

Report on key findings from FRA's civic space consultation covering 2023

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Introduction

FRA cooperates with civil society organisations (CSOs) active in the field of fundamental rights through its <u>Fundamental Rights Platform</u>. Around 1000 fundamental rights actors participate in the platform, forming a rich pool of experiences with civic space in the EU.

Since 2018, FRA has consulted key players in civil society annually on their experiences of civic space through its Fundamental Rights Platform. This paper presents consultation results from FRA's annual civic space consultation covering experiences in 2023.

These consultation results feed into FRA's work on civic space, including into its annual written reporting on developments. In 2024, selected results were presented in a dedicated chapter on civic space in FRA's annual <u>Fundamental Rights Report</u>. FRA's civic space reporting also always includes other sources, notably research on the enabling environment in all EU Member States (Albania, North Macedonia and Serbia) through FRA's research network Franet. Desktop research, interviews and stakeholder meetings also provide input into FRA's civic space work.

1. Consultation covering 2023 - responding organisations

FRA's consultation on the experiences of CSOs working on fundamental rights covering 2023 was open for online participation from 10 January to 8 February 2024. In total, the agency received 332 valid responses. Among these, 267 were submitted by organisations based in the European Union (EU), while 65 came from organisations from EU candidate countries, participating as observers in FRA's work (Albania, North Macedonia and Serbia). While the results presented in this report rely on the responses from within the EU, section 10 focuses on responses from organisations based in FRA observer countries.

Figure 1 shows where the organisations based within the EU come from. 27 organisations say they are EU level or umbrella organisations. Most respondents are based in Greece (27) followed by Bulgaria, Ireland, Italy and Slovenia, all with more than 15 organisations responding to the 2023 consultation.

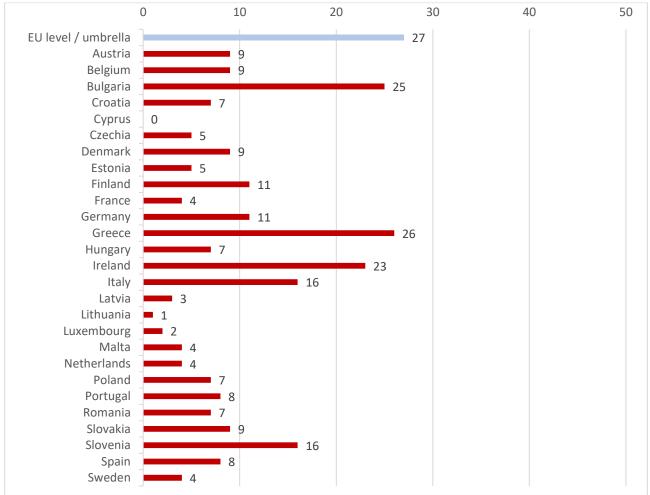
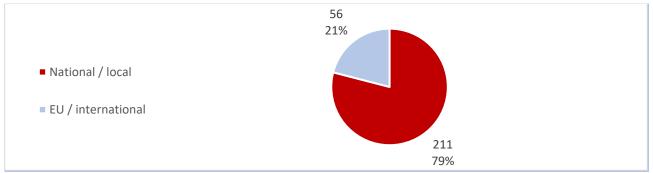


Figure 1: (Main) residence of organisation in the EU

Question: "Where precisely does your organisation mainly work (or is based in)?" (N=267)

Of the 267 respondents based in the European Union, 211 (79%) say they are mostly active as an organisation at the national or local level. The remaining 56 (21%) indicate they are primarily active at the EU or international level (see Figure 2).

Figure 2: Primary level of organisation's activity



Question: "On which level is your organisation primarily active?" (N=267)

When invited to describe themselves in the categories of the FRA founding regulation (Article 10), most participating organisations based in the EU (226 of 267) choose the term "non-governmental organisation", or NGO. 13 prefer the description "social and professional organisation", 9 some "other" description, and 7 the description "trade union". Descriptions chosen by less than 5 organisations each include the "faith-based, religious, philosophical or non-confessional organisation" (4 cases), the "employer's organisation" (3 cases), "university / academia" (2 cases), and "other qualified experts of European/international body/organisation" (2 cases).

For obtaining a picture of the size of responding organisations, the consultation asked two questions about the number of paid employees on the one hand, and the approximate number of volunteers on the other. As shown in Figure 3, more than half of the EU-based CSOs (149 out of 267) rely on an equivalent of one to ten full time employees. 58 CSOs are larger professional organisations, with 11-50 full time equivalents, while 21 are very large, with more than 50 full time equivalent employees. However, 34 responding CSOs are doing their work without the equivalent of a single full-time employee, being entirely volunteer-run.

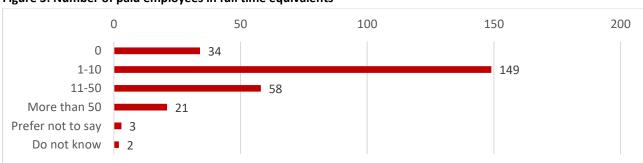
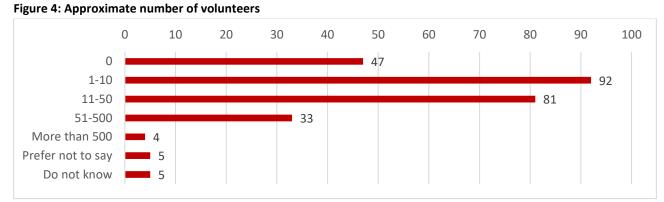


Figure 3: Number of paid employees in full time equivalents

Question: "How many employees does your organisation have? (full time equivalent)" (N=267)

Also when it comes to the number of volunteers, a figure from one to ten of them working for the organisation is the most frequent case – true for 92 out of 267 CSOs with EU residence (see Figure 4). 81 participating CSOs have 11-50 volunteers, 47 do not operate with any volunteers, 33 have between 51 and 500 volunteers, and 4 report having more than 500 volunteers.



Question: "How many volunteers does your organisation have approximately?" (N=267)

For describing their main areas of activity, participating CSOs could select up to 29 categories (or alternatively, one of two rest categories). Keeping this select-all-that-apply-mode in mind, we see in Figure 5 that the most frequently chosen main areas are "democracy, rule of law, civic space" and "human rights – general and awareness raising", both selected more than a hundred times by the 267 EU-based CSOs. Typically, less general categories are also selected less frequently for self-descriptions.

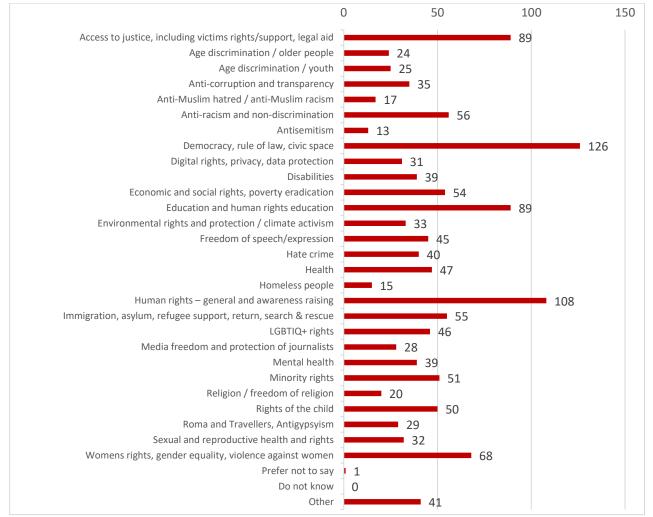


Figure 5: Main areas of activity (multiple responses allowed)

Question: "Please indicate your main areas of activity. Read all options and select all that apply." (N=267)

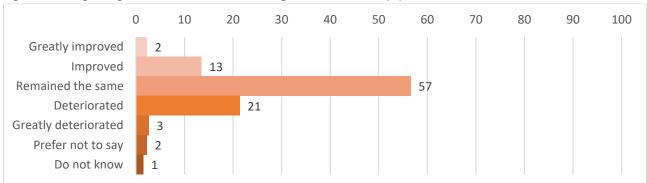
2. The situation of civil society organisations

FRA uses a number of recurring questions in the annual civic space consultations over the years, for monitoring important developments affecting human rights CSOs. One of these questions asks how often the participating organisations have faced any barriers in conducting their activities in the past 12 months. Among the 267 EU-based organisations, 46% report they have faced such barriers sometimes, 18% report they have faced them often, while less than one third (30%) of the organisations report that they never had to face any barriers.

