

BlogDUE

Facing the Unsustainable Fragility of EU Democracy: Highlights on the European Democracy Shield

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SUMMARY: 1. Introduction: Framing Democracy in the EU Strategy. – 2. The Pillars of the European Democracy Shield. – 3. Shielding Democracy: Constitutional Implications. – 4. Conclusive Remarks.

1. Democracy, enshrined in Article 2 TEU as one of the founding values of the European Union (EU), has a dual constitutional function. It serves not only as a prerequisite for candidate countries under Article 49 TEU (being a component of the Copenhagen criteria for EU accession), but also as a constitutive element of the very “constitutional identity” of the EU legal order. Indeed, according to Article 2 TEU, the value of democracy is common to the Member States and is simultaneously the institutional foundation of the Union, where it finds concrete expression in the principle of representative democracy established in Article 10(1) TEU. Beyond stressing that the EU citizens are directly represented at Union level in the European Parliament, this provision acknowledges that the Heads of State or Government in the European Council, as well as government representatives in the Council, are democratically accountable to the national parliaments and citizens. Furthermore, Article 12 TEU recognises the role of national parliaments in contributing to the (democratic) life of the Union. This articulated interaction between Union-level and national democratic institutions reveals the extent of the constitutional intertwining within the EU legal order. On the one hand, the EU institutions themselves are bound to uphold democratic principles of accountability and openness; on the other, the Union also serves as a stabilising force and “watchdog” of democracy within the Member States, in order to protect supranational democratic aspirations. Indeed, the spectre of democratic backsliding is never definitively dispelled and attention to democracy may not end with a State’s accession to the EU (P. LEVITZ, G. POP-ELECHES, *Why No Backsliding? The EU’s Impact on Democracy and*

Governance Before and After Accession, in *Comparative Political Studies*, 2010, p. 457 ff.; M. STARITA, *I principi democratici nel diritto dell'Unione europea*, Torino, 2011; C. PESCE, *Democrazia rappresentativa e democrazia partecipativa nell'Unione europea*, Napoli, 2016; L. BESSELINK, J. H. REESTMAN, [*Talking about European Democracy*](#), in *European Constitutional Law Review*, 2017, p. 207 ff.; J. HOEKSMAN, *The European Union: A democratic Union of democratic States*, Oisterwijk, 2021; Y. BOUZORAA, [*The Value of Democracy in EU Law and Its Enforcement: A Legal Analysis*](#), in *europeanpapers.eu*, 2023 p. 809 ff.; J. COTTER, [*Democracy Manifest? Ensuring the EU Legislature's Democratic Legitimacy in the Face of National-Level Autocratisation*](#), *ivi*, 2025, p. 489 ff.).

Contemporary threats to democracy, however, no longer originate solely from internal dynamics of democratic erosion but increasingly stem from external sources. The practical significance of this awareness has become evident in recent enforcement actions. In 2023, the European Commission opened an infringement procedure against Poland concerning the so-called “anti-Tusk law”, explicitly noting that it “unduly interferes with the democratic process” ([Press Release IP/23/3134, 8 June 2023](#)). Although later withdrawn, this step represented an unprecedented direct invocation of the democratic principle in such proceedings and established a significant precedent for linking national dynamics with supranational democratic interests. It is noteworthy, in particular, that the case raised concerns not only about domestic manipulation of democratic processes but also about the broader phenomenon of alleged foreign interference being instrumentalised within national political debates. This revealed a critical dimension of contemporary threats to European democracy: external interference in democratic processes, whether real or invoked as justification for measures undermining democratic standards, has implications also at the EU level, as the erosion of democratic foundations in a Member State may jeopardise the Union’s institutional and legal framework as a whole.

