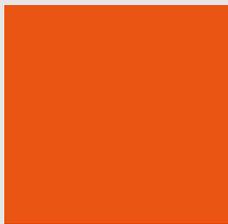
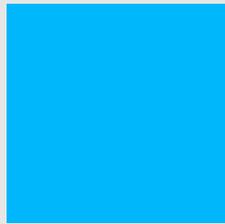
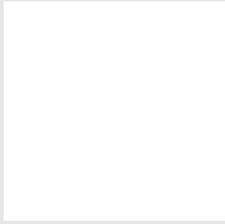
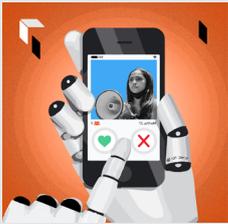
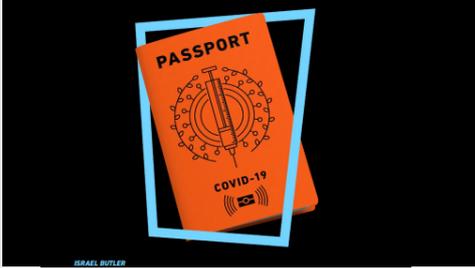




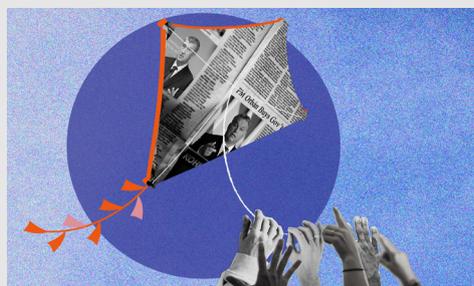
CIVIL LIBERTIES UNION FOR EUROPE



# ADJUSTING TO THE NEW NORMAL

*Our journey in the second year of the pandemic*

**ANNUAL REPORT 2021**





Liberties operates with a service-provider attitude towards its members: through trainings and workshops for our members and through supporting national and EU-level initiatives. We have the infrastructure and know-how to progressively build public support for democracy, rule of law, and human rights as well as the institutions that protect them both at the EU and national level. Our primary tool to achieve our mission is building up human capacities to empower our local partners and individuals to realise our common goal: promoting and safeguarding EU values. We understand capacity development as the basis for a managed and structured competence development. We strive to create capacity

development tools based on a participative, problem-solving, application- and results-oriented approach.

Liberties determined its current focus of thematic topics and tools based on the chief threats to fundamental rights, democracy and the rule of law, the potential to add value with expertise and activities not carried out by other organizations and the potential to strengthen the ability of the sector as a whole to implement Article 2 values. The illustration below provides a quick overview of our tool set and the correlation between the particular activities.

We facilitated **10+** workshops to build capacity of civil rights organisations

We tripled our daily website traffic to **2.500**

We trained **220** rights defenders in our workshops

We doubled our followers on Twitter to **12.000**

**13** newly launched EU-wide projects

We published **5** messaging guides for campaigners

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## FOREWORD

Despite 2021 being a difficult year due to the ongoing pandemic, we have continued our efforts at safeguarding fundamental rights: we have successfully kick-started new projects, brought important campaigns to impactful ends, and eventually managed to close a productive and enriching year. These achievements are partly the result of combined efforts across the network and partly the beneficial effect of internal restructuring. In 2021, we deepened the cooperation with our members, starting 13 new projects and campaigns, focusing primarily on digital rights and the state of democracy across the EU. At the same time, we successfully restructured the Communication Program to encompass more diverse public outreach and public education channels. Last but not least, we successfully built up new partnerships with further donor organizations and institutions, which allow us to extend and deepen the scope of our research and our project design.