Those organisations operating mostly on a national or local level are also asked regularly about the general conditions for human rights CSOs in their respective countries. While 25% of the 211 concerned CSOs indicate conditions that are neither good nor bad for the consultation period 2023, 38% indicate either bad or very bad conditions in their countries. Those indicating good or very good conditions amount to 33%. Asked also about perceived changes in these general conditions, 44% report conditions that have remained the same. However, 42% report conditions that have either deteriorated or greatly deteriorated in their countries, opposed to only 9% indicating improvements or great improvements in the consultation period.

As has been observed in the past, organisations working mostly at the EU level report somewhat better general conditions. Among the 56 organisations working mainly at EU level, 33% reported either good or very good general conditions, and 25% (8% less) reported bad or very bad ones. 39% say the conditions have been neither good nor bad. However, when it comes to changes in these general conditions, the perceptions are unfortunately very similar to those organisations that are mainly active at national or local levels of operation: 41% report deteriorated or greatly deteriorated conditions, only 11% report improved conditions.

Regarding the concrete working conditions for the respective organisations (as opposed to the 'general conditions'), 15% of responding organisations report improved or greatly improved working conditions, while 24% report deteriorated or greatly deteriorated conditions (see Figure 6). A majority of organisations (57%) report conditions that have more or less remained the same in the past 12 months.





Question: "And thinking about your own organisation, how has its situation changed in the past 12 months?" (N=267)

3. Observable trends over recent years

Across several recent waves of the annual FRA civic space consultations, a limited set of identical (or similar) questions has been asked to the participating organisations. This offers chances to learn about possible trends regarding the experiences of human rights CSOs in the European Union.

For statistical reasons it is important to consider this kind of trend analysis tentative in nature and to interpret the results with caution. The main reason for this is that in each year the group of participating organisations is composed somewhat differently, for example in what regards the proportion of EU-based umbrella organisations, or the proportion of organisations from specific regions/countries of the EU. Therefore, to make the trend data in this section as accurate as possible, all figures indicated for earlier consultation periods have been adjusted with weights that account for the under- or overrepresentation of certain groups¹, relative to the proportions in 2023.

Figure 7 suggests that human rights CSOs operating at EU level typically experience good working conditions more often than human rights CSOs operating at national level. However, a trend is also suggested that the experiences at national and EU levels have become more similar to one another in recent years.

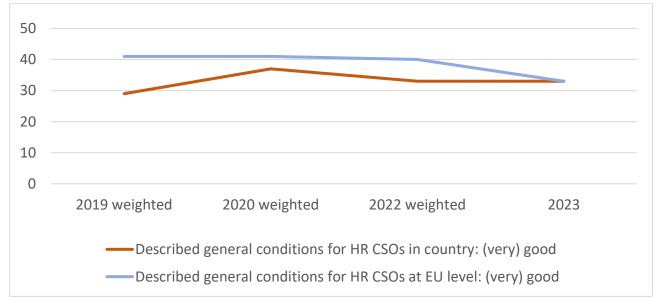


Figure 7: General conditions for human rights CSOs described as (very) good from 2019-2023 (N=199-377) (%)

Figure 8 suggests that organisations encounter comparatively the most difficulties regarding the exercise of the freedom of expression, among three freedoms tapped regularly in FRA's civic space consultations. However, in the period of 2020 with its much-felt impact of the COVID-19 pandemic and ensuing emergency measures in Europe, the exercise of the freedom of peaceful assembly was associated with the most difficulties temporarily.

¹ The weighting classes employed are 'EU / umbrella organisation', 'residence in Norway grant EU MS' and 'residence in other EU MS', as these categories are known to shape CSC results more than other categories of organisational residence. It is currently expected that additional weighting adjustments will be possible for future CSC trend analyses, given the availability of further suitable weighting classes for CSC data since 2022.

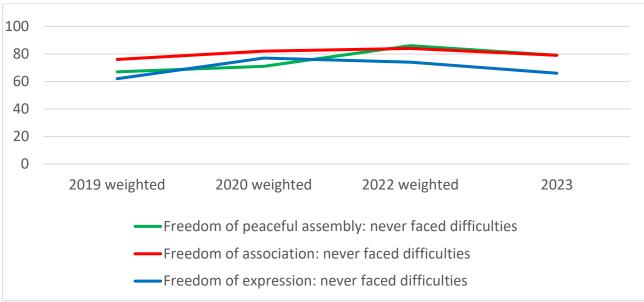


Figure 8: Never faced difficulties when exercising three fundamental freedoms 2019-2023 (N=199-377) (%)

As shown in Figure 9, threats and attacks have grown into a very common experience of EU-based human rights CSOs. This is most evident regarding negative media reports or campaigns, and attacks against digital infrastructure. However, it also seems true regarding the attempted criminalisation of the organisations' work, and in the form of suffered vandalism of premises.

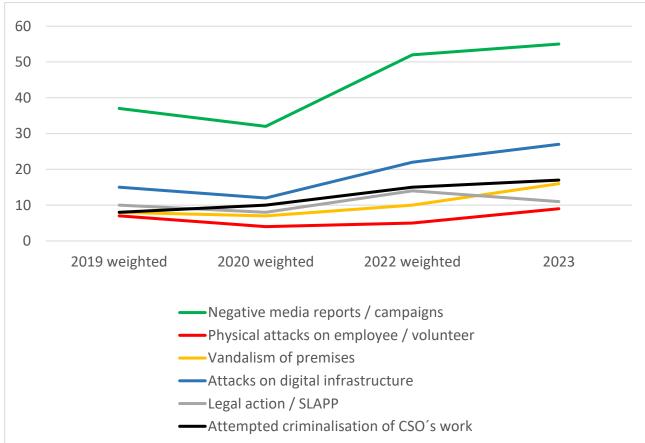


Figure 9: Threats and attacks experienced often or sometimes 2019-2023 (N=199-377) (%)

Answers in 2020: "Yes" (experienced), instead of (experienced) "often" or "sometimes".

Given these developments, it is all the more important that the organisations experiencing incidents understand their options of submitting reports or complaints – and to the most relevant bodies (see section 5 of this report). Figure 10 suggests that indeed the practice of reporting has been on the rise over the past years.

