directive, due by May 2026. Member States should ensure that transposition provides robust protections, including early dismissal mechanisms, safeguards against abusive litigation costs, and effective remedies for victims, in line with its objective of protecting freedom of expression and civic participation.

##### **Austria**

- Refrain from targeting peaceful protesters and activists through legal and other means and respect the right to peaceful assembly. While an independent body to investigate allegations of police violence was set up in 2023, action is still needed

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<sup>57</sup> See, for example, Civil Society Europe's Joint Civil Society Contribution from [2023](#), [2024](#) and [2025](#).

<sup>58</sup> European Civic Forum, "[Civic Space Report 2026](#)".

<sup>59</sup> Civil Liberties Union for Europe, "[Liberties Rule of Law Report 2026](#)".

to strengthen its effectiveness and ensure that police misconduct is addressed with appropriate measures.

- Prioritise establishing and systematising structured civil dialogue to ensure open, inclusive, ongoing and transparent participation of civil society at all stages of the policy- and decision-making processes.
- Ensure sustainable core funding for civil society organisations to support their long-term stability and independence, while reducing bureaucratic burdens by harmonising funding procedures, including through unified application and reporting requirements or a centralised funding body.

### **Belgium**

- Drop the draft bill on the administrative prohibition of legal persons, unincorporated companies, associations or de facto groups posing a serious and present threat to national security or the sustainability of democratic and constitutional order.
- Guarantee that human rights defenders are not subject to any forms of attacks and intimidation and, when such cases occur, ensure they are investigated efficiently and the perpetrators are held to account.
- Ensure sustainable and adequate funding for civil society organisations and refrain from any financial reprisals against those expressing criticism of authorities at the regional, community or federal level.

### **Bulgaria**

- Refrain from introducing FARA-type legislation that stigmatise civil society and ensure the immediate termination of practices that target and discredit CSOs receiving foreign funding, including the disbanding of the parliamentary committee on “Soros-funded” entities.
- Improve the accessibility of CSO registration procedures by ensuring that the Registry Agency provides clear and user-friendly guidance for both civil society organisations and competent public authorities.
- Commit to structured civic engagement and long-term state support for civil society by adopting and implementing a Civil Society Development Strategy aligned with the EU Civil Society Strategy.

- Repeal the amendments to the Pre-school and School Education Act banning comprehensive sex education and information regarding LGBTI persons and stigmatising civil society based on funding sources. Refrain from introducing further legislation that introduces discrimination against and censorship of LGBTI persons.
- Adopt legislation regulating volunteering and strengthening support for civil society organisations working with volunteers.
- Guarantee the uninterrupted work of the Council for the Development of the Civil Society and provide it with administrative resources and a budget, ensuring the Council can carry out its lawful tasks in a timely manner.

### **Croatia**

- Adopt without further delay the National Plan for Creating an Enabling Environment for Civil Society Development, after transparent and open consultations with the public, especially civil society organisations.

### **Cyprus**

- Take concrete measures to end any legislation, policy or public narrative that encourages racism, hate speech, xenophobia and intolerance against migrants, refugees and racialised people in Cyprus. Develop and implement a National Action Plan Against Racism (NAPAR) as part of the EU Anti-racism Strategy.
- Ensure thorough, independent, impartial and prompt investigation of complaints presented by civil society organisations and activists regarding harassment, attacks, smear campaigns, and threats. Implement effective measures to ensure the safety of their employees, members and service users.
- Complete the process of amending the 2017 Law on Associations, Foundations and Other Related Issues to ensure that the Ministry of Interior or other relevant government officials do not retain executive powers to remove CSOs from the Register of Associations or prevent unregistered organisations from operating. Civil society should be meaningfully engaged in the revision process through improved communication and adequate consultation timelines. Without delay, give full effect to judicial rulings that find deregistrations under this law to be unlawful, and restore the registration of all organisations affected.
- Comply with international and regional standards on the right to freedom of association and the protection of human rights defenders, and in particular the

joint OSCE/ODIHR and Venice Commission Guidelines on Freedom of Association,<sup>60</sup> the OSCE Guidelines on the Protection of Human Rights Defenders,<sup>61</sup> the UN Declaration on Human Rights Defenders<sup>62</sup> and the recommendations of the Council of Europe NGO Expert Group.

