|  |  |
| --- | --- |
| CoRLogo_EN  **EN** |  |
| **CIVEX-VII/008** | |
| **7thCommission meeting, 30 March 2021** | |



**WORKING DOCUMENT**

**Commission for Citizenship, Governance, Institutional and External Affairs**

**European democracy action plan**

|  |
| --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_  Rapporteur: **Aleksandra Dulkiewicz (PL/EPP)**  \_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |
| --- |
| This document will be discussed at the meeting of the **Commission for Citizenship, Governance, Institutional and External Affairs to be held on 30 March 2021, from 11 a.m. to 4.30 p.m.** |

**Background**

The European Union is a body that resembles a structure of interconnected organisms. The deterioration of civil rights and freedoms in one Member State has a real, negative impact on the state of democracy across the whole European family and is a threat to our European values.

The purpose of this outline for an opinion is to create a work plan for the implementation of the European Democracy Action Plan (EDAP) by the European institutions, Member States and EU regions and local communities. Before commenting on the EDAP, it is worth identifying the issues. The opinion will focus on the main problems and the risks relating to them. The analysis will show whether worrying phenomena are present in all EU countries or whether some are resilient against them. If this is the case, it will try to determine why. After all, this knowledge can play an important role in the process of implementing the EDAP. These good examples can serve as a "democratic vaccine" to stop the spread of the disease.

**Key messages**

It is necessary to consider whether worrying phenomena such as populism, radicalisation, discrimination or disinformation are just individual symptoms of a disease, or far-reaching changes that threaten democracy.

At present, the EDAP is just an outline of the changes needed. The opinion will seek to identify concrete actions and tools that could have a positive impact on promoting, pushing or, in extreme cases, forcing the application of generally accepted democratic principles of the rule of law that could be applied by the regions and Member States of the European Union, as well as halting the erosion of democracy, as belonging to the European family does not only mean a package of freedoms or financial measures that change local communities, etc., it is inextricably linked to respect for democratic values.

The EDAP should lead to the identification of concrete actions, which should be put in place before the 2024 European Parliament elections. The state of democracy will not be repaired in three years, but the faster we take action, the greater the chance to fight the disease. European democracy is under attack not only from external aggressors seeking to destabilise the EU, but also internal actors attacking what is most important in the EU – the community. The EDAP should therefore pave the way for relations and contacts with non-EU partners who do not accept these standards, in violation of fundamental human and civil rights. An example here could be the EU's policy towards countries such as Russia and China and the work of the East StratCom Task Force. The EDAP should also widen efforts to tackle disinformation at local level.

It is necessary to take a broader view of communication with citizens and the way regions, countries and European institutions communicate their visions and activities and educate citizens. We must not forget about the etymology of the word democracy – it comes from Greek and verbatim means "government by the people". The Conference on the Future of Europe should be organised in as many European regions as possible and run from the bottom up, enabling diverse groups of citizens to take part in the debate – the Citizens' Panel in Gdańsk, Poland could be a local example of this.

Democracy also means elections, and during the pandemic we need to meet the challenge of conducting them. The question is, therefore, in circumstances when we are restricted by prohibitions/orders/lockdowns, how can we conduct fully democratic elections, providing, on the one hand, a level playing field for all participating candidates and, on the other, ensuring that the risks to the life and health of participating voters are minimised. The plan for corrective actions should be preceded by an example of the risks and irregularities identified in the elections that took place last year. It should also look at elections that are taking place in EU countries in 2021, including the Netherlands and Germany. The organisational and technological challenge, including in terms of cyber-threats, will be the process of ensuring the security of the postal and/or electronic voting process. The basis for achieving this will be the creation of infrastructure and tools that can ensure that both the electoral campaign itself and the electoral process are safe in pandemic conditions (or in the face of other threats), while at the same time democratic, transparent and ensuring the protection of civil rights and freedoms.

Access to public information is also an important topic. The free flow of information and ideas is at the heart of the concept of democracy and respect for human rights. Therefore, the information collected by the public authorities belongs to the citizens, and authorities at every level only hold the data on their behalf. Attempts to restrict access to public information by EU residents are therefore a threat[[1]](#footnote-1). In Poland, the First President of the Supreme Court submitted a request to the Constitutional Tribunal to declare the provisions of the Act on access to public information unconstitutional[[2]](#footnote-2). This is another attempt to prevent information that is often uncomfortable for the authorities from being revealed. Freedom of access to public information contributes to the openness and accountability of the authorities and is an important tool for preventing and combating corruption. It also has a huge impact on the level of public confidence.

