

THE STATE OF DEMOCRACY IN EUROPE 2021

Overcoming the Impact of the Pandemic



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International IDEA
Strömsborg
SE-103 34 Stockholm
Sweden
Tel: +46 8 698 37 00
Email: info@idea.int
Website: <https://www.idea.int>

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Foreword

At the beginning of the fourth decade after the fall of the Iron Curtain in Europe, progress toward democracy has (at best) stalled. The established democracies have been relatively stable, if not improving. Recent parliamentary elections in the Netherlands, Norway and Germany prove this. But the gains that were made in both procedural and substantive democracy across Central and Eastern Europe in the 1990s and 2000s are under increasing threat. The analysis of the state of democracy presented in this report highlights many areas of concern that predate the pandemic, and especially those that have been given increasing relevance by it.

Europe is now home to increasingly repressive non-democratic regimes in Azerbaijan, Belarus, Russia and Turkey. Their non-compliance with human rights brings a great deal of suffering. This report also highlights the democratic breakdown in Serbia, as the severe problems with the 2020 election mean it can no longer be considered a democracy. It puts in question the future membership of Serbia in the European Union.

The democratic backsliding in Hungary and Poland has continued through 2020 and 2021. While these long processes of decline are by now well-understood across the continent, the increasing threats to the rule of law and judicial independence in Poland warrant our urgent attention. Moreover, the relationship of Poland with the EU and discussion about possible “Polexit” opens a new chapter in democratic backsliding. In Hungary, the media landscape has changed so significantly that it may affect upcoming parliamentary elections. And, for the first time, the Global State of Democracy Indices code Slovenia as a backsliding democracy. The erosion of civil liberties and checks on government in that country serve as a warning that the political leadership of the country has embarked on an increasingly authoritarian path.

As this report highlights, the pandemic put a new spotlight on problems with how citizens of many European countries get access to information about health, but also about politics. Disinformation about vaccines is a real concern, but some countries have passed laws against disinformation that can easily

be turned to anti-democratic purposes – censoring legitimate journalists who might publish information that the government would wish to keep secret. Additionally, states of emergency have been used in a few countries to curtail exercise of political freedoms.

The crisis of disinformation and censorship arrived in a media landscape that was already challenged, as the decline of print journalism has pushed toward a concentration of ownership in news media that limits the diversity of opinions expressed in media. Democracy requires a free and robust media environment, in which government activity is scrutinized, and an open debate of public affairs can take place. In other countries, people experience a cacophony of different voices, as Anne Applebaum puts it in her ‘Twilight of Democracy’. There, citizens find it difficult to build a common narrative and proper democratic discourse.

The pandemic also shows us the increasing relevance of social and economic inequalities in Europe. The responses to the pandemic have disproportionately harmed more vulnerable and marginalized groups, especially women, persons with disabilities, the elderly, and the homeless. Progress toward gender equality in the workplace has been set back greatly. Young people were much more severely affected socially and economically than older generations. And people who were already marginalized have seen new stumbling blocks rise in their path.

Yet, the effects of the pandemic on democracy in Europe were not as severe as many feared. There were certainly serious problems with restrictions on freedom of expression and media integrity, as well as justifiable (but nonetheless challenging) restrictions on freedom of assembly and association, as well as the freedom to exercise religion. However, in broad terms, many governments found ways to protect public health while keeping the democratic trains running on time. Elections and referendums were held in at least 25 European countries during the pandemic. As this report shows, the increased use of special voting arrangements gave many people a safe way to exercise their democratic rights, and turnout was actually above pre-pandemic levels in 11 elections. Nevertheless, in some countries,

the pandemic has been used to strengthen non-democratic trends, including in the context of restricting civil liberties.

This report on the State of Democracy in Europe tells us what we need to know: democracy is under threat in many parts of the continent, but there are steps we can take to rebuild what has been broken and to improve the resilience of democracies across the continent. The policy recommendations highlight actions that can be taken by governments and civil society to support democracy across Europe.

The pandemic teaches us that we needed not only a vaccine against COVID-19, but also that we are in desperate need of vaccination against non-democratic tendencies in some parts of Europe, as the virus of authoritarianism may easily spread.

Adam Bodnar

*Dean of the Law Faculty of the SWPS University
of Social Sciences and Humanities, Warsaw
previously Poland's seventh Ombudsman
(Commissioner for Human Rights)*

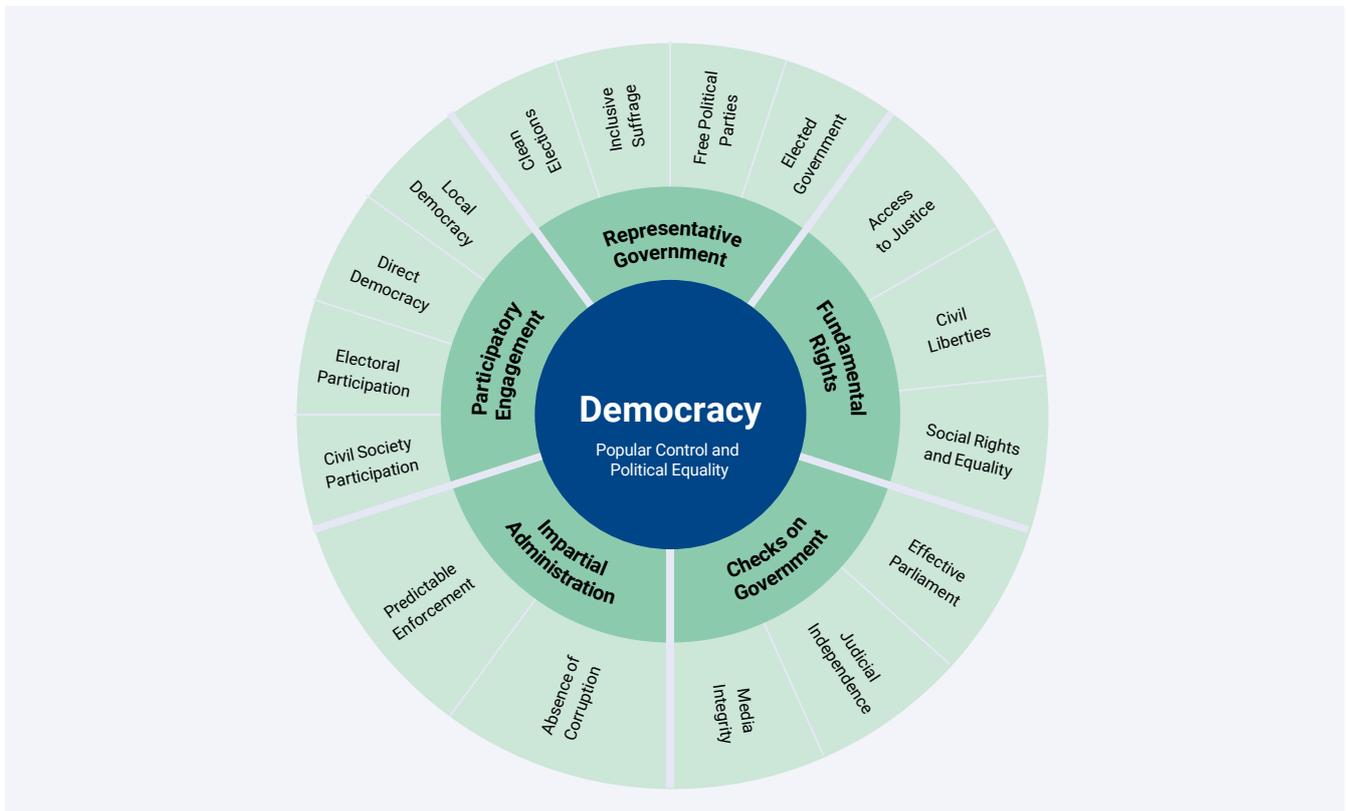
About the report

International IDEA's Global State of Democracy Report reviews the state of democracy around the world over the course of 2020 and 2021, with democratic trends since 2015 used as a contextual reference. It is based on analysis of events that have impacted democratic governance globally since the start of the pandemic, based on various data sources, including International IDEA's [Global Monitor of COVID-19's Impact on Democracy and Human Rights](#), and data from International IDEA's [Global State of Democracy Indices](#). The Global Monitor provides monthly data on pandemic measures and their impact on democracy for 165 countries in the world. The Global State of Democracy Indices provide quantitative data on democratic quality for the same countries, based on 28 indicators of democracy up until the end of 2020. The conceptual framework on which both data sources are based defines democracy as based on five core attributes:

Representative Government, Fundamental Rights, Checks on Government, Impartial Administration and Participatory Engagement. These five attributes provide the organizing structure for this report.

This report is part of a series on the Global State of Democracy, which complement and cross-reference each other. This report has a regional focus, and it is accompanied by a [global](#) report and three other regional reports that provide more in-depth analysis of trends and developments in [Africa and the Middle East](#); the [Americas](#) (North, South and Central America, and the Caribbean); and [Asia and the Pacific](#). It is also accompanied by three thematic papers that allow more in-depth analysis and recommendations on how to manage [electoral processes](#), [emergency law responses](#), and [how democracies and non-democracies fared](#), based on lessons learned from the pandemic.

The GSoD conceptual framework



CONCEPTS IN THE GLOBAL STATE OF DEMOCRACY 2021

- The reports refer to three main regime types: *democracies*, *hybrid* and *authoritarian regimes*. Hybrid and authoritarian regimes are both classified as non-democratic.
- *Democracies*, at a minimum, hold competitive elections in which the opposition stands a realistic chance of accessing power. This is not the case in *hybrid* and *authoritarian* regimes. However, *hybrid* regimes tend to have a somewhat more open—but still insufficient—space for civil society and the media than *authoritarian* regimes.
- *Democracies* can be *weak*, *mid-range performing* or *high-performing*, and this status changes from year to year, based on a country's annual democracy scores.
- *Democracies* in any of these categories can be backsliding, eroding and/or fragile, capturing changes in democratic performance over time.
 - Backsliding democracies are those that have experienced gradual but significant weakening of Checks on Government and Civil Liberties, such as Freedom of Expression and Freedom of Association and Assembly, over time. This is often through intentional policies and reforms aimed at weakening the rule of law and civic space. Backsliding can affect democracies at any level of performance.
 - Eroding democracies have experienced statistically significant declines in any of the democracy aspects over the past 5 or 10 years. The democracies with the highest levels of erosion tend also to be classified as backsliding.
 - Fragile democracies are those that have experienced an undemocratic interruption at any point since their first transition to democracy.
 - *Deepening authoritarianism* is a decline in any of the democracy aspects of non-democratic regimes.

For a full explanation of the concepts and how they are defined, see Table 6 on p. 8 of the [summary methodology](#).

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Introduction

For more than a decade, a majority of Europe's established democracies have seen their democratic qualities stagnate—or even decline—rather than improve. Some show clear signs of the erosion of democratic processes and fundamental rights; several have deteriorated to the point where they can hardly be qualified as democracies any longer. The arrival of the Covid-19 global health crisis has added to the strain.

While many of Europe's governments—in both old and new democracies—showed respect for human rights and democratic principles as they battled the pandemic, others disregarded them completely. Indeed, some were quick to use the conditions presented by the pandemic to weaken democracy's guardrails and entrench their ruling power.

With sufficient democratic safeguards still in place, it is likely that the continent's consolidated democracies will emerge largely intact from the pandemic. But where democracy was already beginning to erode, or in countries with long-standing and deep democracy deficits, damage from the pandemic is likely to be more substantial.

The pandemic has laid bare the strengths and weaknesses of democracies across Europe, and the warnings it offers need to be taken seriously.

This report provides lessons and recommendations that governments, political and civic actors, and international democracy assistance providers should consider in order to counter the concerning trends in the erosion of democracy, and to foster its resilience and deepening.

Chapter 1

Key facts and findings

The global Covid-19 pandemic has placed a strain on democracy: in some countries where democratic principles were already under threat, it provided excuses for governments to weaken democracy further.