In 2021, we achieved significant progress towards our medium- and long-term goals with regards to the promotion and protection of the rule of law and the state of democracy in EU member states. Our achievements in this area enabled Liberties to strengthen our reputation built on expertise in Brussels, making concrete and substantive contributions to EU efforts and allowing us to become a credible and reliable partner for both EU institutions and other civil society stakeholders. Liberties' efforts were instrumental to build capacity, secure engagement and support, and coordinate national advocacy and campaign efforts

of its member and partner organizations across the EU.

Similarly, in the area of technology and rights, we made major steps to help to make the internet a safe space for all. Especially, in the area of surveillance and tracing apps, we actively promoted the protection of fundamental rights and successfully campaigned for the introduction of safeguarding measures. For instance, we have set up a COVID-19 knowledge hub to monitor and understand the impact of the COVID-19 contact tracing applications on our rights. The aim is to support researchers, litigators, and journalists with all the relevant information about these apps in each EU member state. Finally, our core focus in 2021 was the EU's Digital Services Act (DSA) and we actively launched several campaigns to influence the Members of the European Parliament to vote for the human rights-friendly approaches. Here again, impact could not have been achieved without cooperation with other organizations and participation in different coalitions, such as the People vs Big Tech initiative or the Human Rights Alliance for DSA. We advised the EU on enforcement rules and on the best approaches that would serve the interest of internet users.

The present report provides a comprehensive overview about some of our most important projects implemented in 2021, highlighting our network members' contribution and showcasing major outcomes. More detailed information about our work is available on our website.

“

Liberties is a reliable partner for its member organizations and has helped raise their visibility and capacity when it comes to advocating both at EU and national level. Their support is tailored not only when we want to get our messages across to EU stakeholders, but also at national level, if we want to communicate in plain language about rule of law issues or if we want to deal effectively with smear campaigns. The practical guidelines they have developed, the efforts they have put into reports and communication highlighting issues relevant for civil society organizations - all these are consistent activities which effectively expand the civic space year by year.

**GEORGIANA GHEORGHE***Vice-President of the Board*

# DEMOCRACY AND JUSTICE PROGRAM

## Rule of law and the state of our democracy

Our activities under the Democracy and Justice Program tackle the issues of populist authoritarianism, identify trends that endanger the rule of law, support media freedom and independence, as well as enable and strengthen civic space. In 2021, we launched five interrelated and mutually supportive projects to promote and reinforce the rule of law and the state of democracy.

## The Rule of Law Annual Report cycle

Building on a first successful pilot reporting exercise in 2020, Liberties coordinated in 2021 an exhaustive and wide-ranging report on the state of the rule of law in the EU. The report offered an overview of EU-wide and country-specific developments in the areas of justice, corruption, media freedom, checks and balances, civic space and systemic human rights issues based on country reports developed for 14 EU countries. The report allowed Liberties and its members to contribute to the EU Commission's own rule of law report 2021. Our submission, frequently referenced in all relevant country chapters of the Commission's report, was welcomed and greatly appreciated by the Commission's services, which praised it for its timeliness, comprehensiveness and the quality of reporting. This enabled Liberties to quickly become a trusted and reliable partner of the EU Commission for its annual rule of law audit – a process which Liberties had intensely advocated for in previous years. The

EU Commission's commitment to include country-specific recommendations in their reports as of 2022 is an important advocacy win, which is the direct result of our advocacy efforts and engagement.

### In co-operation with:

Bulgarian Helsinki Committee

Centre for Peace Studies (Croatia)

The League of Human Rights (Czech Republic)

VoxPublic (France)

Society for Civil Rights (Germany)

Hungarian Civil Liberties Union

The Irish Council for Civil Liberties

Italian Coalition for Civil Liberties and Rights

Helsinki Foundation for Human Rights (Poland)

The Association for the Defence of Human Rights in Romania – the Helsinki Committee

VIA IURIS (Slovakia)

The Peace Institute – Institute for Contemporary Social and Political Studies (Slovenia)

Rights International Spain

Civil Rights Defenders (Sweden)

## **Reactive monitoring of rule of law**

### **In co-operation with:**

The Peace Institute – Institute for Contemporary Social and Political Studies (Slovenia)  
Hungarian Civil Liberties Union.

