



RACIALISATION AND SHRINKING SPACE

**Defending the Human Rights
of Racialised People in Europe**

POSITION PAPER DEC 2022



The European Network Against Racism (ENAR aisbl) stands against racism and discrimination and advocates for equality and solidarity for all in Europe. We connect local and national anti-racist NGOs throughout Europe and voice the concerns of ethnic and religious minorities in European and national policy debates.

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INTRODUCTION

In December 2022, ENAR, together with Frontline Defenders and Protection International, organised a seminar on shrinking space and the threats to **human rights defenders (HRDs)** who work with racialised people in Europe. The seminar was organised in reaction to **an increase in threats and violations experienced by racialised HRDs and the sense of a narrowing civic space in Europe affecting especially HRDs who work on racial inequality, migration and non-discrimination.**

The seminar was an opportunity for ENAR members and **HRDs civil society organisations (CSOs)**, but also for officials from the **European Parliament (EP), European Commission (EC), United Nations (UN)** and donors to come together and have a discussion in a safe space where experiences could be shared and policy solutions explored.

Intimidation and violence against HRDs is a global phenomenon which the European Union (EU) works actively to tackle everywhere in the world. The EU should be praised for this effort and the strong commitment towards civil society, human rights and HRDs. Nevertheless, more attention needs to be paid to the challenges and risks faced by HRDs inside the EU, too.

This paper summarises some of the issues raised at the seminar. It provides some examples of patterns of violations that affect racialised HRDs

in Europe and presents some recommendations for the attention of the EU institutions to set up adequate policy and administrative responses to them.

The EC should ensure that EU and domestic law protect human rights and fundamental freedoms, especially free assembly, expression and association. Lessons should be drawn from the EU's global experience in building and deploying mechanisms dedicated for strengthening the protection of HRDs and apply them inside the EU in order to close the protection gap. Consultations with, and support of, civil society should continue and extend to consolidating documentation and designing policies and mechanisms to protect the civic space and ensure HRDs ability to work free from intimidation and harm.

1 - WHO IS A HRD?

The **UN Declaration Human Rights Defenders (HRDs)** states that **HRDs are all persons who promote or protect human rights peacefully**. It states that “[e]veryone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels.”¹

The **EU Guidelines on Human Rights Defenders** adds, “[i]ndividuals, groups and organs of society that promote and protect universally recognised human rights and fundamental freedoms. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realisation of economic, social and cultural rights. Human rights defenders also promote and protect the rights of members of groups such as indigenous communities.” The definition excludes “individuals or groups who commit or propagate violence.”²

HRDs can be individuals, organisations, grassroots movements, or, in some contexts, communities. Some common HRDs include individuals working in or volunteering for human rights, development, humanitarian and other CSOs. In the same vein, CSOs themselves as well as writers, lawyers, journalists, artists, academics and communities acting to promote or protect their rights, such as indigenous people and racialised communities acting in solidarity, could be included in the definition.

2 - WHAT IS “SHRINKING CIVIC SPACE”?

Civic space is the space occupied by civil society as distinct from government institutions and the private sector. Civil society plays a crucial role in democratic society as service providers, a space for association and deliberation on issues of public interest, a fact-checker and part of systems of checks and balances. An enabling environment for civil society allows and protects a wide space for public debate and scrutiny of power structures and dynamics, including, and particularly, where the views expressed are different or in opposition to those in power.

European, international and regional human rights organisations – including the **United Nations Human Rights Council, different entities of the Council of Europe, as well as the Organization for Security and Co-operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR)** – emphasise **the important role of civil society in safeguarding and promoting human rights and democracy**.³

Due to political, security, and financial pressures and threats, this space has been persistently and gradually narrowing both globally and across Europe. HRDs are faced with threats to their life and wellbeing because they do what they are expected to do: promote human rights peacefully. CSOs and their members face threats that result in reducing or diminishing their ability to function due to legal, financial and political pressures put on them by government or political and media actors, often coupled with complacency or inaction on the part of government institutions tasked with protecting them.

