



Grassroots for Europe Round Table # 37: “Cross-Europe civil society collaborations to defend democracy”.

Monday 5th June 2023

With Alice Stollmeyer [Defend Democracy], András Kádár [Hungarian Helsinki Committee], Prof. Laurent Pech [Good Lobby Profs] and Anthony Zacharzewski [The Democratic Society].

Context: Citizen actions across Europe are working to combat challenges to our democracy such as aggressive war, disinformation, threats to the rule of law, the regression of states to autocracy, the denial of human rights to asylum seekers, and spreading recent tendencies towards authoritarian rule. The UK has a strong civil society sector and (since Brexit!) an unusually active pro-European movement, now confronting serious local anti-democratic hazards, often linked to Brexit – but many of the same hazards also exist in EU member states. Experts advise that complex rights issues like asylum will be solved only through cross-national efforts at government and civil society levels, working with EU actors and MEPs. Our aim in this session is to look for pathways, networks, and contacts to help UK citizen campaigns, including pro-EU activists, connect more closely with allied initiatives across European civil society.

Mark English [Chair]: Authoritarian, post-neoliberal leadership, inflammatory and polarising rhetoric, disinformation, undermining the rule of law and the judiciary, denying opponents access to media: these things are happening in a number of places across Europe. And they're a clear and present threat to democracy.

And worse, democracy is obviously not helping itself in many ways. It's often seen by voters and stakeholders as stale, remote, ineffective: how often do we hear the cry: politicians, they're all the same.

But here's the good news. People are fighting back. Yesterday, for example, over half a million people marched through Warsaw, to protest against systematic attacks on democracy by the Polish government. In a different example, perhaps a bit smaller in scale, Conservatives and progressives here in the UK combined to force the government to withdraw some of the most anti-democratic elements in its retained EU law bill. There are some problematic things still there, of course.

We're pleased to welcome speakers who are helping in different ways to lead the fight for democracy. Each will speak about how they see the situation, what they in their organisation are doing, and about how we can all help in ways large or small to promote and defend democracy. And, appropriately enough, Defend Democracy is the name of the organisation founded and headed by our first speaker, Alice Stollmeyer. And Defend Democracy does what it says on the tin, to use a rather hackneyed phrase: it focuses on hybrid and technological threats, and also more pleasurably but deadly seriously at the same time, on organising "Democracy Drinks" in a burgeoning network of cities across the world.

Alice Stollmeyer is the founder and executive director of Defend Democracy, an independent, non-partisan and non-profit civil society organisation which aims to defend democracy against foreign, domestic and technological threats. She is a Dutch digital activist, based mainly in Brussels since September 2012.

Alice Stollmeyer: In 2014, after tweeting about European energy and climate policies and the wider geopolitical context, she was trolled, very probably by Russian trolls. This relatively new and rare phenomenon prompted Alice to educate herself about Russian propaganda, trolls and later bots. This was followed by reports about Cambridge Analytica and in 2016, even before the Brexit Referendum, Alice made the connection between digital developments and state actors and their potential to interfere in our democracies. This led her to found Defend Democracy, originally an informal initiative and later a fully-fledged NGO. Subsequently, the mission broadened into a defence and strengthening of democracy against foreign, domestic and technological threats.

The following five years of intense research and conversations/discussion led to a greater understanding that developments in the UK, US and increasingly in other EU countries show similarities. One thing countries do have in common, is the role of digital platforms and addictive algorithms in facilitating are leading to polarisation, radicalisation and extremism. It is vital to understand that foreign interference, domestic democratic backsliding, and technological threats are interconnected and serve to reinforce each other.

Countering this is a huge task which has led to several projects with a new programme currently underway. One which is easy to connect with is #Democracy Drinks, - informal networking opportunities for democracy defenders. Thanks to Tom Brake of Unlock Democracy for his participation in the launch of the London event. At least a dozen cities across the world now host gatherings, including Berlin, Brussels and Helsinki.