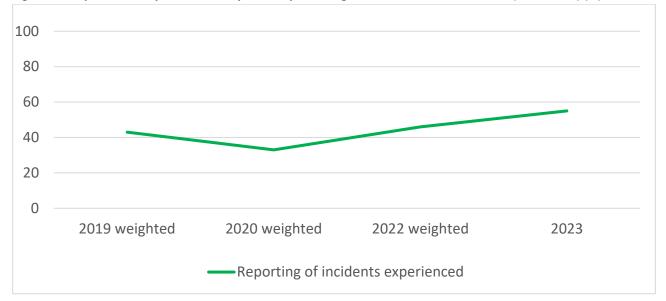


Figure 10: Reports or complaints made by CSOs experiencing threats or attacks 2019-2023 (N=199-377) (%)

4. Experiences of threats and attacks

Many CSOs working on human rights in the EU face threats and attacks against their organisation, employees and volunteers. As shown in Figure 11, the most frequent kinds of incidents are online verbal attacks and threats, and negative media reports or campaigns. These kinds of incidents have affected more than half of the consultation respondents at least sometimes in 2023. The same was the case in all of FRA's previous civic space consultations, covering 2018, 2019, 2020, 2021 and 2022.

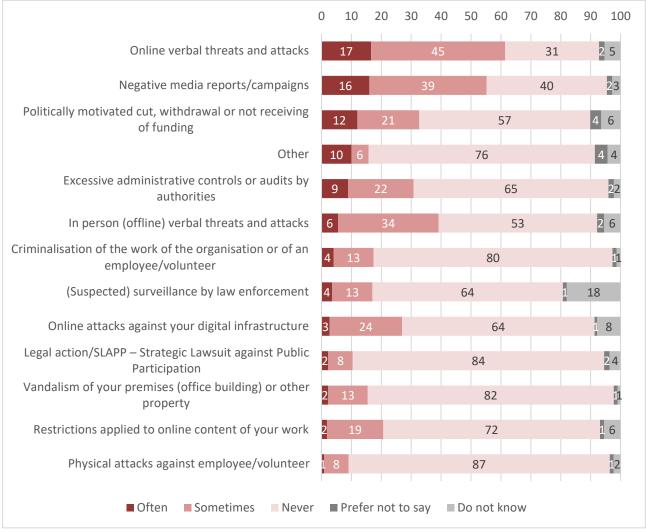


Figure 11: Frequency of incidents faced in 2023 (%)

Question: "In the past 12 months, how often did you or any of your employees/volunteers face the following?" (N=70-224)

Figure 12 illustrates the relationship between the size of organisations and their risk of falling victim to threats or attacks. In general, large and especially medium professional organisations run a higher risk of being targeted by perpetrators, compared to volunteer-run and smaller professional organisations – even though there are also some exceptions from this prevailing pattern.

Info box: CSO types based on the number of employees and volunteers

In order to define types of organisations based on the size of their staff (employees and volunteers) in the most informative way for this report, both theoretical considerations and the actual occurrence of types among the consultation participants have been taken into account. The resulting typology is as follows: <u>Volunteer-run</u> CSO: Zero employees, only volunteers.

Small professional CSO: 1-10 employees and 0-10 volunteers.

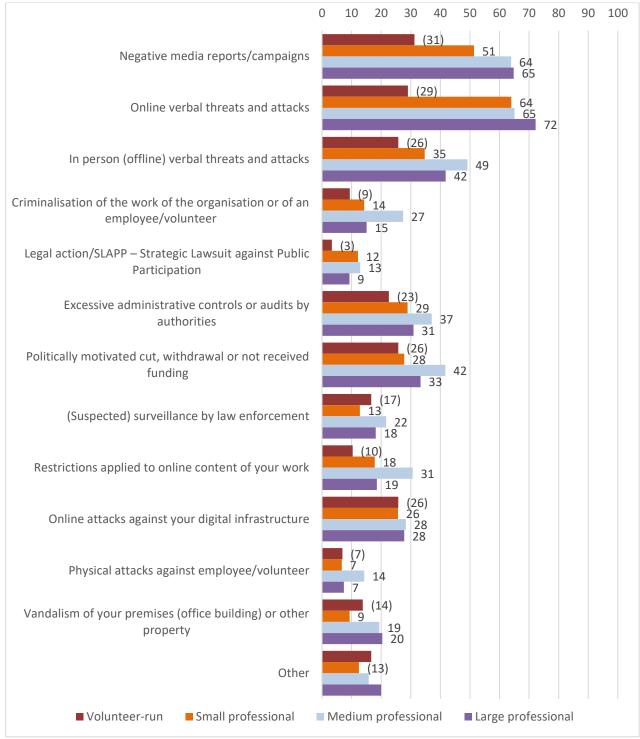
<u>Medium professional</u> CSO: 1-10 employees and 11-50 volunteers or 11-50 employees and less than 11 volunteers.

Large professional CSO: All larger CSOs.

As shown in Figure 13, the experience of different types of threats and attacks is also strongly connected to an organisation's main areas of activity. (*in figure 13, '100%' would indicate the overall average experience – hence, any % over 100% shows higher levels of incidents*).

Certain areas of activity entail over-average occurrences of almost all types of incidents, for example, anti-racism and non-discrimination, where only one figure (the one indicating online attacks against the digital infrastructure) remains below the average figure of 100 percent. All other types of incidents are faced with over-average probability among these CSOs, for example, physical attacks, where the percentage 253 indicates occurrences approximately two and a half times more frequent than on the average across all EU-based CSOs. Other areas of activity entailing particularly high overall experiences of threats and attacks include "digital rights, privacy, data protection", "hate crime", and "LGBTIQ rights". Some types of activity seem particularly vulnerable to specific forms of threats or attacks. For example, "anti-corruption and transparency" appear to be especially exposed to the experience of strategic lawsuits against public participation (SLAPPs).

Figure 12: Incidents faced often or sometimes in 2023, by type of organisation (%)



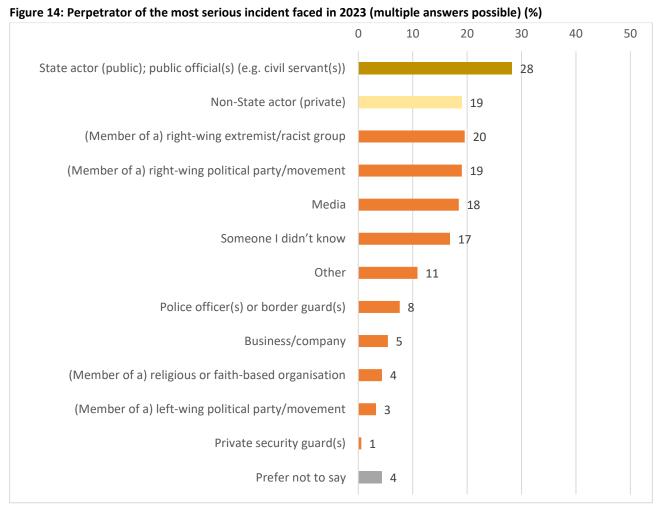
Questions: "In the past 12 months, how often did you or any of your employees/volunteers face the following?", "How many employees does your organisation have? (full time equivalent)", "How many volunteers does your organisation have approximately?" Figures based on 20-49 cases: shown in parentheses; figures based on less than 20 cases: not shown. (N=70-224)

Figure 13: Experienced incidents in 2023, by main areas of activity (in % of average incident occurrence across all CSOs)