- The state of two key aspects of democratic vitality—Civil Liberties and Checks on Government—in many of Europe’s erstwhile communist countries was, at the end of 2020, comparable with when they joined the European Union. The 2010s were a decade of missed opportunity for democratic consolidation in this subregion. Ongoing democratic backsliding intensified in Hungary and Poland, while Slovenia joined them as the region’s third backsliding democracy in 2020. These declines have created a deep and dangerous cleavage in the EU’s internal fundamental consensus on liberal democratic values, and highlighted the lack of effective tools to promptly address democratic backsliding within the EU.
- Europe’s non-democratic governments—Russia and Turkey (hybrid regimes) and Azerbaijan and Belarus (authoritarian regimes)—have intensified their suppression of political opponents, independent media and critically minded citizens. They have supported illiberal and anti-democratic forces beyond their borders, posing serious challenges to democracy in their neighbourhoods.
- In the Caucasus, Eastern Europe and Western Balkans, the pandemic has chipped away at the building blocks of democracy. These included the aspects Clean Elections, Free Political Parties, Freedom of Expression, Freedom of Association and Assembly, and Checks on Government. In Albania, Georgia and Serbia, winner-take-all behaviour by ruling elites resulted in parliamentary boycotts by the opposition. For the first time in 20 years, Serbia is no longer categorized as a democracy but as a hybrid regime, which will stifle its EU-accession discussions.
- Across the continent, governments struggled with the proportionality of the restrictions on fundamental rights they put in place in response to the pandemic. Two-thirds of European countries imposed restrictions on Freedom of Assembly and Association, and Freedom of Movement. These restrictions had a widespread impact on other fundamental rights and democratic principles, such as the right to education for schoolchildren and the right to work for the many adults who lost their jobs. The proportionality of emergency measures thus proved to be the true litmus test for democratic resilience across Europe.
- Freedom of Expression and Media Integrity came under serious strain—and not just in authoritarian regimes. Dangerous practices ranged from uncooperative attitudes by state officials towards journalists, to harassment and threats made to media outlets. Several countries capitalized on alleged threats of pandemic disinformation to further repress freedom of speech, both offline and online. Azerbaijan, Belarus, Bulgaria, Hungary, Russia, Serbia and Turkey made disinformation regarding Covid-19 an imprisonable offence or increased criminal sanctions, creating opportunities for to abuse.
- The pandemic was a major test for free elections and electoral management bodies (EMBs), given the need to balance health and safety concerns with the requirements of election schedules. At times, this created opportunities for politicians to interfere in electoral administration and compromise the independence of these institutions. Increased online campaigning heightened the salience of disinformation, foreign interference, and abuse of data. Clean Elections measures declined in Czechia, Hungary, Poland, Serbia and Turkey.
- The pandemic intensified entrenched social and economic inequalities. This led to heightened insecurities, especially for women, marginalized communities and migrants. Inequalities faced by women were particularly reinforced and exacerbated, as their level of unpaid care and domestic work increased during the pandemic. Precarious employment schemes put many women out of jobs, and gender-based violence and domestic violence increased under lockdown situations, which also further limited women’s ability to get away from abuse.

- The pandemic has showcased the importance of parliaments in sustaining democratic governance. As many governments rushed to invoke emergency powers, some legislatures impressively rose to the task of exercising proactive oversight. Where ruling parties had solidified their control of the legislature, some parliaments were muted, and self-divested from systematic and rigorous oversight. There is an opportunity to strengthen the culture and practice of parliamentary oversight to build more resilient democratic systems that function effectively during both ordinary times and emergencies.
- The pandemic has also tested judiciaries and independent oversight bodies. It became abundantly clear which systems could perform their functions effectively in a crisis. Resilience against executive overreach was achieved where there were clear constitutional mandates for oversight of the executive, independence from political pressures and prioritization of rule of law over political allegiance.
- The pandemic has focused a renewed spotlight on long-entrenched inefficiencies in public administration, a lack of accountability and the prevalence of corruption. This could provide momentum for creating more effective and responsive governance systems, which protect citizens in crisis situations, and could spur action to improve the integrity of democratic systems and forge better, more equitable social contracts.
- In both established and fledgling democracies, the imposition of limitations on Fundamental Rights during the pandemic was often met with increased civic activism and engagement. This underlined the importance of civic literacy for many in Europe. Building on this may lead to more civic vigilance in the future over government actions and less taking the gains of democracy for granted.

Chapter 2

Overview of key trends

Europe is currently home to 39 democracies, 3 hybrid regimes (Russia, Serbia and Turkey) and 2 authoritarian regimes (Azerbaijan and Belarus).

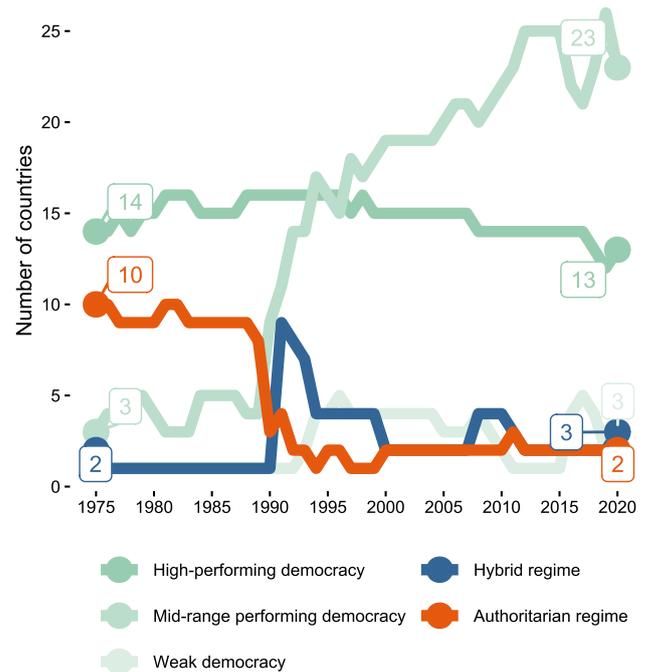
Although democracy has proliferated across Europe since the fall of the Berlin Wall in 1989, improvements in the quality of democracy are currently stalling or even declining and there are fewer high-performing democracies now than there were in 1975.

The state of the aspects Civil Liberties and Checks on Government in many of Europe’s erstwhile communist countries is now at a level comparable with that when they joined the EU. This renders the 2010s a decade of missed opportunity for democratic expansion in this subregion. Since their transition to democracy in the early 1990s, Europe’s new democracies in former Soviet and Balkan countries have oscillated between weak and mid-level democracies, with many of them showing concerning instability in their democratic performance (Figure 1).

Over the past year, democratic backsliding in Hungary (see Box 1) and Poland has worsened. In Poland, the latest negative trends relate to the attributes Judicial Independence and Clean Elections. These declines were a result of past structural reforms in the judiciary and the handling of the preparations for presidential elections by the ruling party in 2020. Based on the 2020 data in the Global State of Democracy (GSoD) Indices, Slovenia has joined Europe’s backsliding democracies. After several years of deterioration in

FIGURE 1

Regime types in Europe, 1975–2020



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gso-d-indices/dataset-resources>>, accessed 3 September 2021.

media integrity and minority rights, alongside attacks on civic watchdogs, Serbia is now categorized as a hybrid regime (also see Figure 3).

BOX 1

Democratic backsliding in Hungary

In the GSoD Indices data, Hungary remains a mid-range performing democracy in 2020 despite a full decade of democratic backsliding. The endurance of this democratic classification reflects the slow process through which the substance of democracy can be hollowed out even while the basic procedures remain. The disaggregated measure of democracy in the GSoD Indices (Figure 2), provides a nuanced view of trends under each of five key subattributes.

Hungary emerged from communism as one of the brightest lights of democratic freedom in Europe. In 1990, the country ranked among the leading nations in the world in the protection of Civil Liberties. Corruption and political participation were the only weak areas in the quantitative measures of Hungary’s political life in that year. Until 2010, Hungary performed very well on most of the aspects of democracy in the GSoD Indices.

However, from 2010 to the present, Hungary has been a backsliding democracy. Some of the sharpest declines were recorded between 2010 and 2015 in Civil Liberties, Clean Elections, Free Political Parties, Judicial Independence and Media Integrity. Between 2015 and 2020, some aspects stabilized at a mid-range level (e.g. Judicial Independence), while others (e.g. Civil Liberties, Clean Elections, Judicial Independence and Media Integrity) have continued to decline. Hungary's 0.5 score in Media Integrity in 2020 means that its performance was halfway between the absolute best and the absolute worst performers in the world.

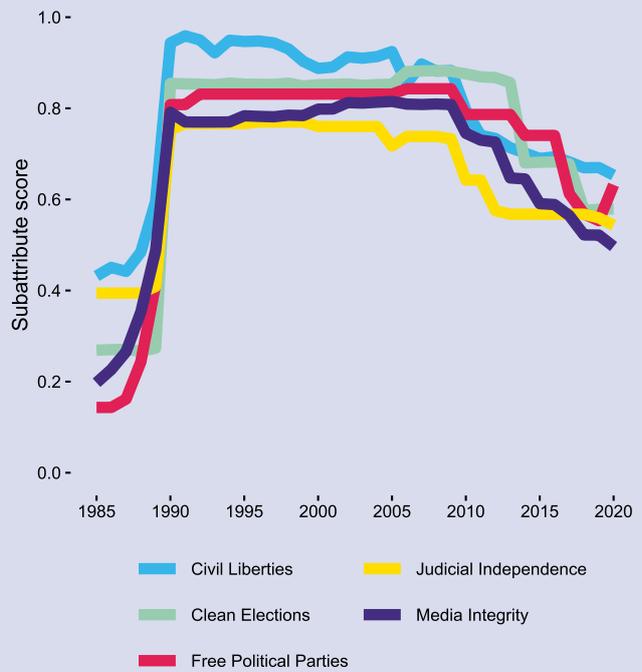
What prevents its classification in the GSoD Indices as a whole from dropping further are a number of isolated areas where the country scores well in comparison with the global average, namely in Personal Integrity and Security, Gender Equality, and Basic Welfare.

Nevertheless, Hungary's downward trend is unmistakable, and recent events give every indication that the country is unlikely to abandon this path in the foreseeable future. In particular, the declines in Clean Elections in Hungary since 2015 risk the possibility that at some point in the next few years this key condition for maintaining its current classification as a democracy would no longer be met.

The significance of Hungary's declines across various attributes and their impact on its democratic institutions, its judiciary, its human rights defenders and independent journalists are described in various thematic sections of this report.

FIGURE 2

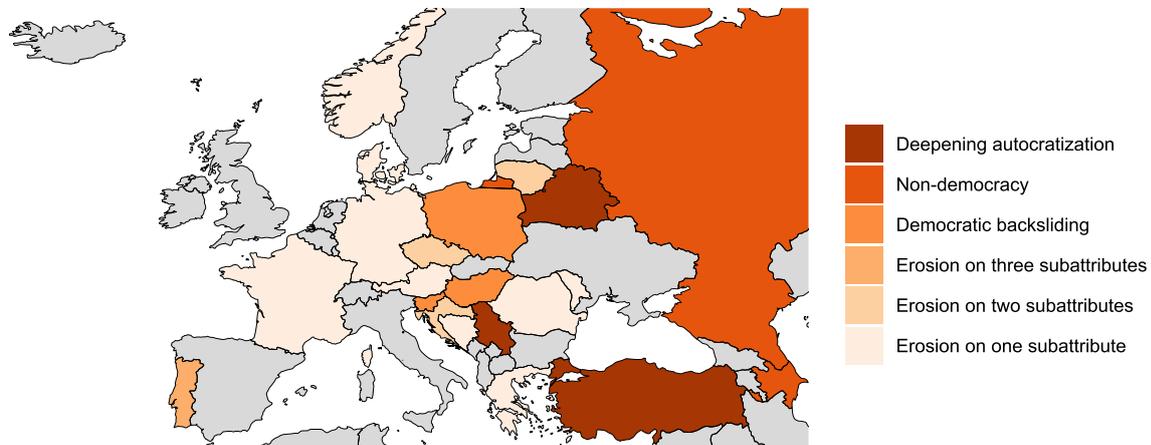
Democratic declines in Hungary



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gso-d-indices/dataset-resources>>, accessed 3 September 2021.

FIGURE 3

Deepening autocratization, backsliding and erosion in Europe



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gso-d-indices/dataset-resources>>, accessed 3 September 2021.

Within Europe’s 39 democracies, 13 are currently high-performing democracies, all of which are old democracies in northern and western Europe, upholding high standards across all five aspects of Representative Government, Fundamental Rights, Checks on Government, Impartial Administration and Participatory Engagement (Austria, Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom).