#Democracy Drinks: look for the city near you for details on how to sign up:

<https://defenddemocracy.eu/projects/democracy-drinks/>

The next Democracy Drinks in London is at City Hall at 6pm on the 21st June. If you want to come, email Tom Brake - tom.brake@unlockdemocracy.org.uk

* * * * *

Mark English: I noted in particular, Alice, the connection that you drew between democratic backsliding at home and outside interference. That's actually quite a worrying and frightening point for all of us. We will need to be very aware that people who are trying to manipulate us from outside are being assisted by people inside and also vice versa, in a number of countries in the EU, whether or not things have reached the same level as they have in countries like Hungary and Poland, we are seeing that very much as a daily phenomenon that underpins everything. So thank you very much for that insight. Now, we're going to hear from somebody who is very much on the front line, both physically and politically in terms of defending democracy in the country in the European Union where arguably, the degradation of democracy has gone the furthest and András Kádár is co-chair of the Hungarian Helsinki Committee. The Hungarian Helsinki Committee helps refugees, detainees and victims of law enforcement violence, as well as those whose rights are threatened or breached, due to standing up against the illiberal regime. And no doubt, what András has to say, would have resonance for those of us from other countries who are seeing some of the warning signs that first appeared in Hungary and Viktor Orbán's first premiership, two decades ago now.

András Kádár is Chair of the Hungarian Helsinki Committee, a public benefit human rights organisation that protects human dignity by legal and public activities. It provides help to refugees, detainees and victims of law enforcement violence.

András Kádár: András briefly outlined democratic backsliding in Hungary and its impact on civil society since 2010, when Orbán's Fidesz, now the ruling party, won a landslide victory. Fidesz's majority enabled it to amend the Constitution at any time and in any way it wanted. There followed an incremental but very conscious process of eliminating, weakening or occupying those institutions capable of exercising any control over the Executive. Fidesz started with the state institutions, then extended the process to the economy, the media and the ultimate control, the voters themselves. So, the electoral rules were changed. Undermining civil society organisations, which are usually independent and critical, came as a logical step in this process after the following elections in 2014. From then on systematic attacks on NGOs began, under the cover of hate campaigns as smokescreens against asylum seekers, then Roma people and prisoners, and now the LGBTIQ community. Behind these smokescreens, freedoms were eroded step by step. These attacks on civil society used stigmatisation and undermining of credibility, which in turn led to denial of access to funding, to the media and to state authorities. So, by 2017 the cooperation that used to be very important in defending civil rights became impossible: eventually some of our activities were criminalised.

The responses to such attacks had certain positive side-effects on civil society organisations, which had to reach out to each other. Instead of tensions and distancing, a unifying network grew up concerned with human and social rights, environmental matters, education, etc. This created a kind of umbrella organisation capable of coordinated responses.

It has also been necessary to rethink what is happening to certain axiomatic values such as political and human rights. It is vital to rehabilitate these basic concepts because they have lost their meaning for many people. That loss of meaning made it easier for the government. It has also been necessary to explain to donors that they need to adopt more

flexible approaches, because the previous project-based kind of operation is no longer permitted by the state.

Instead of emphasising legal action - characteristic of many human rights NGOs – it became increasingly important to extend communication and outreach alliances because of the empowerment they can create. Unusual allies had to be found, such as dissidents within the state administration, or the trade unions, which used not to be particularly active in rule of law issues. As democratic backsliding progressed, the importance of our axiomatic values became increasingly evident to civil rights organisations, who realised it was impossible to defend those values on their own. A positive side-effect has been greater responsiveness and flexibility. We have been forced to rethink our social realities, and to reach out to new target groups and allies. This has helped to fight and slow down democratic backsliding.

Hungary is now a ‘captured’ country with ‘captured’ institutions, so it is important for civil society organisations to be able to move issues outside Hungary, beyond national borders, into the international community and institutions. This will help Liberals in the European Union and elsewhere to recognise that democratic backsliding is already a pan-European problem.

