

New EU Civil Society Strategy: Responding Effectively to Threats and Challenges Facing Civil Society Organisations and Human Rights Defenders Working to Advance Sexual and Reproductive Health and Rights

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Introduction

As organisations working on sexual and reproductive health and rights (SRHR) in fourteen national contexts* across Europe and at EU level, we welcome the European Commission's initiative to launch the first EU Civil Society Strategy. We believe the Strategy offers a critical opportunity to provide a strong and effective framework for EU action to support and protect civil society organisations (CSOs) and human rights defenders within the EU and to address the shrinking civic space¹ for those working to promote and protect EU founding values.

Human rights defenders and CSOs working to advance gender equality and SRHR across the EU play vital roles within civil society. Their efforts strengthen legal and policy protections for gender equality and SRHR at both national and EU levels through evidence-based advocacy, service provision, research and monitoring and by holding governments accountable for complying with international human rights obligations and EU treaties and legislation. They often sound the alarm when threats of regression on gender equality and SRHR signal that rule of law protections may be at risk.

Efforts to undermine and weaken democratic institutions, the rule of law and civic space have increasingly intersected with attacks on the rights of women and marginalised communities. In contexts across the EU, this convergence has facilitated rollback of progress on gender equality, SRHR and LGBTIQ+ rights. These efforts threaten the safety and legitimacy of CSOs and human rights defenders on the frontlines and also threaten fundamental EU values of democracy, equality and respect for human rights.

In this current context, the new Civil Society Strategy must pay particular attention to the interlinkages between respect for democratic principles, the rule of law and civic space and the promotion of gender equality and SRHR. It must also be inclusive and respond to the specific challenges and needs of CSOs and human rights defenders working to advance gender equality and SRHR across the EU.

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In the sections below, this submission briefly outlines the current challenges facing SRHR CSOs and human rights defenders and provides 6 recommendations for EU actions to adequately protect CSOs and human rights defenders working to advance gender equality and SRHR, ensure the effective participation of these actors in EU and national law and policy-making, and provide sustainable financial support for their important work.

1. Challenges Facing SRHR Civil Society Organisations and Defenders

CSOs and human rights defenders working to advance gender equality and SRHR across the EU are facing growing challenges and threats, including violent attacks, judicial and administrative harassment, online and offline smear campaigns, disinformation and intimidation.²

They are often targeted due to the nature of their work which challenges patriarchal and heteronormative societal norms and structures.³ They experience attempts to silence their voices and discredit the legitimacy of efforts to advance SRHR and gender equality as intrinsic parts of human rights, both online and offline. Data collected by the EU Fundamental Rights Agency (FRA) through its civic space surveys demonstrate that those working to promote women's rights, SRHR and LGBTIQ+ rights are amongst the most affected by these threats and attacks in the EU.⁴

SRHR defenders are predominantly women and they are often targeted both for their work and their gender. Defenders with intersecting identities face additional risks, challenges and intersecting and systemic forms of discrimination based on their sexual orientation, gender identity or expression, ethnicity, age, disability, or other factors. For example, Roma SRHR defenders are exposed to compounded risks, as they confront patriarchal norms within their own communities and wider society, as well as systemic discrimination, rendering them particular targets of hostility and reprisals.

SRHR CSOs and defenders face censorship in the online space by both governments and tech platforms. Content particularly related to abortion, sexuality education, and LGBTIQ+ rights is often blocked, removed, or deprioritised based on opaque algorithms, limiting access to vital information and reinforcing stigma. Deepfakes and the misuse of artificial intelligence in particular pose serious risks for women and LGBTIQ+ defenders, by spreading false content that endangers their safety and undermines their work.

When providers of sexual and reproductive health services and teachers of sexuality education in schools act as human rights defenders they also face challenges, along with distinct professional risks. They may face institutional pressure, threats to their careers or licenses. Providers have also been targeted for sharing evidence-based information, while their workplaces face harassment and vandalism.

In some contexts, SRHR defenders face the risk of criminal prosecution for providing evidence-based information or supporting individuals in accessing essential sexual and reproductive healthcare, contrary to human rights standards that require removal of such criminal penalties.

The current attacks on the rule of law, democratic backsliding, and shrinking civic space in several EU member states have compounded the above challenges as SRHR CSOs and defenders have been among the first targets of illiberal governments and their pursuit of ideological backlash and regressive policymaking on gender equality, SRHR and LGBTIQ+

rights. As a result, the ability of SRHR CSOs and defenders to advocate for inclusive and rights-based policies is being severely constrained.