The quality of these democracies in some areas is stalling. Over the past decade, Belgium and Denmark have seen advances in the Basic Welfare aspect (driven by improvements in education and

health equality), but this has declined in France (due to a decline in health equality). Compared with the situation 10 years ago, Civil Liberties in Austria, Denmark and France has also seen declines. Restrictions on protests in France contributed to declines in France’s Freedom of Association and Assembly. The introduction of bans on face coverings in Denmark in 2018 contributed to a decline in its Freedom of Religion score. Germany has seen declines in Media Integrity, and Personal Integrity and Security. Over the past five years, declines in democratic quality were noted in Portugal, which has seen setbacks in particular in the areas of Judicial Independence, Absence of Corruption and Predictable Enforcement.

BOX 2

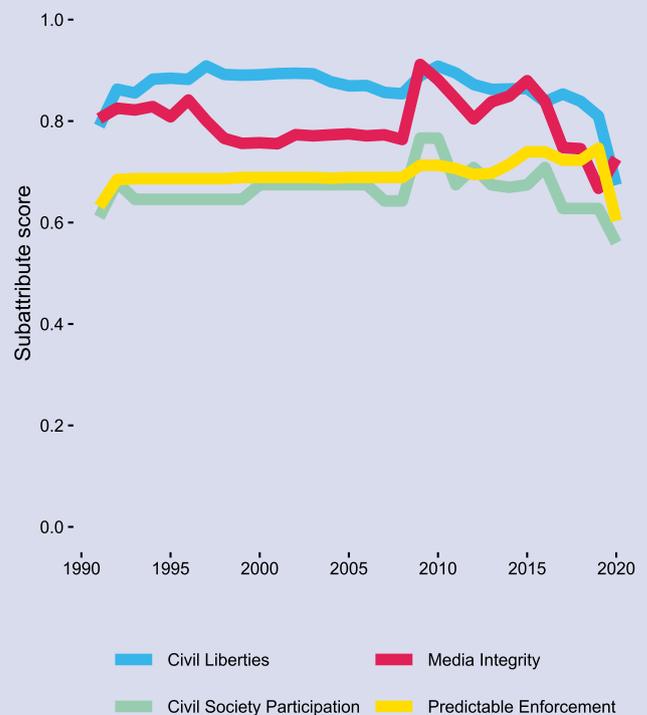
Democratic backsliding in Slovenia

Worsening trends were seen in 2020 across a number of key subattributes in Slovenia (Figure 4). In early 2020, following the entry into power of a new centre-right coalition government, led by the Slovenian Democratic Party (SDS), critical media organizations and independent oversight bodies came under pressure. In what commentators termed an ‘Orbanization’ of Slovenia, leading government officials engaged in undermining critical media outlets and academia, attempted to interfere with independent oversight institutions, and engaged nationalistic and anti-LGBTQIA+ discourse. Only two months after taking office, Prime Minister Janša published an essay titled ‘War with the media’, in what was seen as an effort to marginalize critical media outlets.¹ The government blocked the provision of state funding to the Slovenian Press Agency (STA), proposing media reforms that would endanger the independence of the STA and of Slovenia’s national broadcaster, RTV Slovenia.² Moreover, money connected to Hungarian businesses continues to flow into the country, resulting in concerning levels of concentration of media ownership.³

Following the investigation of the government procurement of pandemic-related personal protective equipment by the Court of Auditors, the Chief Auditor complained of pressure and condemned undue criticism from the government. In March 2021, the Slovenian Association of State Prosecutors submitted a complaint to the Council of Europe regarding the Prime Minister’s treatment of the judiciary, citing his public attacks and prevention of crucial judicial appointments.⁴ Despite restrictive measures, protests in Slovenia have continued for over a year.

FIGURE 4

Democratic declines in Slovenia



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

The quality of Europe’s 23 mid-range performing democracies overall has stagnated or eroded. This is seen particularly in declining standards in Fundamental Rights, Checks on Government and Representative Government. The incumbent governments behind democracy’s erosion in many of these countries—most of which are in East-Central and Eastern Europe—continue to resort to illiberal, majoritarian approaches to governance, the demonization of independent civic groups, the undermining of the independence of the media, and the frequent abuse of state resources to reap electoral benefits.

Over the last 10 years, Civil Liberties has declined in Bulgaria, Hungary, Lithuania, Montenegro, Poland, Portugal, Spain and Ukraine. Freedom of Expression has declined in Spain and is under threat in Bulgaria, Croatia, Czechia, Greece, Hungary, Lithuania, Poland and Slovenia. Czechia has seen a decline in Clean Elections, and Portugal in Fundamental Rights. Declines in Media Integrity are concerning in Croatia, Czechia, Greece, Hungary, Moldova, Poland and Slovenia. Social Group Equality has decreased in Croatia, Czechia, Greece, Hungary, Portugal and Slovenia.

Albania, Armenia, and Bosnia and Herzegovina currently comprise a subgroup of weak democracies, underscoring long-standing challenges in their democratic consolidation and a lack of determination by their ruling elites to break away from their past habits when they were hybrid regimes. These countries continue to see nearly permanent political protests and parliamentary boycotts over charges of state capture by long-serving ruling parties and the loss of a level playing field for opposition groups.

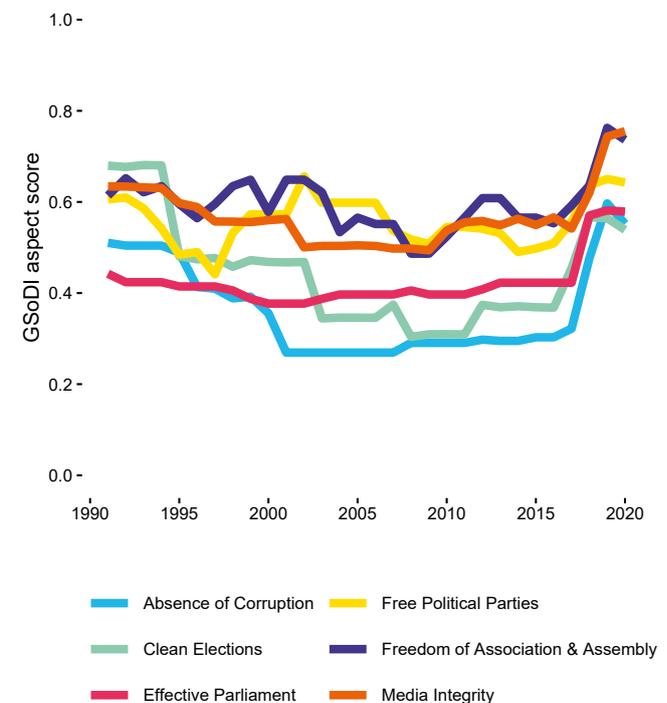
In 2018, Armenia had registered significant democratic improvements following its Velvet Revolution (Figure 5). However, risks to its democratic stability became increasingly evident when the country’s military leaders committed an unconstitutional intervention in governance by demanding the resignation of Prime Minister Nikol Pashinyan in February 2021. Following his re-election in June 2021, the Prime Minister and his reform-minded government have continued to tackle outstanding challenges in deepening democracy, in conditions of heightened political polarization and security-related vulnerabilities stemming from the country’s recent military confrontation with Azerbaijan over the Nagorno-Karabakh region.

Autocratization has continued to deepen in Azerbaijan, Belarus, Russia and Turkey, where the ruling regimes intensified state-perpetrated repression against political opponents and independent rights groups, systematically violated fundamental rights and liberties, and undermined the independence of judiciaries and media. Freedom of Expression has significantly declined in Russia over the past 10 years. Following a nationwide vote on amendments to the Constitution in 2020, conducted outside of Russia’s existing legal framework for referendums and marred with numerous reports of procedural violations, President Vladimir Putin reset the start of his term limits and effectively extended his stay in power to 2036.

In Belarus, political repressions that started before the August 2020 presidential elections have continued—and have reached unprecedented levels (Figure 6). Freedom of Expression and Freedom of Assembly and Association are currently worse than at any point during the 27-year rule of Alexander Lukashenko.

FIGURE 5

Democratic advancements in Armenia

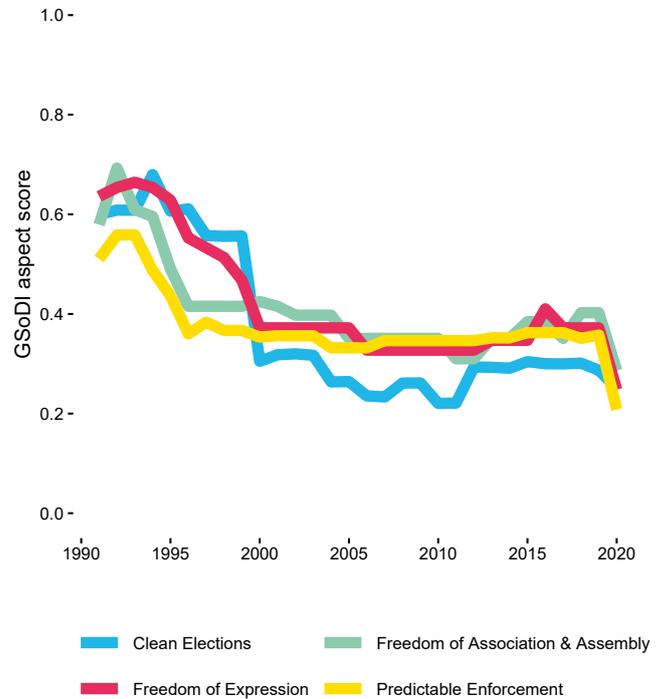


Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsoi-indices/dataset-resources>>, accessed 3 September 2021.

Since the start of the crackdown, more than 30,000 individuals have been arrested and prosecuted, many of them harassed and tortured. Detentions of peaceful protesters continue, and many citizens are detained arbitrarily for the use of white-red-white symbols (the colours of an old Belarusian flag often flown by opponents of the regime) in their homes.⁵ As of 31 July 2021, Belarusian human rights defenders have identified 604 political prisoners.⁶ Against this backdrop, citizens and the democratic opposition have demonstrated levels of resilience and consolidation unprecedented to date. Mass demonstrations, diverse and innovative forms of peaceful protests, solidarity by individuals and groups, and increased levels of online engagement are the hallmarks of Belarus's ongoing democratic uprising.

FIGURE 6

Deepening autocratization in Belarus



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsoi-indices/dataset-resources>>, accessed 3 September 2021.

Chapter 3

Representative Government

The GSoD Indices use the Representative Government attribute to evaluate countries' performance on the conduct of elections, the extent to which political parties are able to operate freely, and the extent to which access to government is decided by elections. This attribute is an aggregation of four subattributes: Clean Elections, Inclusive Suffrage, Free Political Parties and Elected Government.

3.1 CLEAN ELECTIONS

The Covid-19 pandemic has served as an unprecedented stress test for elections. Faced with approaching elections, quick decisions had to be made whether to hold or postpone elections, balancing political rights with public health and safety concerns. Elections unfolding during the first wave of the pandemic were particularly affected, while those scheduled for the later phase of the pandemic benefited from early lessons and faced fewer disruptions. In the period from February 2020 to April 2021, 34 national and local elections in Europe were held on time, while 30 were postponed and then held. Postponements mostly occurred during the early phase of the pandemic and ranged from two to three months of delay.