Liberties has been closely following developments on rule of law conditionality, offering analysis and reactive messaging as appropriate and participating in a high-level policy debate on the matter. Liberties has also been monitoring emerging rule of law problems at the national level, offering analysis and support to members in facilitating contacts with EU actors. This included awareness raising and advocacy towards the EU Commission on worrying developments concerning media freedom in Slovenia and an advocacy initiative carried out with our member in Hungary towards the EU Commission and the EU Ombudsperson on a case concerning access to information over alleged corruption in connection to an EU-funded project.

## **Monitoring of civic space and policy developments**

Liberties continues to be a research partner of the CIVICUS Monitor, as one of three EU-based organizations providing updates for the Monitor. The CIVICUS Monitor offers up-to-date data on the state of civil society freedoms in all countries. The research is updated every eight weeks in close cooperation with Liberties' members. Normally, Liberties also participates in the CIVICUS Monitor's

annual research partner workshop to exchange ideas, good practices and further develop the visibility of the Monitor. Liberties' monitoring of developments at the national level and of EU-wide trends also translated into strategic communications.

## **CIVICUS Monitor reports submitted in 2021:**

MEPs also reached out to Liberties to seek its input into ongoing work of the European Parliament on civic space, including the upcoming report on civic space and the legislative resolution on minimum standards for NPOs. Liberties' research and work on civic space has successfully contributed to the 2021 report on civic space published by the EU Agency for Fundamental Rights.

## **Strategic Lawsuits Against Public Participation (SLAPPs)**

Over 2021, Liberties progressively became a driving force within CASE, the EU anti-SLAPP NGO coalition. In particular, Liberties led the drafting of a model EU directive to combat the abusive use of lawsuits against journalists and CSOs, which was endorsed by close to 70 civil society and media freedom groups and became the coalition's major advocacy tool in efforts to influence action by the EU as well as regional and national policy makers in this area. As a result of our work, we have been selected to join the EU Commission's expert group on SLAPPs, which is an advisory body to the Commission on

its anti-SLAPP initiative expected in 2022. Our expertise and engagement on the issue of SLAPPs has translated into an upgrade by civil society partners within the NGO coalition as well: we have been asked to coordinate the coalition's policy development and research work for an 18-month period. Liberties has further invested in awareness-raising initiatives, which have included campaigning, a podcast and substantive contributions to the NGO coalition website and its public high-level launch event.

## ***Funding for CSOs to promote rule of law***

Liberties continued to feed with analysis and advocacy into the EU Commission's reflections on how to implement the new Union values strand of the Citizens, Equality, Rights and Values fund, the set-up of which Liberties had strongly advocated for in the previous years. Our expertise was in particular instrumental for the engagement of civil society actors with the EU Commission on the need for and the shaping of new funding opportunities to support capacity building on fundamental rights strategic litigation, which eventually concretised in the call Promote capacity building and awareness on the EU Charter of Fundamental Rights and activities on strategic litigation relating to democracy, the rule of law and fundamental rights breaches, published by the EU Commission in October 2021. We were also invited to share our expertise and guidance on the subject matter to the Open Society Justice Initiative, and we also organized a dedicated workshop for our own members to foster and facilitate their reflections on how to best make use of this new funding opportunity.

“The old saying that “the whole is greater than the sums of its parts” could not be truer when reflecting on what Liberties has been able to achieve in a very short time since its foundation. It has taken networking to the next level as it gives members not only the opportunity to share ideas with leading advocates from all over Europe, but also provides a powerful platform to turn ideas into collaborative action.



