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in copertina: V.A. Serov, Il Ratto d'Europa, 1910

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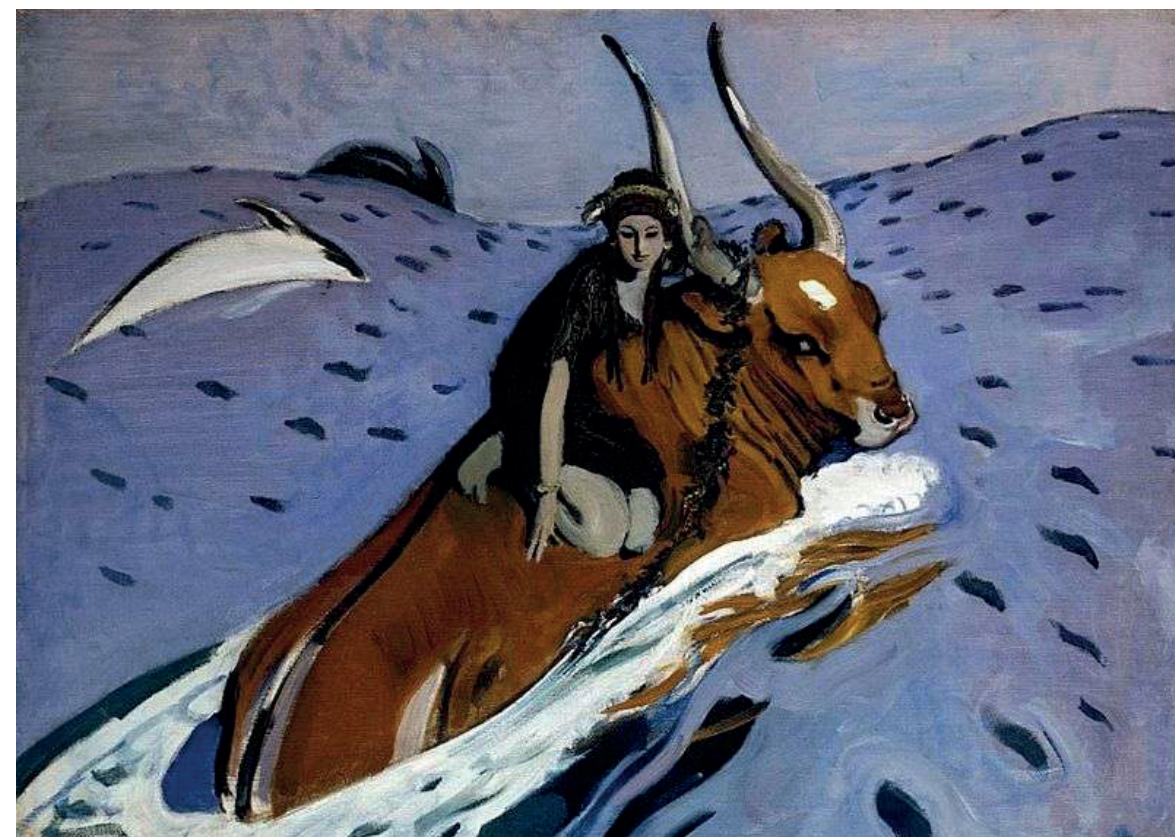
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# THE EU STRATEGY FOR CIVIL SOCIETY: WILL THEY ALL LIVE HAPPILY EVER AFTER?

**Federico Ferri\***

SUMMARY: 1. Introduction. – 2. Civil society organizations and human rights defenders: constitutional implications and key contents of the Strategy. – 3. Unravelling the baseline: is the Strategy truly innovative? – 4. Beyond the Strategy: which legal avenues for future hard law developments at the EU level?

## 1. *Introduction*

On 12 November 2025, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy launched the communication entitled *European Democratic Shield: Empowering Strong and Resilient Democracies* (hereinafter, the European Democratic Shield; see also F. M. FEISEL, *The European Democracy Shield and Its Whole-of-Society Approach: From the Bottom-Up, but Short on Concrete Action*, in *VBlog*, 20 November 2025; S. VILLANI, *Facing the Unsustainable Fragility of EU Democracy: Highlights on the European Democracy Shield*, in this *Journal*, 28 January 2026). This initiative is – at least on paper – a significant commitment for the protection of European democracy. Unsurprisingly, it was announced with glowing terms (see, e.g., here).