Recognising worrying trends of democratic decline in some Member States, such as the lowering of democratic culture, increasing tolerance or support for authoritarian regimes, and declining trust in governments and media, the EU has progressively paid attention to this phenomenon. In 2018 the Commission adopted the *Election Package*, consisting of a [Communication](#) and a [Recommendation](#) encouraging Member States to establish national election networks bringing together authorities responsible for electoral matters and for monitoring and enforcing rules relating to online activities relevant to elections. Under its priority area “A new push for European Democracy”, on 3 December 2020 the Commission presented its [*European Democracy Action Plan*](#), aimed at empowering citizens and building more resilient democracies across the EU, with a particular focus on promoting free and fair elections, strengthening media freedom, and countering disinformation. Moreover, in 2023 the [*Defence of Democracy Package*](#) was adopted to protect the EU’s democratic sphere from covert foreign influence while simultaneously encouraging civic engagement.

Building on this evolving framework, on 12 November 2025 the European Commission and the High Representative presented the Communication entitled *European Democracy Shield: Empowering Strong and Resilient Democracies*, setting out measures to empower, protect, and promote resilient democracy across the EU. Announced in the President's *2025 State of the Union* address with the stark warning that "our democracy is under attack", the initiative represents the latest stage in the Union's comprehensive approach to safeguarding democracy, both as a value integral to its constitutional order and as a strategic imperative in an era of intensifying democratic challenges.

Moving from these recent developments, the article explores the Shield as a further element of practice by proceeding in two stages: Section 2 maps the initiative's substantive architecture and its three complementary pillars; Section 3 explores the constitutional implications of framing democracy protection as resilience-building against hybrid threats, paying particular attention to questions of competence allocation. Section 4 concludes the article with some final and critical remarks.

2. Building on the understanding of democracy as a EU founding value, the urgency of adopting the European Democracy Shield has become evident from the convergence of public perception and concrete threats emerged between mid-2024 and early 2025.

The 2025 Eurobarometer on *Protecting and Promoting Democracy* (Special Eurobarometer Report 568, May 2025) has revealed a profound shift in how European citizens understand threats to democratic integrity. According to the survey, 70% of EU citizens are concerned about foreign countries influencing elections in Europe and 42% consider foreign information manipulation, interference and disinformation among the most serious challenges to democracy in the EU. When asked about the most important elements of free and fair electoral campaigns, 46% of respondents identify debates and campaigns avoiding hate speech, manipulation and lies, and 78% are concerned about disinformation influencing people's voting decisions. These findings underscore a profound shift in public perception: threats to electoral integrity no longer stem from traditional forms of interference, but increasingly from information manipulation.

These public concerns found concrete validation in two critical developments that demonstrated both the scale and sophistication of contemporary threats.

The first one emerged from the Commission's Report on the 2024 Elections to the European Parliament ([COM \(2025\) 287final](#)), which reported a rise in EU-related disinformation and cybersecurity incidents during the electoral campaign. The Report highlighted a surge in Distributed Denial-of-Service (DDoS) attacks led by pro-Russian hacktivist groups, alongside coordinated disinformation campaigns employing also artificial intelligence (AI) systems, capable of influencing public opinion, polarising political debate and undermining trust in national and EU institutions. The severity of

these threats prompted the [Belgian Presidency](#) to activate the Integrated Political Crisis Response (IPCR) arrangements in information-sharing mode for the first time in an electoral context.

The second, and perhaps most dramatic, development came with the [Romanian Constitutional Court's decision n. 32/2024](#) of 6 December 2024, which annulled the results of the presidential elections due to suspected Russian interference during the electoral campaign (A. CARROZZINI, *Shooting Democracy in the Foot? The Romanian Constitutional Court's Annulment of Presidential Elections*, in *VBlog*, 13 December 2024; D. A. CARAMIDARIU, A. VERTESOLTEANU, *Safeguarding Democracy: constitutional insights from Romania's election annulment*, in *Diritto pubblico comparato ed europeo*, 2025, p. 139 ff.). Specifically, the Court found that external interference had distorted freedom of expression in voting, created inequitable treatment among candidates and violated rules on campaign financing. The declassified intelligence documents revealed a coordinated disinformation campaign using social media platforms, particularly TikTok and Telegram, to amplify far-right narratives and promote pro-Russian candidates, alongside several attempted cyberattacks on election websites and IT systems. This unprecedented judicial intervention demonstrated both the severity of globalised threats and the need for coordinated responses at EU level.