**ANDREA MENAPACE**

*President of the Board*

# TECHNOLOGY AND RIGHTS PROGRAM

Under the thematic priority Rights-based approach to new technologies, we promote respect for data protection and freedom of expression and information online, with special attention paid to the problems of mass surveillance and the application of artificial intelligence. Technologies that are used to collect and store information, communicate with others, including through online social spaces, and take decisions autonomously of human intervention are evolving quickly. They can be developed and used in a way that benefits society, but they also carry many risks, such as:

- Online surveillance technologies (such as tracking or data retention, mining and facial recognition) undermine privacy.
- Automated regimes that curate permissible content hosted on internet platforms that are intended to protect the public from prohibited forms of expression (such as hate speech) or protect intellectual property may threaten freedom of expression.
- Technologies facilitating microtargeted advertisement and the dissemination of disinformation may be damaging to healthy democratic participation.

The development and use of artificial intelligence, as well as lack of transparency and lack of accountability, may interfere with privacy (because machine learning relies on large amounts of personal data) and non-discrimination (because it often suffers from in-built biases).

In 2021, we have successfully initiated and concluded the following projects.

## COVID-19 contact tracing

### In co-operation with:

Belgian League of Human Rights  
Bulgarian Helsinki Committee  
Rights International Spain  
Hungarian Civil Liberties Union

In 2021, one of our projects was a research and litigation project on COVID-19 contact tracing mobile applications. Under this project, our Belgian member started litigation on the lawfulness of a COVID-19-related database run by the state (the process is ongoing), our Bulgarian member won a court case and thereby obtained the app's , and our Spanish member filed a complaint asking the data protection authorities to investigate irregularities found in the data protection impact assessment of the Spanish contact tracing app. Our Hungarian member plans to start litigation, but the data controller's identity still needs to be established. We have been responsible for coordinating the members' litigation efforts.

Furthermore, the extensive research we have been conducting on the contact tracing apps culminated in the publication of policy papers and recommendations:

[One year under COVID-19 contact tracing apps: What has Europe learned?](#) (with AccessNow)

[Do EU Governments Continue To Operate Contact Tracing Apps Illegitimately?](#)

[COVID-19 Technology in the EU: A Bittersweet Victory for Human Rights?](#)

[COVID-19 Contact Tracing Apps in the EU: Lessons from Germany](#)

Finally, we have also set up a [COVID-19 knowledge hub](#) on our website to monitor and understand the impact of the tracing apps on our rights. The knowledge hub also serves as a pool of information on ongoing research and litigation efforts.

## **COVID-19 Digital Green Certificate (EU DCC)**

Liberties was one of the very few watchdogs that started working on the then upcoming European vaccination and test pass regulation in early 2021. After producing [two policy briefs](#), we teamed up with **epicenter.works** for more expansive impact in our advocacy efforts. Together with them, we produced an open letter, a [policy brief](#) and a [number of articles](#) published on our respective websites aiming to explain the EU DCC regulation and its implications. After the regulation came into force, Liberties started [monitoring](#) its implementation and will be publishing its findings in the course of 2022.

## **Targeted advertising**

We have worked together with **Open Rights Group** and **Panoptykon Foundation** to file a number of data protection complaints against

Google and IAB, and have been advising our members on the different procedures in front of different data protection authorities. Additionally, we have also published a [policy paper](#) and started a research project on proper enforcement of personal data protection. Based on our activities regarding the possible regulation of targeted political advertisements, we have been invited to participate in discussions with the Commission related to the new legislation. As a result, liberties had an impact on the draft legislation, and we continue our work to ensure that the fundamental rights safeguards are guaranteed in the law. We have been successful in convincing the European Parliament to phase out the most harmful targeting techniques in the online ecosystem. Besides the advocacy efforts, we are also conducting desk research to evaluate the legal background of targeting political advertisements, and we will closely monitor two elections and, if needed, start a lawsuit against the online platforms if they are targeting people based on their sensitive data.

## **Disinformation**

In collaboration with Access Now and EDRI, we have been working on disinformation and summarised our findings and recommendation in a [policy recommendation](#) in November 2021. Additionally, a [policy paper](#) was published in December 2021. We consulted the European Commission on the draft guidance on disinformation and the upcoming legislative steps based on our recommendations. Liberties was invited to participate in stakeholder meetings and upcoming discussions organized by the European Commission.