Together with the European Democratic Shield, and on the same day, another Communication was adopted by the European Commission: *EU Strategy for Civil Society* (hereinafter, the Strategy). The relationship between the two texts is self-evident. However, the echo of this second document was lower. Indeed, the Strategy was put forward to complement the European Democratic Shield, which already contains numerous references to civil society and relevant actors. To use the words of the Commission, the Strategy's general purpose is “to strengthen actions at both EU and national level, engaging closely with Member States and enlargement countries, to promote and sustain a thriving civic space. It also aims to foster greater coherence between the EU's internal and external activities in this area” (*EU*

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*Strategy for Civil Society*, cit., p. 2). As one can see, the project is an ambitious one.

With this in mind, and due to the sensitivity of democracy as a cornerstone of the Union's legal order – especially in times of multiple internal and external threats – it is worth asking whether the EU Strategy for Civil Society has laid the ground for a change of paradigm that could ultimately consolidate the democratic foundations of the organization or if something more is to (and can) be done from a legal point of view. To shed light on that, the present contribution is structured as follows. Section 2 provides for some preliminary constitutional insights and illustrates the focal points of the Strategy. Section 3 serves to place the Strategy in a broader EU law context, to draw some *interim* conclusions on its legal added value. Last but not least, Section 4 strives to look beyond, to reflect on how the Union could/should use its legal arsenal to better protect its civil space.

## 2. *Civil society organizations and human rights defenders: constitutional implications and key contents of the Strategy*

The EU Strategy for Civil Society revolves around the pivotal function of Civil Society Organizations (CSOs) and – to a lesser extent – Human Rights Defenders (HRDs).

Both CSOs and HRDs are key to foster the effectiveness of the main provisions of the Treaty on the European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) on democratic principles, participation and transparency; for instance, Arts. 10(3) and 11(1) TEU, and Art. 15(3) TFEU (on these topics, see more in general A. SANTINI, *Il principio di trasparenza nell'ordinamento dell'Unione europea*, Milano, 2004; G. MORGESE, *Principio e strumenti della democrazia partecipativa nell'Unione europea*, in E. TRIGGIANI (a cura di), *Le nuove frontiere della cittadinanza europea*, Bari, 2011, p. 37 ff.; M. STARITA, *I principi democratici nel diritto dell'Unione europea*, Torino, 2011; F. DONATI, *TUE: Artt. 9-11*, in A. TIZZANO (a cura di), *Trattati dell'Unione europea*, Milano, 2014, p. 89 ff.; C. PESCE, *Democrazia rappresentativa e democrazia partecipativa nell'Unione europea*, Napoli, 2016; C. MORINI, *Dialogo e partecipazione nella governance dell'Unione europea*, Bari, 2020). Similar considerations apply to some provisions of the Charter of Fundamental Rights (Charter), such as Arts. 11 (freedom of expression and information), 12 (freedom of assembly and of association) and 42 (right of access to documents). The ancillary role of these

actors with respect to the typical dynamics of a democratic society can also be inferred from the case-law of the Court of Justice of the European Union (hereinafter Court or Court of Justice; see, in this respect, judgment of 18 June 2020, Case C-78/18, *European Commission v Hungary*, para. 79) and the European Court of Human Rights (hereinafter ECtHR; see e.g., judgment of November 8<sup>th</sup> 2016, No. 18030/11, *Magyar Helsinki Bizottság v Hungary*, paras. 106-117). Significantly, it was argued that CSOs and HRDs facilitate the “legal mobilization” of fundamental rights (K. VAN DER PAS, *All That Glitters Is Not Gold? Civil Society Organisations and the (non-)Mobilisation of European Union Law*, in *Journal of Internal Market Studies*, 2024, p. 525 ff.).

Despite these initial thoughts, CSOs and HRDs often experience serious issues in various Member States. Their functioning (and existence) is jeopardized by unlawful attacks or threats, multiple kinds of regulatory constraints, and difficulties in accessing funding (much information is available on the dedicated website of the EU Agency for Fundamental Rights – FRA – accessible here). In consequence, it is fair to expect that the EU Strategy for Civil Society had to be designed as a necessary turning point towards new legal horizons for civic space.