As decisions whether to postpone or proceed with elections may influence political environments and therefore electoral outcomes, such decisions should be adopted with a high degree of transparency, legal clarity and broad political consensus. In the UK, an unprecedented decision was taken to postpone elections of local government bodies for more than a year (from May 2020 to May 2021), leading to a substantial extension of their terms in office. However, the decision was seen to be based on epidemiological evidence and advice, and was adopted in consultation with all political parties, with a high degree of consensus around the decision.⁷ In France, following the holding of the first round of local elections across the nation in mid-March, a decision was adopted to postpone the second round until June 2020, provided that the pandemic was under control by then. The step did not

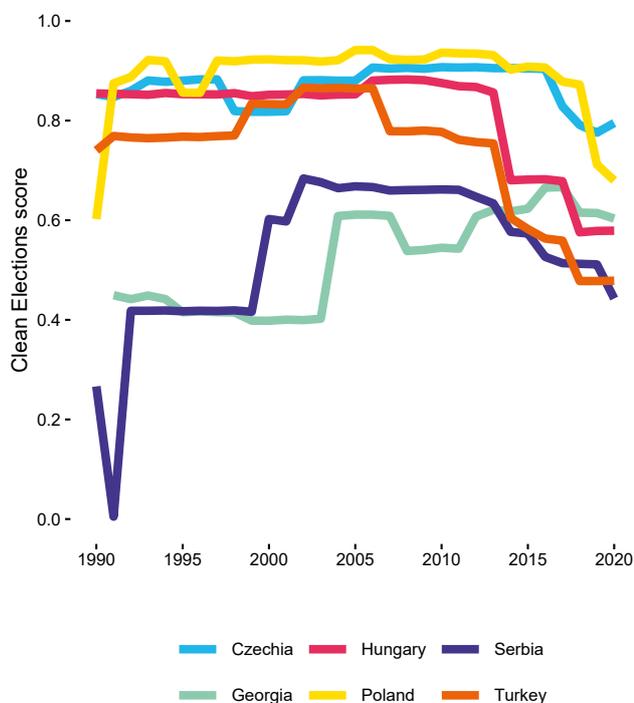
destabilize the electoral process and its integrity, as it was taken in consultation with all key political actors and was effectively communicated to voters.⁸

In many mid-range and weak democracies, elections continued to be undermined by the abuse of state resources, uncontrolled political finance, political corruption and lack of access to effective and timely electoral justice. For several of Europe's incumbent parties, holding elections during the pandemic was considered an opportunity to reap electoral benefits. In elections in Albania, Georgia, Moldova, Poland and Serbia held in 2020, electoral environments were characterized by deep political divisions, parliamentary and electoral boycotts and societal polarization. In all cases, domestic and international observers noted a dangerous fusion of state and party resources, using pandemic-related communications as a vehicle to draw electoral benefits. In Serbia, the pre-pandemic parliamentary boycott continued into a boycott of parliamentary elections, as opposition parties demanded that elections be postponed to a later date to ensure equal and fair conditions for campaigning for all parties. Due to this, Serbia has registered significant declines in Clean Elections, Freedom of Expression and Effective Parliament.

During preparations for Poland's presidential election in 2020, the government sidelined the EMB and made plans to hold elections under the pandemic exclusively through postal voting. Following severe criticism from independent oversight bodies, political opposition and international observers, the plan was withdrawn, with the EMB retaining its constitutionally mandated role. The bill underpinning this initial government plan was later ruled unlawful and annulled by the Warsaw Administrative Court.⁹ Based on a later bipartisan law adopted in parliament, elections were held with more than a month's delay through a combination of in-person and postal voting, and were deemed to be in line with international standards by observers.¹⁰ Nevertheless, this episode marked a dangerous case of politically motivated interference by the government in the work of electoral authorities and the conduct of elections, leading to the worsening of Poland's standing in the Clean Elections subattribute.

FIGURE 7

Clean Elections in Czechia, Georgia, Hungary, Poland, Serbia and Turkey



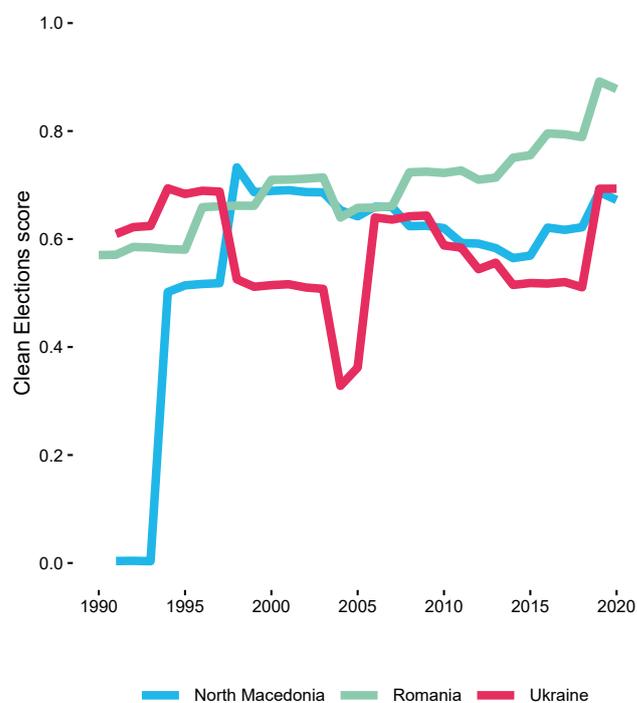
Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

These latest trends augmented pre-existing problems, driving declines in Clean Elections over the last five years in Czechia, Georgia, Hungary, Serbia and Turkey (Figure 7).

Over the last five years, North Macedonia, Romania and Ukraine have worked to improve their election administration bodies and enhance safeguards against electoral fraud (Figure 8). In Romania, reforms were enacted that aimed to improve the efficiency and effectiveness of electoral processes, protect elections against undue influence, increase responsibility and transparency, provide adequate financing to the EMB, and establish control mechanisms to improve oversight over electoral activities.¹¹ However, the 2020 elections were criticized by the Office for Democratic Institutions and Human Rights (ODIHR) due to several rushed changes that created legal uncertainty.¹² In 2018, North Macedonia modified its electoral code, establishing an

FIGURE 8

Clean Elections in North Macedonia, Romania and Ukraine



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

independent, professional EMB and adding additional safeguards to ensure a fair election.¹³ However, the electoral framework was further amended in 2020, only partially addressing recommendations by ODIHR, and was criticized as the amendments occurred on the eve of the announcement of the elections.¹⁴ Ukraine in 2019 reformed its electoral code, introducing a proportional representation system with partially open lists, more proportional sanctions for electoral crimes and increased transparency of political finance.¹⁵

Belarus and Russia held deeply flawed elections, with a lack of freedom for political contestants to run and for voters to choose, as well as heavy use of early and mobile voting without necessary safeguards and an absence of international monitors. Russia’s independent election watchdog Golos qualified the regional elections in September 2020 as the worst in the past 25 years.¹⁶

Increased use of special voting arrangements

In Europe and across the globe, in-person voting remains the gold standard in elections, as it takes place in a controlled environment, protects secrecy, and allows for transparency and direct oversight by relevant stakeholders. However, the need to adopt risk mitigation measures to contain the spread of Covid-19 led many countries to adopt new forms of special voting arrangements (SVAs) or scale up existing ones. Postal voting, proxy voting, mobile ballot box voting and early voting proved to be important alternatives to in-person voting under Covid-19. This expanded use of SVAs may have prevented a significant drop in turnout across several countries. While some observers expected the use of online voting to increase, the lack of practical experience and short timeframes made this option infeasible.

Instituting SVAs necessarily involves a trade-off between the expansion of voting opportunities and the risks for the stability of electoral law, the secrecy of the vote and transparency of elections. As demonstrated by significant political controversies (Poland) or outright misuse of SVAs (Belarus and Russia), the introduction of these additional voting arrangements needs to be accompanied by robust procedural safeguards and broad political consensus—if they are to contribute to trust in electoral outcomes. When introducing or scaling up SVAs, countries must consider infrastructure needs, increased costs and the need for specially tailored safeguards to ensure the integrity of the process and public trust in its results.¹⁷

Data from International IDEA's Electoral Processes programme shows that in the elections held from the start of the pandemic through to the middle of 2021, turnout was below the pre-pandemic level in 15 elections (including referendums), and above the pre-pandemic level in 11 elections (Figure 9). Turnout was notably high in Poland, and notably low in North Macedonia. However, viewing the continent as a whole, the differences in turnout during the pandemic are not very large. This demonstrates the overall resilience of electoral processes in Europe, which is one of the remarkable success stories for democracy during such times of unprecedented pressure.

Online domain and new challenges for democratic politics

In Europe's high-performing democracies and many of its mid-range democracies, clean elections and freedom for political parties to run unhindered

campaigns are the norm. Nevertheless, over the past few years, elections that are otherwise well administered and respect fundamental rights and freedoms are increasingly challenged by emerging threats related to cybersecurity and online political campaigning. Examples of these are cases of unethical online campaigning, issues connected with online political and campaign finance, disinformation and fears of undue interference of foreign actors in electoral processes.

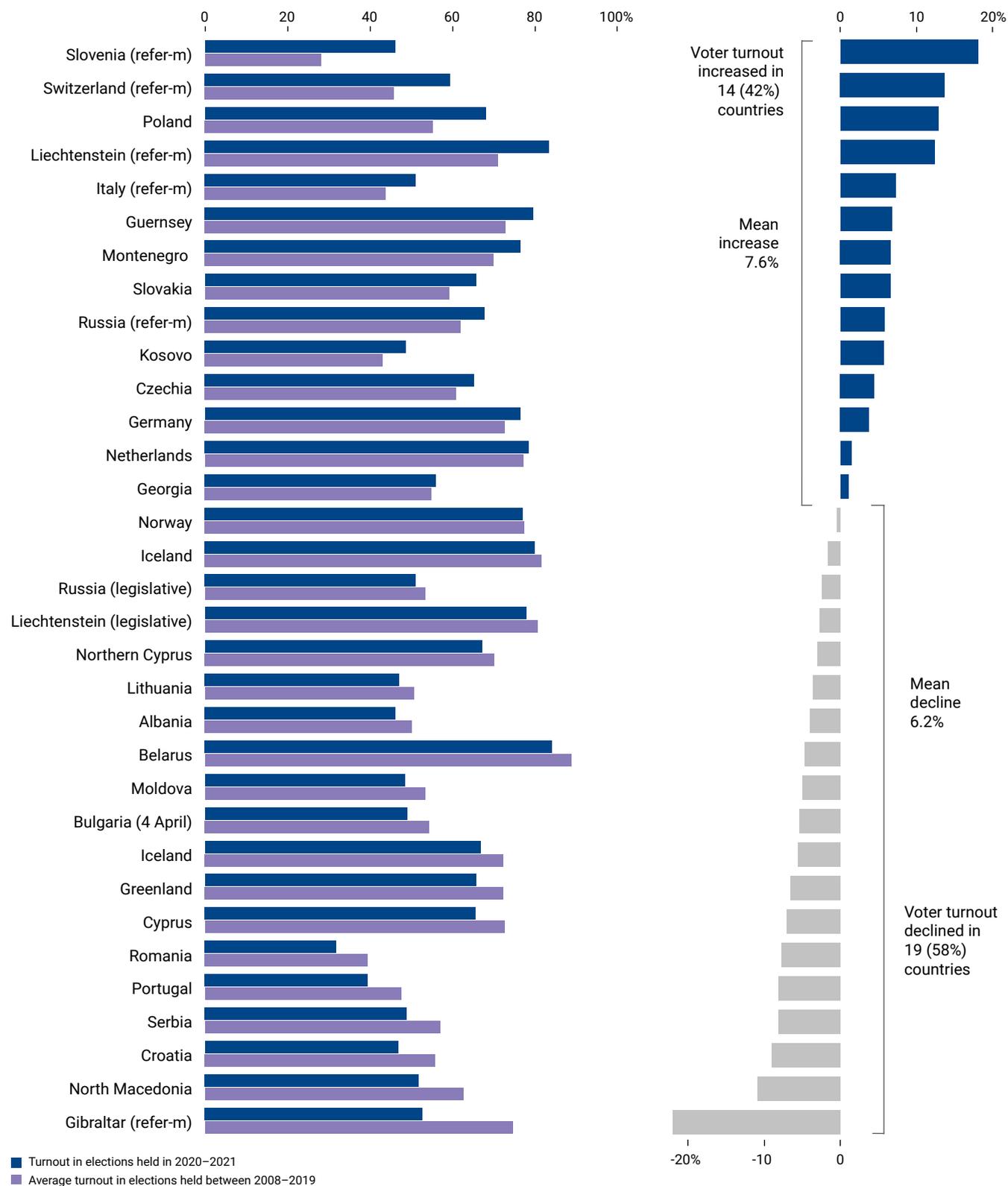
Due to restrictions on assembly during the pandemic, campaign events were held in limited forms where possible, or at times were held contrary to the enforced rules. Some parties were able to adjust quickly, depending on their resources and access to media. The use of online and digital technologies in fundraising and outreach activities has become an even more integral part of many political parties' campaign strategies. Although the digital domain offers many benefits for expanding the reach and speed of political communication, it also exposes the increasing risks stemming from non-transparent and unregulated practices in online political expenditure and opportunities for undue influence on voter choices.

In recent years, the EU has prioritized action to create an effective framework against the misuse of the online space and private data for political advertisements. This includes its communication, 'Securing Free and Fair European Elections', launched in 2018 and the 2018 Code of Practice on Disinformation, which commits online platforms and advertisers to transparency and restricting their targeting options.¹⁸

Many EU member states have formal requirements in place for parties, campaigners and candidates to report paid online political advertisements and ensure transparency in political advertising. The exceptions are Malta, the Netherlands, Spain and Sweden, where the law does not expressly require an obligation to report expenditure for online political advertisement separately.¹⁹ However, where this requirement is provided for, the detail stipulated regarding online spending varies widely from one member state to another, pointing to a lack of commonly agreed standards—which should be compulsory for ensuring transparency in political advertisement expenditure. Election watchdogs across Europe, as well as the European Commission, continue to emphasize that current steps are insufficient and call for improved measures to ensure transparency in online advertising.²⁰

FIGURE 9

Voter turnout during the pandemic



Note: Data for 33 countries as of 24 October 2021.