1 [The UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms.](#)
2 [European Union Guidelines on Human Rights Defenders.](#)
3 [Protecting Civic Space in the EU, Fundamental Rights Agency 2022, page 5. Available online at https://fra.europa.eu/en/publication/2021/civic-space-challenges.](https://fra.europa.eu/en/publication/2021/civic-space-challenges)

Such threats and pressures push HRDs outside of the civic space and shuns them from participation in public debate, often leading to the removal of their legal status, prosecution, reduction or denial of funding, limiting their access to forums and spaces essential for their work on human rights and equality at the national and international levels. They also impact the wellbeing of HRDs, consequently distracting them from doing their work and contributing to the promotion and protection of human rights as they are instead forced to spend resources on defending themselves and securing sustainable access to resources and forums.



3 - WHAT ARE THE STATES OBLIGATIONS TOWARDS HRDS?

HRDs are, first and foremost, people whose human rights are protected in par with all members of society. Their work to promote and protect human rights is also protected. There are two layers to the protection of HRDs that prompt State obligation to:

- Ensure the protection of HRDs against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any

other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the [UN Declaration](#).⁴

- Ensure that everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing activities and acts attributable to States that result in violations of human rights and fundamental freedoms.⁵

The protection of HRDs focuses on ensuring their ability to defend human rights effectively and free from intimidation and threat by the State or non-state actors. Moreover, States must ensure an enabling environment supportive of the work of HRDs.

4 - WHAT ARE THE RIGHTS OF HRDS?

In addition to this universal entitlement to human rights as members of society, **HRDs are accorded certain rights that are essential for them to fulfil their very role as HRDs.** The **UN HRDs Declaration**, which is endorsed by the **EU institutions**, provides for HRDs rights and protections, as in **the EU Guidelines Human Rights Defenders and the EU Charter**, which recognises the role of civil society in promoting and safeguarding the EU values. The rights accorded to HRDs include:

- To seek the protection and realisation of human rights at the national and international levels;
- To conduct human rights work individually and in association with others and form associations and CSOs;

4 **Commentary to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms**, UN Special Rapporteur on the situation of human rights defenders, July 2011, page 9. Available online at <https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/CommentarytoDeclarationondefendersJuly2011.pdf>.

5 Ibid.

- To meet or assemble peacefully;
- To the lawful exercise of the occupation or profession of a HRD;
- To seek, obtain, receive and hold information relating to human rights;
- To develop and discuss new human rights ideas and principles and to advocate their acceptance;
- To relay to governmental bodies criticism and proposals for improving their functioning and highlight aspects of their work that impede the realisation of human rights;
- To offer and provide legal advice and assistance in defence of human rights;
- To attend proceedings to assess compliance with (inter)national human rights obligations;
- To unhindered access to and communication with non-governmental and intergovernmental organisations;
- To effective protection under national law in reacting against or opposing acts or omissions by the State that result in violations of human rights;
- To solicit, receive and utilise resources, including funding.

HRDs must not be subjected to threats or punishment a result of their exercise of these rights.

5 - IS PROTECTING HRDS IMPORTANT?

An added value of independent HRDs lies in their crucial work in the promotion and protection of human and fundamental rights. HRDs principally monitor and document violations of universally recognised human rights; seek remedies for victims and provide

various types of support to them; take action to tackle impunity and prevent repetition of patterns of violations; and advocate for effective protection of human rights in law, policy and practice, including on behalf of vulnerable people. HRDs work extends to ensuring equality and protecting against discrimination on any grounds such as that faced by racialised communities, LGBTQ+ people or people who face discrimination on any other grounds.

HRDs are “part of the oversight mechanism of governments: they create debate around government’s policies and actions and can even play a key role in helping to draft appropriate legislation or to contribute to the generation of ideas for drawing up national plans and strategies on human rights.”⁶

6 - WHAT IS THE EU POLICY VIS-A-VIS HRDS?