* * * * *

Mark English: I think what was most alarming in what you said is the relentless coordination of the attacks on democracy, the strategic planning behind it, by those who have been in positions of power in Hungary over the last couple of decades. But what is very positive is the response to that: civil society buried its differences and got organised in response. That's why there's still hope. And I think all of us would, I'm sure, feel very grateful to the Hungarian Helsinki Committee, because in defending democracy in Hungary, they're also defending our democracies across the rest of Europe. And of course, the European Union institutions have a crucial role as defenders of democracy. Are they fulfilling it? And if not, how can we push them to do better to be more robust? And how can we invest in strengthening defenders of rule of law for the future fight to come?

Our third speaker is here to tell us about some ways to do that. Laurent Pech is Full Professor of Law, Dean of Law and Head of the Sutherland School of Law at University College, Dublin, and founder of the Good Lobby Profs who are again, in a metaphor I overuse, as it says on the tin, professors who are all about good lobbying, in this case to encourage the European Union to stand up for its values and to stand against those who seek to undermine our democracy and specifically democracy in Hungary.

Professor Laurent Pech is co-founder and co-director of Good Lobby Profs – launched in 2021 - a network of mostly law professors specialising in democracy and rule of law.

<https://www.thegoodlobby.eu/profs/>

Laurent Pech: The impetus for this network came from many years of his work on democratic and rule of law backsliding, starting with Hungary. Professor Pech's early career saw him working on rule of law issues for the Constitutional Court of Virginia and in Bosnia

in the context of EU enlargement policy. Experience gained from many years' work on the situation in Hungary led to an insight as to likely developments in Poland. An increasing frustration with EU institutions for either denying what was happening, failing to act or doing too little too late brought recognition that collective force was necessary to exert pressure on EU institutions to do the right thing at the right time. Initially an informal contact list, this developed into a more formal and visible network of academics, which functions as part of an NGO which itself is known as The Good Lobby. The Good Lobby was established by Professor Alemanno with the aim of equalising access to power. The focus of Good Lobby Profs is primarily judicial independence and media and academic freedom although these are clearly closely linked to democracy.

Good Lobby Profs does not have the capacity nor funding to pursue every systemic violation of EU values, hence the prioritisation of judicial independence issues. Since 2021, with a zero budget, they have depended on the goodwill and pro-bono commitment of members. Securing funding is difficult as it is hard to explain what the Good Lobby Profs do and funders can be reluctant to pay indirectly for strategic litigation or pressure put on EU institutions. However, there may be good news on this front in the next few months.

Considering the lack of resource, there have been considerable achievements including open letters and confidential submissions to relevant policy makers. Confidential advice has been provided to MEPs, officials and in some cases national governments – all pro- bono. Last year saw a move to strategic litigation, the most important currently relating to Poland and the recovery plan. For the first time in EU law Good Lobby Profs is working with the European Association of Judges and has been able to convince thousands of European judges to sue both the Council and the Commission regarding the approval of Poland's recovery plan. A set of lawsuits was launched last August with the pro- bono involvement of several lawyers who by pure chance are all based in Ireland. Professor Pech is now based in Dublin. This massive strategic litigation concerns access to 35,6 billion euros and aims to prevent the EU Commission and Council releasing recovery money to Poland while democratic and human rights violations continue. Good Lobby Profs take the view that the Commission and Council violated their own laws for political reasons. The rule of law is not a bargaining chip and Good Lobby Profs will reluctantly sue if it is used in this way. Since this possibility was made clear, there has been a knock-on effect regarding Hungary where the Commission and Council have become both more cautious and more assertive.

Good Lobby Profs aim to empower those fighting the good fight from within EU institutions. The EU is not monolithic, with the Commission, for instance, being strongly divided between those keen to appease autocrats and those upholding EU values with the support of sound legal arguments in day-to-day negotiations. This support is gratefully received.