Measures to restrict free access to reliable and authoritative data do not contribute to the full preservation of the democratic features of a State, they create "information chaos" and spread disinformation. Ubiquitous hate speech is one of the consequences of misleading society. When making accusations against each other, when scrutinising the work of the opposition or journalists, politicians often use increasingly aggressive language in the public domain. They call for boycotts, encourage accusations often without any evidence. This aggressive speech shifts to citizens who, when feeling anonymous on the internet, believe that they can get away with more than they could in the real world. This helps build up hatred of others, polarisation and conspiracy theories. In Poland, we had an example of how tragic this practice could ultimately be, when the public media often put forward absurd and fake news about Paweł Adamowicz, which in the end resulted in his death. In recent years, public figures and journalists have been faced with threats and insults just for doing their job. Journalists should therefore be protected, as outlined in the EDAP. It is also crucial to put measures in place to improve the quality of public debate. The report will devote a lot of attention to this issue.

To a large extent, the responsibility for the success of the EDAP lies with local and regional authorities, which unfortunately were not mentioned in the European Commission's communication. It is crucial here to educate the public in order to develop good habits among citizens locally. An important element is to raise awareness of critical thinking, tolerance and the importance of the individual in the whole social ecosystem. Through civic education and greater involvement of citizens in the decision-making process, we demonstrate how important the role of our citizens is for the local and national and global community. The development of active, civic attitudes can significantly strengthen democracy.

As a result of the COVID-19 pandemic, discussions on whether we need to give up some rights and freedoms in a situation of threat have come up again. The EDAP cannot ignore this new threat, which has permanently entered our daily lives. It is necessary to take up the challenge of finding a response to the phenomena surrounding the pandemic, while at the same time protecting civil liberties and freedoms, for example, elections or the right to assemble. Fear and threats have led to an increase in disinformation around the world. The increase in surveillance is supposed to help protect citizens from the possibility of catching COVID-19. This is also why many countries in the European Union are relinquishing further dimensions of freedom in the hope of ensuring greater safety. We must bear in mind that the choice between freedom and security is not a real one. It is true that supervision can serve to improve safety, but it just as often masks political or financial objectives[[3]](#footnote-3).

The impact of COVID-related regulations on civil liberties could also be seen in the use of technological solutions in the fight against the spread of the virus. Mobile apps were designed to monitor whether a person has actually complied with a quarantine order and to provide alerts about exposure to the coronavirus. In Poland, the app developed on behalf of the Ministry of Digital Affairs has not gained trust among citizens as it has introduced solutions that do not guarantee users' privacy. In Poland, only one million people used the mobile apps, whereas in Germany 24 million people use similar apps[[4]](#footnote-4). It is worth noting that in Germany the use of the app is entirely voluntary, unlike in Poland, where every person who needs to quarantine is obliged to install it. This clearly illustrates the issue of trust in State institutions, which is key to democracy.

We are currently living through a tremendous technological leap. New technologies bring both great opportunities and risks that could result in the creation of a surveillance society. If countries do not have this under control conceptually and intellectually, it may lead to irrevocable changes to the guaranteed right to privacy. Risk management and guaranteeing safety have become a key method of control in our current reality.

New technologies have also increased the reach of disinformation and the ability to manipulate society. Disinformation often leads to a loss of authority and trust in State institutions. Disinformation is the deliberate spread of false or manipulated information for a specific goal. One way it manifests itself is propaganda, a phenomenon involving the manipulation of facts in order to shape certain social views and behaviours. Technological developments have changed the context in which this phenomenon operates and have brought new challenges to us through social, economic and technical changes. And although propaganda, populism and manipulation of information have been around for centuries, we constantly need to develop new ways to combat them. In many countries, we are witnessing the radicalisation of society and populists coming into power. It is therefore crucial to develop tools to fight disinformation, create simple, effective communication and broaden education in critical thinking for different social groups. In order to deal more effectively with the issue of disinformation, we should understand which groups are most vulnerable to it and where we should start to build up resilience against it. To this end, it is necessary to create the appropriate legal bases which will be included in the Digital Services Act and the Digital Markets Act. Education in verification of information/disinformation and critical assessment of sources is an attempt to find a panacea and a tool that should be considered within the EDAP. An example of this could be Finland, which is already introducing such courses in primary education.