The EU is a driving force in the protection of HRDs globally. The promotion and protection of human rights inside and outside of the EU is cited as being at the core of EU values, together with democracy and the rule of law, in **Article 21(1) of the Lisbon Treaty**.⁷ With support from the **EP, the EC and European External Action Service (EEAS)** have developed instruments to support and improve protection of HRDs, including supporting the UN special rapporteur on HRDs, inclusion of HRDs protection in its Strategic Framework and European Instrument for Democracy and Human Rights, sponsoring the “ProtectDefenders.eu”- **an EU HRDs mechanism led by a Consortium of 12 human rights NGOs**, and developing the EU’s own Guidelines on HRDs. EU entities and Missions conduct consultations with HRDs and extend funding and political support to HRDs at risk.

⁶ EU Guidelines on Human Rights Defenders - European Implementation Assessment, 2022, page 30. Available online at [https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU\(2022\)730345](https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU(2022)730345).

⁷ Ibid, page 18.

The **EU Guidelines on HRDs** provide a guiding policy framework with a set of operational measures to enable EU delegations, Member States diplomatic missions and EU leadership to promote and ensure the respect of the rights of [HRDs], and to protect HRDs from attacks and threats from state and non-state actors.⁸

Inside the EU, mechanisms to support democracy and human rights also exist. Among those are the Rule of Law reporting mechanism and the work of the **Fundamental Rights Agency**. The attention by the EP to civil society and shrinking space is significant and has noticeably increased in the past two years. EP resolution of 8 March 2022 on the shrinking space for civil society in Europe rings an alarm bell, recognising the deterioration of fundamental rights inside the EU due to threats emanating from shrinking space, affecting freedoms of speech and association, impeding civil society and HRDs ability to work freely, and posing serious threats to them.⁹ The EU dialogue and collaboration with **the Council of Europe and OSCE human rights** offices on shrinking space and HRDs issues is commended.

Nevertheless, the most effective, well-resourced and politically supported EU HRDs mechanisms are outward-facing, with the involvement of **the VP/HR, EU Special Representative for Human Rights, the EEAS**, and well-coordinated funding and intervention mechanisms in place. These entities do not have a clear mandate to work inside the EU territory.

7 - WHAT ARE THE MOST COMMON THREATS TO HRDS AND CIVIC SPACE IN EUROPE?

Civil society is vulnerable to factors that undermine the space it operates in. Legal, administrative, financial, political and security factors are prominent. **In recent years, civil society has been affected by uncertainties to their funding with financial crises, high inflation rate and the Covid-19 pandemic playing a role. But it is also observed that access to public funding could be hindered by legislative and administrative constraints that are often politically motivated.** Legislative reforms can have a restrictive effect on the civic space, whether intentionally or not.

For example, several EU Member States have passed legislation making registration difficult or dissolution of associations easier. Increasingly, CSOs are demanded to conform to the views and convictions held by the government, or the majority population, under the threat of cutting their public funding or smearing them. HRDs are also increasingly asked to comply with increasing administrative burdens, such as registration to access refugee populations or signing additional contracts if they work on certain areas in order for them to access public funding.

There has been an increase in the use of legal harassment against HRDs, as the examples provided below testify. Legal threats and abusive court proceedings against HRDs by States and non-state actors, including, but not limited to, the public participation **“strategic lawsuits against public participation (SLAPP)”**, are a particular form of harassment used against journalists and rights defenders

⁸ Ibid, page 5.

