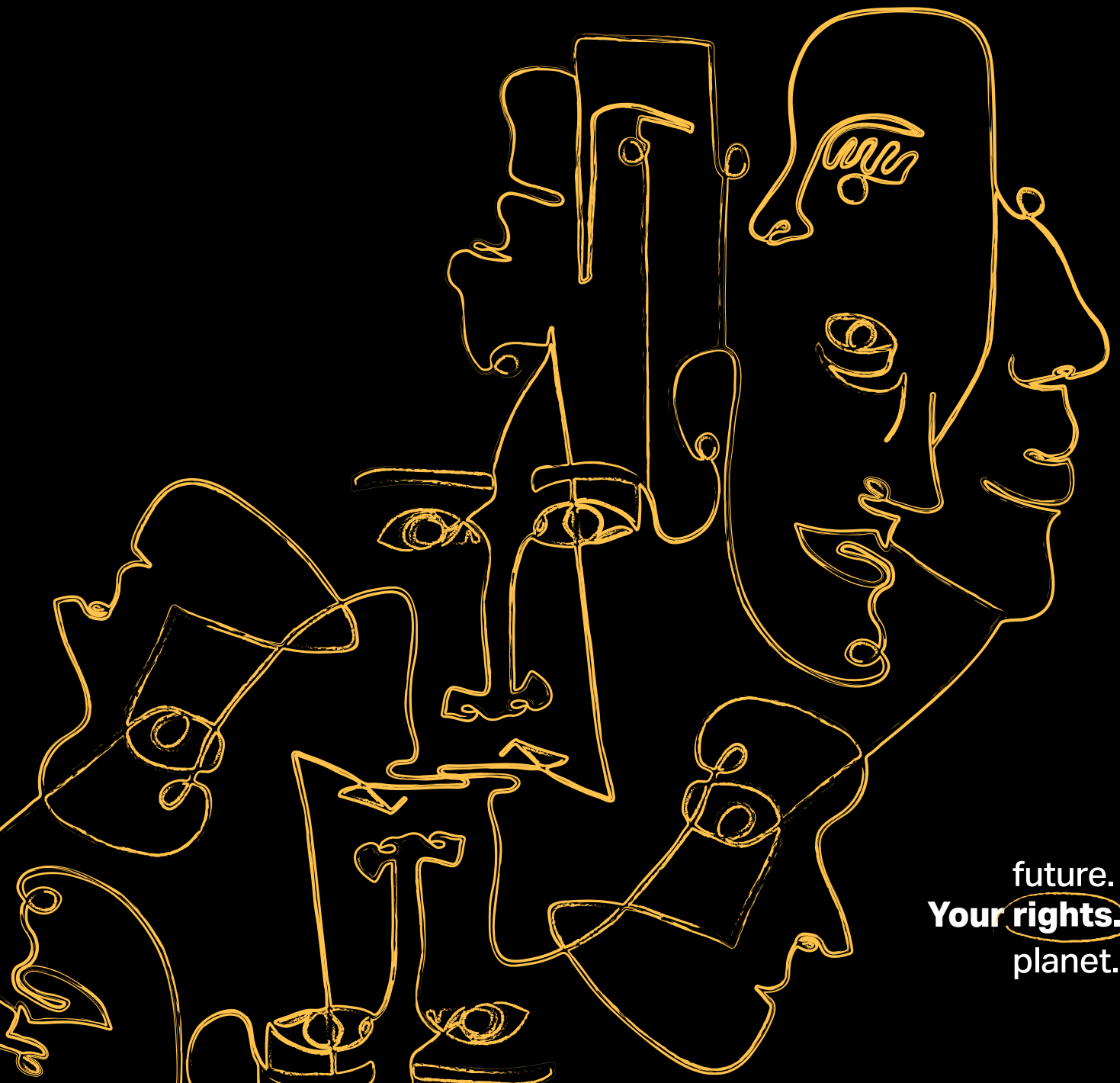


Threats to civic space.

Why we need to act now.

NOVEMBER 2025



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This policy paper is part of a ClientEarth series addressing the growing challenges posed by efforts to roll back environmental protections and restrict civic space in the EU. Attacks on, and lack of enforcement of, key legislative frameworks threaten the protection of people, the planet, and public health.

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Background

In response to the European Commission's June 2025 public consultation¹ and ahead of the publication of the EU Civil Society Strategy, this policy briefing by ClientEarth underlines growing and systemic threats faced by CSOs and offers concrete recommendations to ensure their protection, meaningful participation, and sustainable support across the EU – as the bloc's own law requires.