Now, the Strategy provides broad definitions of CSOs and HRDs. The main features of CSOs are a) being self-governing entities independent from government or from business interests, and b) being collective groups through which people pursue and defend shared objectives and ideals. The exact nature of the entity, the specific interest(s) shared by the members, the activities carried out, and the geographical dimension of their action are not constitutive elements of the definition at hand. HRDs are “individuals, groups and organs of society that promote and protect universally recognized human rights and fundamental freedoms” (*EU Strategy for Civil Society*, cit., p. 3).

The final objectives of the Strategy are three and correspond to its pillars. The Commission developed these objectives/pillars as follows.

The first objective is strengthening effective and meaningful engagement with civil society as a partner in governance (*EU Strategy for Civil Society*, cit., pp. 2-7). It lies in the effective participation of CSOs and HRDs in public life as well as their ability to contribute their views via transparent processes. The avenues that should lead to the pursuit of this objective are two. On the one hand, fostering engagement through a dedicated Civil Society Platform. Established by the Commission, the Platform is set to be operational soon and is primarily aimed to provide a regular and structured

framework for dialogue on the EU values and fundamental rights. On the other hand, the Commission introduced ten Guiding principles for an effective and meaningful dialogue with civil society (the Principles). The rationale behind the Principles is to ensure a stronger presence of CSOs in policy-making, thereby broadening the types, volume and activities of these actors at the institutional level. On another note, the first objective of the Strategy stresses the importance of civil society for the EU enlargement process. The idea is to make progress to “institutionalize and standardize in-country consultation of CSOs in the preparation of meetings of relevant bodies under the association agreements and their follow up and monitoring”.

The second objective is supporting and protecting CSOs to make them operate freely in an open, safe and enabling civic space (*EU Strategy for Civil Society*, cit., pp. 8-12). The Commission identified some main avenues to reach this goal. One is monitoring the civic space to understand barriers and threats affecting CSOs as well as, in turn, adequately react to attacks and put in place efficient preventive actions. The Strategy also identifies tentative solutions to protect civic space at the EU and national levels. As regards the EU institutions, the Strategy focuses on the need to implement existing rules, emphasizes training for justice professionals, and encourages the use of financial support to third parties (e.g., through the Citizens, Equality, Rights and Values (CERV) Programme). Concerning Member States, instead, the envisaged sub-actions are monitoring developments in civic space by means of clear indicators and structured reporting frameworks, and going beyond the state-of-the-art by promoting cooperation and coordination among all relevant stakeholders (including capacity-building initiatives). Next to these actions is a generic one, labelled with the expression “strengthening support and protection”, whose primary outcome ought to be the creation of an online knowledge hub on civic space designed to facilitate access to existing monitoring and protection projects, tools and activities. This hub should serve to collect and connect a multitude and variety of information. Based on this information, it should be easier to improve the identification of trends and gaps in civic space and, accordingly, explore further protection measures.

The third objective is providing adequate, sustainable and transparent funding for civil society (*EU Strategy for Civil Society*, cit., pp. 12-16). The Strategy mentions some EU programs supporting activities that have been carried out by CSOs in different policy areas. However, at the heart of this objective seems to be the Commission’s enabling role in the dialogue involving donors and the supporting activities of *pro bono* lawyers. In any event,

the Strategy underscores the importance of complementing EU resources with domestic support mechanisms.

There is one additional point in the Strategy, namely EU's commitment to engage with, protect and support civil society in the external action. In light of the core principles guiding its external action (e.g., Art. 21 TEU), the Commission looks at civil society as a driver to promote the EU values abroad, for example in order to advance the realization of human rights for all or in an attempt to avail itself of the collaboration of reliable on-field partners to develop co-funded projects in third countries. To this extent, EU Delegations are considered to be crucial actors. Bearing in mind that common foreign and security policy issues are not touched upon (so, unlike the European Democratic Shield, this Communication was not prepared also by the High Representative), the Strategy aspires to a broader EU's engagement with CSOs internationally, better protecting and supporting CSOs globally, assisting third country-based CSOs with economic resources and partnerships, strengthening CSOs' resilience outside its territory. The agenda includes the definition of initiatives to increase CSOs' degree of participation in policy-making processes and to strengthen cooperation with international organizations and fora that develop norms on civic space.

### 3. *Unravelling the baseline: is the Strategy truly innovative?*

Having highlighted the key points of the EU Strategy for Civil Society, the first question to address is whether this initiative is truly innovative from a legal perspective. The answer to this question mainly depends on the analysis of the Union's recent institutional practice in the area at stake.