* * * * *

Mark English: I can vouch for what you just said: EU institutions include a lot of very diverse and different human beings who have very different views. And many people are very much prepared to do whatever they can to ensure that the European Union acts correctly. And one phrase that struck me very hard was when you said 'what I used to do externally, I now

have to do internally'. And that's perhaps the core of the whole thing. We're very used to saying that these threats to democracy are things that happen outside Europe, outside Western Europe, particularly. But that's no longer the case if it ever was. And it's an overused expression, but there is a domino effect. And if democracy is undermined in one place, then it can quickly be undermined, in others. I'd also just like to remark on the massively impressive coordination of your group's pro bono actions, and the ability that you have to act robustly to place pressure on the EU through legal action, or the prospect of it. So beware, when lawyers start to act against you, you know you're in trouble. And again, as with our other speakers, we're all benefiting from the work that you do to shore up democracy. Because as I said, there's also a reverse domino effect, and defeating the enemies of democracy in one country, and shoring it up amongst by shoring up its defenders within the EU European institutions, also helps us to defeat it in others.

Our final speaker is Anthony Zacharzewski, who is founder and president of Democratic Society, or Dem Soc, a growing network of people working to create a democracy that works for the 21st century. Dem Soc seems to be about prevention rather than cure. It's about getting our democracies fit and healthy for the future, helping to immunise them against citizen estrangement, and therefore, immunise them against attacks by anti-democratic actors like Viktor Orbán and many others, and Anthony has an extremely impressive track record in doing just that in reinforcing democracy and making it fit for the modern era.

Anthony Zacharzewski is the founder and president of The Democratic Society (DemSoc), a network of people trying to create a modern, resilient democracy.

<https://www.demsoc.org/who/anthony-zacharzewski>

Anthony Zacharzewski: DemSoc concentrates on citizen participation and engagement and building grassroots support. Defending democracy requires a strong information sphere, a well-informed public, good decision-making and open, transparent and accountable media. DemSoc works with cities and regions across Europe, as well as at national and European level, to create democratic participation opportunities. It considers itself "topic agnostic," so it could for example help a citizens assembly through its process or design, or help students to formulate a university's mission statement, or help a council's budget preparations or digital democracy. Its most important work at present is leading the citizen participation and governance strand of the EU's work with 112 cities to help them reach net zero by 2030. In cities like Sarajevo, and Madrid DemSoc is helping local governments to build up a democratic conversation about climate-change plans and actions. Climate change is important because it touches on almost 80% of policy areas and on democratic decision-making.

The local approach means it's possible to deal with personal matters (e.g., how to get a flat retrofitted), with policy (e.g., standards for new buildings and parking), or city-wide issues like urban transport networks. The benefit of this local approach is that the local conversations which are built up connect at European level. The local approach can, of course, eventually lead to public controversy once the conversations move from general principles into making difficult practical decisions. This is particularly problematic with the practical implications of climate change, which are so far-reaching. Brussels, for example,

has witnessed a big challenge to a relatively straightforward mobility plan. Plans are easily flipped by conspiracy theorists into 'wicked government ruses' to stop people driving anywhere. Populist parties and populist narratives are moving from anti-immigration towards anti-climate action. The very same anti-elite discourse that was used against supporters of immigration and free movement is now being used to attack authorities' and politicians' plans to tackle climate change.

Such reactions from vocal minorities can easily polarise the conversation and delay or obstruct actions that need to be taken at city, national and European level. The most important part of DemSoc's work is to create a broad enough conversation so everyone can see decisions are being taken in public. That applies not just to the general principles of climate change that nearly everybody agrees with, but also to the specific actions needed, such as retrofitting people's houses or the design of new buildings. So citizen participation means open decision-making, but without becoming a citizen veto on everything. DemSoc seeks ways in which citizens' voices and political leadership can work together. Finding the right balance makes it easier to show that involving citizens properly will help inoculate local, national and European politics from the accusation that decisions are just being imposed on everyone by a very small 'elite.' (This danger has been noticeable in the UK in recent years).