“

When we choose the right words to talk about civil liberties our audiences will see them for the brilliant things they are: the tools that allow us to build the lives we want to live and the communities we want to live in. Proper framing allows activists to build a powerful base of support from which to resist authoritarians and transform our societies for the better.

**ISRAEL BUTLER***Head of Advocacy*

# CAPACITY BUILDING

## **Capacity building on values-based framing**

Liberties has identified the under-developed communications capacity of the human rights sector as a systemic barrier to pursuing our vision of full implementation of human rights in the EU. While opponents of human rights have been able to stimulate public support to promote an authoritarian agenda, human rights organizations have had difficulty mobilising public support in favour of their causes. Support to the human rights sector to improve their communications can help to mobilize citizens to resist attempts to weaken human rights standards and the institutions that uphold them. While our advocacy towards the EU helps to improve rights protection by the creation and enforcement of human rights standards, our capacity building work helps human rights sector organizations create support for human rights from below. The focus of our work has been on supporting organizations to implement values-based framing so that they can develop persuasive messages to use in their communications. We prioritise support to our members, but we also offer training and advice to foundations, national human rights institutions and international organizations. Additionally, we have progressively mainstreamed values-based framing in our own communications.

Liberties uses a combination of four tools to build capacity on values-based framing.

## **Workshops**

Workshops introduce participants to values-based framing and train them in techniques to apply to their own communications. Participants get feedback on their own communications products if sent in advance, and receive guidance and feedback on exercises carried out during the workshops. Workshops by themselves are not usually enough to produce a sustained change in communications culture in an organization. In part, this is because usually only one or two staff members per organization participate, and in part because participants need to go through a period of practice and receive direction before they can master the techniques. For this reason, Liberties complements workshops with other tools. When Liberties delivers workshops, we offer participants the option of follow-up support in the form of a guide or feedback on communications products or campaigns they develop subsequently.

## **Guides**

Liberties publishes messaging guides on particular themes. These are aimed at human rights sector organizations. The guides give readers practical help and tips, such as do's and don'ts and sample messages and narratives, which campaigners can adapt and use in their own communications. A guide may be developed as a follow-up to a workshop to support participants to apply what they have learned. Our Spanish member requested a

workshop to support an upcoming campaign for a ban on ethnic profiling, and subsequently requested Liberties to produce a guide to assist them to develop communications materials for their campaign. Similarly, our Slovenian member requested a guide to support NGOs in their country to communicate in defense of civic space in response to government attacks. Reactive guides are developed to help human rights sector organizations message on a specific emerging issue of concern.

#### **In 2021, Liberties published five guides:**

- An in-depth guide for campaigners who wish to mobilize public support in favor of a ban on ethnic profiling;
- A flash reactive guide to assist NGOs reacting to Hungarian attacks on LBGTQI persons;
- A flash reactive guide to assist NGOs reacting to Hungarian government proposals to restrict funding to NGOs;
- A flash reactive guide to assist those working in the EU institutions, NGOs and commentators advocating for activation of the rule of law conditionality mechanism in relation to Hungary and Poland;
- An in-depth guide for campaigners mobilizing public support in favor of civic space during smear campaigns.

## **Program of enhanced support**

This tool is the most resource-intensive and the one with biggest likelihood to see an organization mainstream values-based framing into their communications culture. The program is currently reserved for members: three member organizations completed the program, from the Netherlands, Hungary and Ireland. Members were invited to apply for support with a public-facing campaign. This includes training and guidance in implementing strategic communications and values-based framing and a grant of 5,000 EUR, part of which should be allocated to message testing. Liberties has carried out a review of the first cohort of the program and gathered feedback from participants on how to make improvements for the second cohort. We plan to launch the call for a second round in the first quarter of 2022.