Furthermore, SRHR CSOs and defenders are often excluded or left out from relevant policy and decision-making processes. While these challenges affect civil society in general, SRHR CSOs are disproportionately impacted as they are often smaller, have very limited financial and staff resources, curbed access to decision makers, and work on issues that policy makers may deprioritise or actively oppose.

SRHR and gender equality CSOs across the EU are now facing growing financial pressure and uncertainty as a result of global and European funding cuts and the diversion of funds towards other priorities such as security, defense and other economic interests which have worsened an already precarious operational environment. In some contexts following EU accession, donors have redirected resources elsewhere, assuming that democratic progress and rights protection within the EU would be self-sustaining.

In some cases, in contexts with hostile political rhetoric and shrinking civic space, public funding has been actively withdrawn or denied to SRHR CSOs. Some EU member states have adopted or pursued measures to prevent international funding from reaching gender equality and human rights CSOs, through the enactment of legal and administrative restrictions on foreign funding. In an increasing number of member states, “anti-NGO” laws are used to undermine and delegitimise CSOs by targeting their international funding. Often framed in terms of “sovereignty protection” or “foreign agents,” these laws portray CSOs as threats to national interests and, even when not enacted, fuel stigma, public distrust, and self-censorship, creating a chilling effect on civil society and civic participation. Furthermore, funding for advocacy is also particularly at risk and recent attempts to restrict EU funding for these activities are part of a broader, deliberate effort to erode the fundamental values on which the EU is built.

The lack of sustainable financial support to SRHR CSOs leaves them highly vulnerable to financial instability and increases risks to the welfare of the organisations and their staff. It also weakens cross-border collaboration and solidarity at a time when European cohesion is critical in the face of global challenges.

The financial weakening of SRHR and gender equality CSOs in Europe is inversely proportional to the increased funding of anti-rights actors in the region,⁵ who are actively seeking to reverse decades of progress on SRHR, gender equality and LGBTIQ+ rights. In some national contexts marked by democratic backsliding, these actors further undermine CSOs working to safeguard these rights by capturing government funding previously allocated to them and channelling significant resources into efforts aimed at discrediting and obstructing their work.

In light of the growing backlash on SRHR, gender equality, and the ongoing erosion of civic space, rule of law and democratic principles, there is an urgent need to strengthen support for SRHR defenders and organisations across the EU. This must include effective measures to protect them from threats and harassment both online and offline, and political actions to publicly recognise their essential role in defending EU values.

2. Recommendations for EU Action

The Civil Society Strategy must ensure that the CSOs the EU seeks to support, protect and empower are organisations that genuinely advances EU values. Given the rise in anti-rights actors appropriating the language of EU values to promote agendas that are, in fact, antithetical to those values – particularly in efforts to undermine women’s rights, gender equality, SRHR and LGBTIQ+ rights – it is essential that EU actions are carefully designed to avoid inadvertently supporting, protecting and empowering organisations that seek to erode the EU’s founding values.

The Civil Society Strategy must explicitly recognise and address the interdependence between respect for democratic principles, the rule of law, civic space, and the promotion of gender equality and SRHR. Through the creation of new mechanisms or by complementing existing mechanisms to address rule of law threats and breaches or violations of fundamental rights, the Civil Society Strategy must embed gender equality and SRHR as intrinsic to securing democratic resilience across the EU.

The Civil Society Strategy and any future protection mechanism must be gender sensitive, taking into account the very specific gendered risks and protection needs of women human rights defenders. It should also integrate a strong intersectional dimension, and effectively interact with other upcoming EU Equality Strategies and frameworks.

The following outlines 6 key recommendations to meet the current challenges facing civil society working to advance gender equality and SRHR across the EU.

❖ **Recommendation 1: An effective protection mechanism that is gender-sensitive**

The EU should create an effective, sustainable, long-term protection mechanism to address the threats to CSOs and human rights defenders, including those working to advance gender equality and SRHR.⁶ The mechanism must be adequately resourced and staffed with experts trained on gender equality, gender-specific challenges and protection needs. It must pay attention to the specific challenges of women and girls human rights defenders and defenders from marginalised communities.⁷ The mechanism must be firmly anchored in EU and international human rights law. CSOs, including those working on gender equality and SRHR and those with expertise in human rights defenders protection must be meaningfully involved in its design, implementation, and monitoring and evaluation.

The protection mechanism should include the following key features:

- a platform allowing human rights defenders and CSOs to formally report threats and attacks
- rapid response action in case of imminent threats or attacks
- gender-sensitive protection and support measures, including physical, psychosocial, legal, and digital support, both urgent and longer-term, as well as the staff and financial resources necessary to implement these measures
- thorough follow up on complaints including through investigations and a clear mandate to request timely action from member states, paying particular attention to ensuring the consistent and effective protection of all human rights defenders across member states
- integration with the current rule of law monitoring process to track member states’ responsive action following the protection mechanisms’ findings and recommendations.