The gravity of these developments prompted immediate institutional responses. In January 2025, the European Parliament adopted a Resolution on Russia's disinformation and historical falsification ([2024/2988\(RSP\)](#)), urging the Union and its Member States to intensify and coordinate efforts against disinformation, information manipulation, and foreign interference from Russia. The European Democracy Shield (EDS), presented later, provides the comprehensive framework to operationalise this imperative and to address these multifaceted challenges.

The EDS provides an integrated framework through which the Union seeks to strengthen its capacity to address information manipulation, foreign interference and related forms of democratic vulnerability. It is articulated around three pillars, designed to operate synergistically across the whole democratic processes: (i) the protection of the integrity of the European information environment; (ii) the reinforcement of democratic institutions, electoral processes, and a free and independent media ecosystem; and (iii) the enhancement of societal resilience and the promotion of informed civic participation.

The first pillar (i) has an *ex ante* connotation, as it recognises that access to reliable information forms a precondition for the exercise of democratic rights. It comprises both internal and external measures aimed at protecting the integrity of the information environment. Internally, the action focuses on three core areas. First, strengthening cooperation under the Code of Practice on Disinformation and developing crisis-response protocols under the [Digital Services Act](#) (DSA) to facilitate coordination among relevant authorities in responding to large-scale transnational information operations. Second, supporting independent fact-checking capacities through a European Network

of Fact-Checkers operating across all EU official languages, alongside the extended monitoring functions of the [European Digital Media Observatory](#) covering all Member States, candidate countries, and potential candidates. Third, preparing a EU Blueprint for countering [Foreign Information Manipulation and Interference \(FIMI\)](#) and disinformation, providing tools and guidance on measures to anticipate, detect and respond to information threats. Additional measures include the establishment of a common research support framework that grants privileged access to data under the DSA and the [Regulation \(EU\) 2024/900 on Political Advertising](#). This framework aims to deepen understanding of how campaigns spread online and develop tools to facilitate detection of AI-generated or manipulated content. The pillar also addresses rogue non-EU media service providers through common criteria developed by the European Board for Media Services under the [European Media Freedom Act](#). Externally, the EU commits to reinforcing the capabilities of EU Delegations and Common Security and Defence Policy (CSDP) missions to counter FIMI, deploying proactive strategic communication campaigns in priority regions, and providing targeted capacity building to EU candidate countries and potential candidates. International partnership will be leveraged through the G7 Rapid Response Mechanism, EU-NATO cooperation and Security and Defence Partnerships.

The second pillar (ii) concerns the resilience of institutions, electoral fairness, and media freedom, especially during the electoral process. As of the electoral level, it strengthens the [European Cooperation Network on Elections](#) (ECNE) to facilitate more systematic exchanges on election integrity, risk management, election observation within the EU, new campaigning methods and the impact of AI and emerging technologies. The pillar also includes guidance on the responsible use of AI in electoral context prepared with the [European AI Office](#) to encourage voluntary commitments by political parties and other relevant actors. The pillar also updates the DSA Elections Toolkit in collaboration with a voluntary EU network of influencers to raise awareness about relevant EU rules and promote ethical standards. Further action focuses on transparency and integrity of funding, alongside the reinforced application of the Regulation on Political Advertising through common work with Member States. Beyond the electoral moment, additional measures respond to the growing incidence of intimidation and violence against political actors, support the resilience of independent and local journalism through the [Commission's Recommendation on the Safety of Journalists](#), and reinforce the Union's framework on journalists' safety and protection against abusive litigation ([Anti-SLAPP Directive](#)).