Access to justice, victims rights & support, legal aid	115 118 128 149 147 131 125 163 106 83 170 118
Anti-corruption and transparency	(109) <mark>(126) (132) (126)</mark> (299) (84) <mark>(102)</mark> (137) (109)(87) (178) (65)
Anti-racism and non-discrimination	132 125 128 132 100 131 140 204 165 95 253 151
Democracy, rule of law, civic space	106 111 95 109 133 111 107 123 101 84 90 77
Digital rights, privacy, data protection	(136) (115)(109)(85) (221) (174) (153) (174) (97) (137) <mark>(133)</mark> (129)
Disabilities	(96) <mark>(65)(102)(80)</mark> (174) (98) <mark>(115)(52</mark> (114) (95) <mark>(98)</mark> (118)
Economic and social rights, poverty eradication	105 72 87 91 91 111 100 147 88 99 100 75
Education and human rights education	110 <u>98 101 74 88 108 106 124</u> 136 142 131 147
Environmental rights & protection / climate activism	(112) (87) (79) (79) (132) (70) (102) (121) (84) (80) (191) (116)
Freedom of speech/expression	(127) (130) (105) (129) (167) (92) (105) (132) (85) (86) (138) (66)
Hate crime	(140) (148) (143) (186) (141) (158) (131) (201) (85) (95) (163) (114)
Health	(93) (87) (103) (115) (176) (117) (129) (147) (115) (139) (145) (52
Human rights – general and awareness raising	96 108 105 77 97 109 103 116 114 97 123 95
Immigration, asylum, refugees	111 113 109 132 102 122 116 187 118 79 161 162
LGBTIQ+ rights	(121) (131) (147) (82) (114) (155) (109) (154) (150) (118) (184) (200)
Mental health	(85) (90) (97) (140) (56) (83) (139) (117) (114) (106) (158) (129)
Minority rights	126 114 91 107 156 124 127 117 146 127 128 108
Rights of the child	114 103 103 150 152 94 128 140 143 104 172 132
Sexual and reproductive health and rights	(116) (129) (113) (123) (102)(108) (125) (105) (197) (146) (123) (100)
Womens rights & gender equality	117 97 90 89 84 68 75 101 167 126 136 104
1	· · · · ·
Negative media reports/campaigns	Online verbal threats and attacks
In person (offline) verbal threats and attacks	Criminalisation of work of the organisation / staff
Legal action/SLAPP	Excessive administrative controls or audits by authorities
Politically motivated funding cut	(Suspected) surveillance by law enforcement
Restrictions applied to online content of work	Online attacks against digital infrastructure
Physical attacks against employee/volunteer	Vandalism of premises (office building) or other property

Questions: "In the past 12 months, how often did you or any of your employees/volunteers face the following?", "Please indicate your main areas of activity. Read all options and select all that apply." Only main areas of activity selected by 30 or more CSOs shown. Figures based on less than 50 cases: shown in parentheses. (N=219) (100%' would indicate the overall average experience – hence, any % over 100% shows higher levels of incidents).

Organisations that have experienced threats or attacks also provide information regarding the most serious incident faced in the consultation period. No less than 28% of them indicate a state actor as the perpetrator or one of the perpetrators involved in this 'most serious' incident. As visible in Figure 14, this makes state actors the most frequently represented category of perpetrators given a list of ten explicit plus three rest categories. Among the categories indicating more specific perpetrator groups, right-wing groups and parties prevail over other groups.



Question: "Please think about the most serious incident. Who did this to your organisation / employee / volunteer?" (N=184)

Respondents could indicate multiple perpetrators involved in the most serious incident in 2023 thereby allowing the identification of the most frequently identified combinations of perpetrators. The perpetrator combination "state actor & media" is indicated most often (16 cases), followed by "state actor & right wing party / movement" (12 cases). The latter combination is indicated by the consultation participants six times more often than the combination "state actor & left wing party / movement" (2 cases).

5. The impact and the reporting of attacks

Organisations experiencing threats or attacks during the consultation period 2023 also indicate how high the impact of these incidents was. Figure 15 shows that the impact most frequently was high or medium regarding psychological effects such as burnout, depression, anxiety, and feelings of vulnerability, and also quite frequently regarding financial problems and the loss of funding, as well as discontinuing or reducing activities due to external pressures. While physical injuries requiring medical assistance occurred to a much lesser extent, along with the need for relocating the entire organisation or an employee/volunteer to another country, the findings regarding these impacts are still concerning for the EU.

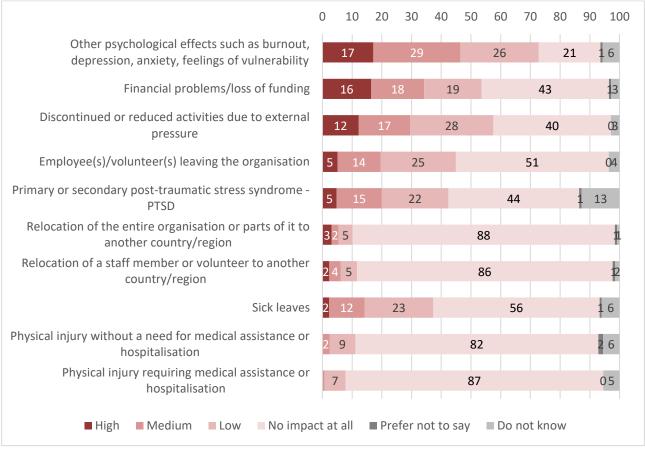


Figure 15: Impact of incidents faced in 2023 (%)

Question: "What was the impact of these incidents on your organisation / employees / volunteers? Was it high, medium, low or was there no impact at all in relation to the following ...?" (N=125-140)

Only 55% of the EU-based CSOs experiencing threats or attacks say they also reported such incidents, or made a complaint to somebody. Reports or complaints were most frequently made to media (30%), to the police (28%), to national equality bodies, human rights institutions or ombudspersons (24%) and to legal services or lawyers (23%). They were made less frequently to other bodies (22%), to civil society or victim support organisations (19%), to funding bodies, institutions or organisations (16%), to public prosecutors (15%), and to the European Commission or European Parliament (15%). Among the institutions that received the least reports or complaints are the United Nations special rapporteurs (9%), the Council of Europe Commissioner for Human Rights (7%), doctors or health care institutions (3%), (trade) unions (2%) and social services (0%).

Figure 16 shows which types of incidents were reported to which organisations. For example, the frequently experienced negative media reports and online verbal threats or attacks are associated with much less reporting than experienced physical attacks, but also than strategic lawsuits against public participation (SLAPPs). Organisations experiencing vandalism of their premises were most likely to report incidents to the police (in 65% of the affected cases), while much less reporting to the police is associated, for obvious reasons, with experienced restrictions applied to online content of an organisation's work (20%), with (suspected) surveillance by law enforcement (21%) and with experienced criminalisation of the organisation's work (21%). The practice of reporting incidents to national equality bodies, human rights institutions or ombudspersons is comparatively most frequent among organisations that experienced sLAPPs (38%).