So DemSoc sees some essential paths to a democratic society:

- maintain contacts with colleagues in the UK and with colleagues working on democracy-related issues.
- integrate the participation and conversations so as to demonstrate that the rule of law and citizen-led participation are two sides of the same democratic typeethos.
- use the UK's role and track record of participatory practice to open up conversations for the benefit of the whole European continent.
- bring together all of these conversations.

* * * * *

Question & Answers:

Question: Mark English [Chair; European Movement UK]: That was extremely interesting, especially on climate change and how it's been used to polarise opinion in a similar way to how immigration has long been used, and the need for citizens to be involved in deciding close to their own home areas, how the implications of climate change are dealt with, and the big risks to democracy if that citizen involvement does not happen. And you gave some positive examples of where the right things are happening. We picked out Poland, Hungary and the UK, up to a point, as negative examples: are there any member states of the European Union, where most things are being done right, in terms of making sure that democracy is not placed under threat by all of the forces that we've been discussing?

Alice Stollmeyer: Obviously Ukraine has a lot of homework still to do on strengthening their institutions, and especially with regard to taking anti-corruption measures. But it's really leading on what I would say is, like, societal resilience against these multiple threats, both from Russia and external actors, but also the internal ones and the technological ones. So my main source for inspiration these days is Ukraine.

András Kádár: I wouldn't dare to say where things are right. What I can say is how important the cultures and cultural patterns are. And I want to say how difficult it is to grasp these things from a strictly legal point of view, which has been a problem for us and the ECJ [?]. As I said, we used to be a strictly legal organisation, believing in the power of law to make things right, to even out uneven playing fields. And then realising how shaky and feebleineffective that ground can be. You cannot build an airtight bulletproof legal system, and therefore you have to really focus also on raising wider awareness within society. And therefore, I think that grassroots movement initiatives of rehabilitating these ideas of participation, solidarity, democracy are extremely important. The other thing I want to say is, as a warning on the basis of the Hungarian example, is beware of the incremental procedures, and really be on the alert. It took a very long time for European Union institutions to wake up. I remember when our first warnings went out to the Commission in 2011 and 2012, there was sheer disbelief that this was something that is happening. And by the time they have woken up, it might be too late. And this is why I think, for instance, that the work done by the Good Lobby professors is very important to make these institutions wake up sooner to support those within the institutions who are already alarmed about what is happening. So just really watch out for these red flags, and pay attention to how democracies can die slowly - not always, inevitably, with a big crash.

Laurent Pech: I don't have good examples, because I only work on backsliding countries. So whenever I start working on a relevant country, then it means the country is in trouble. Essentially, Hungary is no longer a democracy, Poland is on track to become another autocracy. If I had to pick a third country to be worried about I would pick Greece. It's not as widely discussed as the other two, and that's quite correct, because it's not yet at the same dimension. But it's important that you tackle any early signs of backsliding. In terms of good examples, it's more difficult to come up with a perfect example. A good example not only consists of a sound, well designed legal system, but also a very strong and widely shared constitutional culture. So where you have a widely shared belief in the importance of democracy and the rule of law, and to some extent, I would say Poland has not quite fallen into autocracy yet, because there was at least, I would say, about half the population which has a very strong, solid cultural ethos when it comes to democracy and the rule of law. But if you look at all the different rankings on democracy and the rule of law, the Scandinavian countries are always in the top 10. Ireland is doing quite well. And I would say, actually, even though France and Spain tend to be criticised, the culture is still very supportive. When it comes to democracy and the rule of law, Germany is also a good example of a system which reinvented itself after the tragedy we all know. But usually, I think, I mean, usually I'd only have time for the countries which are backsliding. And I would also worry about the UK in this respect.