- Despite amendments adopted in February 2026, Law 151(I) of 2025 on public gatherings and parades continues raising concerns with regard to its overall repressive character, which undermines freedom of assembly and the right to protest. The Law should be brought fully in line with international and European standards and the OSCE Office for Democratic Institutions and Human Rights' opinion.<sup>63</sup>

## Czechia

- Refrain from verbal attacks on CSOs and journalists, as well as from introducing new foreign agent bills or any other laws stigmatising civil society actors and imposing disproportionate administrative requirements on them.
- Fully implement the Strategy for Cooperation between Public Administration and NGOs (2021–2030), including dedicated state budget funding, capacity-building for participatory governance, and a long-term evaluation mechanism for public participation. Ensure systematic integration of participatory standards into law- and policymaking, including timely access to information and consultations, transparent stakeholder selection, feedback on input received, and strengthened regulatory impact assessment (RIA). Upgrade the e-Legislative portal to enhance consultation and public awareness functions, and establish a central competence centre for participation.
- Ensure that the law on the regulation of lobbying does not adversely affect the participation of experts and civil society actors in advisory bodies, and does not create stigmatisation or disproportionate administrative burdens.
- Amend legislation on state budget settlement to enable multiannual funding of subsidy programmes. Clarify rules for multiannual grants across public authorities, expand multi-year funding (particularly for social and health

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<sup>60</sup> OSCE, "[Joint Guidelines on Freedom of Association](#)".

<sup>61</sup> OSCE, "[Guidelines on the Protection of Human Rights Defenders](#)".

<sup>62</sup> United Nations, "[Declaration on human rights defenders](#)".

<sup>63</sup> OSCE, "[Urgent opinion on the law 151\(I\) of 2025 on public gatherings and parades of the Republic of Cyprus](#)".

services), and better align grant timelines with beneficiaries' cash-flow needs.

## Denmark

- Take urgent steps to ensure a safe and inclusive civic space by protecting CSOs, activists, journalists, and excluded groups - particularly LGBTQIA+ persons and ethnic and religious minorities - from discrimination, hate speech, harassment, and attacks online and offline, in line with European standards.
- Respect and guarantee the rights to freedom of expression and peaceful assembly in accordance with international human rights standards.
- Ensure full alignment between Danish legislation, international conventions, and relevant ECtHR case law.
- Urgently adopt a national civil society strategy, in line with the EU Civil Society Strategy, developed in close cooperation with a broad and diverse range of CSOs, to set out how civic space and fundamental freedoms will be protected and strengthened.
- Strongly reject political calls to defund civil society and establish predictable, transparent, and stable funding mechanisms. This should include expanding access to core funding, clarifying allocation criteria, and ensuring that access to public funding is not influenced by political alignment, litigation, or critical advocacy.
- Reform the public consultation system to ensure meaningful participation by CSOs, including longer deadlines, improved notification procedures, and clearer guidance, with particular attention to under-resourced organisations.

## Estonia

- Address the cuts of funding for CSOs and implement measures to ensure stable and transparent funding.
- The Police and Border Guard Board should refrain from practices that deter lawful protest, and ensure that any enforcement measures are necessary, proportionate, and non-discriminatory.

## France

- Amend the law “on the respect of the republican principles” (the so-called “separatism law”) by repealing the Contrat d’engagement républicain and provisions in the Internal Security Code allowing administrative dissolution of associations on vague grounds. Any restriction on associations must be proportionate and subject to judicial oversight, to prevent chilling effects on civil society.
- Strengthen legal and policy frameworks to protect civic space and fundamental rights by ensuring that associations can operate freely without undue administrative restrictions, discriminatory exclusion from public forums or events, conditional funding mechanisms that undermine autonomy, or arbitrary dissolution.
- Strengthen the mechanisms monitoring and sanctioning abuses in relation to the application of secularism and guarantee the effectiveness of freedom of conscience and the neutrality of public institutions, thereby ensuring equal and protective treatment of all citizens, regardless of their religious beliefs or lack thereof.
- Strengthen legal protections that guarantee the right to peaceful assembly and civic engagement to address disproportionate policing or administrative measures against peaceful protestors, ensuring prompt, impartial and effective investigations into allegations of police violence, and providing effective access to remedies for victims.
- Ensure that emergency and extraordinary investigative or enforcement powers remain exceptional, proportionate, time-bound, and subject to full judicial oversight, and are not incorporated into ordinary law in ways that risk their normalisation.