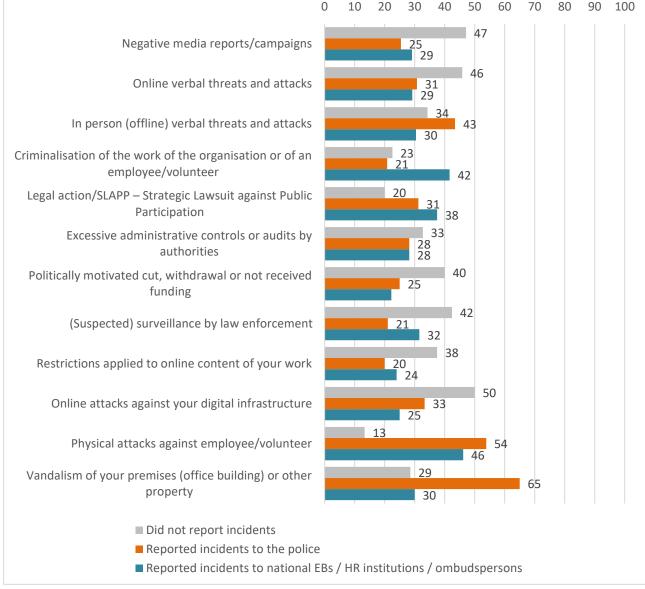


Figure 16: Three reporting practices of organisations by incidents experienced in 2023 (%)

Questions: "Thinking about these incident(s), did your organisation report or make a complaint about any of these? If YES, who did you report or make a complaint to?", "In the past 12 months, how often did you or any of your employees/volunteers face the following?" (N=155)

Organisations stating they did not report any incidents, even though they were affected by them in 2023, typically do indicate a reason for their practice (see Figure 17). The most common reasons by far are the perception that nothing would happen or change if incidents were reported (49%) and that incidents were minor and not worth reporting (43%). Reasons also mentioned in a relevant number of cases include the statement that the organisation dealt with the problem itself (19%), the judgement that reporting would be too bureaucratic or time-consuming (17%), the lack of trust in public authorities, including the police (9%), and other reasons (9%). Only a small proportion of CSOs mentions that they did not know where to go or whom to contact (7%), that they were afraid of intimidation or retaliation from perpetrators (4%), or that they feared reprisals or stops of funding (4%).

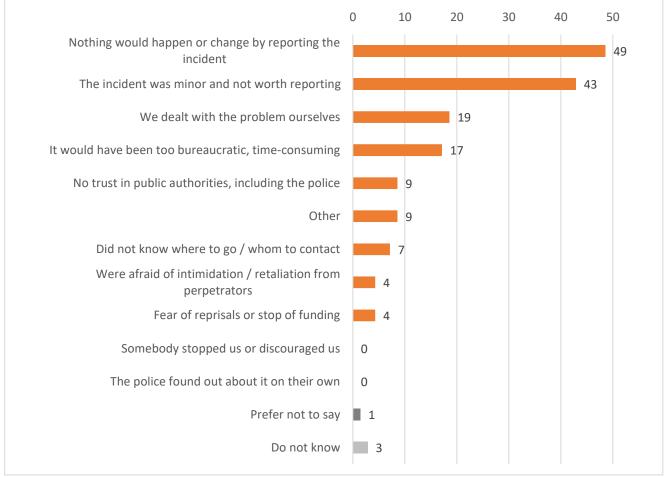


Figure 17: Reasons for not reporting or making a complaint about incident(s) in 2023 (%)

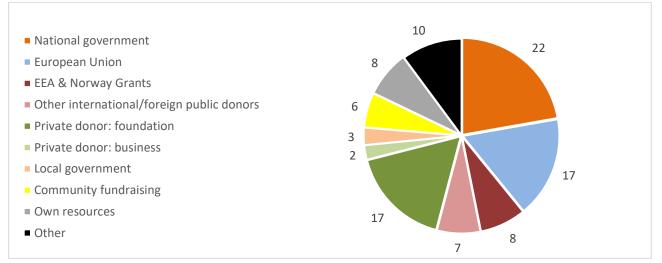
Question: "Why did your organisation/employee NOT report or make a complaint to anybody about any incident?" (N=70)

Because only organisations that (a) experienced and (b) also reported incidents can be asked about the outcomes of their reports or complaints, the data basis regarding such outcomes is comparatively small in the consultation. The answers provided suggest, however, that helpful action resulted most frequently when reports or complaints had been made to (other) CSOs or victim support organisations, to the media, or to a legal service or lawyer. In all these mentioned cases, the rate of experienced helpful action was above 50% – while it was indicated to be lower than 25% where reports or complaints had been made to the police or to a public prosecutor.

6. Access to finance and other resources

Asked about their main funding source in the consultation period 2023 (see Figure 18), CSOs report national governments most frequently (22%), followed by the European Union and by private foundations as the main funding source (17% each). International or foreign public donors account for 15% of the indicated main funding sources, which can be decomposed into 8% contributed by the EEA and Norway Grants and 7% contributed by other international sources. Community fundraising serves as the main funding source for only 6% of the reporting organisations. However, there are guite some variations between countries.

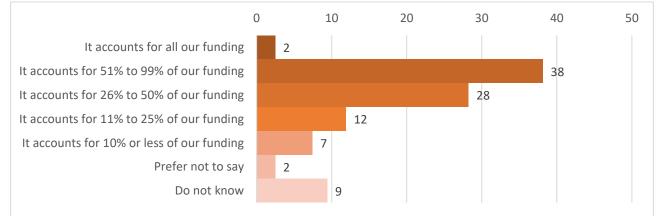
Figure 18: Main funding source of organisation in 2023 (%)



Question: "In the last 12 months, what was the main funding source for your organisation's work?" (N=207)

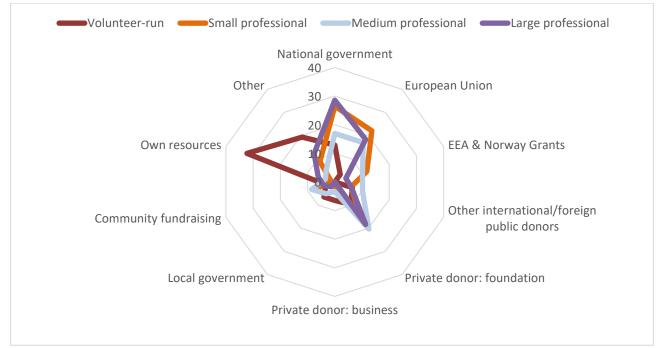
Main funding sources do play a major role for the responding human rights CSOs, as can be seen in Figure 18. While they rarely account for all available funding of an organisation, 38% of the CSOs report that their largest donor accounts for more than half of their available funding. An additional 28% say their main donor accounts for more than a quarter and up to half of their funding.

Figure 19: Importance of largest donor compared to the total of funding sources in 2023 (%)



Question: "How important is the largest donor of funding source for your organisation, compared to the total of all other funding sources?" (N=202)

Figure 20, on the other hand, allows to distinguish important funding patterns based on the type of organisation regarding the size of its staff (see info box in section 3). Volunteer-run CSOs stand out in that they frequently rely on own resources more than any other kind of funding. This is clearly more difficult in the case of organisations with paid employees, regardless of their size. For large professional organisations, national governments and private foundations play a similarly important role in the funding.





Questions: "In the last 12 months, what was the main funding source for your organisation's work?", "How many employees does your organisation have? (full time equivalent)", "How many volunteers does your organisation have approximately?" (N=207)

Given these funding patterns for different organisations, how much of a concern have funding considerations been during the consultation period for different types of responding organisations? Figure 21 suggests that such concerns have typically affected volunteer-run organisations in the most dramatic way, as 27% among them say that all of their current work is threatened by such concerns. In comparison, only 10% of the large professional organisations make this radical statement, even though the concerns around funding are clearly felt among all types of CSOs, in a varying and generally substantial degree. A current absence of funding concerns is not reported by a share of more than 21% among any of the CSO types shown in Figure 21.

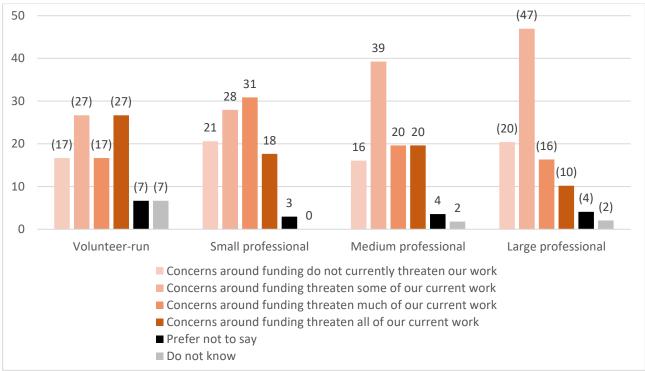


Figure 21: How much of a concern funding was in 2023, by type of organisation (%)

Questions: "In the past 12 months, how much of a concern was funding for your organisation?", "How many employees does your organisation have? (full time equivalent)", "How many volunteers does your organisation have approximately?"