Anthony Zacharzewski: In terms of citizen participation and education, different bits work well in different places. So, in Denmark or Sweden, for example, despite national politics being in a tricky place, there's definitely a very strong commitment to teaching local democracy and to local participation. France and Germany are also good cases. France has some really innovative democratic practice happening at a national level. And Germany has quite a good track record of local initiative. Although there is a historic aversion to referenda, there is some citizen consultation and participation going on. There's more to be said, in a positive sense about the UK than you might think, although the UK has gone off the boil in some of these areas of democratic innovation in the last five, six years. Brexit was a slam on the brakes for any kind of democratic innovation that was not referendum- and populism-driven, at least at national level; at local level, there's been a little bit more but now with the Ukraine war, local budgets have dried up, and there's a lot of a lot less going on. In terms of civic education, the French-speaking school system in Belgium does teach citizenship and philosophy. My children did get quite a good grounding in the basics of the Belgian constitution and human rights, in thinking about their role as citizens in a way that had not been touched on in the UK. Here it was taught as a branch of philosophy rather than as a as a kind of rote learning thing. In the UK, where civics or civic elements were taught, it was more as a map of what does the mayor do and things like that, which can be a bit of a turn off. In Belgium I think it was put in a more human context.

Question: Tom Brake [Unlock Democracy]. Was the Conference on the Future of Europe successful in creating a sense of engagement with the EU's population and were any useful lessons learned?

Anthony Zacharzewski : My organisation were official evaluators of the Conference. I think the answer is no and yes. No, it didn't really get much traction in the population as a whole. If you were to walk down the street, even here in Brussels, you would not find people who would have known that it was happening. At the same time, yes, it was successful is that it was a useful test of some of these approaches applied at the European scale. And more importantly, the Commission President announced afterwards that they were going to be conducting further panels in the future on significant issues as a standalone event. One of the problems with the Conference on the Future of Europe is that, as I understand it, the initial focus was meant to be on European democracy, on the instruments and the tools of the European Constitution, but lots of other content was added by various parts of the European system whose effect was to to ensure that it would have such a broad conversation that it would never reach any meaningful conclusions. And it's certainly true that the conclusions of the European Conference on the Future of Europe are very broad. They're not statements of the obvious, that's unkind, but they're certainly very broad statements that don't really have a worked-out theory of implementation behind them. They're more like the first idea you come up with. Normally in our processes, you'd run a second round to try and dive a bit deeper and challenge the ideas and enrich them a bit. That did not happened. However, the next thing that was clear after the event was that the approach had been very popular with those people who participated, not just the citizens, but also the people from the Commission, the people from the Council.

So, there was a clear commitment quite early on to do more of the same, but to focus it down more, as with the citizen panels that have been happening recently on food waste, on digital identity, and another topic. They are better focused, because they're the same scale, the same timescale, but on one issue where you can go deep and where you can get some meaningful recommendations out. So again, it's a learning process. My 'glass half empty' part is that the conference was not as transformative on the European democracy front as it could have been. My 'glass half full' part is that it definitely sets a tone, whereby the expectation is that major policies and major changes are going to be preceded by citizen consultations in the future. The question is, as we approach a likely treaty revision to allow the Western Balkans, Ukraine, Moldova, to join the Union, which is maybe four or five years off, but people are already thinking about it, the question will be, at what point do you determine that process through citizen action, as opposed to people in suits sitting in what would have once been smoke-filled rooms? And I think the balancing of those two new and traditional power sources in defining what the new European balance and the European Constitution is going to look like, that I think will be one of the real markers of success: has the conference and have the wider democratic innovations that have been going on had such an impact that you can't avoid involving citizen voice meaningfully in the next treaty revision? Or has it just been like a nice exercise, but when we get on to the serious stuff, we'll leave it to the adults?

Question: Sandra Khadhouri [Keeping Channels Open, Brussels]: which UK political parties or local authorities have been best at promoting citizen participation in policymaking and local decision making?