¹ ClientEarth, [EU Civil Society Strategy: ClientEarth contribution to the European Commission's Call for Evidence](#), September 2025.



01. The growing threats to civic space

Civic space in Europe is narrowing. The increasingly restrictive legal, regulatory, administrative and cultural environment significantly hampers CSOs' ability to operate freely. This is particularly alarming in a Union that presents itself as a global leader in human rights, the rule of law and environmental policy.

Legal and political restrictions

At both EU and national levels, CSOs are experiencing:

- **Shrinking legal space:** New laws and administrative practices curtail rights to be informed, protest and litigate, and the right to be recognised by and receive support from the EU and its Member State governments.
- **Exclusion from decision-making:** Fast-track legislation and limited consultations undermine public participation requirements agreed between the EU institutions.²
- **Barriers to access to justice:** Legal reforms in some Member States aim to block CSO litigation.

IN PRACTICE:

EU: The Commission recently conducted **selective "strategic dialogues"** often prioritising corporate voices over civil society input – this is notable in the 'Omnibus I' package³, in and the last rewrites of the Common Agricultural Policy (CAP).⁴

FRANCE: The **"Republican commitment contract" (contrat d'engagement républicain (CER))**, introduced under the "separatism law," makes public funding contingent on compliance with vague "republican values." This has been used to target and reduce funding to CSOs.

HUNGARY: The **Defence of Sovereignty Act** empowers authorities to investigate individuals and organisations critical of the government, posing a major threat to freedom of association.

POLAND: The government has passed hundreds of laws using **fast-track procedures** with **no public consultation**. One such law aimed to **block CSOs from filing cassation appeals** in administrative courts. It was only withdrawn after massive public outcry.

² The [EU's inter-institutional agreement on better law-making](#) and associated [Better Regulation Guidelines](#) set out procedures and requirements to facilitate public participation and science-based decision-making, agreed by the European Parliament, Council and Commission.

³ See our [Complaint to the European Ombudsman](#) (together with 7 other CSOs) on the maladministration of the Commission in the preparation of the 2025 proposal to amend the CSDDD as part of the Omnibus I package - Case [983/2025/MAS](#).

⁴ See our [Complaint to the European Ombudsman](#) (together with Birdlife) on how the European Commission prepared a proposal to amend legislation related to the Common Agriculture Policy - Case [1379/2024/MIK](#).

Intimidation, surveillance, and SLAPPs

There is a dangerous trend of criminalising peaceful activism across the EU.

- Environmental defenders are being **monitored under anti-terror laws**, targeted by **SLAPPs** (strategic lawsuits against public participation), and sometimes even **physically attacked**.
- Activists across Member States face **criminalisation of peaceful protest**, disproportionate police responses, and surveillance.

These attacks undermine fundamental rights and deter future engagement.

IN PRACTICE:

ITALY: Authorities have introduced the **"Ecovandalism" law**, imposing severe penalties on environmental activists. NGOs face surveillance, fines, and accusations of extremism.⁵

FRANCE: For the first time in a civil disobedience action, a young activist from **Last Renovation** was sentenced in September 2025 to **six months in prison** for spraying orange paint on the walls of the Prime Minister's office building in 2023.

ROMANIA: In May 2025, **Greenpeace Romania** faced a **dissolution lawsuit** from a gas developer in response to its opposition to the Neptun Deep project. The claim was later dropped on the day of the hearing, illustrating the chilling effect of legal intimidation.

EU: Between 2010 and 2023, **1,049 SLAPP cases** were filed in Europe, disproportionately targeting environmental defenders.⁶

Funding pressures

Public funding is essential for CSOs' survival, yet:

- CSOs are under intense strain, with **national budgets reduced and freezes on funding from international development agencies**.
- At EU level, NGOs are currently **experiencing unprecedented attacks, also coming from national media, some political groups or even countries**,⁷ on activities based on EU funding to the extent of questioning their legitimacy.
- **Cuts to EU programmes like LIFE risk defunding key environmental NGOs.** LIFE is the only EU's fund dedicated exclusively to achieving the EU's climate and environmental objectives. With the upcoming revision of EU's long-term budget plan (the Multiannual Financial Framework (MFF)), LIFE fund risks of being merged and its budget drastically reduced potentially leading to the collapse of part of the environmental NGO community in Europe.⁸ This comes after an intense opposition push, with funding agreements leaked to media outlets and attempted scandalisation of the vital work of CSOs.