Figures based on 20-49 cases: shown in parentheses. (N=203)

When asked about the number of months of their usual activity that would be covered by their financial reserves, 19% of the responding EU-based CSOs report a figure between zero and 2 months only, while 24% more report a figure between 3 and 5 months only (see Figure 22). No more than 10% indicate reserves that would allow them to continue their work for more than 12 months. The reported average across all EU-based CSOs is 8.76 months, the median value 6 months².

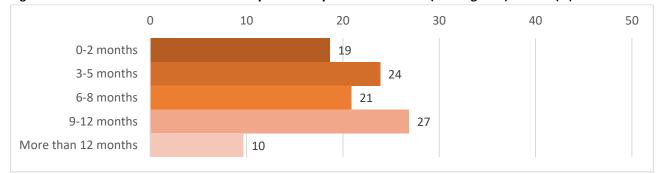


Figure 22: Number of months of usual activity covered by financial reserves (in categories) in 2023 (%)

Question: "Please estimate the number of months of your usual activity, that your financial reserves could cover? Please indicate a number of months." (N=134)

² This value means that approximately half of the CSOs reported less than 6 months, and the other half more than 6 months of their usual activity that would be covered by their reserves.

7. Needed changes in funding frameworks

Given the dire funding situation for many organisations discussed above, it is no surprise that only 6% of the participating EU-based CSOs state that they do not perceive any necessary changes in the type of human rights work funded. Allowed in the consultation to select from a list three hypothetical changes in the *type of work* funded that would be most relevant for them (see Figure 23), advocacy with policy makers (inside track advocacy) is the most frequently selected type of change (chosen by 36% of the respondents). Both organisational development, and public advocacy and campaigning (outside track advocacy) are change scenarios that would be considered relevant by 30% of the CSOs. Further selections indicating desirable changes include the capacity development of own staff and volunteers (selected by 25%), watchdog activities (17%), capacity building of beneficiaries or partners (16%), strategic litigation (16%) and the engagement with constituencies and communities (16% also), among a number of less frequently chosen change scenarios for types of work funded.

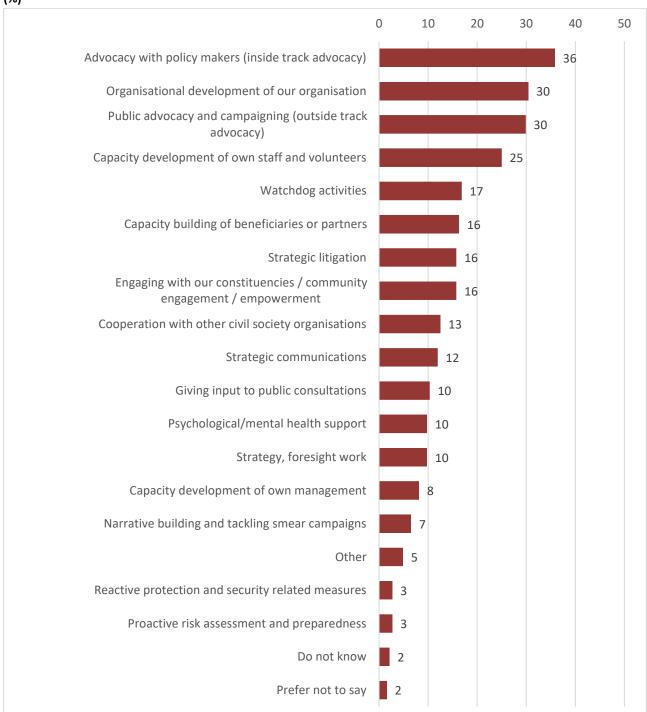


Figure 23: Changes in type of work funded that would be most relevant for organisation (three changes selectable) (%)

Question: "What changes in the type of work funded would be the most relevant for your organisation? More funding for: (Three changes selectable)" (N=184-188)

A more general consultation question regards potential changes in the (legal) funding frameworks, rather than in the specific types of work funded. Here, only 3% of the participating organisations are of the view that no changes are actually needed. Instead, from a list of issues, three options could be selected by respondents that would be most relevant to them: 58% of the CSOs would find unrestricted, core or infrastructure funding – as opposed to project funding – as the most relevant

change in such funding frameworks (see Figure 24). The second most frequent choice, by 46% of the CSOs, would be longer funding cycles.

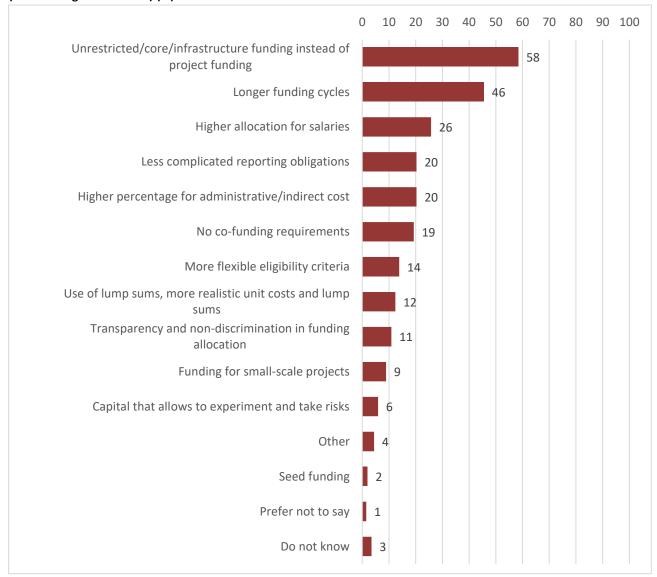
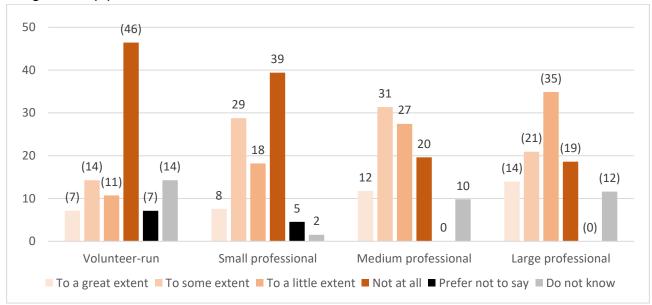


Figure 24: Changes in funding frameworks that would be most relevant for organisation (three changes selectable) (%)

Question: "What changes in funding frameworks would be the most relevant for your organisation? Read all options and select the three most important ones." (N=202)

The EU-based consultation participants also indicate to which degree they were consulted by their main donor in the period of 2023 for the development of new funding programmes. Figure 25 indicates that such consultations happen more often for bigger organisations. However, it needs to be noted that this pattern is far from being regular and that volunteer-run organisations are operating less frequently on the basis of a main donor in general.