Source: International IDEA, Voter turnout database, [n.d.], <<https://www.idea.int/data-tools/data/voter-turnout>>, accessed 25 October 2021.

The UK, following the Cambridge Analytica scandal of 2016, has made strides to modernize its rules on online political advertising. The Electoral Commission has conducted ample research into the matter, making detailed recommendations in 2019, promoting a voluntary code of practice for increased imprint requirements for online ads so that people know who they come from.

In the Netherlands, in an effort to protect the integrity of the parliamentary elections in March 2021, the Ministry of the Interior initiated a Code of Conduct on Transparency of Political Advertisement.²¹ The negotiation and drafting process was supported by International IDEA. The Code commits its signatories—political parties and online platforms—to abide with ethical use of voter data in micro-targeting, to promote transparency in online political advertisements, and not to disseminate misleading content, hate speech and messages that incite violence. The Code was signed by 11 out of 13 parliamentary parties and 4 global online platforms (Facebook, Google, Snapchat, TikTok). It is the first of its kind in Europe.

BOX 3

The EU takes steps to defend democratic debate and elections in the online sphere

To uphold democracy, fundamental rights and electoral integrity in the EU, the European Commission is pursuing an ambitious European Democracy Action Plan (EDAP), launched in 2020. The plan aims to support citizens in freely forming their own judgements and opinions, free from undue influence whether domestic or foreign, as well as to support media and civil society in expressing a plurality of views, and to counter disinformation.

In line with the plan, the Commission released the Digital Services Act, which sets higher standards of regulation and accountability for digital intermediary service providers, hosting services and online platforms, including special rules for particularly large platforms. A related legislative proposal is pending, aimed at promoting transparency in sponsored political content—to help citizens better understand what the messages they see online are, who paid for them, and why they are seeing them. The EDAP aims to strengthen the financial viability of media outlets, support media pluralism, and help the sector to capitalize on digital opportunities. The EDAP and the Digital Services Act aim to further rein in the considerable power held by tech platforms often located outside European jurisdictions.

Chapter 4

Fundamental Rights

The Fundamental Rights attribute aggregates scores from three subattributes: Access to Justice, Civil Liberties, and Social Rights and Equality. Overall, it measures the fair and equal access to justice, the extent to which civil liberties such as freedom of expression or movement are respected, and the extent to which countries are offering their citizens basic welfare and political equality.

Limitations and derogations of varying degrees and severity, which were adopted by states to limit the spread of the pandemic, interfered with the enjoyment of fundamental rights in ways unprecedented in past decades. Access to Justice, Freedom of Movement, Freedom of Association and Assembly, and Freedom of Religion were the Fundamental Rights most directly affected by widespread lockdowns and physical distancing measures. While many of these measures appeared necessary, as the right to life was at stake, serious concerns were raised as to their proportionality and their impact on the enjoyment of other political, social and economic rights. The limitations imposed on Freedom of Expression were of particular concern when considered against the requirements of necessity and proportionality. Such limitations, when adopted in countries with already compromised records on human rights, the rule of law and politicization of justice, constitute particularly dangerous precedents and may lead to the normalization of such limitations when faced with future crises.

4.1 ACCESS TO JUSTICE

Across the globe and in Europe, the pandemic resulted in unprecedented challenges for judicial authorities. The risk of spreading Covid-19 led judiciaries in all countries to adopt a broad range of safety measures, including limited operating hours, extended judicial deadlines, case-prioritization rules and the use of online and/or hybrid judicial proceedings. While these measures were necessary, there was a need to ensure that they were carried out in a careful and proportionate manner, allowing for judicial procedures to be administered through alternative means and giving special priority to the most vulnerable groups.²²

Judicial authorities had to function under lockdown but needed to apply approaches compliant with human rights to their new methods of work. The most pressing concerns reported over the first year of the pandemic included restrictions on lawyers' ability to consult with clients during detention, increased isolation of detained persons, concerns about the confidentiality of lawyer–client conversations in places of detention, and limits on the ability of parties to effectively participate in court proceedings and to challenge evidence. Since their introduction at the onset of the pandemic, many of the initial measures have been amended or lifted. However, as justice watchdog groups have warned, facing a large backlog of cases due to the Covid-19 crisis, some countries are considering retaining some of the measures—such as remote hearings and others—that facilitate quicker and more resource-economical approaches to litigation.²³ This dynamic could continue to perpetuate problems that were found and could further inhibit the full and unhindered implementation of the right to a fair trial.

Case backlogs increased across the continent. In some countries, other issues amplified the effect of pandemic-related court closures: in Cyprus, the lack of progress made in digitizing its judicial system;²⁴ and in Spain, worsening problems in judicial efficiency.²⁵ However, even in Germany, where digital courts have been in place since 2002, many courts lacked the facilities or technical capability to hold digital proceedings. In the UK, watchdogs in 2020 and again in 2021 raised concerns, as backlogs reached levels that could take years to process, disproportionately impacting vulnerable groups.²⁶ In some countries, action was taken to limit the increase in backlogs: in the Netherlands, where the retirement age for judges is set at 70, judges between the ages of 70 and 73 were permitted to temporarily come out of retirement to help reduce court backlogs to pre-pandemic levels. In France, lawyers adjusted their approaches from favouring trials to plea deals; and in some cases, the trials that would usually be decided by a jury were allowed to be decided by a judge.

In Belgium, a decree issued in April 2020, concerning the extension of limitation periods for legal proceedings, set new rules in relation to civil cases scheduled for

the period between 11 April and 17 June 2020. These new rules mandated court proceedings only on the basis of written submissions, without a hearing taking place. Courts could, however, postpone the hearing to a later date or hold sessions physically only if physical-distancing guidelines could be maintained. The bill was later ruled as unconstitutional and against the obligations under the European Convention of Human Rights (ECHR).²⁷ In the Netherlands, Fair Trials International reported that lawyers noted the difficulties involved in using language interpretation via a telephone during online proceedings.²⁸ In Poland, in what risks being a long-lasting arrangement, the extraordinary measures in the operation of the judiciary are set to remain for a year after the state of the epidemic emergency has expired.²⁹

4.2 CIVIL LIBERTIES

Freedom of Movement

The introduction of drastic restrictions on Freedom of Movement across the continent was one of the first, most immediate and palpable impacts on fundamental freedoms. In order to curb the spread of the virus and protect the right to life and health, most countries across Europe quickly introduced measures restricting movement, such as closure of borders, curfews and constraints on inter-city and local travel, quarantine requirements, and limitations on the use of public and/or private means of transport.³⁰ Significant declines in Freedom of Movement were seen in 54 per cent of European democracies compared with 2019, with large parts of this decline due to disproportionate or discriminatory measures during the pandemic. However, a significant part of these declines is expected to bounce back after the pandemic no longer necessitates limitations.

While certain restrictions on Freedom of Movement are permissible in times of emergency and under international law, they must be strictly necessary for the identified purpose, minimally intrusive, proportionate to the objective and implemented in a non-discriminatory manner.³¹ The most significant and frequent concerns raised in connection with limitations on Freedom of Movement were those related to the proportionality of adopted measures, particularly in relation to strict night-time curfews, and partial or full closure of public transport, which affected the ability of many vulnerable citizens to reach places of work or health services. This was aggravated in some countries by severe sanctions

and disproportionate police force against those violating curfews. For example, while harsh lockdowns and high sanctions were credited with limiting the spread of Covid-19 in the first wave of the pandemic in Georgia, the disproportionately high fines in a country suffering from economic hardship were concerning. The violation of state of emergency rules could amount to a fine up to EUR 4,000, with imprisonment of up to three years for repeated violations. In Greece, knowingly violating lockdown rules could result in life imprisonment, while breaking the rules unknowingly was to be punished by up to two years in prison.³²

From very early on in the pandemic, contact tracing was identified as an essential measure to fight the spread of Covid-19. At least 28 countries in Europe launched and used some type of contact tracing app or mobile data to trace the spread of Covid-19. While most complied with relevant guidelines, such as being based on clear and informed consent of users and not storing data in centralized databases to avoid potential abuses, some others violated these principles (notably Azerbaijan, Bulgaria, Russia, Slovenia, Turkey and Ukraine).³³

Freedom of Association and Assembly

Just before the pandemic struck, in 2019, Europe saw an increase in the number of assemblies and protests. While the demands and concerns of protesters differed from case to case, a unifying thread across all was a call for more democratic governance based on the rule of law, greater respect for human rights and equality, and meaningful steps to combat climate change and corruption. The current crisis has worsened these grievances and added new ones. All countries across Europe have experienced protests during the pandemic. Common issues which brought citizens out onto the streets include measures seen to be disproportionate and unnecessary in a democratic society, police brutality, and racial profiling and targeting in police action, as well as calls to uphold women's rights, LGBTQIA+ rights and demands for better climate policies. Looking into the future, the economic downturn caused by the crisis will only serve to exacerbate the underlying causes of protests.

Curbing the pandemic has necessitated restrictions on freedom of assembly. Across all countries, limitations on Freedom of Association and Assembly were adopted, ranging from blanket bans on all assembly to allowing only small-scale gatherings on a case-by-case basis. While many of the limitations appeared to be lawful and necessary, their proportionality—and particularly the

proportionality of any sanctions against their violation—was questioned in many instances. With time, and as other restrictions were lifted, cases of enduring blanket bans on assembly became of particular concern. Amnesty International warned that governments across the continent were using Covid-19 as a ‘smokescreen to silence dissent’ and called on all countries to discontinue the use of blanket bans on assembly.³⁴

Protests that violated lockdown rules were met with excessive force in many countries. Examples of harsh police action spanned well-functioning democracies with long traditions of freedom of association and assembly, such as France and the UK, as well as countries such as Albania and Serbia, and other hybrid and authoritarian regimes where the authorities systematically violate these freedoms. As the Polish Parliament passed major legislation banning almost all types of abortion (except those where the pregnancy is the result of rape or threatens the life of the mother), hundreds of activists across Poland staged protests and demonstrations during the period from October 2020 to January 2021.³⁵

In 2021, the UK presented the Police, Crime, Sentencing and Courts Bill, which would widen the range of conditions that police can impose on static protests. These include start and finish times and maximum noise levels. It also gives powers to introduce secondary legislation imposing additional limitations. The amendments proposed in the bill are criticized for violating the right to freedom of assembly, by bolstering the discretion of the Home Secretary without parliamentary oversight, and also for involving a disproportionate increase in punishments for protesters.³⁶ The bill also introduces vague concepts that can be abused by the police, who would be making the fundamental decisions about how people can exercise their right to protest. The bill could make protests punishable by up to 10 years in prison and has been criticized by over 150 organizations in the UK.

Freedom of Expression

Freedom of Expression was already under threat in Europe in the pre-pandemic period. It further declined due to the pandemic and related measures, partially as a result of increased sanctions and censorship of journalists and media outlets.³⁷ Relying on the principle of limitations on freedom of expression being permissible in order to protect public order and public health, at least 16 countries in Europe (36 per cent) have passed laws or taken actions that restricted freedom of expression and media (Figure 10).

Seven countries in Europe (16 per cent)—Azerbaijan, Belarus, Bulgaria, Hungary, Russia, Serbia and Turkey—have made disinformation on Covid-19 an imprisonable offence or increased criminal sanctions for it. As disinformation laws are wide open to abuse, given the broad scope of the term ‘disinformation’, adopting such laws should be discouraged; instead, cases that contain blatant lies about the pandemic and are spread intentionally should be prosecuted.³⁸

In Bulgaria and Republika Srpska in Bosnia and Herzegovina, such disinformation laws were vetoed and reversed after domestic and international criticism,³⁹ while in Hungary the parliament criminalized the spread of misinformation (scaremongering) in times of emergency with the use of fines and up to five years in prison.⁴⁰ In an environment where the independent press have been facing increasing threats, this new law has intensified pre-existing concerns over lack of media freedoms, among others, by having a chilling effect on media outlets and journalists. As part of these measures and a broader deteriorating environment, Freedom of Expression declined for Belarus, Bosnia and Herzegovina, Lithuania, Poland, Serbia, Slovenia and Turkey (Figure 11).