6 CASE Report 2024, [A 2024 Report on SLAPPs in Europe: Mapping Trends and Cases](#), December 2024.

7 Politico article, [Hungary demands to see all European Commission contracts with NGOs](#), 25 February 2025.

8 ClientEarth press release, [EU budget sacrifices nature, undermining long-term European security and competitiveness](#), 16 July 2025.

IN PRACTICE:

EU: In 2024 and 2025, the European Commission adopted new guidance⁹ and statement¹⁰ to the Brussels-based **beneficiaries of the LIFE funding**, requested them to

review their grant contracts for 2024 (grants that were approved and signed earlier in the year considering the new guidelines). These guidelines directly **questioned the conditions under which environmental NGOs may engage in advocacy or lobbying within the framework of the LIFE Programme**.

In the last months, some national media outlets published articles that sought to **undermine the democratic nature of funding the European Union provides to civil society organisations**. These articles told an inaccurate story of the nature of NGO funding agreements, and suggests that civil society organisations do not make the decisions on their work.¹¹

In the European Parliament, there is also **significant political pressure to scrutinise NGO public funding**. Although there was no majority in favour of setting up a committee of inquiry on the subject, a working group was established in the budgetary control (CONT) committee, pushed by EPP group with support from right-wing parties.¹²

Weak institutional protection

While some protection mechanisms exist, such as the U.N. Special Rapporteur on Environmental Defenders or the EU Anti-SLAPP Directive, they are **underfunded, fragmented, or limited in scope**. Moreover, the lack of an EU-wide system to monitor and respond to attacks on CSOs makes early intervention difficult.

IN PRACTICE:

WORLDWIDE: 2,253 land and environmental defenders were killed or disappeared between 2012 and 2024¹³ - including 146 people in 2024 alone.¹⁴

As of September 2025, the Special Rapporteur on Environmental Defenders had received **95 complaints** since the establishment of his mandate in 2022. 79 were determined to be admissible and proceeded to the next steps in the complaints processing procedure.¹⁵

9 European Commission, Secretariat-General, [Guidance on funding for activities related to the development, implementation, monitoring and enforcement of Union legislation and policy](#), May 2025.

10 [Commission statement on the LIFE Programme](#)

11 ClientEarth press release, [ClientEarth responds to attacks on EU support to NGOs](#), 10 June 2025.

12 Euractiv article, [EU Parliament contemplates permanent body to monitor NGO funding](#), 17 June 2025.

13 Global Witness, [Roots of resistance: documenting the global struggles of defenders protecting land and environmental rights](#), September 2024.

14 Global Witness, [Missing voices: the violent erasure of land and environmental defenders](#), September 2024.

15 [ECE/MP.PP/2025/18](#), Report on complaints received and activities undertaken by the Special Rapporteur on environmental defenders, p. 8.



02. Why do we need to protect Civil Society Organisations?

Democratic values and legal obligation

Civil society organisations (CSOs) are essential pillars in any living and healthy democracy. CSOs are not just stakeholders, they are rights-holders and democracy enablers. As **advocates**, **watchdogs**, and **service providers**, CSOs uphold transparency, protect fundamental rights, ensure government accountability and give voice to underrepresented groups, including environmental and human rights defenders. They serve as the voice of nature, which cannot speak for itself. In short, CSOs act as counterbalance to concentrated power and help to turn public interest into public policy. This work is grounded in legal obligations.

CSO PROTECTION IN LAW:

Article 11 Treaty on the European Union (TEU): inclusive participation in all areas of EU action and open dialogue with civil society.

Aarhus Convention: access to information, participation and justice in environmental matters.

EU Charter of Fundamental Rights: freedoms of assembly, expression and association.

Guardians of the public interest and environmental democracy

CSOs play a vital role in **raising public awareness about critical issues**, including environmental and health protection. CSOs bring **scientific, legal, and social expertise to EU policymaking**, especially on cross-cutting issues like climate, biodiversity and pollution.

CSOs are instrumental in **safeguarding and promoting fundamental rights**, such as the right to participate in political decision-making, access to information and to justice. They empower citizens by helping them claim their rights and ensure they are represented in the political sphere. They raise public awareness and help communities access remedies.

Additionally, CSOs representing non-economic interests constitute an important counter-pressure to well-funded industry lobby.