⁹ See the European Parliament Resolution P9_TA(2022)0056 on Shrinking space for civil society in Europe, available online at https://www.europarl.europa.eu/doceo/document/TA-9-2022-0056_EN.html.

engaged in public participation on matters of public interest.¹⁰ Defamation cases brought against journalists, and often HRDs critical of government and power dynamics in society, are one of the most common grounds used in SLAPPs. Moreover, many HRDs are subjected to prosecution due to the expanding criminalisation of solidarity, for example in situations where they provide rescue and humanitarian assistance to migrants and people on the move. There have been instances where HRDs face threats to their own safety and life and that of their families.¹¹

8 - ARE SOME HRDS MORE VULNERABLE TO RISK THAN OTHERS?

During the past decade, the lived experiences of HRDs have shown that **certain groups of HRDs, such as women HRDs, communities striving to preserve their land and environment, including indigenous peoples, and HRDs who belong to or work with racialised people and LGBTQ+ people face high levels of threat and violence.**

In Europe, HRDs who are vocal about the rights of vulnerable groups, such as LGBTQ+, migrants and people on the move, and racialised people, including religious minorities, face high levels of intimidation, smear campaigns conducted against them and violence. Research points to a worsening situation for civil society in the EU in recent years as “[H]ate speech and attacks targeting ethnic and religious minorities, women, migrants, human rights defenders and lesbian, gay, bisexual, transgender, intersex and ‘other’ (LGBTI+) people, sometimes in connection with nationalist and extremist rhetoric, has a particular

impact on CSOs and rights defenders engaging in the support for and protection of the targeted groups”.¹² **Defenders who find themselves in the intersection of two or more of these categories can be at even greater risk of intimidation and violence.**

ENAR’s survey of its members, conducted in late 2021, to gauge the risks and threats they experience indicates that HRDs who work with racialised communities in Europe are subject to widespread threats. Most threats emanate from the media, including social media, public authorities, and political actors. It also indicated low levels of confidence in the public authorities willingness to secure protection for them from threats. They face risks regardless of the focus of their work; however, those who also work on LGBTQ+ rights, migration, and people from minority and religious groups reported facing higher risks. This research is supported by the monitoring of HRDs CSOs.¹³

ENAR documented a few case studies from experiences of the ENAR membership and racial equality movement in Europe, which describe in more detail how HRDs in this movement are impacted. Case studies available on page 11.

9 - WHAT CAN THE EU INSTITUTIONS DO TO IMPROVE THE PROTECTION OF HRDS AND DEFEND AGAINST SHRINKING SPACE IN EUROPE?

While the situation of HRDs inside the EU territory is not as dire as in some parts of the

¹⁰ See the Rule of Law Report 2022, pages 22, 23, available online at https://eur-lex.europa.eu/resource.html?uri=cel-lar:2e95c008-037b-11ed-acce-01aa75ed71a1.0001.02/DOC_1&format=PDF.

¹¹ See for example ENAR’s “Urgent solidarity call to support Portuguese anti-racist activists”, available online at <https://www.enar-eu.org/urgent-solidarity-call-to-support-portuguese-anti-racist-activists/>.

¹² Protecting Civic Space in the EU, Fundamental Rights Agency 2022, page 16. Available online at <https://fra.europa.eu/en/publication/2021/civic-space-challenges>.

¹³ See for example publications by the [UN Special Rapporteur on HRD](#), [Human Rights Watch](#), [Amnesty International](#), [PICUM](#), [The Council of Europe](#).

world, where states and non-state actors, including armed groups and corporates, are involved in gross violations that create a hostile, often lethal, environment for HRDs inflicting bodily harm and closing the space for them at wide-scale levels, it is important to point out that threats to HRDs inside Europe exist and are increasing. In recent years, both States and non-state actors have committed violations against HRDs that are narrowing the civic space at an alarming pace.