Figure 25: Extent of being consulted by main donor for the development of new funding programmes in 2023, by type of organisation (%)



Questions: "To what extent were you consulted by your main donor for the development of new funding programmes?", "How many employees does your organisation have? (full time equivalent)", "How many volunteers does your organisation have approximately?" Figures based on 20-49 cases: shown in parentheses. (N=188)

8. The enabling regulatory environment and laws

Apart from requiring their sources of funding, CSOs engaged in human rights also need to operate in a general regulatory environment. Given the extraordinary conditions of a recent global (COVID-19) pandemic and special regulations (such as emergency laws) that were entailed by it following 2020, it is encouraging that for the consultation period 2023, 79% of the EU-based consultation participants report that they "never" had any difficulties with freedom of assembly (see Figure 27). While the pattern in Figure 26 is at least similar with regard to the freedom of association, this is less the case with regard to the freedom of expression, where almost one third of the organisations faced difficulties either often (10%) or sometimes (22%).

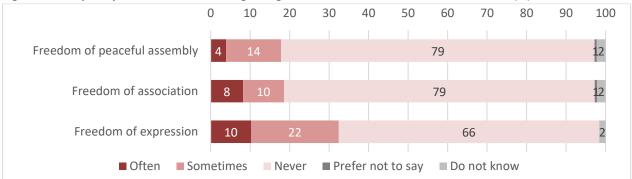


Figure 26: Frequency of faced difficulties regarding three freedoms, offline or online in 2023 (%)

Question: "In the past 12 months, how often has your organisation faced difficulties in the following areas (offline or online)?" (N=179-185)

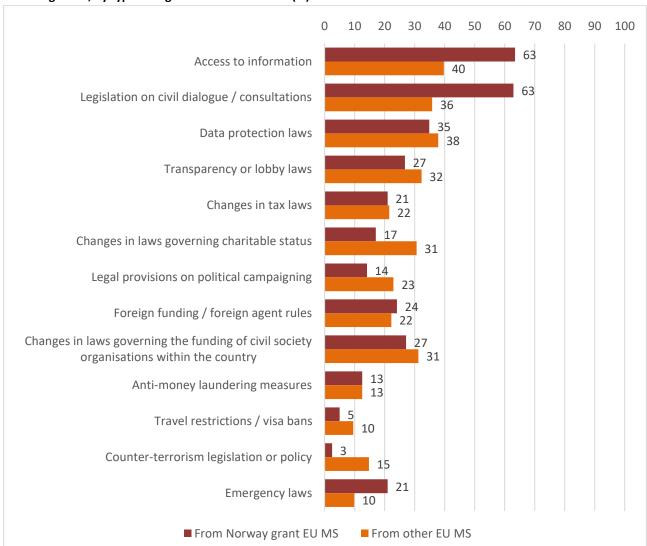


Figure 27: Often or sometimes encountered difficulties in the past 12 months due to the legal environment in the following areas, by type of organisational residence (%)

Questions: "In the past 12 months, how often has your organisation encountered difficulties in conducting its work due to the legal environment in the following areas?", "Where precisely does your organisation mainly work (or is based in)?" (N=139-161)

9. Access to decision-making and participation

Organisations providing their answers in FRA's civic space consultation covering 2023 also participated in many other consultations on their respective levels of national and international activity. Among the responding CSOs based in the EU, 72% say they contributed to consultations at national level. 59% say they contributed at EU level, 39% say they did so at international level, while 38% say they contributed at local level. Only 8% indicate they did not contribute to any consultations in 2023.

A comparison of Figures 28 and 29 suggests that the quality of the last EU-level consultation experienced by the respondents was higher on the average than the last consultation process at national level. Nevertheless, processes at national level are also rated acceptable, high or very high by 60% of the organisations reporting their experiences (see Figure 28) – for the EU level this is 83% (see Figure 29).

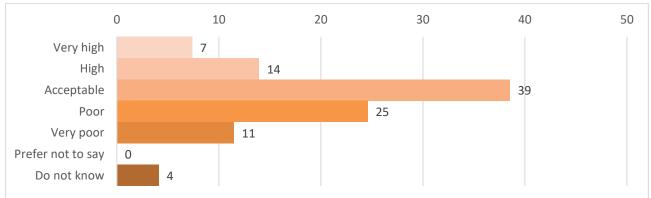


Figure 28: Rated quality of last consultation process at national level in 2023 (%)

Question: "Think about the last consultation process at national level that you participated in. How would you rate its overall quality?" (N=122)

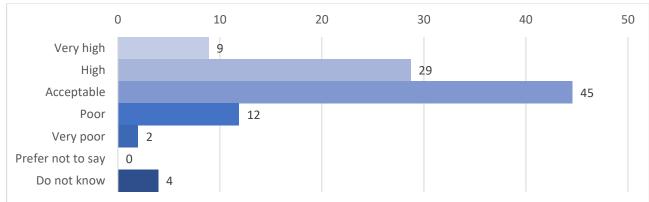


Figure 29: Rated quality of last consultation process at EU level in 2023 (%)

Question: "Think about the last consultation process at EU level that you participated in. How would you rate the quality?" (N=101)

Asked about the frequency of their interactions with a number of key actors in the 2023 period (Figure 30), the participating EU-based CSOs report particularly frequent interactions, discussions or exchanges with national human rights institutions, ombudspersons and equality bodies, with

national governments, with members of national parliaments and the European parliament, but also with regional and local governments, with FRA and with other EU agencies. Interactions have been less frequent ("never" according to more than 50% of the respondents) with the European Commission, with the European Data Protection Supervisor and the European Ombudsman.

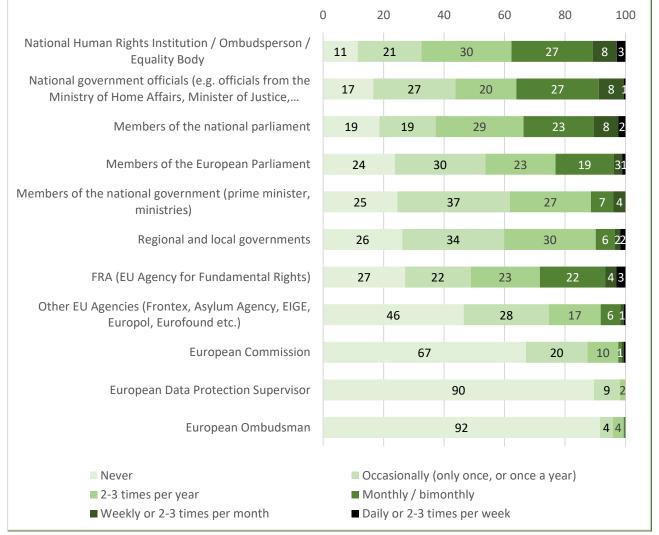


Figure 30: Frequency of interactions / discussions / exchanges with these actors in 2023 (%)

Question: "How often did your organisation have interactions / discussions / exchanges with these European/national actors in the last 12 months?" (N=163-177)

There is a clear connection between the size of an organisation and its levels of engagement with the various indicated interlocutors, with more professional and larger organisations having more interactions (Figure 31). Even though volunteer-run organisations achieve an impressive spectrum of interactions of their own, in the light of their limited resources, the difference between them and the professional organisations is larger than between any of the types of professional organisations.



Figure 31: Experienced interactions / discussions / exchanges with these actors in 2023, by type of organisation (%)

Questions: "How often did your organisation have interactions / discussions / exchanges with these European/national actors in the last 12 months?", "How many employees does your organisation have? (full time equivalent)", "How many volunteers does your organisation have approximately?" (N=163-177)

Organisations that experienced interactions with the indicated key actors also provide answers in the consultation on whether these interactions were collaborative, conflictual, or neither-nor. While the interactions with most mentioned actors are described as either collaborative or very collaborative by more than 50% of the CSOs, there are also some exceptions to this rule. Interactions with the European Data Protection Supervisor are judged as (very) collaborative by only 25% of the respondents experienced with them. Interactions with members of national governments are judged as (very) collaborative by only 38% of the experienced respondents, and the respective figure is also only 39% when it comes to interactions with the European Ombudsman.