The last pillar (iii) adopts a long-term perspective, by focusing on the enhancement of democratic culture and public engagement. Measures in this area range from the promotion of media and digital literacy to the development of a Union framework for citizenship competences, supporting participatory and consultative democratic tools, and encouraging of technological innovation in platforms facilitating democratic participation. Further initiatives strengthen awareness of EU-level democratic rights and support the

use of scientific expertise in the legislative process. A key element of the Communication is the reinforcement of a network of national focal points, building on the Commission's virtual Competence Centre on Participatory and Deliberative Democracy, with a particular focus on youth empowerment and intergenerational dialogue. This is complemented by a European civic tech hub specifically designed to engage young citizens in democratic processes through digital tools. The pillar clearly operates in close coordination with the twin *EU Strategy for Civil Society* ([COM \(2025\) 790final](#)), which intends to reinforce the Commission's engagement with civil society.

A central component of the EDS is the establishment of a *European Centre for Democratic Resilience*. Conceived as a joint platform bringing together expertise and resources from the Union and the Member States, the Centre should operate as an institutional hub for anticipating, detecting and responding to threats affecting the democratic order. With Member States at its core, it will provide a structured setting for information exchange and capacity-building, particularly in relation to FIMI and organised disinformation activities. Its functioning is closely coordinated with the Rapid Alert System managed by the European External Action Service (EEAS), consolidating existing networks and operational structures. Within the Centre, a dedicated Stakeholder Platform will support structured dialogue with civil society, academic actors, researchers, fact-checkers and media organisations, connecting the Centre with broader stakeholder communities such as the European Digital Media Observatory and the European Network of Fact-Checkers.

3. The EDS clearly fits within the framework of the Communication *ProtectEU: a European Internal Security Strategy*, adopted in April 2025 to address increasingly complex and multifaceted threats that challenge the EU's internal and external security, ranging from traditional open warfare to hybrid threats. The latter – including disinformation, cyber-attacks, economic pressure and instrumentalization of migration flux – are intended to destabilise and undermine societies, especially through non-conventional tools, in order to obtain economic or (geo)political advantages ([JOIN \(2016\) 18final](#)). In addition to constituting a risk for security *per se*, they also represent a risk for democracy, as they aim to erode the fundamental values, fragment the social reality, and compromise the integrity of political decision-making process (L. LONARDO (ed.), *Addressing Hybrid Threats European Law and Policies*, Cheltenham-Northampton, 2024). It is therefore unsurprising that, although explicitly addressed to the Member States and EU institutions, the Communication is indirectly targeted at external actors, most notably the Russian Federation, which is explicitly mentioned. This also explains the joint nature of the initiative with the High Representative and the multiple references to structures, instruments, and mechanisms belonging to the Union's external action, primarily the EEAS, which require extensive synergy with the CFSP domain. In this regard, Kaja Kallas made no secret of the anti-Russian nature of the initiative, affirming: “We are seeing campaigns,

including from Russia, specifically designed to polarise our citizens, undermine trust in our institutions and pollute politics in our countries.” The new Shield, therefore, “is part of Europe’s response to protect the ingredients of our democracies.” ([Press Release](#), 12 November 2025).

Building on these elements of practice, the Communication attempts to systematise the heterogeneous legal instruments currently in force, then bringing together the separate guidelines and combining them into one shared trajectory aimed at protecting the essence – the “hard core” – of democracy, especially from external threats. The constitutional reading of this purpose can be distilled into two distinct dimensions: firstly, with regard to external projection (i); and secondly, with regard to internal equilibrium (ii).