As our case studies show, in some cases, the conduct of these actors led to severe risks to life and safety of HRDs and their families, or for the dissolution of CSOs or smearing of HRDs and certain grassroots movements, especially those working on causes that are less approved of in contemporary European society, such as migration, sexual minorities and antiracism. Those must not be ignored or minimised on the grounds that some of the most efficient EU entities do not have competence to monitor and support HRDs inside the EU territory. Instead, “securing coherence in EU policy and support of HRDs inside and outside the EU region” is necessary considering the fact that the “severity of such problems in many EU member states makes it hard to deny or delay such an extension today”, and that “HRDs need protection within as much as outside the EU”.¹⁴

¹⁴ EU Guidelines on Human Rights Defenders - European Implementation Assessment, 2022, page 128. Available online at [https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU\(2022\)730345](https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU(2022)730345)

CASE STUDY #1

HRD: **KISA**
LOCATION: **CYPRUS**

KISA, an ENAR member, is an NGO in Cyprus working on migration, asylum, racism, hate speech and human trafficking. A combination of nationalism and a psyche influenced by the unresolved Cyprus conflict that led to the de fact partition of the country and its people following the 1974 coup and Turkish invasion has enabled expressions of racism and islamophobia to become more vocal in politics, media and policy making. The dynamics of this conflict and the enmity relationship with Turkey plays a role in shaping the discourse around these issues.

As all throughout its 25-year lifespan, KISA has been subjected to attacks from the recently departed government of Cyprus and several far-right and nationalist forces. One line of attack came from an allegation that as a member of ENAR, which they alleged was affiliated with Muslim organisations and worked on islamophobia and, therefore, their logic goes, influenced by Turkey's government, KISA is a "traitor". ENAR has communicated and took legal action regarding this point, yet the government of Cyprus failed to respond. Another line of attack is KISA's very work on migration and hate speech in Cyprus, which does not sit well with a government with a right-wing, nationalist platform.

In recent years, the government of Cyprus has been taking measures, legislative, administrative and political, that target KISA. New legislation was introduced, but applied selectively and unevenly to single the organisation out. KISA has been deregistered and regularly harassed, excluded and pushed

out of national forums necessary for its work, such as parliamentary committees and asylum seekers camps run by the State.

Moreover, KISA faces harassment and threats from conventional and social media. Currently, KISA members are facing multiple criminal cases, with several unsuccessful cases from the recent past already dismissed.

The deregistration has resulted in severe difficulty as the organisation has been prevented from accessing financial resources to implement its projects and work, including projects supported by the European Commission. The UN Office of the High Commissioner for Human Rights, the Commissioner for Human Rights of the Council of Europe and several human rights CSOs criticised the unlawful treatment of KISA by the government. However, the government of Cyprus continued to harass and attack KISA with little to no support from EU institutions to enable it and independent civil society to work free from government pressures in Cyprus.

The case of KISA involves government interference, use of legislative and administrative powers, mobilising the media, preventing access to funding (including EC funding) as well as judicial harassment against an independent CSO that is critical of government policy and practices. It indicates that human rights defenders in Europe could be at risk for years without effective support to alleviate the pressures or mitigate the risks they face, thus narrowing the civic space and rendering futile serious public scrutiny in an EU Member State.

CASE STUDY #2

HRD: **MAMADOU BA**
LOCATION: **PORTUGAL**

Mamadou Ba is a Portuguese activist working on racism and discrimination. His organisation, [SOS Racismo Portugal Movement](#), is the main Portuguese anti-racist organisation. He has been engaged in the fight against all forms of expression of racism for nearly 25 years and is one of ENAR's founding members. He was laureate of Front Line Defenders at risk in 2021.

For years, Mamadou has experienced hate speech, physical and psychological violence in the public space, media and social networks. He has been subject to [persecutions](#) including ambushes in the street and legal harassment by far-right groups. He has been forced to hide with his family because the far-right leaked his address on social media encouraging their members to hunt him down, which led to him seeking police protection.

Attacks on him and his work led to tabling a bill at the parliament calling for the revocation of his Portuguese nationality and a petition with more than 30 thousand signatures demanding his expulsion from the country. This is a typical racist trope that frames racialised citizens and activists as “others” who do not belong and should go somewhere else.