In this context, it is important to have critical journalism that builds trust among the public, thus raising the level of public debate. Independent media should be at the heart of democracy. In this respect, it is worth noting attempts to nationalise the media in Hungary and Poland.

The EDAP should be a vaccine that builds the resilience of the European democratic body. It is up to us alone to decide whether we will take action and change the course that democracy in Europe is currently taking.

**Issues for discussion with CIVEX members**

1. I encourage members to share good practices of the experience of local and regional authorities in supporting civic participation, critical thinking and the principle of mutual tolerance.
2. What is the added value of local and regional authorities in improving the state of European democracy in the context of the Conference on the Future of Europe?
3. How can we ensure that citizens' democratic rights are respected in the face of and despite the challenges posed by such critical situations as the COVID-19 pandemic, from access to information and involvement in political campaigns to the actual act of organising elections?
4. Does external infiltration of elections in Europe have an impact on local and regional electoral processes?
5. **PROCEDURE**

|  |  |
| --- | --- |
| **Title** | European democracy action plan |
| Reference(s) | Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European democracy action plan – COM (2020) 790 on 3 December 2020 |
| **Legal basis** | Art. 307 (1) |
| **Procedural basis** | Rule 41b) i) |
| **Date of Council/EP referral/ Date of Commission letter** | 3 December 2020 |
| **Date of Bureau/President's decision** | Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European democracy action plan – COM (2020) 790 on 3 December 2020 |
| **Commission responsible** | Commission for Citizenship, Governance, Institutional and External Affairs |
| **Rapporteur** | Aleksandra Dulkiewicz (PL/EPP) |
| **Analysis** | 1 March 2021 |
| **Discussed in commission** | 30 March 2021 |
| **Date adopted by commission** | 11 May 2021 |
| **Result of the vote in commission (majority, unanimity)** |  |
| **Date adopted in plenary** | 30 June–2 July 2021 |
| **Previous Committee opinions** | * (CDR 3908/2018) - Tackling online disinformation: a European Approach, rapporteur Olgierd Geblewicz (PL/EPP), February 2019 * (CDR 1053/20190) - Action Plan against Disinformation, rapporteur Randel Länts (EE/PES), December 2019 * (CDR 3730/2019) - Strengthening the rule of law within the Union – A blueprint for action, rapporteur Franco Iacop (IT/PES), February 2020 * (CDR 2016/2020) - A Union of Equality: Gender Equality Strategy 2020-2025, rapporteur ANDREU RODRÍGUEZ Concepción Andreu Rodriguez (ES/PES), October 2020 * (CDR 4989/2019) - Local and Regional Authorities in the permanent dialogue with citizens, rapporteur Declan McDonnell (IE/EA), October 2020 * (CDR 830/2020) - Strengthening local governance and representative democracy via new digital technology instruments, rapporteur Rait Pihelgas (EE/ renew E.), December 2020 |
| **Date of subsidiarity monitoring consultation** | n/a |

\_\_\_\_\_\_\_\_\_\_\_\_

1. In Resolution 59 of the UN General Assembly adopted in 1946, as well as in Article 19 of the Universal Declaration of Human Rights (1948) and Article 10 of the European Convention on Human Rights (1950), the right to information is an integral part of the fundamental right to freedom of expression. [↑](#footnote-ref-1)
2. <https://siecobywatelska.pl/co-wladza-chce-ukryc/>. [↑](#footnote-ref-2)
3. <https://panoptykon.org/czym-jest-spoleczenstwo-nadzorowane>/. [↑](#footnote-ref-3)
4. 2020. *Pandemia, kryzys praworządności, wyzwania dla praw człowieka* [The pandemic, a crisis for the rule of law and challenges for human rights]; Maciej Kalisz, Małgorzata Szuleka, Marcin Wolny; Helsinki Foundation for Human Rights, Warsaw, January 2021; p. 14. [↑](#footnote-ref-4)