## Germany

- Urgently uphold, respect, and facilitate the right to peaceful assembly and expression for everyone without discrimination, including the Palestine solidarity and climate movements, and urgently investigate instances of police brutality during protests to ensure accountability.
- Immediately stop the sweeping attacks on civil society, install structured civil dialogue with civil society actors and experts and formally recognise the political mandate of civil society and its stakeholders within the paradigm of deliberative

democracy.

- Clarify the application of the revised 'Repatriation Improvement Act' (Gesetz zur Verbesserung der Rückführung) adopted in 2024 regarding the criminalisation of solidarity with migrants and rescue operations. The revision allows for assistance to undocumented migrants to be penalised even when there is no financial benefit, and has raised concerns that certain forms of rescue, including of unaccompanied minors at sea, could be criminalised. Legal uncertainty and the lack of clear guidance risk discouraging NGOs and individuals from supporting migrants.
- Urgently reform the tax-exempt status of non-profit organisations to address the practical challenges posed by tax law, which de facto regulates most civil society organisations in Germany, in line with the recommendations of the 2025 European Commission Rule of Law Report.
- Urgently implement a substantial reduction in bureaucracy with immediate effect, including the elimination of superfluous registration and reporting requirements for civil society organisations.

## Greece

- Refrain from criminalising humanitarian actors, CSOs, and human rights defenders for assisting refugees and migrants. In particular, amend Law 5275/2026, which paves the way for criminalising humanitarian action by increasing penalties for NGO workers, broadening offences such as "facilitation of illegal entry or stay," and allowing NGOs to be removed from official registries upon prosecution alone, before conviction. Arbitrary registration requirements for NGOs working with refugees and migrants under the Ministry of Migration and Asylum need also to be removed.
- Revise the application of counter-smuggling legislation and fair trial guarantees to migrants identified as alleged boat drivers, often identified on the basis of faulty evidence or unreliable testimonies. Convictions are often issued after procedures characterised by lack of fair trial guarantees, such as lack of or inadequate access to legal aid, translation and alternative measures to prevent pre-trial detention.
- Replace all registries with one central registry and simplify requirements for the registration of associations, ensuring they are in line with European and international standards on the freedom of association.
- Ensure full accountability for the mass surveillance scandal, commonly known as

‘Predatorgate’.

## Hungary

- Urgently repeal the Defence of Sovereignty Act, the “Stop Soros” laws, the special immigration tax, and the “Transparency of Public Life” bill, which are obstructing civic space and hindering the operation of civil society.
- Urgently repeal the Act on the Protection of National Sovereignty (LXXXVIII of 2023) and dissolve the Sovereignty Protection Office.
- Implement without delay the April 2026 judgment of the CJEU in the infringement case concerning Hungary’s anti-LGBTI legislation, and urgently repeal the law banning public assemblies related to LGBTI topics, as well as the 2021 amendment to the Child Protection Act, which serves as its legal basis. In addition, all constitutional provisions that discriminate against LGBTI persons should be repealed.
- Refrain from imposing further bans on the right to peaceful assembly and expression, in line with international standards.
- Stop smear campaigns against CSOs working for democracy, rule of law and human rights. Publicly condemn all attempts by public actors to harass, stigmatise and defame human rights defenders advocating for fundamental rights.
- Refrain from abusing the special legal order and immediately eliminate the situation where the temporary state of emergency becomes de facto permanent.
- Ensure that there is funding transparency and equal access for all CSOs to state funding, including the National Cooperation Fund and Village and Town Civil Funds.
- The government should create and implement means and mechanisms of open, regular, and structured dialogue with all civil society actors.

## Italy

- Remove obstacles affecting civil society organisations and foster a safe and enabling civic space, in particular by urgently repealing the security decrees, NGO decree and Flows Decrees.

- Cease the criminalisation of SAR activities and remove the unjustified restrictions on NGOs' search and rescue operations introduced with Law 15/2023 and subsequent legislation, including limitations to a single rescue per mission and the assignment of distant ports for disembarkation.
- Effectively protect the rights to peaceful assembly, expression and protest by decriminalising dissent, avoiding increased penalties and new offences against activists, strengthening safeguards, and ensuring police accountability, including mandatory identification codes.
- Urgently launch an independent investigation into the use of Paragon spyware against activists, CSOs, and journalists, to hold perpetrators accountable, prevent the use of unlawful surveillance and respect the right to privacy.