(i) The initiative places within the constitutional foundations of the Union’s external strategy. Indeed, according to primary law, the EU has a dual mandate: Article 21(2)(a) TEU tasks it with safeguarding “its values, fundamental interests, security, independence and integrity”, while under Article 21(2)(b) TEU the EU shall pursue the *ultra fines* objective to “consolidate and support democracy, the rule of law, human rights and the principles of international law” beyond its borders. The EDS primarily engages the former provision by reframing democracy protection not as external promotion but as existential defence of the Union’s constitutional identity. This strategic position becomes fully intelligible through the “shield-and-sword” metaphor that is shaping the EU’s dual approach to democracy protection against the Russian posture. The “shield” – represented by the EDS itself – evokes a pure defensive and preventive posture, designed to build resilience, prevent interference and protect the integrity of democratic processes. The “sword”, conversely, consists of the restrictive measures adopted by the Council against individuals, entities and bodies that act or support actions undermining democracy, the rule of law, stability and security both within and outside the EU ([Council Decision \(CFSP\) 2024/2643](#) and [Council Regulation \(EU\) 2024/2642](#)). Indeed, these measures should provide deterrence by imposing targeted punishing action against specific actors engaged in destabilising activities. This duality is indicative of a significant shift in the conceptualisation of democracy within the EU’s external action. It is no longer merely a component of political conditionality in the context of international relations, but rather an imperative that necessitates the development of shared defensive capabilities to address external threats (A. CIRCOLO, *La condizionalità politica nella dimensione esterna e interna dell’azione dell’Unione europea*, in *Il Diritto dell’Unione europea*, 2022, p. 225 ff.).

Another salient point concerns the Union’s commitment to international cooperation, also embedded in Article 21 TEU. The provision explicitly requires the EU to “develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles referred to” in its founding provisions. The EDS operationalises this mandate through extensive references to cooperation with international partners, including candidate countries, potential candidates, G7 States,

NATO and participants in Security and Defence Partnerships. The explicit and repeated invocation of “like minded partners” is particularly revealing. Indeed, it draws a clear line of demarcation between States that share a commitment to the protection of democracy and those actors that challenge it or exploit its vulnerabilities. International cooperation is thus conceived not as universal engagement but as selective alignment with partners that share the Union’s democratic values and perceive similar threats. As a result, the EDS operates simultaneously as an internal resilience mechanism protecting the Union’s constitutional identity and as an instrument of external (geopolitical) positioning that aligns democracy protection with the emerging Strategic Autonomy doctrine (EDITORIAL COMMENTS, *Keeping Europeanisation at Bay? Strategic Autonomy as a Constitutional Problem*, in *Common Market Law Review*, 2022, p. 313 ff.; C. BEAUCILLON, *Strategic Autonomy: A New Identity for the EU as a Global Actor*, in *europeanpapers.eu*, 2023, p. 417 ff.).

(ii) The Communication on the EDS raises issues concerning the allocation of competences between the Union and the Member States. As made evident by the references to existing legislation to be improved, in the absence of explicit competence in the field of democracy or fundamental rights, the protection of democratic values in a transversal manner is pursued through secondary legislation grounded in specific competences, in particular that relating to the internal market under Article 114 TFEU. The Union, therefore, continues to rely on its most consolidated competences, already exercised in digital services and platforms domain, to intervene directly on the security of national electoral processes, thereby reinforcing the well-established link between the functioning of the internal market and the safeguarding of EU values (Y. MIADZVETSKAYA, R. A. WESSEL, *The Externalisation of EU’s Cybersecurity Regime: The Cyber Diplomacy Toolbox*, in *europeanpapers.eu*, 2022, p. 413 ff.).

What emerges is the consolidation of the progressive functional extension of Article 114 TFEU for constitutional-oriented purposes, as demonstrated in other occasions such as the adoption of the [Regulation \(EU\) 2024/1689 on Artificial Intelligence](#) (commonly known as *AI Act*). This “existentialist conception of EU competences”, aimed at protecting the value of democracy from major threats, has significantly influenced the way in which the set of supranational competences has been used by the EU legislature to face today’s multiple challenges (D. SARDO, *European Rights and European Wrongs: Some Short Notes from Professor Takis Tridimas’ Inaugural Lecture*, in *KSLR EU Law Blog*, 8 April 2015).

