

The EU Must Learn from its Work Abroad to Support Civil Society at Home

Pavel Havlicek

The coronavirus pandemic may be causing, some claim, the biggest shakeup of European and international affairs for decades. Hand in hand with the enormous public-health crisis comes not only the economic consequences but also severe limits to civil rights and fundamental freedoms. In this key moment of challenge for the liberal democratic order it is essential for the EU to empower civil society to cope with these immense problems. In particular, the EU institutions should draw lessons from their long experience in supporting civic actors in the eastern neighborhood to do the same in member states.

In the EU, its neighborhood, and elsewhere around the world, as the crisis has unfolded, civil society has frequently substituted for the state in taking immediate action and providing protection and public benefits to the most vulnerable groups. In the Czech Republic, for example, civil society organizations delivered protective gear and face masks to the elderly, the sick, and homeless people. In Slovakia, Poland, and other central and eastern European countries, civil society began to debunk disinformation about the coronavirus and spread truthful information. In Armenia, it has collected money for the state to buy medical equipment and properly respond to the crisis, while its Georgian counterpart collected food for the elderly or are helping local small and medium enterprises to survive the economic turbulence. But the rights and freedoms of civil society have also been substantially infringed by governmental measures to protect public health that at the same time take something away from citizens.

In many European countries, a balance has been struck between the two sides, but elsewhere the ruling elites have done everything possible to abuse the moment of national weakness for enhancing their control over the citizens endangered by the virus. In Hungary, Prime Minister Viktor Orbán managed to completely sideline the parliament and will now rule by decree for an unlimited time, defined vaguely as until the crisis ends. In Poland, the ruling coalition hastily reformed the electoral code with the aim to ensure President Andrzej Duda is re-elected. There have similar tendencies, particularly relating to the violation of freedom of speech and privacy caused by the online monitoring of citizens, elsewhere in Europe, including in Austria, Slovakia, Bulgaria, Slovenia, and other countries.

It is necessary to carefully watch the measures taken by European governments. Civil society will play a crucial role in this.

17 April 2020

It is therefore necessary to carefully watch the measures taken by European governments and to monitor their implementation—and, if necessary, to use checks and balances to counter these. Civil society will play a crucial role in this and, if given sufficient resources, it will also try to restore the normal state of play and democratic order in EU member states once the crisis is over. But for that, the EU institutions must play their part by empowering civil society to act and to reclaim the citizens' rights and freedoms back.

Turning the Focus Inward

In October 2019, the Council of the EU decided to update, after ten years, its Conclusions on Democracy, a strategic vision for engagement in this field. This decision was important for several reasons, and notably the fact that it acknowledged the necessity to tackle the issue of shrinking civic space and violation of human rights and fundamental freedoms as well as to increase EU support to international and local civil society, with particular attention paid to the issue of human-rights defense. This strategic document also reflected on the current challenges and effectiveness of the EU's tools and instruments supporting democracy in the world and particularly commended the work of European Endowment for Democracy in this area.

The EU's longstanding support to democracy and civil society externally is at a crossroads. The reasons include the recent change in the EU leadership, ongoing negotiations about the new Multiannual Financial Framework until 2027, or the increasing number of new challenges threatening democracy in the world, including in the digital sphere. All of this is also relevant in the context of the EU's domestic debate on democracy and rule of law, which is among the priorities for the new European Commission under President Ursula von der Leyen, and particularly Vice-President for Values and Transparency Věra Jourová. The recently announced European Conference on the Future of Europe—a process of deliberation on where the EU should develop in the future—is also charged to look into improving the state of democracy inside the union.

The new European Commission's goals for supporting the EU's fundamental values and civil society internally and externally are ambitious, maybe overly so. As concrete illustrations of this ambition, the EU Action Plan on Human Rights and Democracy 2020-2024, the EU "Magnitsky Act", or the European Democracy Action Plan, and the Rights and Values Programme are just some of the new initiatives in the offensive against democratic backsliding, the erosion of the rule of law, or the shrinking space for civil society at both levels.

Learning from Experience Abroad

As I argue in a forthcoming GMF paper, not only is it to a large degree artificial to separate the EU's policies inside and outside of its borders when it comes to the support of democracy and civil society, but there are also lessons from its record abroad for what could be done internally. The EU's experience with different support tools and instruments in its eastern neighborhood contains examples of good practice and innovative solutions that can be applied in member states too. What is more, many of the negative tendencies in the EU's eastern neighbors can be observed in member states too. This is true for the shrinking space for civil society, the silencing of independent media, or the pressuring political opposition and limiting pluralism. This is particularly the case in Hungary and Poland, but the same trends can be seen elsewhere too.

The EU's support to civil society actors, particularly in Ukraine, Georgia and Moldova, is in many respects inspiring, having used a rich toolbox and innovative solutions to back partners on the ground. The EU's holistic and multilevel support to civil society in Ukraine and its "smart conditionality" in Moldova provide

17 April 2020

concrete lessons. So does the work of European Endowment for Democracy—a flexible and risk-taking instrument outside of the control of governments—in helping a whole variety of pro-democracy actors in the neighborhood, including independent media, start-ups, or individual activists at risk. And so does the European Instrument for Democracy and Human Rights with, among other things, its support for human-rights defenders, something that is now completely missing in the EU.

There are also limits and challenges to the EU's actions abroad related to strategic vision, planning, and coordination when speaking with 27 voices in the foreign policy domain, since external relations remain among the competences of the member states. There is also the limited capacity on the side of the European Commission, from which stems the tendency to outsource numerous services but at the same time also its responsibility for daily implementation of the pro-democracy support and risk management as well as issues related to communication and situation awareness on the ground. With this comes also an occasional lack of differentiation and applying the same approach to completely different operational environments. From the shortcomings too, lessons can be learned and applied to the ongoing debate about how to support civil society in member states.

The planned Rights and Values Programme and the Democracy Action Plan are two instances where the experience from the EU's external action can be relevant and transferable. The EU should therefore ensure that the lessons it has learned in neighboring countries are not overlooked, because what is at stake is the state of democracy, human rights and the rule of law as well as other EU's fundamental values. Only through efficient cooperation of the EU institutions with civil society can these be properly upheld and fully restored after the coronavirus crisis.

The views expressed in GMF publications and commentary are the views of the author(s) alone.

About GMF

The German Marshall Fund of the United States (GMF) strengthens transatlantic cooperation on regional, national, and global challenges and opportunities in the spirit of the Marshall Plan. GMF does this by supporting individuals and institutions working in the transatlantic sphere, by convening leaders and members of the policy and business communities, by contributing research and analysis on transatlantic topics, and by providing exchange opportunities to foster renewed commitment to the transatlantic relationship. In addition, GMF supports a number of initiatives to strengthen democracies. Founded in 1972 as a non-partisan, non-profit organization through a gift from Germany as a permanent memorial to Marshall Plan assistance, GMF maintains a strong presence on both sides of the Atlantic. In addition to its headquarters in Washington, DC, GMF has offices in Berlin, Paris, Brussels, Belgrade, Ankara, Bucharest, and Warsaw. GMF also has smaller representations in Bratislava, Turin, and Stockholm.



Ankara • Belgrade • Berlin • Brussels • Bucharest
Paris • Warsaw • Washington, DC

www.gmfus.org