Anthony Zacharzewski : There are tendencies favouring democratic innovation in all of the main parties. So, although looking at the numbers across the 10 to 15 years of our work in the UK, you would say it was probably skewed a little bit towards the left, we've certainly worked with Conservative-controlled authorities pretty well as much as with Labour-controlled authorities. Looking at the last four or five things that we did in the UK with local government, we've worked with SNP which obviously is in Scotland. We've worked with Tory boroughs, and in recent years with Labour London boroughs. We've worked with a Labour Council in the north. So, there's a variety. And I think it's much more about the personality of the leadership and the power and ability of the leadership to take innovation through the administrative structures than it is about, you know, party A versus party B. I think you're starting to see both the major parties in the UK getting to address some of these issues. But I think the challenge is that, unlike what I'm most familiar with now, which is Belgian politics where there is still quite a lot of local party discussion, all those institutions seem to be a little bit withered away in the UK. I've not been a member of a political party in the UK since the referendum, because I left the UK. But my experience of policymaking even then, was that it was not really left with party members, it was still much more top down. There is an element that depends more on who you've got in the leadership position and where you are, than what colour is that they stood for election under. Those councillors who are really locally rooted and have become a councillor for that party because it happens to be the party that everyone's a member of in that region, rather than because they are particularly ideologically wedded to it, tend to be the most ready to open up and to and to embrace some of these ideas. One of the council leaders that we

worked with, I won't say where, was so excited by the possibilities of democratic innovation that he defected from Tories to the Lib Dems. So, we can have some quite surprising effects.

Question: Sharon Leclerc Spooner [Pro Europa, Brussels]. As we know, the process András describes of systematic dismantling of checks and balances is happening in the UK and US as well. For example, the Florida governor is book-burning, and there is what the UK REUL Bill is seeking to do. Timothy Snyder suggests that certain political parties and actors, Trump and Farage have been captured by Kremlin interests. Is he right? Or if he is right, why have our societies failed to stop that? And what actions are needed to do so?

Alice Stollmeyer: Yes, I'm pretty sure that some parties are captured either by Russian or by other interests. Some of them may be by either overtly or covertly receiving funding. Of course, when it's done covertly, it's very, very hard to find out sometimes. But there's been some terrific journalism, investigative journalism done in this area. Why have our governments or leaders not acted? It's frightening to realise that actually, we're in this political war, or that at least, that Russia is trying to conduct a political war, whereas it's easier or more reassuring to believe that we're still at peace. But I think this has not been the case since 2014 or so. And some leaders still don't want to see this or they hope they can soon get back to business as usual. I doubt that will be possible. What can we do? Well, for one thing, we need collective engagement. So rather than in just one country, we should act together, of course. Therefore, it's particularly sad that the UK has left the EU, so I hope you'll come back soon. And you really have quite a strong voice in this.

Mark English: Regarding Alice's last remark about how it would be good to see the UK back in the EU. When I or my colleagues from the European Movement talk or tweet to people about this, very often a reaction that we get from Brexiteers and Eurosceptics is, look what's going on in Hungary and Poland. Look what's going on with Le Pen! Why do we want to rejoin this organisation where all those things are happening? And my answer is always that those things that are happening and are without doubt very concerning and very negative, are another reason why the UK should be seeking in the medium term to rejoin. Partly because as Alice has said, the UK still does have a strong and powerful voice for good on aspects of this, which can influence others and which can add to pressure on others to act. Secondly, because equally in the areas where it's the UK that is showing a tendency to backslide, it would be extremely positive for democracy in the UK, if there were more formal means, as there are in the European Union, as well as informal means of exerting pressure on the UK, to step up to the mark. And to become a better and stronger example. We face the same challenges to different degrees across Europe in the matter of defending democracy, as in many other areas, and the only way to tackle them is to work together. And the most effective way to work together and to learn from each other is to do so within the context of the European Union institutions. And that's my answer to that criticism. I don't know whether it's an adequate one, it doesn't convince everybody. But for me, the fact that there are lots of issues and problems in the EU provides all the more reason for the UK to be back in it.

Question: Andy Pye [Association of European Journalists]. The Association of European Journalists is specifically interested in anti-democratic threats to the role of

journalists, although we recognise it is a much wider issue. There are various reasons for this concern: suppression of objective reporting, compromising safety, trolling, as Alice mentioned, or worse. Then there is control of the media by particular political actors such as Murdoch in the UK. How can the AEJ work together nationally and internationally with the organisations of the speakers and other representatives on this call?