❖ **Recommendation 2: A gender-sensitive early warning system**

The EU should also implement preventative measures, including an effective early warning system allowing CSOs and human rights defenders to report concerns and developments regarding civic space, such as restrictive legislation, policies, or practices, as early indicators of growing risks. The early warning system should allow for gender-sensitive monitoring and documenting of trends across member states and have a direct link to the protection mechanism for rapid response to address threats. This system should complement and ensure synergies with existing EU rule of law monitoring processes and reporting by FRA and European Institute for Gender Equality (EIGE).

❖ **Recommendation 3: Public support for SRHR organisations and defenders**

Recognising the disproportionate impact that shrinking civic space has on gender equality and SRHR CSOs and defenders, the EU must actively counter efforts to undermine and delegitimise them, particularly those from racialised and other structurally marginalised communities. This includes publicly recognising their vital contributions to upholding EU values, and robustly rejecting stigmatising or intimidating discourses and narratives against them. The EU's leadership and voice are critical in strengthening protection and support for CSOs and human rights defenders across the EU. It must also continue to publicly demonstrate its unwavering commitment to advancing gender equality and SRHR as human rights both across member states and globally.

In particular, the EU should take the following actions:

- issue public statements and social media messages in support of the role of CSOs and human rights defenders in advancing gender equality and SRHR
- invite gender equality and SRHR CSOs and defenders to participate in official EU events and ensure their voices and expertise are included in policy discussions
- publicly report on the specific challenges faced by, and the protection needs of, women and girls human rights defenders, including those working on SRHR
- monitor and publicly condemn stigmatising narratives and attacks against SRHR defenders, particularly those from marginalised groups.

❖ **Recommendation 4: Support for enabling environments for SRHR organisations and defenders**

The EU should make full use of its existing competence to remove legal restrictions on CSOs' operations and address regulatory and fiscal barriers to cross-border operations and philanthropy.⁸ In particular, it should ensure:

- The full and effective implementation of the Digital Services Act and the involvement of civil society as key partners in monitoring and reporting hateful online content as part of efforts to strengthen the protection of human rights defenders and CSOs online
- The full and effective implementation of the anti-SLAPP Directive, and the Directive on combating violence against women and domestic violence, which consider it an aggravating circumstance when an offence is committed against a human rights defender
- The adoption of the European Cross-Border Association Directive as an important step towards removing obstacles to cross-border activities

- The full application of the conditionality mechanism in cases of threats to civic space and other violations of EU values
- The withdrawal of the proposed Directive on interest representation services on behalf of third countries, or its revision to ensure it does not hinder nor stigmatise access of CSOs to non-EU funding
- The use of infringement proceedings to ensure member state compliance with EU law, where relevant.

The Commission should also monitor and report on member states' implementation of Recommendation 2023/2836 of 12 December 2023 on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes.⁹ It should encourage member states to implement the Recommendation by involving CSOs and human rights defenders working on gender equality and SRHR in relevant national policymaking processes, particularly with regard to health equity, gender-responsive healthcare, and access to rights-based sexual and reproductive health services.

The Commission should also consider developing further guidelines for member states on gender-sensitive protection frameworks for civil society and human rights defenders, including those working on gender equality and SRHR. Furthermore, the Commission should provide technical support to member states and encourage exchange of good practices on developing gender-sensitive national frameworks on a safe and enabling civic space for gender equality and SRHR organisations and defenders.

❖ **Recommendation 5: Diverse and inclusive channels for civil society engagement, participation and consultation**

The Civil Society Strategy should strengthen processes for meaningful engagement and participation of civil society in EU policy making, implementation and evaluation, by ensuring that CSOs are treated as strategic partners in transparent and inclusive consultation processes where their contributions genuinely inform policy and legislative outcomes. To this end, the Civil Society Strategy should explicitly reiterate the importance and legitimacy of advocacy as a vital form of public participation, distinct from corporate lobbying. It should also ensure the protection of CSOs from harmful measures, including from EU institutions themselves, that would undermine their ability to participate. The Commission should refrain from validating or adopting narratives framing civil society advocacy as illegitimate, including when funded by the EU, and should issue firm responses to politically-motivated attacks on EU funding for CSOs.

Furthermore, it should contribute financially to strengthen and make full use of the expertise of civil society networks as a tool to gather the perspectives of a wide number of grassroots organisations, thereby increasing their participation in policy-making.