## **Ad hoc support**

Liberties was requested to deliver ad hoc support with a campaign by workshop participants twice in 2021. First, by EDRi for its 'Reclaim Your Face' campaign. Second, by our Spanish member, which was developing communications products based on the guide on ethnic profiling we prepared.

“

Liberties’ capacity building for values-based framing and strategic communications is a valuable asset to the human rights community in Europe. Liberties has developed impressive expertise in these fields and the training it gives, guides it publishes, and assistance it provides to Liberties member organizations and other civil society organizations in developing their messages and campaigns, have a valuable impact on our work and building public support for human rights.



**SARA LALIĆ**  
*Member of the Board*

## ***SOME CAPACITY BUILDING EVENTS ORGANIZED IN 2021 COMMUNICATIONS***

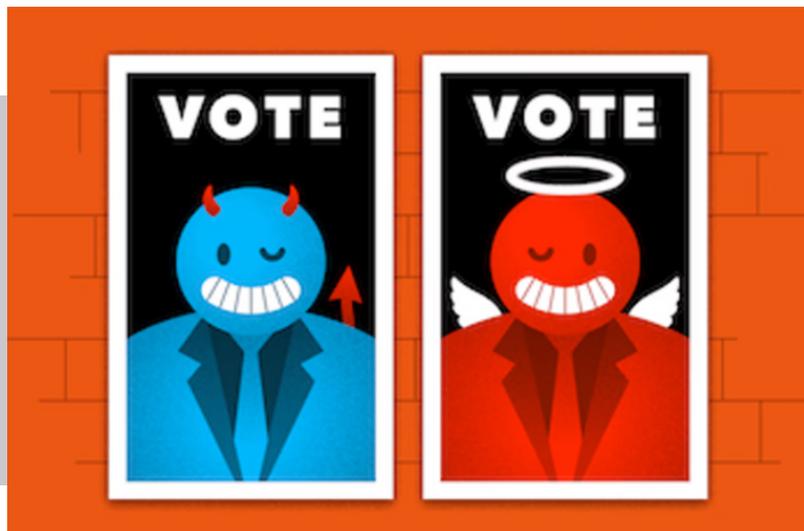
<b><i>Organizer &amp; type of training including related follow-up</i></b>	<b><i>Participant type &amp; (number)</i></b>
<p>CPS &amp; PI (Croatian &amp; Slovenian members), plus project partners Ljubljana University (Slovenia) &amp; Novi Sad Journalism School (Serbia)</p> <p>Online workshops, 4 x VBF, 5 x SC, with follow-up support on narratives and campaign strategy to follow for EU-funded BEHAVE campaign to counter hate speech.</p>	Activists (15)
<p>NGOs gathered by Citizens for Europe</p> <p>Online workshops x 5</p>	Activists from across the EU (15)
<p>Italian Coalition for Civil Liberties (CILD) &amp; NGOs they gathered</p> <p>Online workshops x 4</p>	Activists from Italy (21)
<p>European Digital Rights network</p> <p>Online follow-up workshops x 2</p>	Activists from across the EU (18)
<p>NGOs gathered by Slovenian Peace Institute</p> <p>Online workshops x 4</p>	Activists from Slovenia (8)
<p>NGOs part of Recharging Advocacy for Europe initiative</p> <p>Online workshops x 1</p>	Activists from across the EU (30)
<p>Open Lithuania Foundation and NGOs gathered by them.</p> <p>Online workshops x 4</p>	Foundation staff & Lithuanian activists (10)
<p>Centre for Peace Studies, Croatia (in person, 5 sessions spread over 2 days)</p>	Activists (15)
<p>CNVOS (Slovenian EEA/Norway Grants fund operator &amp; umbrella NGO)</p>	Activists & journalists (20)