The “creative use” of legal bases is underpinned by the paradigm of European sovereignty which, grounded in Article 2 TEU, increasingly legitimises more flexible interventions aimed at safeguarding its constitutional identity with a consequent reshaping of Member States’ competences. Moving from the Strategic Autonomy doctrine, this paradigm is reshaping the EU-Member States’ security nexus by extending beyond the traditional confines of the CFSP to encompass institutional resilience against exogenous

influences capable of threatening the EU constitutional order (F. CASOLARI, *Supranational Security and National Security in Light of the EU Strategic Autonomy Doctrine: The EU-Member States Security Nexus Revisited*, in *European Foreign Affairs Review*, 2023, p. 323 ff.; S. POLI, D. GALLO, *Enhancing European Technological Sovereignty: The Foreign Investment Screening Regulation and Beyond*, in K. A. ARMSTRONG, J. SCOTT, A. THIES (eds.), *EU External Relations and the Power of Law. Liber Amicorum in Honour of Marise Cremona*, Oxford, 2024, p. 215 ff.; G. BARRETT, P. MÜLLER-GRAFF, J. RAGEADE, V. VADÁSZ (eds.), *European Sovereignty: the Legal Dimension*, Cham, 2024).

Yet, this evolution must confront a fundamental constitutional constraint. Although the “Europeanisation” of security is significantly affecting the allocation of competences between the Union and the Member States in cases where core interests of the Union are at stake, it remains clear that the discipline on electoral processes and the control of their democratic quality constitute, in principle, a prerogative of the Member States. Indeed, as a core component of “national identity” enshrined in Article 4(2) TEU, the management of elections and related procedures falls primarily under national control (G. DI FEDERICO, *L’identità nazionale degli Stati membri nel diritto dell’Unione Europea. Natura e portata dell’art. 4 par. 2 TUE*, Napoli, 2017). The Communication reflects this evidence by emphasising that it “fully” respects EU and Member States competences and that the Centre will be developed on the basis of Member States’ voluntary participation.

Faced with this intrinsic tension between respect for State competences and supranational intervention, the Union seeks to overcome potential limits posed by Member States’ prerogatives and political reticence by demonstrating the necessity to act on the basis of a transnational security imperative that become supranational. The Union, in effect, legitimises its intervention through a narrative of transnational emergency, which allows the principle of subsidiarity to be read in terms of necessity and proportionality with respect to threats that Member States are not capable of effectively addressing individually. This is aligned with the increasingly frequent use of the semantics typical of the emergency-management cycle, where prevention, preparedness, mitigation, risk, response and early warning constitute the prevalent terminology. Moreover, the key word adopted in the Communication is “resilience”, a concept now central to EU acts concerning risk and emergency management, especially in the digital domain, as exemplified *inter alia* by the *AI Act* and the *Cyber Resilience Act*. The choice to rely on this scheme also in the Communication at stake represents another expression of the EU risk-based approach which operates not merely as a regulatory model but as a constitutional tool aimed at fostering fundamental rights and democratic values as counter-limits to the perils of the digital transformation (G. DE GREGORIO, P. DUNN, *The European Risk-Based Approaches: Connecting Constitutional Dots in the Digital Age*, in *Common Market Law Review*, 2022, p. 473 ff.).

4. The European Democracy Shield contributes to the theoretical strengthening of the value of democracy and empowering of citizens' rights, to freely form and express their opinions, and to participate in the democratic life of the Union actively and safely. It is, however, also characterised by some structural limitations and critical issues that cast doubt on its capacity to produce a meaningful change in the EU's legal framework.