Speaking about his experience facing such threats, he emphasises that “racism is a structural problem that cuts across society,

and is a problem of democracy in Europe. Expression of racism is not only justified by economic issues. Racist discourses have become the engines of legitimisation of violence against anti-racist activists across Europe”. Racism in Europe, he stresses, is not a simple contingency resulting from the misconceptions or ignorance among small conservative segments or isolated epiphenomena of extreme right-wing parties. Which explains the weak response to both racism and the violent attacks on human rights defenders who try to tackle it.

Mamadou is currently facing [defamation](#) suits in court due to a complaints filed by vocal neo-Nazis in Portugal. He is facing accusations by police, far-right wing parties and individuals, several of which have been allowed by courts to be heard. Interestingly, some of the [allegations](#) against Mamadou claim that he is racist; a typical reverse-racism tactic in which racism is projected on its victims.

Mamadou experienced first-hand the effects of the lack of effective protection mechanisms for human rights defenders in the European Union territory that are available elsewhere in the world. His case, among others, indicates that Europe is not an exception when it comes to threats to fighters for freedom, equality and democracy, which is why it is urgent to develop effective mechanisms for the defence of HRDs at European Union level.

CASE STUDY #3

HRD: **GREEK FORUM OF MIGRANTS**
LOCATION: **GREECE**

The Greek Forum of Migrants (GFM) is a network of 42 migrant organisations based in Athens and is a founding member of ENAR. GFM's goal is to defend migrant's rights, and equal and social integration and inclusion. Greece is a country with relatively high levels of migration flows; therefore, migration often features as a significant political issue.

In 2015, Greece saw increased migration flows into the country, with resources allocated to reception and food and shelter needs. What followed was a discourse around the term 'migrant-crisis', with a government narrative portraying the situation as an invasion of the country by migrants and refugees from diverse background. This led to an increase in racist narratives in society and an increase in racist speech and violence. Moreover, a strategy for inclusion and integration programs for all migrants has been lacking, excluding long-term migrants from programmes and support mechanisms.

For human rights defenders in Greece, especially those with a migrant background, the space they operate in has been increasingly narrow and hostile. Violent attacks against defenders were carried out, especially by the Golden Dawn, and included beatings, bombs in offices of communities, and deaths of activists that were not always recorded and pursued adequately.

Currently, racialised defenders and CSOs working on migration continue to suffer from such narratives, which have been exacerbated by actions on the part of the State, such as criminalising solidarity, prosecuting human rights defenders, increasing administrative burdens, such as special registration processes, and reducing funding for work for the benefit of the protection and support of migrants. These measures were criticised by the UN Rapporteur on human rights defenders. They require a response from EU institutions to provide political and financial support to CSOs and activists to protect them and ensure their safety as they do their peaceful work.

Since 2022, more funding has been allocated to supporting migrants from the Ukraine who are fleeing war and hardship. This is commendable and must continue as Europe responds to the flows of refugees from war-stricken Ukraine. This response indicates that supporting refugees and respecting their rights by the State and civil society is possible. Greek CSOs are concerned, however, to observe government discourse describing refugees, such as those from Ukraine, as good refugees, while calling others bad refugees who might not deserve the same protection and support. It should be noted that this dynamic of duality in the treatment of refugees is not limited to Greece, but can be observed in other EU Member States.

CASE STUDY #4

HRD: **CCIF**
LOCATION: **FRANCE**

The Collective Against Islamophobia in France (CCIF), was an anti-racist organisation and a member of ENAR until it was dissolved in 2021. The CCIF's mission was to fight racism and racial discrimination, and specifically Islamophobia, in France. It provided legal support and advice to victims of discrimination and conducted research on anti-Muslim racism. Its professionalism and expertise were noted by European and international institutions, including by equality bodies and human rights NGOs.