# COMMUNICATION

In 2021, Liberties' communications team and our campaigns have been going through a transformation, from being a transactional and ad-hoc content generator to more strategic, focused and result-oriented campaign machinery. This means a gradual shift in all pillars of our organizational communications, including the team, strategies on channels,

content, capabilities, advertising, tactical tools, as well as routines and processes. As a result of these efforts, some of our new content is among the top five search results, or on the most prestigious first page of Google's search hit rank. The most successful articles are the following:

**Representative Democracy and Government: Definition, Functioning, Future Perspective (Democracy&Justice, Populism)**



**Why Is Social Media Toxic? How to Deal With It the Right Way? (Free Speech, Privacy)**

**What Is Marginalization?**

**Definition And Coping Strategies**  
**(Democracy & Justice, Populism)**



Video advocacy keeps being a differentiator for Liberties. We produce explainer videos to almost every educational SEO article to offer different content formats to the audience. For campaigns, we prepare longer and more detailed info videos ending with a call to action aligned with the campaign goals. Our video capacity was often offered to joint coalition-based campaigns.

Another new content format we introduced this year is the Liberties podcast. Under the re-cycled brand “SpeechBag” we rolled out a narration-based monthly show, focusing on current trends and topics. Occasionally, we also invite our own advocacy teams to talk

about our own initiatives and reports, but the primary goal is to invite high-profile influencers and expand the professional network of our work. In the first series we invited the following guests:

Márta Pardavi of the Hungarian Helsinki Committee discusses the status of democracy and civic space in Hungary

Paul Tang, MEP (Targeted Ads), Karolina Iwanska, Senior Advocacy Officer at Panoptikon (Targeted Ads)

Matthew Caruana Galizia, Head of the Daphne Galizia Foundation (SLAPPs)

 LIBERTIES

**Countering Smear Campaigns And  
Protecting Civic Space**



HOST  
**Jonathan Day**

GUESTS  
**Márta Pardavi**  
Co-Chair,  
Hungarian Helsinki Committee

**Israel Butler**  
Head of Advocacy,  
Liberties

“

Both as a network and as an EU-level watchdog, we work to fulfil our mission. Whether helping our Members with services and advice, or monitoring EU legislation and suggesting new policies, our goal is the same: to achieve the full implementation of human rights for everyone in the European Union.



**BALAZS DENES**  
*Executive Director*

# FINANCES

In 2021, we built up three new partnerships and received funding from the Netgain Partners New Venture Fund, from the EU AI Fund, and from Civitates. We have also secured a two-year core grant from the Open Society Foundations and took part in a successful proposal to OSIFE on SLAPPs with a number of partner organizations.

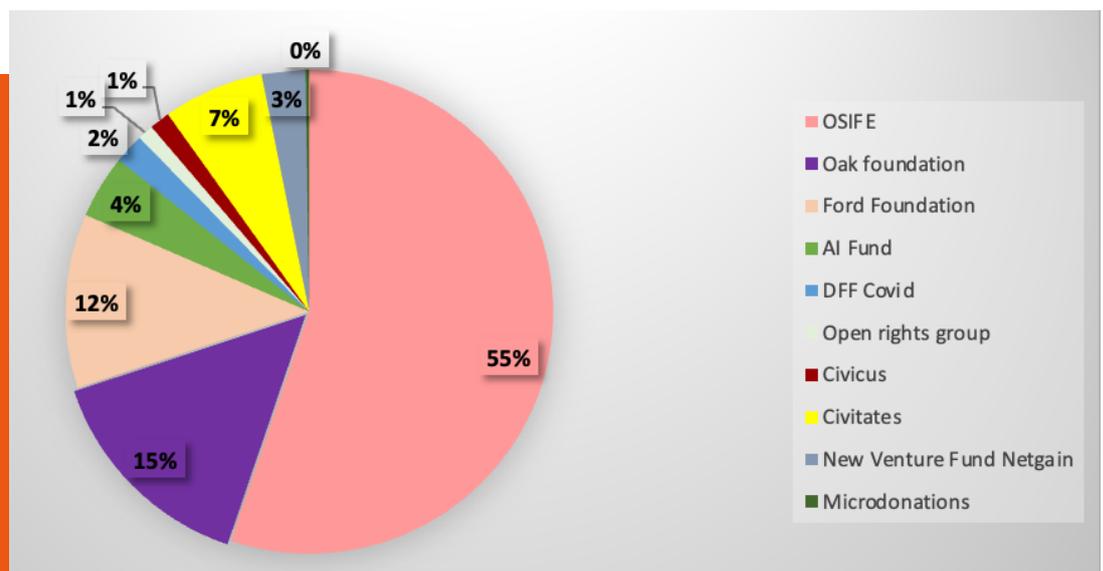
Additionally, after the adoption of our Ethical Funding Policy, in June we successfully presented our first proposal to a public institutional donor, reacting to the CERV call for proposals by the European Commission. This