If the EU decides to establish a civil society platform, it must ensure that it only serves as one of multiple complementary channels for engagement with civil society, rather than the sole medium through which engagement with civil society is carried out by EU institutions. To foster meaningful, inclusive and equitable participation, the EU must adopt a diverse and flexible approach to civil society engagement that reflects the diversity of civil society actors, including grassroots, under-resourced, community-based, and issue-specific organisations.

It is also critical that any civil society platform only functions as an information-exchange space. It should not have any authority to make decisions or to issue official positions on behalf of civil society. Civil society across the EU is inherently diverse, representing a wide range of perspectives and a platform should not attempt or require civil society to adopt a unified position. Furthermore, there should be transparent, clear and precise criteria for participation in such a platform, ensuring that it does not benefit actors that undermine gender equality and SRHR, or other commitments under EU treaties and international human rights law.

The EU must also strengthen processes for the involvement of CSOs and human rights defenders working on gender equality and SRHR in all relevant EU policy making processes and bodies, including through European Commission representations in member states. It should create regular dialogue spaces between civil society and relevant EU structures on gender equality and issue guidance to all Commission services to systematically seek the expertise of gender equality and SRHR CSOs and defenders in the development, implementation, and evaluation of policies. In policy areas where gender sensitivity is particularly critical, including in new or evolving fields, the EU should establish ad hoc formal civil society consultative processes to ensure regular, structured input from gender equality and SRHR CSOs.

❖ Recommendation 6: EU budget meets the needs of gender equality and SRHR CSOs and networks

Financial support plays a vital role in enabling the work of gender equality and SRHR CSOs and defenders and also contributes to enhancing their protection by increasing the visibility and recognition of their work.

The next Multiannual Financial Framework (MFF) must ensure that financial support to civil society working on gender equality and SRHR is adequate, accessible, and aligned with the EU's ambitions outlined in the Roadmap for Women's Rights. Particularly, sustainable core and multi-annual funding through operating grants is essential to enable these organisations to continue to fulfil their critical mandate to defend and advance gender equality and SRHR at a time of increased threats and challenges to the rule of law, democratic principles, human rights and gender equality. This is also essential to provide organisations with the stability necessary to retain staff, plan strategically, and respond flexibly to emerging challenges while maintaining resilience and independence. Support for European coalitions and networks should also be strengthened as key fora bridging the gap in access to EU policy-making for grassroots organisations as well as critical platforms for cross-border solidarity, movement building, good practice sharing and emergency response.

The EU must ensure that funding it allocates to CSOs is not used to undermine EU values and fundamental rights. Eligibility criteria and monitoring mechanisms must be put in place to prevent financial support from benefiting organisations or initiatives that actively oppose or seek to undermine these fundamental values and rights.

Funding for CSOs must be earmarked in various budget lines, to ensure the EU budget is responsive to the needs of civil society in the EU:

- The next MFF should maintain and further strengthen the Citizens, Equality, Rights and Values (CERV) Programme, under direct management, to fund civil society organisations working to advance gender equality, women's rights and SRHR in the EU,

and funding priorities should be identified through meaningful consultation with civil society, including those representing marginalised groups. Activities funded through the programme should include advocacy and strategic human rights litigation. Particular attention should be paid to providing targeted and accessible funding for grassroots organisations, including those led by or working with marginalised groups such as Roma and other racialised communities, adolescent girls and young women, LGBTIQ+ persons, and others facing intersectional discrimination.

- The European Competitiveness Fund should ensure dedicated funding for CSOs working to advance health protection across the EU, reduce gender and intersecting inequalities in health and improve access to quality sexual and reproductive healthcare. It should also ensure funding for CSO crisis response and health service provision in such contexts, as disruptions disproportionately affect women, girls, and marginalised groups.
- Programmes such as Erasmus+ should dedicate funding for CSOs to implement youth-led and youth-focused projects supporting comprehensive and evidence-based education initiatives that will help ensure that young people develop the skills and values needed to build inclusive, democratic, and gender-equal societies, in the face of growing anti-gender narratives among younger generations.

Application procedures for EU funding should be simplified and co-financing requirements reduced to an absolute minimum, not exceeding 10%. In order to ensure organisations representing marginalised groups have access to EU funding, application procedures must also be accompanied by technical and linguistic support, with simplified and translated materials to ensure equitable access. Regranting schemes enabling EU funding to reach smaller organisations at the national and local level should be maintained. Finally, given the rapidly changing and volatile global and European political context, it is paramount for EU funding for civil society to be increasingly flexible, to ensure it is responsive to current developments and needs in EU member states.