The starting point is that the Strategy is part of a narrative that has developed in recent years and is now rich in examples. On the EU plane, many acts and documents were adopted to address civil society issues in a constitutionally-oriented way. This trend was further fueled by the escalation of external threats, especially due to Russian propaganda during the unprovoked aggression against Ukraine, in the run-up to the European elections; some EU restrictive measures against the Russian Federation are motivated by reasons relating to the preservation of the democratic systems of the Member States and the Union (especially those concerning bans on broadcasting and suspension of authorizations to broadcast the content of certain media; see, *inter alia*, S. POLI, F. FINELLI, *Le misure restrittive russe davanti*

*alla Corte di giustizia dell'Unione europea: le tendenze giurisprudenziali emergenti*, in *Il Diritto dell'Unione europea*, 2023, p. 523 ff.).

Looking at the Union's institutional landscape, the groundwork for the Strategy had already been laid by the Commission itself. Suffice it here to recall the following examples.

Yet in the *European Democracy Action Plan*, published in 2020, the Commission repeatedly emphasized civil society, particularly as an essential precondition to enhance democratic participation. With the *2022 Rule of Law Report*, the Commission warned some Member States about the necessity to improve the operative framework of CSOs and take action to remove certain obstacles, increase their participation in decision-making processes, and guarantee efficient access to funding. In the context of the 2020 *Strategy to strengthen the application of the Charter of Fundamental Rights in the EU* (see also P. MORI, *La Commissione adotta la nuova Strategia per rafforzare l'applicazione della Carta dei diritti fondamentali dell'Unione europea*, in this *Journal*, 7 March 2021, p. 48 ff.), which included a section on empowering CSOs and HRDs, the Commission delivered the 2022 Annual Report on the Application of the EU Charter of Fundamental Rights, referring to “a thriving civic space for upholding fundamental rights in the EU”. The approach behind this report was finally more comprehensive. The European Commission took stock of the situation concerning civil society at large and the room for action of CSOs. Being a report, however, this document mainly portrays existing issues and ongoing initiatives (e.g., sectoral legislative measures, cooperation patterns, best practices, etc.).

Additional steps were taken one year later, with the Commission Recommendation (EU) 2023/2836 on promoting the engagement and effective participation of citizens and CSOs in public policy-making processes. The Recommendation contains various priorities that Member States should observe in the interest of civic space, including CSOs and, in part, HRDs. These priorities are set to create and maintain a safe and enabling environment under a general framework for effective participation. They range – *inter alia* – from monitoring bottlenecks, taking defensive actions and removing obstacles to ensure access to resources and information, guarantee effective and non-discriminatory participation at all stages of policy and decision-making processes, and enable strategic partnerships or structured dialogues.

Consequently, it can be argued that the EU Strategy for Civil Society has not significantly updated the guidelines previously established by the Commission. Both the constitutional rationale and the main initiatives to be taken had already been somehow anticipated.

Civil society captured the attention of other institutions, including those representing the Member States. Remarkably, the Council of the European Union took a position on the matter, highlighting its importance. That happened with the 2023 Council conclusions on the application of the EU Charter of Fundamental Rights, focusing on the role of the civic space in protecting and promoting fundamental rights in the EU. Overall, there are not many differences between the EU Strategy for Civil Society and the 2023 Council's conclusions. The Council linked the role of civic space and its main actors to rights and freedoms that should be universal, indivisible, interdependent and interrelated (the Conclusions also underscore the need for the EU to adhere to the European Convention on Human Rights). Here, CSOs and HRDs are presented as subjects capable of increasing the impact of fundamental rights on people's lives and qualified as "an indispensable element in the system of checks and balances in a healthy democracy; unjustified restrictions to their operating space can present a threat to the rule of law".

Furthermore, the actions envisaged by the Council refer almost in the same way to CSOs and HRDs (as opposed to the Strategy, where CSOs are dealt with more extensively). At the same time, the conclusions addressed both the Member States and the European Commission with similar recommendations. This aspect is quite new compared with the Commission's documents indicated above. Chiefly, the conclusions called for the protection of CSOs and HRDs against threats and attacks, as well as unlawful limitations, and represent the need to strengthen support and empowerment. Comparing the 2025 Strategy for Civil Society and the Conclusions, one gets the impression that the involvement of CSOs and HRDs in decision-making processes at the EU level has been requested more clearly by the Council, while the text drawn up by the Commission seems to be more biased towards the implementation of national policies.