could mean a major change in the finances of Liberties, and would contribute greatly to the strengthening of our network.

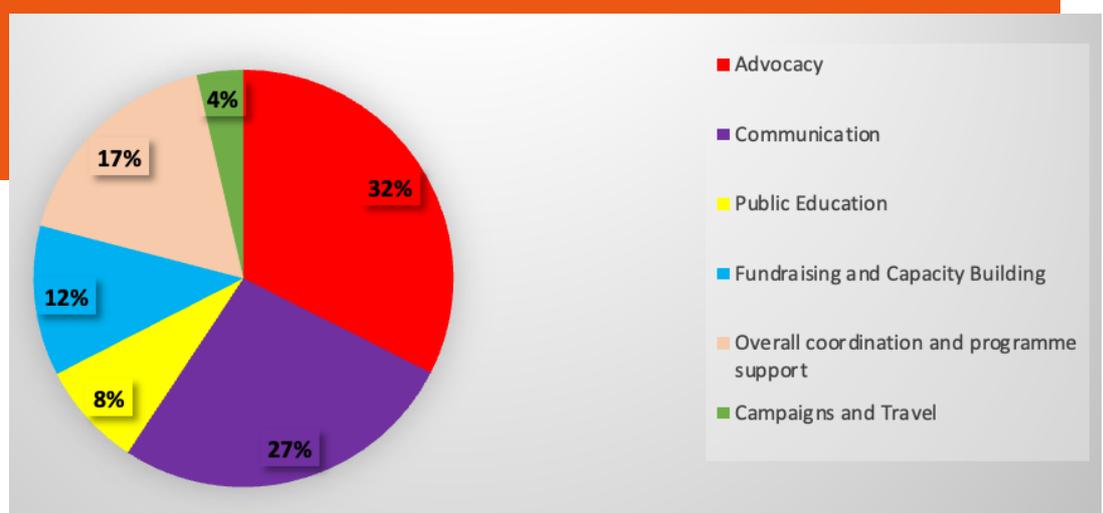
**While these new relationships and opportunities are exciting, we remain grateful for the continued support of our long-term partners: the Ford Foundation, the Oak Foundation, Civitates and the Open Society Foundations.**

The following pie charts will give an overview of our major revenue sources as well as of our annual spending.

## REVENUE



## EXPENDITURE



The Civil Liberties Union for Europe (Liberties) is a non-governmental organisation promoting and protecting the civil liberties of everyone in the European Union. We are headquartered in Berlin and have a presence in Brussels. Liberties is built on a network of national civil liberties NGOs from across the EU. Unless otherwise indicated, the opinions expressed by Liberties do not necessarily constitute the views of our member organisations.

**Website**

[liberties.eu](https://www.liberties.eu)

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## **How you can help us**

One-time or regular donations provides essential support to our campaigns.

You can easily and simply donate online on our website in a secure environment.

<https://www.liberties.eu/en/donate>

Any gift, no matter how small, helps us to continue our work safeguarding fundamental rights, the rule of law and democracy in the European Union.

**Thank you.**