¹ “Civic space is the environment that enables people and groups – or ‘civic space actors’ – to participate meaningfully in the political, economic, social and cultural life in their societies. Vibrant civic space requires an open, secure and safe environment that is free from all acts of intimidation, harassment and reprisals, whether online or offline. Any restrictions on such a space must comply with international human rights law.” (UN Guidance Note on Protection and Promotion of Civic Space). For more information about the definition of civic space, please see the EU’s Fundamental Rights Agency page: <https://fra.europa.eu/sq/cooperation/civil-society/civil-society-space>.

² Council of Europe Commissioner for Human Rights, Sexual and Reproductive Health and Rights in Europe Progress and Challenges, 2024, pp. 31-33 and 39, available at <https://rm.coe.int/follow-up-report-on-the-2017-ip-on-srhr-sexual-and-reproductive-health/1680aea9b4>; Council of Europe Commissioner for Human Rights, Human rights defenders in the Council of Europe area in times of crises, CommHR(2023)2, page 12, available at <https://rm.coe.int/report-on-the-round-table-human-rights-defenders-in-the-council-of-eur/1680aaa813>; Council of Europe Commissioner for Human Rights, Protect and enable the work of human rights defenders contributing to ensuring access to safe abortion care in Europe, 2023, available at https://www.coe.int/it/web/commissioner/view/-/asset_publisher/ugj3i6qSEkhZ/content/id/256004772. PACE, Access to abortion in Europe: stopping anti-choice harassment, Resolution 2439 (2022) and Explanatory memorandum by Ms Margreet De Boer, rapporteur, Doc. 15459, 21 Feb. 2022; Center for Reproductive Rights

et al., *Care in Crisis: Failures to Guarantee the Sexual and Reproductive Health and Rights of Refugees from Ukraine in Hungary, Poland, Romania and Slovakia* (2023), available at <https://reproductiverights.org/ukraine-report-care-in-crisis/>; Amnesty International, *An unstoppable movement: A global call to recognize and protect those who defend the right to abortion* (2023), available at <https://www.amnesty.org/en/documents/pol40/7420/2023/en/>.

³ Report of the Special Rapporteur on the situation of human rights defenders, Women human rights defenders and those working on women's rights or gender issues, U.N. Doc. A/HRC/16/44, 2010, available at <https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-44.pdf>; Report of the Special Rapporteur on the situation of human rights defenders, Situation of women human rights defenders, U.N. Doc. A/HRC/40/60, 2019, available at <https://digitallibrary.un.org/record/1663970?v=pdf>.

⁴ Fundamental Rights Agency, *Civic Space Update*, 2023, available at <https://fra.europa.eu/en/publication/2023/civic-space-2023-update?page=4#read-online>.

⁵ European Parliamentary Forum for Sexual & Reproductive Rights, *The Next Wave: How Religious Extremism Is Regaining Power*, 2025, available at: <https://www.epfweb.org/node/1147>.

⁶ Civil Society Europe and European Civic Forum, Amnesty International – EU Institutions Office, Araminta, Business & Human Rights Resource Centre, Civil Liberties Union for Europe, Civil Rights Defenders, European Partnership for Democracy, International Federation for Human Rights, Front Line Defenders, Platform for International Cooperation on Undocumented Migrants (PICUM), Protection International. *Realising protection for human rights defenders and civil society organisations in Europe*, 2024 available at: <https://www.liberties.eu/f/p7mmqo>.

⁷ The United Nations defines women human rights defenders (WHRDs) and girls defenders as “all women and girls working on any human rights issue ("women defenders" and "girl defenders"), and people of all genders who work to promote women's rights and rights related to gender equality. It also includes any civil society actors who may not self-identify as human rights defenders or those who work on non-traditional human rights fields (journalists, health workers, environmental activists, peacebuilders, private actors, development and humanitarian actors, etc.). It includes lesbian, gay, transgender and intersex (LGBTI) activists, as issues related to sexual orientation and gender identity are part of achieving gender equality.” Please see: <https://www.ohchr.org/en/women/women-human-rights-defenders>

⁸ Open Society Justice Initiative, *The Use of EU Law to Protect Civic Space*, November 2019, available at <https://www.justiceinitiative.org/uploads/4dce8ded-49b4-4382-ad45-9d80ab83ef72/briefing-eu-law-civic-space.pdf>.

⁹ Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023H2836>. Please see in particular paras. 18-20 on protecting civil society organisations from threats and attacks, providing dedicated funding to strengthen their resilience, and establishing national frameworks to ensure a safe, enabling environment for their effective participation.