But there is more. In 2022, the European Parliament adopted a Resolution on the shrinking space for civil society in Europe. Predictably, this resolution emphasized the crucial role that CSOs play in upholding the founding values and the fundamental rights that best express the democratic essence of the EU legal order. With a view to fostering the effectiveness of the nexus between civic space (including the mission of CSOs) and the core of the EU's constitutional dimension, the European Parliament recommended multiple actions. Three of them are worth mentioning.

First, the Commission was asked to prepare a comprehensive civil soci-

ety strategy aimed – among other things – at assisting CSOs as much as possible. The European Parliament’s request revolved around four key points: defining minimum standards for the legal and administrative environment of civil society; introducing a statute of European cross-border associations and non-profit organizations; setting up focal points between European institutions and civil society; ensuring consistent access to policy debates and agenda setting on Union level in line with the EU Treaties and the rules of procedures of EU institutions.

Second, the European Parliament urged the Commission to take concrete steps against Member States that unduly restrict civic space in violation of EU laws. It openly mentioned the recourse to infringement proceedings, the implementation of Regulation (EU) 2020/2092 (the so-called “Conditionality Regulation”, see also: A. CIRCOLO, *Strumenti alternativi di tutela dei valori: il regolamento sulla condizionalità dello Stato di diritto*, in this *Journal*, p. 231 ff.), and the activation of the mechanism provided for in Art. 7 TEU.

Third, the European Parliament’s resolution brought to the surface the possibility for the EU to take legislative initiatives to support CSOs. The European Parliament affirmed that CSOs increasingly perform economic activities and contribute to the social economy; it also posited that this mission needs to be carried out on a transboundary scale to be truly effective. Accordingly, the resolution refers to domestic obstacles affecting the principle of non-discrimination and certain market freedoms, in particular the free movement of capital in relation to cross-border donations. The European Parliament, thus, called on the Commission to adopt effective measures to tackle these issues, including legislative proposals. In this institution’s view, such legislation “would not only provide basic protection for CSOs but also could create a level playing field allowing them to harness their full potential”.

The EU Strategy for Civil Society disregarded most of these insights. The vast majority of the Commission’s announcements reveal a soft approach, compared to the expectations of the European Parliament. The Strategy is broad in scope, but it relies almost exclusively on the voluntary efforts of Member States and on a system of cooperation that is largely centered on national competent authorities. It is particularly surprising that there is basically no mention of the main powers that the Commission can exercise upstream and downstream to guide Member States’ actions towards European integration.

Taking into account the above, the legal added value of the EU Strategy

for Civil Society is rather limited. It can even be said that it partly represents a step backwards compared to some of the ideas previously put forward at EU level, due to the absence of clear commitments aimed at framing a more stringent legal coverage. It is therefore considered that, except for its more pronounced international vocation, the most noteworthy element of the Strategy is the fact that the Strategy was tied hand in glove with the European Democratic Shield (notwithstanding the shortages of the latter, as convincingly argued by S. VILLANI, *op. cit.*). If nothing else, this confirms more than ever the consolidation of the protection and promotion of civic space within the hard core of the EU's objectives.

4. *Beyond the Strategy: which legal avenues for future hard law developments at the EU level?*

Given the gaps highlighted in the previous Section, and despite the undisputed centrality of CSOs and HRDs to the democratic foundation of the EU legal system, an additional question arises. Is it truly impossible to imagine EU hard law trajectories to the benefit of civil society, particularly by assisting the civic space's pivotal drivers?

From a legal perspective, the Commission's caution in the Strategy could probably be explained by two concerns. The first coincides with the limited powers that the Union appears to have in this regard, at least if a formalistic interpretation of the primary law rules that give shape to the principle of conferral – set out in Arts. 1(1) and 5(1) TEU – is prioritized. The second problem, which is also linked to the available legal bases, arises if the focus of analysis shifts from substantive law to the founding values of the Union, in light of the difficulties that the supranational legislator is bound to encounter when attempting to directly “concretize” the contents of Art. 2 TEU (J. WOUTERS, *Revisiting Art. 2 TEU: A True Union of Values?*, in *europeanpapers.eu*, 2020, p. 255 ff.).