Laurent Pech: If you are aware of a systemic issue, which may be of relevance from the point of view of the Good Lobby Profs, you can just drop me an email. We work with other organisations, there's nothing preventing us from working with other organisations provided obviously that we have the time considering the absence of the financial resources we've got, which means that we are obliged to prioritise only around two to four cases a year relating to media freedom. What we did last year was to try to convince the Commission to come up with a better proposal regarding what is known as SLAPP, strategic lawsuits against public participation, when you are being sued for defamation, not because you were doing anything wrong, but just to try to scare you into submission. There was a new law adopted and we did a bit of work behind the scenes to get the proposal improved. We also help judges, lawyers and journalists on a case-by-case basis, but as I said, we need to prioritise and we tend to give priority to the issues which have potentially the most systematic impact. But again, there is nothing preventing you from just dropping me an email. There was also a question in the chat about preliminary ECJ ruling requests in a Scandinavian country. I would need more details to be able to tell you whether what happened was okay from a rule of law point of view or not.

András Kádár: We are not specialising in media law, but one thing in Hungary that has greatly contributed to the situation as it is, is the capture of the media and the distortion of the media market, primarily done by channelling state advertising, and advertising from state companies into pro-government media outlets, and basically starving and strangling those media organs that are critical, that are independent, and then buying them up. So basically, it has become extremely difficult for centres of opposition, including us, including opposition politicians, to convey our messages to the people. And this is part of the reason why the OSCE mission concluded that the Hungarian elections in 2022, as well as in 2018, were free, but unfair, because the playing field was not even. And there have been attempts to formulate this issue as a competition law issue, because this is something that the EU has competence on. Regarding the media market, other competencies of the Union are more limited. So, one thing that I think it is worth looking into is how this can be formulated as an issue under EU law, because otherwise, this distortion of the media market is something that is very difficult to fight within the country.

There are wonderful Hungarian organisations dealing with media issues, ownership, structure, legal regulation, both in Hungary and within Europe. And I will be really happy if you're interested to put you in contact with them, because they are doing a wonderful job in this area.

Question: Fiona Godfrey [British in Europe]. Is there any evidence that the breaches of the rule of law in Poland and Hungary and the lack of any effective response from EU institutions are having a knock-on effect in other Member States? Because British

in Europe has seen requests for clear-cut preliminary references to the CJEU from national courts in some countries being ignored.

Laurent Pech: Autocrats learn from one another. We talk about the sharing of best practices, but we need to talk about worst practices travelling across jurisdictions. The British authorities, for instance, quite clearly copied and pasted, or at least implemented the ongoing Orbán playbook. Regarding the specific question, there is indeed a general trend towards non-compliance with domestic and European rulings, especially by those attempting to build autocratic regimes. Regarding the specific question about the preliminary ruling request, we need to know more details to be able to answer this. But in Hungary and Poland, it is true that governments of these two countries have tried to punish judges when they send questions to the Court of Justice. I'm not aware of any similar attempt in a Scandinavian country. Possibly the question refers to a situation where reference to the ECJ was overruled on appeal, this is permissible in EU law. So, we need a bit more details to be able to tell you whether what you saw is a breach of EU law. But yes, there is a contagion effect when it comes to autocratic backsliding. And, in fact, you could argue that the UK is on the backsliding path. Many elements you can find in Hungary and Poland, you can also find them, in a less intense way, but the same means being used to undermine democracy and the rule of law in the UK. There is the recent example of ID cards required to vote at local elections, but with different requirements applying, depending on who the government was thinking you would vote for. So, we need to be worried about what's happening in the UK. And I hope that when the opposition win elections in the UK, they're going to reinforce the constitutional system in the UK to prevent any backsliding in the future. Please email me if you have a question.

See: <https://www.thegoodlobby.eu/profs/>