### **Latvia**

- Strengthen efforts to protect civil society organisations and human rights defenders from hate speech, which has increased in Latvia's digital environment.
- Refrain from withdrawing from the Istanbul Convention and ensure that human rights protections are not weakened.

### **Lithuania**

- Allocate more funding to CSOs and ensure that funding programmes are transparent and foster a healthy environment for CSOs.

### **The Netherlands**

- Ensure the full protection of the right to peaceful assembly by refraining from unfounded or disproportionate restrictions, including excessive surveillance and intrusive policing practices, and by prioritising de-escalation and facilitation of protests. Authorities should uphold privacy rights, guarantee oversight and accountability for data collection (including through human rights and data protection impact assessments for biometric tools), avoid unjustified distinctions between types of protests, and establish effective, independent mechanisms to investigate allegations of police violence and misconduct, in line with Articles 3 and 5 of the ECHR.
- Refrain from introducing new foreign agent bills or any other laws imposing

disproportionate administrative requirements on NGOs and targeting legitimate advocacy activities. Cease harmful rhetoric and practices that stigmatise, delegitimise, or criminalise critical civil society actors and acknowledge their essential role.

- Secure sustainable and independent funding for CSOs by creating a National Democracy Fund, safeguarding favourable tax status (including ANBI), allowing advocacy activities within grants, and ensuring CSOs have resources to participate meaningfully in public consultations.
- Urgently develop a National Action Plan on Civil Society Space, building on existing national recommendations, the EU Civil Society Strategy, and Council Recommendation 2023/2836 on civil society participation.

## Poland

- Reforming public funding systems to ensure transparent procedures and sustainable, long-term financing. This should prioritise the institutional development of CSOs, guarantee support for watchdog organisations, human rights defenders, and advocacy activities at national and local level, and include incentives to strengthen individual and corporate philanthropy.
- Refrain from verbal attacks on civic activists and CSOs, cease the misuse of legal frameworks against them - particularly those providing humanitarian assistance and working on migration - and discontinue prosecutions of individuals peacefully exercising their rights. At the same time, introduce effective legal safeguards against hate speech, in line with relevant jurisprudence of the European Court of Human Rights.
- Continue to create an open and structured framework for civil society dialogue to ensure engagement and participation in decision-making processes, as well as financing of CSOs, including but not limited to minimum standards for public consultations.
- Ensure full transparency on the use of Pegasus spyware.
- Refrain from criminalising humanitarian assistance at the Polish–Belarusian border.

## Portugal

- Establish an independent mechanism to prevent and address institutional racism and unlawful use of force by law enforcement. Strengthen responses to hate crime and discrimination, ensure adequate resources and independence for the competent equality bodies, and implement a national strategy against racism and extremism in line with the EU Anti-Racism Strategy.
- Ensure the effective protection of the rights of marginalised groups, including migrants, LGBTQIA+ persons, and persons with disabilities, notably through equal access to services and full participation in civic life.
- Uphold the right to peaceful assembly and protest by revising Decree-Law No. 406/74, adopt strong data-protection protocols for protest notifications, and provide systematic training for law enforcement on protecting freedom of peaceful assembly, in line with international human rights standards.
- Increase transparency and public participation in decision-making, including by establishing permanent mechanisms for structured dialogue with civil society, removing administrative barriers and co-creating accessible participation tools with civil society and affected groups.
- Ensure a sustainable and enabling environment for civil society by introducing stable core funding schemes.

## Romania

- Ensure an enabling legal framework for civil society by revising Government Ordinance No. 26/2000 in a way that facilitates, rather than restricts, CSO activities. This includes scrapping amendments that limit access to justice, reducing bureaucratic burdens (including unnecessary registries), and preventing the misuse of laws or legislative proposals that undermine civil society's ability to carry out public interest work.
- Ensure predictable, transparent, and inclusive policymaking processes that enable meaningful participation of citizens and CSOs. This includes strengthening consultation mechanisms and replicating good practices for the selection of civil society representatives (such as the Votong.ro model) across participatory bodies.
- Systematically operationalise the EU Civil Society Strategy in national policies and funding frameworks, including through structured dialogue with civil society and the integration of civic space indicators.