These obstacles are by no means unfounded. Still, they are expected to undermine the genesis of comprehensive legal frameworks; put it differently, they should not be seen as suitable to make EU hard law unable to cover the theme under analysis in any way. This seems all the truer considering that, according to the Strategy itself, civil society should have a chance to provide advice, support and expertise in the development and implementation of EU legislation in a number of policy areas.

To start with, certain legislative acts have been adopted to satisfy specific interests of some civil society's sectors. In the Strategy, the Commission rightly refers to Directive (EU) 2024/1069 on Strategic lawsuits against public participation (known as "anti-SLAPP Directive": see also F. MAOLI, *La direttiva UE anti-SLAPPs in azione: il caso Greenpeace Int. c. Energy Transfer*, in this *Journal*, 14 October 2025; E. A. ROSSI, *La direttiva (UE) 2024/1069 («anti-SLAPPs»)*. *Analisi di diritto internazionale privato*, in *rivista.eurojus.it*, 2025, p. 148 ff.). Yet, the feeling is that the Strategy identifies this measure as a sort of milestone, instead of a new starting point for envisaging similar measures in order to give more substance to the Strategy. This approach should be followed more often.

After all, the practice of EU law offers glimpses of possible development. Focusing on environmental law, it is well known that the Union adopted a set of rules aimed at guaranteeing procedural (participatory) rights in accordance with the 1998 Aarhus Convention (on this legal framework, see F. DEANA, *Democrazia ambientale ed eccezioni al diritto fondamentale di accesso alle informazioni detenute dagli organi dell'Unione europea*, in *Rivista italiana di diritto pubblico comunitario*, 2020, p. 1 ff.; A. LANG, *La Convenzione di Aarhus del 1998 e l'attuazione nell'Unione europea*, in this *Journal*, 2025, p. 21 ff.); the Strategy does not even touch upon this legal framework (contrary to the 2023 Recommendation recalled in the previous paragraph), nor does it express the opportunity to work on the progressive consolidation of similar procedural rights in other realms at the supranational level. Regulation (EU) No 1025/2012 on European standardization (C. TOVO, *Judicial Review of Harmonized Standards: Changing the Paradigms of Legality and Legitimacy of Private Rulemaking under EU Law*, in *Common Market Law Review*, 2018, p. 1187 ff.; A. VOLPATO, M. ELIANTONIO, *The Participation of Civil Society in ETSI from the Perspective of Throughput Legitimacy*, in *Innovation: The European Journal of Social Science Research*, 2024, p. 1375 ff.) states that European standardization organizations "shall encourage and facilitate an appropriate representation and effective participation of all relevant stakeholders" (Art. 5), but the Strategy disregards this topic. As for digital law, Regulations (EU) 2022/2065 (Digital Services Act – DSA) and (EU) 2024/1689 (Artificial Intelligence Act – AI Act), contain provisions allowing for broad bottom-up participation in the elaboration of voluntary codes of conduct or codes of practice (Art. 45(2) DSA, Arts. 95(3) and 56(3) AI Act); although these are supposed to be minor innovations, the Strategy does not consider the possibility of using them

as a basis for future developments in the governance of those major transitions that correspond to the Commission's main policy objectives. Many other examples could be made, but this short list demonstrates that the EU legislator may have some room for manoeuvre in regulating some layers of the subject under consideration in this work; if anything, the most difficult obstacles to overcome may arise during the implementation phase of the rules.

Another important paradigm is that of free movement, given the entanglements between democracy and economic freedoms (see *amplius* P. DE PASQUALE, *Dalla primauté delle libertà economiche a quella dei diritti dei cittadini?*, in C. PESCE, P. DE PASQUALE (a cura di), *I cittadini e l'Europa: principio democratico e libertà economiche*, Napoli, 2015, p. 69 ff.). The cross-border dimension of various CSOs' activities should not be overlooked. This aspect had already been highlighted by the European Parliament in its 2022 resolution. The legal bases relating to internal market freedoms, such as the free movement of capital (Art. 63 TFEU) and freedom of establishment (Art. 49 TFEU), may therefore be of relevance. Likewise, there could also be some scope for the development of harmonization instruments based on Article 114 TFEU, given the progressive broadening of the concept of the internal market (see, e.g., S. WEATHERILL, *The Internal Market as a Legal Concept*, Oxford, 2017, especially Chapters 5 and 6; C. BARNARD, *The Substantive Law of the Four Freedoms*, VII ed., Oxford, 2022, especially the Introduction) and the ease with which the EU legislator usually uses this provision (F. FERRARO, *Recenti sviluppi in tema di ravvicinamento e mercato interno*, in F. FERRARO, R. ALFANO, A. ARENA (a cura di), *1993-2023: Trent'anni di mercato interno. Profili di diritto dell'Unione europea e di diritto finanziario e tributario*, Napoli, 2024, p. 7 ff.; M. KELLERBAUER *Art. 114 TFEU*, in M. KELLERBAUER, M. KLAMERT, J. TOMKIN (eds.), *The EU Treaties and the Charter of Fundamental Rights*, II ed., Oxford, 2024, p. 1738 ff.) – without any particular objection, by the way.