In Albania, one of the country’s TV broadcasters, RTV ORA, was forced to close due to charges of disrespecting social distancing rules.⁴¹ In Serbia, journalist Ana Lalić was arrested for interviewing hospital staff and publishing information on the unpreparedness of the health system to fight the pandemic.⁴² In both instances, large protests in reaction to these cases caused the governments to reverse their decisions, although Lalić continued to be subject to significant online abuse and intimidation.

Due to the clamping down on free speech and expression, including in the online space, the right to obtain public information sustained increasingly severe blows in authoritarian regimes. In Russia, charges of the spread of inaccurate information by individuals could result in imprisonment of up to five years or fines of up to EUR 23,000, while media outlets could face fines as high as EUR 117,000.⁴³ Restrictions in Belarus include the arrest of journalists and critics in the wake of unprecedented mass protests, which have increased mobilization of political and civic actors against the regime of President Lukashenko.⁴⁴ Turkey passed a new social media law in July 2020, which has raised concerns about censorship and surveillance of social media platforms in the country.⁴⁵ In Azerbaijan, increased criminal sanctions were introduced against spreading

FIGURE 10

Countries in Europe that have taken actions that restrict freedom of expression or media integrity



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

‘false information’.⁴⁶ These sanctions were condemned by national and international free speech watchdogs as a pretext to further limit the freedom of expression of political opponents and independent democracy activists.

Lessons from the ongoing pandemic have made it clear that democratic systems can only function properly—and trust in state institutions can only be sustained and strengthened—where there is free and unhindered access to public information, journalists are able to operate without fear and freedom of expression is enjoyed broadly. The provision of frequent and accurate information to the public by relevant government agencies is the best antidote for disinformation.

Particularly concerning for freedom of expression and civil liberties in France more generally is the security bill that was passed by the French legislature in April 2021. The Council of Europe criticized the bill.⁴⁷ The text has been modified since its introduction in 2020 and the most controversial part of the bill, which would ‘forbid the dissemination of images of police officers and gendarmes on social networks’ was removed. It now specifies that helping to identify police officers ‘with the obvious intent of harming’ would be punishable by up to five years in prison and a fine of EUR 75,000. However, the bill is still viewed unfavourably by critics as being too broad, potentially creating a chilling effect on individuals trying to fight increasing levels of abuse by

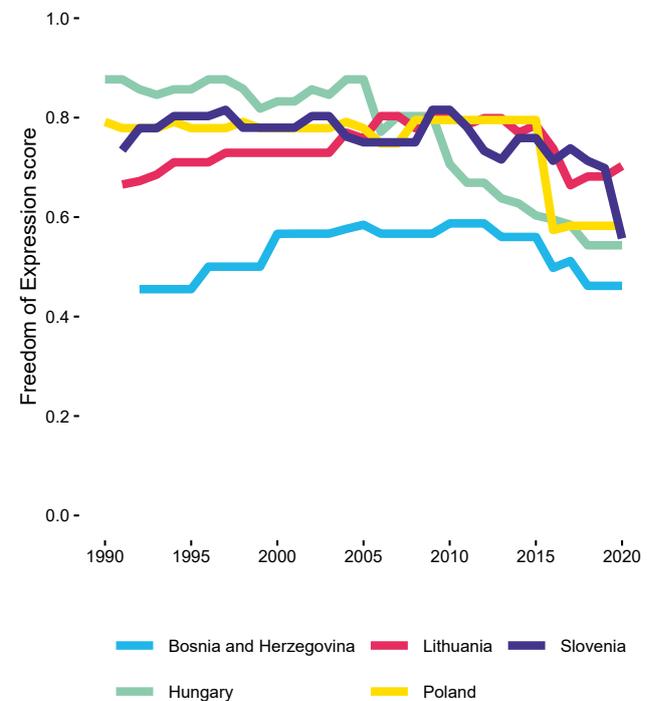
police officers.⁴⁸ Another concerning aspect of the bill for civil liberties is the expanded capability of police to use drones to monitor citizens in public.

In order to satisfy an increased demand for public information related to the pandemic, governments across Europe held regular press conferences, often led by heads of state or government and leading public health officials, providing first-hand information to the public. While these were open to a limited audience of the press corps due to physical distancing rules, there were online information resources provided to ensure the flow of information to the public. Many governments assigned the ‘essential worker’ status to media workers, designed to ensure secure conditions for their work and special access to permits for movement, paid sick leave, personal protective equipment, financial compensation and access to childcare. However, a significant number of states failed to adopt these measures.

The pandemic caused delays in processing access to information requests, and several states, including

FIGURE 11

Declines in Freedom of Expression



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

France, Georgia, Hungary, Italy, Moldova and the UK, suspended statutory deadlines or issued blanket extensions for answering requests for public information. In line with the existing guidance from the Council of Europe, member states need to promptly process requests for access to official documents, and refusals should be subject to a court or other independent review procedure. In some countries, governments resorted to limiting the content of information provided, as was the case in Hungary, Serbia and Spain, where questions from the press had to be submitted in advance and reporters were not able to question the information provided to them. Such limiting measures were later discontinued in Serbia and Spain.⁴⁹ In Hungary, Romania, Serbia and Spain, governmental measures were used to limit media contacts with healthcare workers.⁵⁰ Legal threats were used by governments to silence critics and quell reporting on the pandemic in Albania, Bosnia and Herzegovina, Poland, Serbia and Turkey.

In Poland, following years of government-led capture of national media, the local media has now come under similar threats. A plan to buy the Polska Press—a nationwide network of press agencies—from its current German owner Verlagsgruppe Passau by partially state-owned PKN Orlen is feared to lead to the silencing of critical local journalism. After the initial sales agreement, which is currently suspended because of a judicial challenge by the Polish ombudsman, several key editors are reported to have been dismissed; they were replaced by individuals associated with the government-controlled TV Polska. The purchase risks further worsening the state-led media capture and echoes similar events in Hungary several years ago, when government-friendly business enterprises bought up much of the country's media outlets.⁵¹

Online abuse, intimidation and targeting of journalists, along with a general increase in anti-press sentiment, were observed across the continent. Significant examples of harassment of journalists come from Austria, Croatia, Italy, Portugal, Russia, Serbia and Slovenia.⁵² The Media Pluralism Monitor's 2020 report noted further deterioration in the working conditions of journalists, and defined increased concentration in media ownership across Europe as one of the most significant risks to media pluralism.⁵³ Media sources increasingly lack the income to fulfil their role in maintaining oversight over government activities and providing information to the citizens. Uneven government funding for media outlets was identified during the pandemic in Austria, Greece, Malta and Poland.⁵⁴

BOX 4

Civic space and academic freedom in Europe

The threats to Freedom of Expression and Media Integrity identified in this report are immediate, pressing and, in many cases, related to the pandemic. However, there is a larger context within which these challenges are situated. Civic space as a whole in Europe deserves critical attention. The concept of civic space is broad but intuitive: it encompasses the rights and structures that enable individuals and groups to contribute to the political and social life of their community. For CIVICUS, which measures civic space, the core indicators of civic space are freedom of expression, freedom of association and freedom of assembly.⁵⁵ Without effective protection and exercise of these freedoms, democracy cannot be sustained.

Civic space could be seen as a broader concept, and also include the extent to which the broader political environment is accommodating of access to information, effective fourth-branch institutions (such as ombudspersons, human rights commissions and electoral commissions) and academic freedom.

The most egregious example of threats to academic freedom in recent years has been the—at times subtle, but committed—persecution of the Central European University (CEU) by the Government of Hungary. This political and social controversy ultimately became legal, as the Hungarian Parliament passed a higher-education reform law in 2017 that seemed uniquely targeted at the CEU and forced the university to move from Budapest to Vienna. The Rector of the CEU, Michael Ignatieff, once described the law as 'an absolute masterpiece of this style of legal mugging'.⁵⁶ The law was ultimately ruled to be incompatible with EU law by the European Court of Justice, but the damage had already been done.⁵⁷

The expulsion of the CEU from Hungary is emblematic of a particular kind of threat to democracy in Europe—closing down civic space by shutting off dissenting voices in the press and in academia. Another example is the Polish Government's persecution of a noted law professor, Wojciech Sadurski. Sadurski had posted on Twitter criticizing the Law and Justice (PiS) party and its leader in late 2018, and the state broadcasting system in early 2019.⁵⁸ Both tweets came to the attention of the authorities, and Sadurski was charged with defamation. Litigation against Sadurski remained in process when this report went to press.

4.3 SOCIAL RIGHTS AND EQUALITY

The pandemic has worsened ethnic and racial inequalities. The Roma and Sinti communities, Europe's largest minorities, have faced discrimination and disproportionately harsh application of pandemic-related measures in Bulgaria, Romania, Serbia and Slovakia. People of colour and immigrants were disproportionately handed out fines across the continent; this was particularly pronounced in Belgium, France, Germany, the Netherlands and the UK. Homeless people also found themselves disproportionately targeted by measures, notably in France, Italy, Spain and the UK.

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In some cases, the police enforced restrictions specifically targeting vulnerable populations. The Ministry of the Interior in Bulgaria authorized an operation that targeted Roma neighbourhoods, and armed police officers were a common sight among Roma neighbourhoods and settlements throughout the pandemic.⁵⁹

The authorities failed to ensure that these areas had sufficient access to food and water, leaving residents without vital supplies. People on the move in France—in Calais and Grande-Synthe—saw harassment, intimidation and the unlawful use of force in enforcing measures.⁶⁰ A policy of preventing so-called 'attachment points' was pursued to discourage more settlers in the area, which resulted in regular destruction of people's shelters, leaving them without shelter, food, water or sanitation. In Serbia, certain measures were imposed exclusively on centres housing refugees, migrants and asylum-seekers.⁶¹ These individuals were forced into mandatory 24-hour quarantine and, alarmingly, the military was deployed to enforce the rules. Similar incidents of disproportionate measures taken against people on the move were reported in Greece and Hungary.⁶²

The year 2020 saw a significant rollback on women's rights, gender equality and access to justice for women and LGBTQIA+ individuals in some countries, notably in Hungary, Poland and Turkey. Turkey, after being one of the few early adopters of the Council of Europe's Convention for Combating Violence against Women and Domestic Violence (Istanbul Convention) in 2011, withdrew from it in 2021. In 2020, approximately 300 women lost their lives to domestic and gender-based violence in Turkey.⁶³ Against this background, the rationale for withdrawing from the Convention that was offered by the Turkish authorities was that the country addressed this issue through national legislation and saw no need for international treaties on the subject; other officials claimed that the Convention had been 'hijacked by a group of people attempting to normalize homosexuality'.⁶⁴ In Hungary, in May 2020, the parliament passed a declaration refusing ratification of the Convention, citing a largely similar rationale. In Poland, further severe restrictions were placed on the right to abortion, despite mass public protests staged by women's rights activists and regular citizens across the country for a period of several months.

Violence against women and domestic violence rates spiked across the continent during the pandemic. Many of the costs of the pandemic were also disproportionately borne by women, who are more likely to be employed as care workers than men (76 per cent are women),⁶⁵ and who across Europe continue to perform the majority of domestic work and childcare responsibilities. Prolonged confinement at home as a result of lockdowns in many countries left thousands of women at increased risk of domestic violence. In many countries, domestic abuse hotlines and shelters reported a spike in women seeking help—seen in Armenia, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Czechia, Ireland, Poland, Serbia, Spain and Russia. Reported cases of domestic violence have also increased—seen in Albania, Finland, France, Hungary, Kosovo, Lithuania, Romania and the UK.⁶⁶ These observations, however, do not capture the true scale of the issue, as many women are not able to, or choose not to, reach out when abused.