IN PRACTICE:

EU: The LIFE programme represents operating grants for environmental CSOs amounting to EUR 15.6 million per year representing only 0.006% of the EU's total annual budget. Meanwhile, the 50 largest economic actors collectively have EUR 190 million euros at their disposal for lobbying (according to the 2023 transparency register).¹⁶

Recent research by Transparency International highlights this disparity: corporate lobbyists account for 67% of all meetings with the European Commission, while NGOs make up only 16%, demonstrating the significant imbalance in access and influence.¹⁷

¹⁶ LobbyControl report, [Disinformation, defamation and defunding: civil society under pressure](#), in German, p.9.

¹⁷ Transparency International EU, [New data, more corporate access? Integrity Watch EU update shows Commission leaves civil society in the dark](#), April 2025.



03. Calls for the upcoming EU Civil Society Strategy

In the face of shrinking of civic space and declining environmental safeguards in the EU, the upcoming EU Civil Society must not fail to ensure, protect and support people and CSOs to enjoy a safe and enabling civic space. If Europe fails, democracy and the rule of law as a whole are at risk.

Below you will find our main calls for the upcoming EU Civil Society Strategy, which are also based on our contribution to the related public consultation.¹⁸

1. Affirm a pro-CSO narrative

- Publicly **defend CSOs' legitimacy and increase public awareness** of their fundamental role at EU and national levels as representatives of the public interest and guardians of environmental democracy.
- Secure **institutional recognition of NGOs**, for instance by the adoption of a formalised inter-institutional agreement, grounded in Article 11 TEU, to ensure a more consistent, structured, inclusive, and impactful participation of CSOs throughout the policy-making process. This would ensure that civil society engagement is a genuine and integral part of decision-making.¹⁹
- **Counter disinformation and defamation** campaigns and narratives against civic space, human rights and environmental defenders.
- Prevent the **misuse of existing legislation and policies regarding public order** which could unnecessarily and disproportionately restrict civic space and lead to the criminalization of CSOs, lawyers, human rights and environmental defenders.²⁰

2. Ensure transparent, fair and equitable access to decision-making

- Strengthen, harmonise and ensure an effective application and protection of **Aarhus rights** in all Member States in line with the latest findings and advices of the Aarhus Convention Compliance Committee.²¹
- Fully **respect Better Regulation principles and the principles of good administration** in EU decision-making, including in fast-track legislative procedures.²² Make sure that the future Communication on Better regulation planned for 2026 guarantees more

¹⁸ ClientEarth, [EU Civil Society Strategy: ClientEarth contribution to the European Commission's Call for Evidence](#), September 2025.

¹⁹ EESC opinion, [EU strategy to support, protect and empower civil society](#), May 2025.

²⁰ UN Special Rapporteur on Environmental Defenders under the Aarhus Convention, [Guidelines on the right to peaceful environmental protest and civil disobedience](#), October 2025.

²¹ See the [compilation of findings and advice of the Aarhus Convention Compliance Committee](#) from 2005 to August 2025.

²² Comments on the Commission's reply 983/2025/MAS – [Maladministration of the Commission in the preparation of the 2025 proposal to amend the CSDDD as part of the Omnibus I package](#), October 2025.

clarity, foreseeability, inclusivity of public consultation processes and carries out systematic civic space and human rights impact assessments. Ensure that rulings from the CJEU, decisions of the European Ombudsman and of relevant compliance and complaint mechanisms are fully complied with by all the EU institutions.

- Take urgent measures to **increase transparency within EU legislative processes** and ensure a good application of Regulation 1049/2001 regarding public access to documents of the EU institutions and Regulation 1367/2006 on the application of Aarhus Convention at EU level. This includes ensuring transparency at all stages of the decision-making, from the impact assessment to the inter-institutional negotiation process, especially for the so-called four column documents,²³ but also when it comes to decide whether to grant the status of strategic projects for the EU.²⁴
- Increase transparency to improve individuals' and civil society's access to information and engagement on the extent to which Member States comply with environmental and climate laws, particularly in the context of **EU infringement procedures**. To support and monitor the enforcement process, CSOs need to have access to pending complaints, letters of formal notice and reasoned opinions. This would enhance the capability of CSOs to contribute to ongoing infringement proceedings by providing information about the non-compliance, generate public pressure against evident breaches of EU law, or help to gather additional data required by the Commission to solve the case.²⁵ This would facilitate better enforcement and in turn help address the mounting costs of non-compliance with environmental law, estimated by the Commission to now exceed €180 billion annually.²⁶
- In the current context of permitting acceleration at EU level, ensure **early involvement of the public, including CSOs**, thought environmental impact assessments and protect their right to go to court by exempting judicial proceedings from the overall permitting deadlines.²⁷ This would reduce the risks for legal challenges at the project permitting stage that undermine public trust and cause significant delay.
- Ensure **balanced representation and participation in public consultations** in all participatory mechanism, including in the new "strategic" and "high-level dialogues" or "Commission expert groups". Allocate equivalent meeting time to public and private interest representatives.²⁸
- Improve **access to justice in environmental matters at national level for CSOs and individuals**. Barriers related to access to justice identified in 2022 EIR²⁹ still persist in 19 out of the 27 Member States in 2025 EIR.³⁰