10. Needed changes in access to decision-making

Asked about changes in the access to decision-making that would be most relevant to them – respondents could select up to three options –, EU-based participants indicate that time-related concerns prevail. This concerns the moment in time when CSOs should be consulted in a process (44%), the fact the consultations should be held before decision are being taken (38%), and longer timelines to provide input (19%). The full ranking of desirable changes from the viewpoint of responding organisations is shown in Figure 32 in descending order.

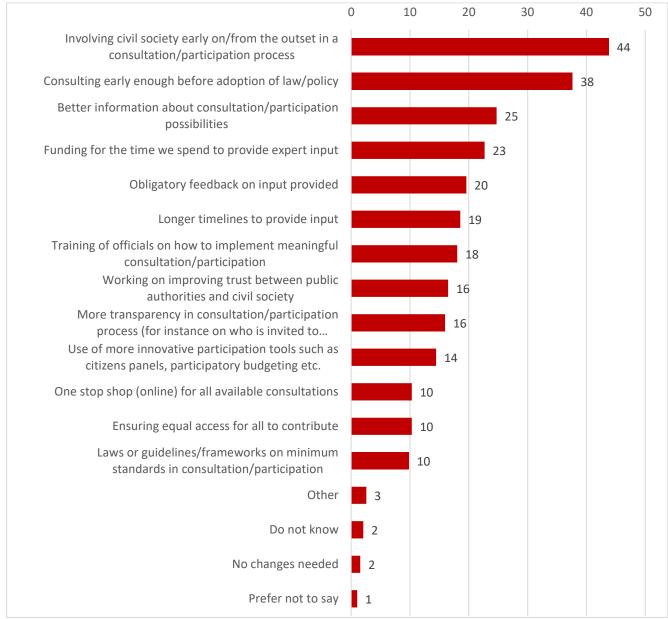


Figure 32: Changes in access to the decision-making that would be considered most relevant (%)

Question: "What changes in the access to the decision-making would you consider the most relevant? Read all options and select the three most important ones." (N=194)

11. Selected results for CSOs from FRA observer countries

65 civil society organisations from the FRA observer countries – Albania, North Macedonia or Serbia - have taken the opportunity to participate in FRA's civic space consultation covering experiences in 2023. 14 respondents are based in Albania and also 14 in North Macedonia, while 37 are based in Serbia. 61 of these organisations, or 94%, say they are primarily active at their national or at local levels. With regard to the size of their staff, these organisations cover the full spectrum from entirely volunteer-run to large professional organisations. As their main areas of activity, they indicate most frequently "democracy, rule of law and civic space" (35 cases out of 65), "women rights, gender equality, violence against women" (28 cases), and the general category "human rights – general and awareness raising" (26 cases).

With regard to changes in their general situation (Figure 33), the participating CSOs from FRA observer countries report a much more polarised pattern than the one we had seen in Figure 6 for EU-based organisations. Both (great) improvements (28% summed up) and (great) deteriorations (31% summed up) of the own situation are indicated more frequently regarding the past year. 38% only – compared to 57% for EU-based CSOs – indicate a situation that has more or less remained the same for their human rights work.

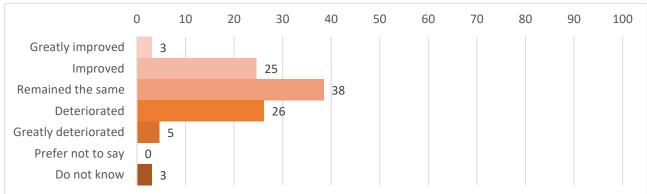


Figure 33: Changes in general conditions for own organisation in 2023 for CSOs from FRA observer countries (%)

Question: "And thinking about your own organisation, how has its situation changed in the past 12 months?" (N=65)

The pattern of suffered threats and attacks (Figure 34) is also reported by the CSOs from FRA observer countries with some notable differences compared to those for EU-based CSOs (Figure 9). The politically motivated cut or withdrawal of funding is indicated as an incident experienced often by the most participants from FRA observer states (17% often and 31% sometimes; the corresponding figures for EU-based CSOs are 12% and 21%.) Physical attacks against employees or volunteers are reported as having occurred often by 4% and sometimes by 12% among participants from FRA observer countries (while the corresponding figures for the EU-based CSOs are shown as 1% and 8% in Figure 11).

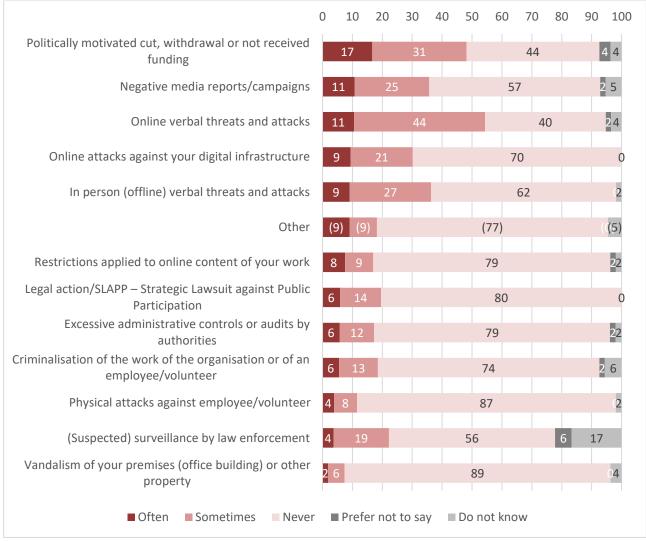


Figure 34: Frequency of incidents faced in 2023 by CSOs from FRA observer countries (%)

Question: "In the past 12 months, how often did you or any of your employees/volunteers face the following?" Figures based on 20-49 cases: shown in parentheses. (N=22-57)

Just like in the case of EU-based respondents, state actors are reported as being involved in the most serious incident most often, compared to any other perpetrator group.

The most important funding source for EU-based consultation participants, national governments, play only a marginal role as main funding sources for participants from FRA observer countries – as only one CSO indicates the national government as main donor. The average number of months of usual activity that would be covered by the organisations' financial reserves is 7.47 months. Changes in funding frameworks that would be relevant to them are reported with similar priorities as the ones shown for EU-based CSOs in section 6.

With regard to three basic freedoms enabling their work as human rights CSOs, the pattern reported by organisations from FRA observer countries is also similar to the one discussed earlier for the EU based CSOs. The exercise of the freedom of expression was most often linked with experiencing difficulties in the consultation period (see Figure 35) - 42% of the respondents faced such difficulties either often or sometimes .

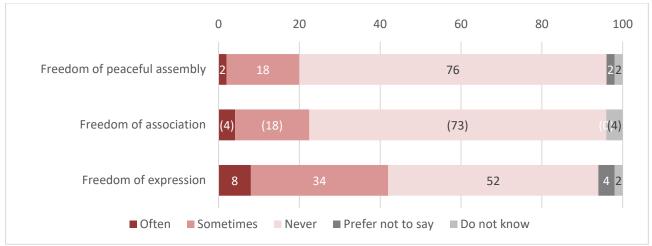


Figure 35: Frequency of faced difficulties regarding three freedoms in 2023 by CSOs from FRA observer countries (%)

Question: "In the past 12 months, how often has your organisation faced difficulties in the following areas (offline or online)?" Figures based on 20-49 cases: shown in parentheses. (N=49-50)