In relation to the rights of LGBTQIA+ individuals, the Hungarian Parliament adopted a law in May 2020 which removed the possibility of transgender and intersex individuals legally changing their gender, exposing them to risks of discrimination and violence and effectively denying them adequate healthcare. In June 2021, the parliament adopted a law which prohibits or limits the

public display of content that includes 'divergence from self-identity corresponding to sex at birth, sex change or homosexuality' for individuals under 18. In Poland, several local communities across the country declared themselves 'LGBT-free' areas. The government also passed resolutions against 'LGBT propaganda'. The European Parliament showed its continued support for the rights of LGBTQIA+ individuals in 2021 by voting to declare the EU an 'LGBT freedom' area. In July 2021, in response to these restrictions on the fundamental rights and equality of individuals based on their sexual and gender identity, the European Commission launched infringement procedures against Hungary and Poland, which could see these countries referred to the Court of Justice if policies are not changed in the next few months.⁶⁷ In Georgia, in July 2021 the government issued statements discouraging LGBTQIA+ rights activists from assembling and marking Pride Month. This was seen to have bolstered various extremist groups, who violently attacked several gatherings and offices of LGBTQIA+ rights activists, as well as journalists, while the government and the police failed to swiftly prevent and protect its citizens against such assaults.⁶⁸

The pandemic has also contributed to widening income inequality in Europe. The lockdowns and other restrictions affected the livelihoods of workers in the service, retail and manufacturing industries far more than those in professions allowing remote working. A report from the Bruegel think tank found that during the first part of the pandemic there was a drop of 8 per cent in the number of jobs for workers with lower secondary education, while there was actually an increase in jobs for those with tertiary education.⁶⁹ On top of increased inequality during the pandemic, there is a looming possibility that, as the pandemic ends, even more people will face personal financial crises. So far during the pandemic, many countries have implemented programmes that soften the economic blow to individuals and companies. But, as those programmes are phased out, workers and employers may have to face the challenges of the post-pandemic economy with less government support. Some economists suggest that the real economic impact of the pandemic lies in the future, and that poor policy responses could lead to social unrest.⁷⁰

Chapter 5

Checks on Government

The Checks on Government attribute aggregates scores from three subattributes: Effective Parliament, Judicial Independence and Media Integrity. It measures the extent to which the parliament oversees the executive, as well as whether the courts are independent, and whether media is diverse and critical of the government without being penalized for it.

As with the other attributes, Checks on Government has weakened across several countries.

Democracies function well when vertical accountability through elections is supplemented by robust horizontal accountability between elections. The exercise of political power needs to be continuously subjected to scrutiny. If the other branches of government (the legislature and the judiciary), and/or a critical and pluralistic press, do not keep executive powers in check, these powers will be more prone to abuse for private gain and subject to biased political decision-making and implementation.

5.1 EFFECTIVE PARLIAMENT

In response to the pandemic, significant emergency powers have been conferred to the executive in many countries, to enable them to take swift action across a broad range of policy areas. At the same time, many limitations on fundamental rights and freedoms adopted to fight the pandemic, and the large financial assistance measures issued by governments in support of ailing economies, both intensified the need for rigorous and systematic parliamentary scrutiny of the executive. To add to this challenge, parliaments, as all other public institutions, were constrained in their practical operation due to the risks of contagion. This led to modifications in parliamentary modus operandi across Europe: remote participation through phone and online technologies; downsizing in the number of MPs working at a particular time or on a particular issue; social distancing; and meeting less often or in more spacious locations. In Europe, only five parliaments (Armenia, Bulgaria, Czechia, Kosovo and Slovakia) continued operating as normal.⁷¹

Overall, the experience of dealing with the pandemic has helped showcase the value of parliaments in sustaining the democratic model of governance. Countries with stronger traditions of democratic norms and conventions in parliamentary decision-making maintained effective checks and balances. Those where the culture and practice of parliamentary oversight and scrutiny had been weak or compromised prior to the pandemic faced more challenges. Where ruling parties had a history of entrenching their parliamentary influence and behaving in a polarized manner in the pre-pandemic period, parliaments were muted, often self-divesting from systematic and rigorous oversight and meaningful public deliberation on measures to address the pandemic.

The functioning of parliaments and the effectiveness of their oversight functions have come under particular scrutiny in Europe's mid-range and weak-performing democracies, given the pre-existing trends in growing executive overreach and limitations on the operation of parliamentary opposition. Quick parliamentary authorizations of emergency acts often meant an absence of public consultation or meaningful parliamentary debates on proportionality and the scope of limitations. Concerning developments noted throughout the pandemic range from limited operation of parliaments or adoption of remote and online methods of work, seen in many countries, to more serious concerns of failures to exercise proactive and substantive oversight of executive action, such as in Georgia, Hungary, Serbia and Turkey. For example, in Hungary, following the end of the initial state of emergency, parliament adopted a bill that gave the government the power to adopt all measures it deemed necessary without parliamentary approval, including suspending laws, to respond to public health emergencies.

In Georgia, in the first phase of the pandemic, with the ongoing opposition boycott, parliament continued to display weak oversight of the executive, as it gave special powers to the executive to limit fundamental rights as part of the health law, and left the executive effectively unchecked from May to December 2020. The measure was later approved in most part by the

constitutional court but continued to worry democracy watchdogs as a potentially dangerous precedent. In Albania, in much of the first phase of the pandemic, parliament continued in conditions of opposition boycott and with only limited oversight and law-making activity, which was only resolved following the April 2021 parliamentary elections. In North Macedonia, parliament had dissolved ahead of the planned election, which had to be postponed from April to July 2020, leaving the country without a legislative body during the first critical phase of the pandemic.

A number of parliaments provided good examples of proactive oversight, including those in Bulgaria, Estonia, France, Norway, Sweden and the UK, where fact-finding or special committees were established to ensure close and timely monitoring of the handling of the crisis and its consequences. Positive practices include establishing inter-party groups assessing particular human rights implications of government response measures, the ability of citizens to submit questions to a parliament electronically, and live web-streaming of committee meetings.⁷²

5.2 JUDICIAL INDEPENDENCE AND OVERSIGHT OF EXECUTIVE ACTION

Prior to the pandemic, the most notable declines in Judicial Independence across Europe were observed in Hungary, Moldova, Poland, Portugal and Romania. Judicial Independence in Hungary and Poland has been under assault since 2010 and 2015, respectively. Advances were registered in Armenia, North Macedonia and Ukraine (Figure 12).

In Hungary, after winning a supermajority in elections in 2010, Fidesz—a right-wing conservative party—immediately worked to overhaul the constitutional framework for the judiciary. The Constitutional Court faced successive reforms which limited its scope for review, and Hungary's courts were steadily filled with Fidesz loyalists. While plans to set up a parallel administrative court system were dropped after EU institutions voiced strong rule of law concerns, a law adopted in 2019 opened the way for politically sensitive cases to be decided in a way that was favourable to the executive power. The National Judicial Office, tasked with the administration of Hungary's courts, has seen its independence weakened and now plays a negligible oversight role in Hungary's judiciary.

In Poland, the long-standing contestation over the Polish Government's judicial reforms of the past few years, which gradually weakened all judicial institutions in the country, culminated with two key rulings issued by Europe's two highest courts—the European Court of Justice and the European Court of Human Rights—in July 2021. Both courts ruled that the Disciplinary Chamber of Poland's Supreme Court, created in 2019 despite severe opposition from domestic and international judicial actors, violates the provisions of EU law.⁷³ While the government signalled that it planned to reform the Disciplinary Chamber as a result of the ruling, it remains to be seen how years of legislative and institutional changes across all judicial institutions can be reversed and put back on track for the defence of justice and the rule of law.

In times of emergency and constrained parliamentary operation, judicial independence and judicial review of emergency measures can be a lifeline for democracy. Judicial review functions can be provided by civil, administrative and criminal courts, as well as the highest courts, such as constitutional courts, where they exist. As maintained by the Council of Europe's Venice Commission, the 'domestic courts must have full jurisdiction to review measures of restriction and derogation for their legality and justification, and for their conformity with the relevant provisions of the ECHR'.⁷⁴

Complex constitutional contexts and diverse judicial systems render it difficult to identify clear-cut tendencies in judicial oversight of the pandemic-related state responses. As long as the pandemic is not fully over, and new measures continue to be taken, such an assessment would be premature. Nevertheless, there is already some notable case law from Europe's constitutional and ordinary courts. They provide instructive insights into how the courts in various democracies have carried out their judicial review functions. They also indicate that the pandemic continues to test judicial independence and effectiveness, with important contextual lessons emerging for analysis and application.

In 2020, the Austrian Constitutional Court found a blanket ban on entering all public spaces to be a violation of the law, as the Covid-19 Measures Act only allowed for certain, limited areas to be restricted. Later in the year, some of the early measures taken, such as prohibitions on entering restaurants, event regulations and mask requirements, were found to violate the Act, as decision-making was not sufficiently transparent to justify these measures.⁷⁵

Portugal’s lower court ruled as unlawful the mandatory confinement of individuals without the confirmation of their infection with Covid-19, based on disproportionality criteria. In France, the Council of the State (France’s Supreme Administrative Court) overturned mandatory wearing of face masks in all areas in several cities and towns, stating that ‘a face mask can therefore be imposed on densely populated cities, but must be limited only to the city centre in less densely populated municipalities’.⁷⁶

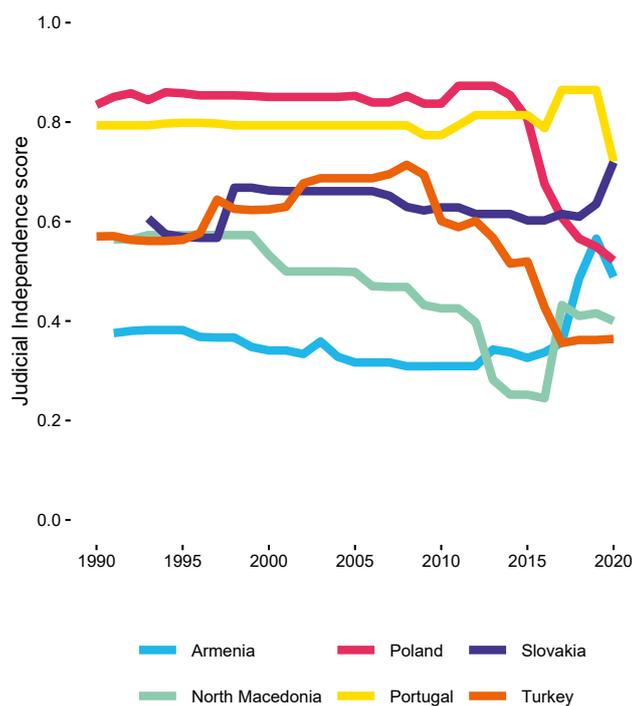
Courts in Germany and the Netherlands also ruled that some pandemic-related measures were unlawful, arguing that these restrictions were unjustified limitations of constitutional rights.⁷⁷

In Serbia, courts only reviewed the measures after a lengthy delay—by then the measures had already expired and were no longer applicable.⁷⁸ The Constitutional Court struggled to fulfil its role in other countries as well, such as in Albania, where the Court has been unable to reach quorum due to unfilled posts.⁷⁹

In Poland, the Warsaw Administrative Court ruled that the actions of the prime minister in election preparations and sidelining of the EMB were unlawful (the case was at the appeal stage when this report went to press). The courts ruled against the government’s measures in Bosnia and Herzegovina, where the imposed curfew on people aged 18 to 65 was found to be unconstitutional.⁸⁰

FIGURE 12

Advances and declines in Judicial Independence



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsd-indices/dataset-resources>>, accessed 3 September 2021.

BOX 5

Rule of law enforcement in EU member states

Based on its founding treaty, the EU has taken initiatives to uphold the rule of law in its member states since 2013. Amid pressure after clear signs of the retreat of rule of law in some of its member states, the EU was compelled to step up its efforts to create a more viable system, able to identify and address the rule of law challenges in a timely and effective manner. In 2020, the European Commission launched a new Rule of Law Mechanism, a yearly rule of law dialogue and reporting process engaging the Commission, the Council and the European Parliament, together with national member state parliaments, civic society and other rule of law stakeholders.⁸¹ Additional assessments are provided in the annual EU Justice Scoreboard.⁸² As a vital new element of this rule of law protection system, in late 2020, the European Parliament and the Council adopted the new legislation that mandates the suspension or reduction of EU budget payments to a member state where significant violation of the rule of law is registered.⁸³ It targets breaches, such as threats to the independence of the judiciary, failure to correct arbitrary or unlawful decisions, and limiting legal remedies.⁸⁴ Following its adoption in 2020, Poland and Hungary have challenged it before the European Court of Justice. Pending the determination by the court in these cases, it remains to be seen to what extent this latest mechanism will be effective and what other steps the EU may have to take to develop robust defences for the protection of rule of law within its member states.

Chapter 6

Participatory Engagement

Participatory Engagement is composed of four subattributes (Civil Society Participation, Electoral Participation, Direct Democracy and Local Democracy). The subattributes measure citizens' participation in civil society organizations (CSOs) and in elections, and the existence of direct democracy instruments available to citizens, as well as the extent to which local elections are free.