In the first place, the Communication refrains from proposing new legally binding instruments, confining itself to the reinforcement and updating of existing legislative acts. This approach, while respectful of Member States' competences, reveals the initiative's essential character as a coordination mechanism without paving the way for subsequent normative intervention. The reliance on soft law instruments and voluntary cooperation mechanisms reflects constitutional constraints but simultaneously exposes the Shield the risk of inconsistencies across Member States with divergent threat perceptions and institutional capacities.

In the second place, the multiplication of actors, mechanisms, and alert systems – while comprehensive in ambition – carries the danger of institutional fragmentation rather than enhanced coherence. The Communication establishes the European Centre for Democratic Resilience, strengthens the European Cooperation Network on Elections, expands the Stakeholder Platform, and reinforces multiple existing networks. However, it provides limited clarity regarding their hierarchical relationships, decisional competences, or mechanisms for coordination, thus threatening to create overlapping mandates and duplicated functions that could undermine operational effectiveness. Moreover, the conceptualisation of democracy through the technical lexicon of crisis management and resilience risks instrumentalising democratic legitimacy as security variable rather than a constitutional imperative that cannot be reduced to emergency-based logics.

Thirdly, one of the most significant and critical issues is the omission of any reference to the EU-level democratic institution, that is the European Parliament. This absence is a surprising vacuum. Indeed, if hybrid threats targeting electoral processes and information integrity pose risks to Member States, they equally threaten the functioning, legitimacy and public trust in the supranational democratic institution. Cyberattacks, disinformation campaigns, and foreign information manipulation operations can extend beyond the electoral cycles to affect the Union's democratic life in a continuous way, including the broader EU decision-making process. The omission implicitly acknowledges that Union-level democracy remains structurally dependent on the democratic health of Member States and, moreover, that the European Parliament's legitimacy and functioning are inextricably tied to national electoral rules, campaign regulations, and democratic safeguards established by Member State legal orders.

All of this confirms a persisting constitutional short-circuit: while the Union positions itself as a watchdog and stabilising force for Member State democracies, it remains unable to address the vulnerabilities of its own primary democratic institution without the cooperation of the Member States.



Ultimately, the European Democracy Shield operates primarily at the level of symbolic assertion rather than as an effective architecture of democratic resilience, capable of defending both dimensions of the dual constitutional function of democracy enshrined in Article 2 TEU.

ABSTRACT (ITA)

Il 12 novembre 2025 la Commissione europea e l'Alto Rappresentante hanno presentato lo Scudo europeo per la Democrazia, un'iniziativa volta a rafforzare, proteggere e promuovere la resilienza democratica all'interno dell'Unione. Annunciato nel discorso sullo Stato dell'Unione nel 2025, lo Scudo si inserisce nel più ampio processo di progressiva attenzione dell'Unione alla tutela della democrazia, intesa tanto come valore fondante dell'ordine costituzionale sovranazionale quanto come obiettivo strategico in un contesto segnato da crescenti vulnerabilità e minacce ibride. Muovendo da questa prospettiva, l'articolo esplora lo Scudo europeo per la democrazia quale espressione di una prassi in evoluzione, ricostruendone l'architettura sostanziale e soffermandosi sulle implicazioni costituzionali derivanti dall'inquadramento della protezione della democrazia in termini di rafforzamento della resilienza, con particolare attenzione ai profili relativi al riparto delle competenze tra Unione e Stati membri.

ABSTRACT (ENG)

On 12 November 2025, the European Commission and the High Representative presented the European Democracy Shield, setting out measures to empower, protect, and promote resilient democracy across the EU. Announced in the 2025 State of the Union address, the initiative represents the latest stage in the Union's comprehensive approach to safeguarding democracy, both as a value integral to its constitutional order and as a strategic imperative in an era of intensifying democratic challenges. The article examines the Shield as a further development in the EU practice, by mapping its substantive architecture and analysing the constitutional implications of framing democracy protection in terms of resilience against hybrid threats, paying particular attention to questions of competence allocation between the Union and the Member States.