Finally, it should not be overlooked that secondary law provisions concerning one or more aspects of the enhancement of civic space, including the prerogatives of CSOs and HRDs, could be absorbed into the scope of the Charter. Post-*Åkerberg Fransson* case-law suggests that the Charter is the shadow of EU law (K. LENAERTS, J. A. GUTIÉRREZ-FONS, *The Place of the Charter in the EU Constitutional Edifice*, in S. PEERS, T. HERVEY, J. KENNER, A. WARD (eds.), *The EU Charter of Fundamental Rights: A Commentary*, Oxford-Portland, 2014, p. 1568 ff.). Whenever this combination takes

place, the rights (and corresponding obligations) at stake would end up being reinforced thanks to the top-level objectives they would be traced back to through the Charter; in other words, they would likely be interpreted broadly if they were clearly visible in regulations, directives or decisions. Hence, Member States' alignment with the Strategy's objectives would become possible if there were more concrete footholds in EU legislation. Where appropriate, this approach could be further developed by taking into account the case law of the European Court of Human Rights, on the basis of Article 52(3) of the Charter. Not to mention that the possibility of linking secondary legislation to democracy as a fundamental value would also be a means of better ensuring the preservation of the European identity to which the Court alluded (judgment of 16 February 2022, Case C-157/21, *Republic of Poland v European Parliament and Council of the European Union*, para. 145; judgment of 16 February 2022, Case C-156/21, *Hungary v European Parliament and Council of the European Union*, para. 232).

To conclude, although the EU Strategy for Civil Society represents a compromise to limit the legal commitments of the EU institutions and Member States to the bare minimum (metaphorically speaking, under the fairytale motto "and they all lived happily ever after"), some legal options to address civic space in a more structured way do exist. In her 2025 Speech on the State of the Union, the President of the European Commission, Ursula von der Leyen, declared that Europe is in "a fight for our values and our democracies" and that "Europe's Independence Moment" implies to decide "what kind of society and democracy we want to live in". In order to effectively follow up on these words, a more ambitious rethinking of the supranational approach to civic space is highly desirable, even if the founding treaties remain unchanged.

**Abstract (ita)**

Il contributo ha ad oggetto la recente Strategia della Commissione europea sulla società civile. L'iniziativa è stata pubblicata assieme allo Scudo europeo per la democrazia e ambisce a contribuire all'affermazione di uno spazio civico aperto, in particolare aumentando la partecipazione, la protezione e il sostegno alle organizzazioni della società civile (e ai difensori dei diritti umani). Poiché tale ambizione si scontra con notevoli problematiche che affliggono lo spazio civico e che hanno origini sia endogene che esogene, si ritiene particolarmente importante comprendere cosa abbia ispirato la Commissione e quali siano le principali azioni e traiettorie. Al tal fine, ci si interrogherà sulla reale carica innovativa della Strategia nel quadro della prassi UE nell'ottica della difesa dello spazio civico e si formuleranno riflessioni ulteriori per immaginare un più solido inquadramento del tema nel diritto sovranazionale vincolante.

**Abstract (eng)**

This contribution focuses on the European Commission's recent Strategy on Civil Society. The initiative was published alongside the European Democracy Shield and aims to contribute to the establishment of an open civic space, in particular by increasing participation, protection and support for civil society organizations (and human rights defenders). Since this ambition clashes with significant problems afflicting the civic space, which have both endogenous and exogenous origins, it is considered particularly important to understand what inspired the Commission and what the main actions and trajectories are. To this end, the work will envisage the real innovative potential of the Strategy with respect to EU practice on the protection of civic space, and will also include further reflections with a view to devising a more robust framework for the issue in binding supranational law.