During the pandemic, organized and informal civil societies have played an essential role in upholding democratic controls over government actions and ensuring independent and impartial assessment of the pandemic's impact on democratic governance and its socio-economic impact. Labour associations and small, informal grassroots groups have all contributed to

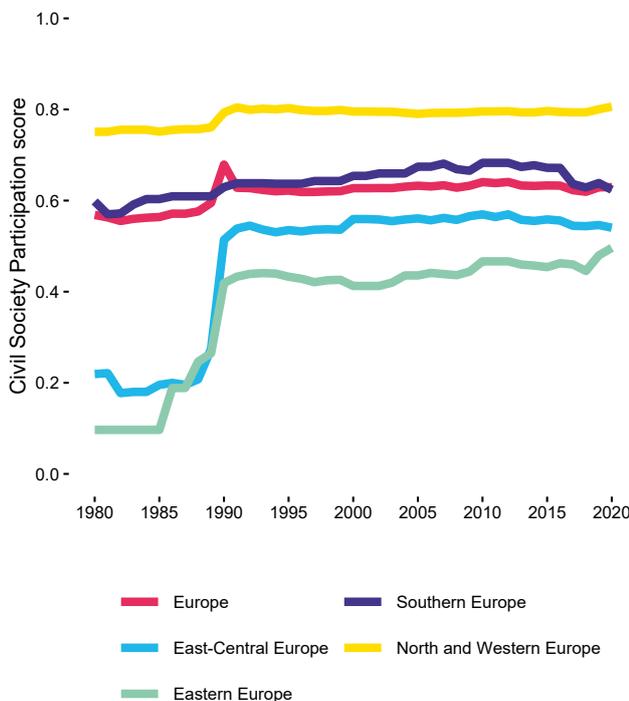
easing the impact of the pandemic, just as democracy watchdogs have been fighting corruption and election observer groups upholding democracy—all while faced with health risks.

While traditional forms of political participation, such as electoral participation or political party membership, have declined in Europe's established democracies over the past years, Civil Society Participation (measured by the GSod Indices as the extent to which people participate in CSOs) has not seen a major decline, but has maintained stable levels over the past decades (Figure 13).

While participation in CSOs increased in the early 1990s in East-Central Europe, with the transition to democracy

FIGURE 13

Civil Society Participation across Europe



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

FIGURE 14

Civil Society Participation in Hungary, Poland and Slovenia



Source: International IDEA, The Global State of Democracy Indices 1975–2020, v. 5.1, 2021, <<https://www.idea.int/gsod-indices/dataset-resources>>, accessed 3 September 2021.

and emergence of a large number of new civil society groups, it has failed to expand since that initial rise. Over the past several years, in the context of ongoing democratic backsliding, the breadth and independence of public deliberation with participation of CSOs have declined in Hungary, Poland and Slovenia (Figure 14). In countering this diminishing space for deliberative engagement, popular mobilization and protest movements are on the rise. In Poland, throughout 2020 and 2021, activists used information and communication technologies extensively to mobilize protests against new abortion laws. In Slovenia, protesters used innovative ways—such as bike protests, multiple smaller groups staging walking protests, banners hung from windows and balconies, and an online protest concert—to voice concerns against the ‘degradation of democracy’ in Slovenia.⁸⁵

In Eastern Europe, where most countries traditionally show lower levels of membership in CSOs, human rights defenders and grassroots groups have asserted a growing public influence and ability to check government actions, often under repressive and threatening conditions. The civic movement Shame in Georgia, along with other civic groups, continued to inform and mobilize the public against mounting pressure on media, lack of judicial independence and excessive use of force by police against demonstrators.⁸⁶ Across the Western Balkans, CSOs worked to fill in gaps in the Covid-19 response effort (especially among the most vulnerable people), advocated for proportionate lockdowns and kept monitoring government responses to the pandemic.⁸⁷ In the autocratizing environment in Russia, independent electoral observers at Golos are monitoring state actions, and inciting public engagement against electoral fraud and human rights violations. They made rigorous use of online crowdsourcing tools to gather information on violations in the 2020 constitutional referendum process.

BOX 6

EU experiments with participatory democracy: The conference on the future of Europe

In 2021, the EU launched the Conference on the Future of Europe, a long-anticipated public deliberation initiative designed to involve European citizens in a wide-ranging debate on Europe’s future.⁸⁸ The Conference aims to give citizens a greater role in shaping the EU’s future policies and to enhance the democratic legitimacy of the European project. It is particularly hoping to reach out to and engage Europe’s ‘silent majority’. It builds on experiences with EU citizens, consultations and recent participatory democracy initiatives in EU member states, such as France and Belgium. With the help of an interactive multilingual digital platform, the EU aims to listen to debates at pan-European, national, regional and local levels. A feedback mechanism should ensure that the ideas expressed throughout the Conference events result in concrete recommendations for EU action. Figuring out the optimal representative architecture for the Conference has proven to be a challenge. In addition, the pandemic is likely to significantly diminish the Conference’s initially intended reach. Nevertheless, the Conference remains a uniquely ambitious effort at structured public deliberation at a pan-European level. Whatever its immediate successes and failures, the EU and European citizens should consider it a precursor for building a more agile and impactful future practice of democratic public deliberation.

Chapter 7

Conclusion

The quality of Europe's democracies has stagnated or declined over the past two years, in no small part because the Covid-19 global health crisis prompted governments to take actions that imposed restrictions on various freedoms in previously unprecedented ways.

The pandemic proved to be a formidable challenge for Europe's established democracies. Many weathered the crisis without breaking the core tenets of democratic governance. However, numerous instances of knee-jerk reactions to the crisis—especially ones curbing fundamental rights and liberties, having a disproportionate negative impact on vulnerable groups and increasing social inequalities, as well as governments operating with limited transparency and accountability—all contributed to raising concerns among many citizens and democracy watchdogs over the enduring impact of this crisis on the future of democracy.

Democratic decline in East-Central Europe threatens to break the EU's liberal democratic consensus, as

Hungary, Poland and Slovenia have shown further deterioration in their democratic credentials. Here, the pandemic compounded the ills accumulated throughout the past decade, such as the tendency towards executive overreach, majoritarian and polarized law-making, weak parliamentary oversight and illiberal measures to limit fundamental rights and civil liberties. National actors and international bodies, such as the EU, need to act with determination to resist further autocratization and recover the region from the current crisis.

In the Western Balkans and other Eastern European countries, long-standing weaknesses in these new democracies were compounded by Covid-19. The legitimacy of many ruling elites in the region has suffered from their actions to gain unequal electoral advantage during the pandemic, and their intimidation of the political opposition by polarizing and winner-takes-all behaviour, as well as their efforts to further weaken media integrity—to name just a few.

Chapter 8

Policy recommendations

Reflecting the lessons learned from the pandemic, the following are recommendations for recovering and deepening democracies across Europe:

- 1. To repair the social contract, governments should take urgent action in their economic recovery plans to address social inequalities.** The pandemic laid bare the structural inequalities in European societies, as women and the poor have borne the brunt of its impact.
- 2. Governments should submit themselves to independent post-pandemic 'state of emergency' audits,** including through facilitation by multilateral bodies such as the United Nations, Council of Europe and Organization for Security and Co-operation in Europe (OSCE). These audits should weigh emergency measures against human rights and rule of law standards to ensure that improved national legal frameworks in relation to emergency regimes can be put in place before future crises.
- 3. Emergency-related actions that limit fundamental rights should always be accompanied by broad public information campaigns.** Informing citizens of the rationale behind such measures, and the implication they have for their rights, can increase citizen acceptance and foster democratic activism and oversight of government action. In all cases, emergency measures that limit people's fundamental rights and freedoms must always be lawful, necessary and proportionate.
- 4. Parliaments, the bedrock of representative democracy, should act so that they never again find themselves sidelined by an emergency.** They should set up special bodies for crisis monitoring and oversight and should invest in technology that guarantees their unhindered functioning during future crises.
- 5. Freedom of information laws must be made to work swiftly and efficiently.** This is to facilitate the gathering and dissemination of accurate information and to counter disinformation. Any permissible limitations on freedom of information should not put in jeopardy the right of access to information itself. Only with complete openness about emergency decisions can governments fulfil the accountability standards necessary in a democratic society.
- 6. Governments should combat disinformation, but criminal sanctions against alleged perpetrators must not be abused.** In a telltale sign of malign intent, criminal sanctions have been widely abused to harass journalists and censor media during the pandemic. Instead, governments should focus on detecting and debunking disinformation.
- 7. The independence of electoral management bodies must be maintained, including during emergencies.** Political parties should commit to this and refrain from politicizing the holding or postponing of elections.
- 8. Temporary voting methods that worked during the pandemic should be made permanent, but with sufficient safeguards against fraud.** Postal voting and early voting demonstrated their potential to increase turnout when introduced with care and impartiality.
- 9. Online political campaigning should be regulated urgently to combat disinformation, foreign online interference, abuse of private data, and opaque funding of political campaigns.** European governments should invest in independent oversight of online electoral campaigns, support EU-level initiatives to regulate online platforms, and earmark funding for cybersecurity in elections.
- 10. Governments should actively encourage civic engagement, including through increased funding.** If the pandemic has taught governments anything, it is that no emergency measure is effective without the backing of citizens. Meaningful, systematic opportunities for civil society participation in public policy planning and decision-making must be cemented into governance.
- 11. The EU and its member states should develop a rapid response mechanism to push back against early signs of democratic backsliding,** including

by imposing conditionalities on accessing EU funds. The EU should support activists, by helping to exchange lessons on successful resistance by judges, journalists and democracy activists across the region. The bloc should enhance democracy support within its borders, including through significant financial assistance to support this effort.

12. Europe, the USA and other democracies should renew focus on democratic multilateralism to

counter recent anti-authoritarian upsurges in Europe. Together, they should harmonize their economic and security policies with the objective of protecting fundamental rights, rule of law and democratic transformations in places such as Azerbaijan, Belarus and Russia, and redouble support to countries under threat of authoritarian interference. They should jointly protect activists and journalists that are on the front line of the struggle for democracy in Europe and elsewhere.

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About International IDEA

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mission to advance democracy worldwide, as a universal human aspiration and enabler of sustainable development. We do this by supporting the building, strengthening and safeguarding of democratic political institutions and processes at all levels. Our vision is a world in which democratic processes, actors and institutions are inclusive and accountable and deliver sustainable development to all.

WHAT DO WE DO?

In our work we focus on three main impact areas: electoral processes; constitution-building processes; and political participation and representation. The themes of gender and inclusion, conflict sensitivity and sustainable development are mainstreamed across all our areas of work.

International IDEA provides analyses of global and regional democratic trends; produces comparative knowledge on good international democratic practices; offers technical assistance and capacity-building on democratic reform to actors engaged in democratic processes; and convenes dialogue on issues relevant to the public debate on democracy and democracy building.

WHERE DO WE WORK?

Our headquarters is located in Stockholm, and we have regional and country offices in Africa, the Asia-Pacific, Europe, and Latin America and the Caribbean. International IDEA is a Permanent Observer to the United Nations and is accredited to European Union institutions.

<<http://idea.int>>



International IDEA
Strömsborg
SE-103 34 Stockholm
Sweden
+46 8 698 37 00
info@idea.int
www.idea.int

For more than a decade, a majority of Europe’s established democracies have seen the quality of their democracies stagnate—or even decline—rather than improve. Some show the clear erosion of democratic processes and fundamental rights; several have deteriorated to the point where they can hardly be qualified as democracies any longer. The arrival of the Covid-19 global health crisis has added to the strain. With sufficient democratic safeguards still in place, it is likely that the continent’s consolidated democracies will emerge largely intact from the pandemic.

This Report provides lessons and recommendations that governments, political and civic actors, and international democracy assistance providers should consider in order to counter the concerning trends in the erosion of democracy, and to foster its resilience and deepening.

International IDEA’s Global State of Democracy reports review the state of democracy around the world. The 2021 edition covers developments in 2020 and 2021, with democratic trends since 2015 used as a contextual reference. This report on Europe is one of four regional Global State of Democracy reports, which, along with the Global Report, complement and cross-reference each other. The reports draw on data from the Global State of Democracy (GSoD) Indices and lessons learned from International IDEA’s on-the ground technical assistance to understand the current democracy landscape. The 2021 reports also draw heavily on data collected by International IDEA’s Global Monitor of COVID-19’s Impact on Democracy and Human Rights.

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