- Reform Law No. 60/1991 on public assemblies to align with international standards, including protection of spontaneous assemblies. Cease discriminatory approaches towards the Pride march in Oradea, which has not been allowed to take place for the last two years, based on dubious administrative restrictions.
- Improve enforcement against hate speech and intimidation targeting civil society, including through a comprehensive transposition of the Anti-SLAPP Directive.
- Safeguard access to public-interest information by removing provisions that disproportionately restrict FOIA rights or impose undue obligations on CSOs.

## Slovakia

- Repeal the 23rd Amendment package to the Constitution that defies the supremacy of EU law and introduces discrimination against LGBTI persons.
- Refrain from introducing new foreign agent bills or any other laws introducing discriminatory transparency obligations, targeting legitimate advocacy activities and fuelling an overall hostile environment against civil society.
- Repeal Act 166/2024 Coll. on certain measures to improve the security situation in the Slovak Republic, which prohibits all gatherings within 50 metres of designated sites and expands the grounds on which assemblies can be banned, introducing vague and subjective criteria that make it easier for authorities to restrict peaceful gatherings.
- Reverse the abolition of the Special Prosecutor's Office.
- Refrain from the overuse and abuse of the fast-track legislative procedure, limiting it to when there are genuine grounds for its application, as provided for in Act No. 350/1996 Coll. on the Rules of Procedure of the National Council of the Slovak Republic.
- Reinstate funding to human rights organisations to ensure they are able to play the watchdog critical to a healthy democracy and desist from enabling smear campaigns against civil society.

## Slovenia

- Ensure sustainable and adequate funding for NGOs and address structural underfunding for advocacy work.

- Respect national provisions related to public consultations in the process of adopting laws and regulations.

## Spain

- Urgently reform the Law on Citizen Security (“Gag Law”) and related Penal Code provisions to fully safeguard freedom of assembly, expression, and association. This should include removing vague and discretionary offences (notably Arts. 36.6 and 37.4), ending the use of administrative sanctions as a deterrent to protest, guaranteeing the right to spontaneous assemblies, and aligning the framework with international standards, including the Venice Commission.
- End the misuse of criminal and administrative law against civil society, trade unions, and social movements, including the inappropriate application of terrorism, organised crime, hate crime, and public order offences to peaceful activities. Prevent judicial harassment and “punishment through process” by ensuring early dismissal of unfounded cases and introducing safeguards in line with the EU Anti-SLAPP framework.
- Ensure policing of assemblies complies with legality, necessity, and proportionality standards. Prohibit dangerous weapons such as rubber bullets, end unlawful surveillance and infiltration of social movements, and ban racial or political profiling, including through proper documentation of stop-and-search practices. Establish effective, independent mechanisms to investigate misconduct and provide remedies to victims.
- Prohibit or strictly regulate private coercive entities operating outside judicial oversight (e.g. forced evictions or intimidation), and ensure no cooperation or tolerance by law enforcement.

## Sweden

- Ensure that proposed legislation is in line with Sweden’s international obligations and protects rights enshrined in the European Convention on Human Rights and other international agreements that Sweden is a party to. Mandatory impact assessments could help achieve this.
- The government, particularly judicial and law enforcement authorities, must promote and uphold the rights to freedom of association and assembly. This includes abstaining from enacting legislation that in effect criminalises peaceful protests, and refraining from utilizing border control and immigration tools to

prohibit participation by non-Swedish citizens in peaceful protests.

- Ensure equal treatment of civil society organisations regardless of their focus or type of activities and adhere to national anti-discrimination laws in this respect, especially with regard to Muslim civil society organisations.
- The government must demonstrate its commitment to ensuring a robust civil society by safeguarding access to stable public funding.

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### About Civil Society Europe

Civil Society Europe (CSE) is the coordination of civil society organisations at EU level. Through its membership, CSE unites EU-level membership-based organisations that represent millions of people active in or supported by not-for-profits and civil society organisations across the EU. CSE was created by several civil society organisations as a follow-up to the European Year of Citizens and was established as an international not-for-profit under Belgian law in 2016. Since then, it has become the point of reference for EU institutions on transversal issues concerning civil dialogue and civic space.



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