23 ClientEarth, [Transparency of the EU legislative process: trilogues](#), July 2025.

24 [Complaint to the European Ombudsman: lack of transparency in CRMA strategic projects](#) | ClientEarth

25 ClientEarth, EEB and BirdLife joint publication, [Effective implementation: Transparency in the EU infringement process](#), March 2025.

26 ClientEarth Communication, [Non-compliance with environmental laws harms society and nature — transparency is key to closing the gap](#), July 2025.

27 ClientEarth, [Contribution to the European Commission's Call for Evidence on the environmental omnibus](#), September 2025.

28 GreenDeal-NET, [Reinforcing EU Climate and Democratic Governance: Enhancing Public Participation and Deliberation](#), May 2025.

29 European Commission, COM(2022) 438 final, [Environmental Implementation Review 2022](#).

30 European Commission, COM(2025)420 final, Communication from the Commission, [2025 Environmental Implementation Review](#), p. 34

3. Protect environmental and human rights defenders and whistleblowers

- Monitor the situation of civic space at EU and national level to **identify threats and trends** and establish national and European strategies based on the findings.
- **Fully enforce the Whistleblower Directive and ensure the implementation of the Anti-SLAPP Directive** and its accompanying recommendations. Enlarge the scope of protection from SLAPPs at national level to cover also domestic cases and claims governed by criminal procedural law or in administrative procedures. Raise awareness enabling individuals, CSOs and journalists to recognise when they are facing a SLAPP and ensure financial and legal support to SLAPP victims. Establish special training of legal professionals and, where necessary, ensure a revision of Bar associations and regulators' codes of conduct and enforcement practices to discourage or prohibit legal professionals from facilitating SLAPPs or engaging in SLAPP tactics. Collect statistical data annually on SLAPP cases at national and European level, including on the type of victims, the number of early dismissal, the length of procedures and the type of penalties and compensation of damages.
- Protect the **right to peaceful environmental protest** based on the Aarhus Convention and international human rights treaties (the rights to the freedoms of expression, peaceful assembly and association) and in line with the UN Special Rapporteur on Environmental Defenders under the Aarhus Convention recommendations.³¹

4. Support civic space in achieving its public interest mission

- Co-create with CSOs the upcoming **Civil Society Platform**, which should serve as permanent and inclusive mechanism for civil dialogue across all policy areas.
- Carry out **systematic civic space and human rights impact assessments** across legislative initiatives to ensure that all EU policies support rather than restrict civic space.
- Secure **structural, stable and long-term financial support to CSOs** in the upcoming revision of the Multiannual Financial Framework (MFF) by ensuring a dedicated budget line for LIFE actions and projects.³² Strengthening LIFE is a low-risk improvement of the next MFF, especially given the quantified, consistent and demonstrable achievements that the implementation of LIFE has had to date,³³ as shown in the European Commission's LIFE Programme performance assessments³⁴ and the actual annual cost of non-compliance with environmental law.³⁵
- Ensure **stable funding to agencies, independent bodies, institutions or mechanisms** that support and protect civic space such as the Aarhus Convention Compliance mechanism (ACCC) and the Special Rapporteur on Environmental defenders.

³¹ UN Special Rapporteur on Environmental Defenders under the Aarhus Convention, [Guidelines on the right to peaceful environmental protest and civil disobedience](#), October 2025.

³² Birdlife, CAN-E, EEB, T&E, WWF, [Briefing paper on LIFE in the next Multinational Financial Framework \(MFF\)](#), September 2025.

³³ ClientEarth, [ClientEarth's response to Public consultation on the EU's next long-term budget \(MFF\)](#), May 2025.

³⁴ European Commission, [LIFE monitoring and evaluation](#).

³⁵ European Commission, [Update of the costs of not implementing EU environmental law - Publications Office of the EU](#), April 2025. According to this new report, the annual cost of non-compliance with environmental law now exceeds €180 billion, representing approximately 1% of the EU Gross Domestic Product (GDP).

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