In October 2020, A French teacher, Samuel Paty, from Conflans, was murdered after showing his students caricatures of Prophet Muhammad. His murder was widely, and rightly, condemned including by CCIF. His brutal murder was followed by a concerted attack against the CCIF and other organisations, accused of opposing the 'Republican order' and being 'radical islamists'.

The CCIF cases was brought before the Conseil d'Etat, which dropped all the unfounded charges such as incitement to violence, but affirmed the Government's decision to dissolve CCIF. This ruling was made on the grounds that CCIF propagated that Islamophobia was an institutional problem in France, thus implicating the State's institutions in the practices of Islamophobia in the country, which is symptomatic of all forms of systemic and intersectional racism. This is despite that there is strong evidence that indicates that the French State's institutions, including the police forces

and ministries, were involved in practices indicative of discrimination against the Muslim population of France, including legislations and policies that consistently pushing Muslim women and girls outside of the public space and affecting their access to vital goods, especially those who choose to wear a head cover.

It was observed that political pressures at the highest level of the French government were exerted around CCIF's case, with a campaign of intimidation targeting them and human rights organisations who address discrimination and hate crimes against Muslim citizens. The dissolution of CCIF was also accompanied by fast-tracked legislation through the French parliament, which makes easier the freezing and dissolution of CSOs and creating administrative burdens on CSOs who work on religious issues.

These actions led to wide scale media coverage portraying CSOs advocating for Muslim women and against Islamophobia as enemies of the Republic, violent and apologists of terrorism. Under this atmosphere, numerous CSOs have seen their donations reduced, access to public funding severed or made complicated, and networks with civil society affected. ENAR members, including Alliance Citoyenne, were affected by these measures. It is alarming to witness a situation where civil society actors who have different point of views or worldview from that of the government on issues related to human rights and equality are treated this way, sending a chilling effect in society.

RECOMMENDATIONS

ENAR calls on the EU institutions to:

1 Ensure that EU and domestic law strengthen human rights and fundamental freedoms, especially free assembly, expression and association.

2 Work towards strengthening consultations with civil society concerning legislations and include a focus on intended or unintended negative impacts on civil society and HRDs.

3 The EC to act as a vehicle to transfer knowledge and good practices related to monitoring violations against and supporting HRDs from the EEAS to entities concerned with HRDs inside the EU territory, including:

- The EC and other EU entities public support to HRDs facing risk inside the EU, including where Member States are perpetrators, instigators, or failing to act on their duty to protect HRDs.
- The EC to assess regularly and respond to the threats and risks to HRDs inside the EU.
- The EC to regularly monitor MS compliance with international rules pertaining to HRDs, including the UN Declaration on HRDs.
- The EC to extend emergency support mechanisms utilised effectively worldwide to European HRDs at risk especially those facing increased levels of risk such as women and racialised HRDs. Such support could include rapid relocation, less restricted funding to CSOs facing unfair deregistration or freeze by Member States, public meetings with HRDs, and, where relevant, attending courts proceedings affecting HRDs and the civic space.

4 The EC, EP and Council of the European Union to voice strong public political support for an independent, pluralistic civil society in Europe and the right to defend human and fundamental rights, and to defend HRDs' right to exercise their roles free from intimidation, smear, violence or judicial harassment.

5 Monitor and introduce safeguards against SLAPPs and harassment by Member States and non-state actors where there is reasonable suspicion that their purpose is to silence and smear HRDs.

Published by the European Network Against Racism (ENAR) in 2022 in Brussels, with the support of the Citizens, Equality, Rights and Values Programme of the European Union, the Open Society Foundations, the Joseph Rowntree Charitable Trust and the Sigrid Rausing Trust, and the ENAR Foundation.



SIGRID RAUSING TRUST



The contents of this publication can in no way be taken to reflect the views or opinions of the European Union, the Open Society Foundations, the Joseph Rowntree Charitable Trust, the Sigrid Rausing Trust, and the ENAR Foundation.

Acknowledgements

Design and layout: Crossmark

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